

ITEM NO 1 At a regular re-organization meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 4th day of January, 1954, at 2:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

Also present were: Town Clerk Kenneth T. Hanley; General Foreman John Eberl; Chairman of the Board of Assessors Edward B. Jerzewski; Assessor Eugene Rudzynski; Building & Plumbing Inspector Ernest Roehm; Assistant Building Inspector Carl Trafalski; Secretary to the Board of Assessors Joseph Kistowski; Justice of the Peace Thomas E. Delahunt; Justice of the Peace Joseph Pyszczynski; Town Engineer Albert J. Kamm; Dog Warden Kraska; Director of Recreation Edward Janiak; Town Historian Julia B. Reinstein; Receiver of Taxes and Assessments Edward H. Pfohl; Highway Superintendent John J. Zablotny; and School Director Rose A. Petersen.

ITEM NO. 2 This being the time and the place advertised for a public hearing on the petition for the improvement of Cresthaven Drive by the construction of a permanent pavement in said highway extending from the north line of Sublot No. 220, Cover 1445, to the Amherst-Cheektowaga town line.

The Supervisor directed the Town Clerk to present proof of publication of the Notice of the Hearing.

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

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

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board on December 21, 1953, requesting the improvement of Cresthaven Drive, extending from the north line of Sublot No. 220, Cover 1445, to the Amherst-Cheektowaga Town Line, by the construction of a permanent pavement in said highway, and

WHEREAS, said petition was duly signed by owners of real property constituting the owners of at least one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid and also constituting resident owners owning not less than one-half of the frontage owned by resident owners along said highway proposed to be improved, and

WHEREAS, the said petition was duly acknowledge 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 the 21st day of December, 1953, 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 Nine Thousand Six Hundred Dollars (\$9,600.00), 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 4th day of January, 1954, at 2:30 P.M., Eastern Standard 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 time hereinbefore mentioned, and at such place and time the said Town Board did duly consider the said petition and hear all persons interested.

NOW, THEREFORE, after such hearing and upon the evidence given thereat and pursuant to the provisions of Section 200 of the Town Law of the State of New York, it is hereby

RESOLVED, that this Board determine that it is in the public interest to make the improvement petitioned for, to wit, the construction of a permanent pavement along said highway, extending from the north line of Sublot No. 220, Cover 1445, to the Amherst-Cheektowaga Town Line, and it is further

RESOLVED, that Nussbaumer and Clarke, Consulting Engineers for the Town of Cheektowaga, shall survey said highway proposed to be improved and establish the lines and grades thereof and file in the Town Clerks Office a survey and profile of said highway, and be it further

ITEM NO. 2 -Cont'd

RESOLVED, that the said Nussbaumer and Clarke, 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 Bystrak and duly put to a vote which resulted as follows:

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -0-

The resolution was thereupon declared duly adopted.

ITEM NO. 3  
adoption:

Councilman Nagel presented the following resolution and moved its

RESOLVED, that the regular meetings of the Town Board of the Town of Cheektowaga, Erie County, New York, shall be held on the first Monday of each month, in the afternoon, at 2:30 o'clock and on the third Monday of each month, at 7:30 o'clock in the evening, at the Council Chamber in the Town Hall, Cheektowaga, Erie County, New York, be it further

RESOLVED, that the Supervisor may, and upon written request of two members of the Board, shall call a special meeting of the Town Board at any time by giving at least two days notice in writing to the other members of the Town Board of the time and place where the meeting is to be held.

This resolution is to take effect immediately.

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

as follows:

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -0-

ITEM NO. 4  
adoption:

Councilman Bystrak presented the following resolution and moved its

RESOLVED, that the official bond of Benedict T. Holtz as Supervisor of the Town of Cheektowaga be fixed at the sum of \$100,000.00 and that his official bond for highway funds be fixed in the sum of \$20,000.00, and be it further

RESOLVED, that the official bond of Kenneth T. Hanley, Town Clerk, be fixed in the sum of \$5,000.00 and John J. Zablony, Town Superintendent of Highways be fixed at \$1,000.00, and be it further

RESOLVED, that the official bonds of Thomas E. Delahunt and Joseph Pyszczyński, Justice of the Peace of the Town of Cheektowaga, be fixed in the sum of \$2,000.00 and Edward H. Pfohl, Receiver of Taxes and Assessments at the sum of \$10,000.00.

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

as follows:

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -0-

ITEM NO. 5 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that pursuant to law, this Board hereby designated the First National Bank of Buffalo, Cheektowaga Office, as one of the Depositories of Town Funds, and that all checks, notes and other instruments for the payment of money made or drawn by, or upon or payable to the Town, shall be signed or accepted or endorsed ( other than for deposit ) by the following named officer of the Town in the manner stated:

BENEDICT T. HOLTZ - SUPERVISOR

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

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

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -0-

ITEM NO. 6 Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that the First National Bank of Buffalo, Cheektowaga Office, as one of the designating depositories of the Town of Cheektowaga, be, and it is hereby requested, authorized, and directed to honor checks, notes, and other instruments for the payment of money against Town Funds on deposit therein, including those payable to the individual order of the person whose name appears thereon as a signer, when bearing or purporting to bear the facsimile of Benedict T. Holtz, Supervisor.

( FACIMILE SIGNATURE )

and the First National Bank of Buffalo, Cheektowaga Office, shall be entitled to honor and to charge the proper bank account of the Town of Cheektowaga for such checks, notes, and other instruments, regardless of by whom or by what means the actual or purported facsimile signature thereon may have been affixed thereto, if such signature resembles the facsimile specimen or specimens duly certified to or filed with the First National Bank of Buffalo, Cheektowaga Office, by the Supervisor, the Town Clerk, or other officer of the Town of Cheektowaga, New York.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

AYES: -5-

Noes: -0-

ABSENT: -0-

ITEM NO. 7 Councilman Nagel presented the following resolution and moved its adoption: RESOLVED, that the salaries of Town Employees and officials for the year 1954, and thereafter be established as follows:

Supervisor	\$6,800.00
Town Clerk	5,400.00
Town Attorney	6,300.00
Justice of the Peace (2)	3,900.00 each
Councilman (4)	3,000.00 each
Receiver of Taxes	5,400.00
Chairman of Board of Assessors	4,700.00
Assessors (2)	4,000.00 each
Secretary to Board of Assessors	4,200.00
Superintendent of Highways	5,900.00
General Foreman-Sanitation	4,000.00
Principal Clerk-Sanitation	3,900.00

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Building & Plumbing Inspector	\$4,000.00
Assistant Building & Plumbing Inspector	3,700.00
Town Engineer	7,800.00
Draftsman	3,800.00
Junior Engineering Aides (2)	3,800.00
Senior Clerk ( Assessments )	3,250.00
First Deputy Town Clerk	3,000.00
Second Deputy Town Clerk	2,950.00
Telephone Operator	2,500.00
Dog Warden (first)	2,850.00
Dog Warden ( Second )	2,650.00
Attendance Supervisors (2)	1,400.00 each
Park and Recreation Director	3,800.00
Secretary to Supervisor	3,600.00
Payroll Clerk	2,800.00
Senior Account Clerk-Tax Office	3,050.00
Graphotype Addressograph Operator	3,000.00
Senior Stenographer (1)	2,800.00
Stenographers (4)	2,800.00 each
Janitors (2)	3,400.00
Principal Account Clerk-Highway	4,200.00
Foreman-Incinerator	4,200.00
Incinerator Operators (5)	3,800.00 each
Sewage Plant Operators, District #3 (4)	3,400.00
Sewage Plant Operators, District #5 (5)	3,700.00 each
Superintendent of Sewage Plants	4,200.00
Auto Mechanic	4,050.00
Auto-Mechanic-Police	3,750.00
Chief of Police	5,100.00
Lieutenants (5)	4,400.00 each
Detective Sergeants (6)	4,250.00 each
Patrolmen (27)	4,100.00 each
Matron	1,100.00
Police Dispatcher & Telephone Operators (3)	3,600.00 each
Tax Clerk	3,800.00
Charwomen	8.53 per day
Motor Equipment Operators Sanitation	12.60 per day
Laborers-Sanitation	12.10 per day
Extra Clerks	7.50 per day
Health Officer	3,500.00
School Crossing Guards	1.05 per hour

and be it further

be increased by 12½

as follows:

RESOLVED, that the salaries of all employees working on an hourly basis cents per hour.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -0-

ITEM NO. 8  
adoption:

Councilman Nagel presented the following resolution and moved its

RESOLVED, that Albert J. Kamm, 383 Wardman Road, Kenore, New York, be appointed Town Engineer of the Town of Cheektowaga at the annual salary of Seven Thousand Eight Hundred Dollars (\$7,800.00), effective immediately.

Seconded by Councilman Neibert.

CARRIED: AYES: -5--

ITEM NO. 9 Councilman Bystrak presented the following resolution and moved its adoption: 3  
WHEREAS, the Supervisor of the Town of Cheektowaga, New York, has appointed Virginia G. Stevens, , Cheektowaga, New York, Secretary to the Supervisor, be it

RESOLVED, that the appointment of the Secretary to the Supervisor be and the same is hereby approved and confirmed, and be it further

RESOLVED, that the salary of the Secretary to the Supervisor be fixed at Three Thousand Six Hundred Dollars (\$3,600.00), per annum, effective immediately. Seconded by Councilman Wroblewski. CARRIED: AYES: -5-.

ITEM NO. 10 Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that Edward B. Jerzewski, of , Cheektowaga, New York, be appointed Chairman of the Board of Assessors and that Eugene Rudzinski of , Cheektowaga, New York, and Andrew H. Schwenk Jr., of , Cheektowaga, New York, be appointed Assessors of the Town of Cheektowaga, New York, on a full time basis, and be it further

RESOLVED, that Edward B. Jerzewski, as Chairman of the Board, receive an annual salary of Four Thousand Seven Hundred Dollars (\$4,700.00) and be it further

RESOLVED, that the salary of each, Eugene Rudzinski and Andrew H. Schwenk Jr., be fixed at the sum of Four Thousand Dollars (\$4,000.00) annually. Seconded by Councilman Wroblewski. CARRIED: AYES: -5-.

ITEM NO. 11 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that Helen Kosin, Sloan, New York, be appointed Police Matron at the annual salary of One Thousand One Hundred Dollars (\$1,100.00), effective immediately.

Seconded by Councilman Neibert. CARRIED: AYES: -5-.

ITEM NO. 12 Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that George B. Doyle, Attorney at Law, of Cheektowaga, New York, be and he is hereby appointed Town Attorney for the Town of Cheektowaga, New York, at the annual salary of Six Thousand Three Hundred Dollars (\$6,300.00), to take effect immediately.

Seconded by Councilman Bystrak. CARRIED: AYES: -5-.

ITEM NO. 13 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that Edward Janiak, , Cheektowaga, New York, be appointed Recreational Director of the Town of Cheektowaga, New York, at the annual salary of Three Thousand Eight Hundred Dollars (\$3,800.00).

Seconded by Councilman Nagel. CARRIED: AYES: -5-.

ITEM NO. 14 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that Elizabeth Biniacz, , Cheektowaga, New York, be and she is hereby appointed Deputy Town Clerk at the annual salary of Three Thousand Dollars (\$3,000.00).

Seconded by Councilman Nagel. CARRIED: AYES: -5-.

ITEM NO. 15 Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that Gertrude Nolan, Cheektowaga, New York, be and she is hereby appointed Deputy Town Clerk at the annual salary of Two Thousand Nine Hundred Fifty Dollars (\$2,950.00).

Seconded by Councilman Bystrak. CARRIED: AYES: -5-.

ITEM NO. 16 Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that Kenneth T. Hanley, be and he hereby is appointed Registrar of Vital Statistics of the Town of Cheektowaga, New York, according to Section 373, Article 22 of the Public Health Law for the term ending December 31, 1954.

Seconded by Councilman Wroblewski. CARRIED: AYES: -5-.

ITEM NO. 17 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that Elizabeth Biniacz, Cheektowaga, New York, be and she is hereby appointed Deputy Registrar of Vital Statistics.

Seconded by Councilman Nagel. CARRIED: AYES: -5-.

ITEM NO. 18 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that Benjamin Kraska, Sloan, New York, be appointed Dog Warden at the annual salary of Two Thousand Eight Hundred Fifty Dollars (\$2,850.00).

Seconded by Councilman Neibert. CARRIED: AYES: -5-.

ITEM NO. 19 Councilman Neibert presented the following resolution and moved its adoption:  
 RESOLVED, that Louis Leising, , Cheektowaga, New York, be appointed Dog Warden at the annual salary of Two Thousand Six Hundred Fifty Dollars (\$2,650.00).  
 Seconded by Councilman Wroblewski. CARRIED: AYES: -5-.

ITEM NO. 20 Councilman Wroblewski presented the following resolution and moved its adoption:  
 RESOLVED, that the following be appointed to serve as extra clerks in the Tax Collectors Office to assist in collecting 1954 County Taxes:  
 Jean Stachowski  
 Amelia O'Connor  
 Julia Dalton  
 Victoria Krzemien  
 Dolores Pastwick  
 Terry Heindl  
 Eleanor Piacente

Seconded by Councilman Nagel. CARRIED: AYES: -5-.

ITEM NO. 21 Councilman Wroblewski presented the following resolution and moved its adoption:  
 RESOLVED, that Florence Falkiewicz No. be appointed as traffic guard at the rate of \$1.05 per hour.  
 Seconded by Councilman Nagel. CARRIED: AYES: -5-.

ITEM NO. 22 Councilman Neibert presented the following resolution and moved its adoption:  
 RESOLVED, that August Schlee No. , be appointed as a traffic guard at the rate of \$1.05 per hour.  
 Seconded by Councilman Nagel. CARRIED: AYES: -5-.

ITEM NO. 23 Councilman Neibert presented the following resolution and moved its adoption:  
 RESOLVED, that the balances as shown in the various Construction and Improvement Funds at December 31, 1953, be transferred into one fund to be known as "Construction and Improvement Fund, Town of Cheektowaga."

The accounts and balances were as follows:

Sewer District No. 3	
Disposal Plant Improvement Acct. No. 2	\$105,226.01
Water District No. 9	
Tapping and Meter-Como Park Ext.	443.61
Water District No. 9	
Tapping and Meter-Strasmere Ext.	230.70
Sewer District No. 5	
Walden Thruway Area Ext.	683.62
Sewer District No. 5-Trunk Ext.	11,788.10
Darwin Drive-Paving	2,357.36
Sugnet Road-Paving	949.40
Walton Drive-Paving	1,126.08
Cresthaven Drive-Paving	991.64
Disposal Plant No. 5	3,081.75
Floral Place-Lateral Sewer	984.65
Abeles Avenue, etc., Lateral Sewer	5,500.00
	<u>5,500.00</u>
TOTAL	\$133,362.92

Seconded by Councilman Nagel. CARRIED: AYES: -5-.

ITEM NO. 24 Councilman Neibert presented the following resolution and moved its adoption:  
 RESOLVED, that Councilman Nagel be authorized and directed to cast the vote for the Town of Cheektowaga, New York, at the Annual Association of the State of New York meeting to be held at New York City on February 8th, 9th and 10th, 1954, and Councilman Wroblewski to act as alternate.  
 Seconded by Councilman Bystrak. CARRIED: AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board on May 18, 1953, requesting the improvement of Walton Drive, extending from the Geib property located on Walton Drive in a northerly direction to the north line of the Town of Cheektowaga, New York, by the construction of a permanent pavement in said highway, and

WHEREAS, said petition was duly signed by owners of real property constituting the owners of at least one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid and also constituting resident owners owning not less than one-half of the frontage owned by resident owners along said highway proposed to be improved, and

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

WHEREAS, at a meeting of the Town Board duly held on the 18th day of May, 1953, 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 Ten Thousand Dollars (\$10,000.00), 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 1st day of June, 1953, 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 time hereinbefore mentioned, and at such place and time the said Town Board did duly consider the said petition and hear all persons interested.

NOW, THEREFORE, after such hearing and upon the evidence given thereat and pursuant to the provisions of Section 200 of the Town Law of the State of New York, it is hereby

RESOLVED, that this Board determine that it is in the public interest to make the improvement petitioned for, to wit, the construction of a permanent pavement along said highway, extending from the Geib property located on Walton Drive, in a northerly direction to the north line of the Town of Cheektowaga, New York, and it is further

RESOLVED that Nussbaumer and Clerke, Consulting Engineers for the Town of Cheektowaga, shall survey 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 highway, and be it further

RESOLVED that said Nussbaumer and Clarke, 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 Neibert and duly put to a vote, which resulted as follows:

Supervisor Holtz,	Voting Aye
Henry J. Nagel,	Voting Aye
Felix T. Wroblewski	Voting Aye
Joseph A. Neibert	Voting Aye
Stanley Bystrak,	Voting Aye

AYES: 5

NOES: 0

ABSENT: 0

The resolution was thereupon declared duly adopted.

STATE OF NEW YORK )  
COUNTY OF ERIE ) SS:  
TOWN OF CHEEKTOWAGA )

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 January 4th, 1954 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 A-1 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 and the place where such meeting was held and the members of said board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 4th day of January, 1954.

Kenneth T. Hanley  
Town Clerk

ITEM NO. 26

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board on June 15, 1953, requesting the improvement of Sugnet Road, extending from the south line of Cleveland Drive to the north line of Fontaine Drive, by the construction of a permanent pavement in said highway, and

WHEREAS, said petition was duly signed by owners of real property constituting the owners of at least one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid and also constituting resident owners owning not less than one-half of the frontage owned by resident owners along said highway proposed to be improved, and

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

WHEREAS, at a meeting of the Town Board duly held on the 15th day of June, 1953, 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 Fifteen Thousand Dollars (\$15,000.00), 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 6th day of July, 1953, 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 time hereinbefore mentioned, and at such place and time the said Town Board did duly consider the said petition and hear all persons interested.

NOW, THEREFORE, after such hearing and upon the evidence given thereat and pursuant to the provisions of Section 200 of the Town Law of the State of New York, it is hereby

RESOLVED that this Board determine that it is in the public interest to make the improvement petitioned for, to wit, the construction of a permanent pavement along said highway, extending from the south line of Cleveland Drive to the north line of Fontaine Drive, and it is further

RESOLVED that Nussbaume and Clarke, Consulting Engineers for the Town of Cheektowaga, shall survey 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 highway, and be it further

RESOLVED that said Nussbaumer and Clarke, 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 Neibert and duly put to a vote, which resulted as follows:

Supervisor Holtz,	Voting Aye
Henry J. Nagel,	Voting Aye
Felix T. Wroblewski,	Voting Aye
Joseph A. Neibert,	Voting Aye
Stanley Bystrak,	Voting Aye

AYES: 5

NOES: 0

ABSENT: 0

The resolution was thereupon declared duly adopted.

STATE OF NEW YORK )  
COUNTY OF ERIE ) SS:  
TOWN OF CHEEKTOWAGA )

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 January 4th, 1954 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 A-2 inclusive of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 4th day of January, 1954.

Kenneth T. Hanley  
Town Clerk

ITEM NO. 27

Councilman Wroblewski moved, seconded by Councilman Nagel:

THAT the request of Town Engineer Albert J. Kamm to attend the 26th Annual Meeting of the New York Sewage and Industrial Wastes Association at New York City on January 21, 22, 1954, be granted.

CARRIED: AYES: 5

ITEM NO. 28

Councilman Wroblewski moved, seconded by Councilman Nagel;

THAT the Justices of the Peace of the Town of Cheektowaga be authorized and directed to go to Baltimore, Maryland to make a study of the Childrens Court Sessions to be held in that city.

CARRIED: AYES: 5

ITEM NO. 29 Councilman Wroblewski moved, seconded by Councilman Neibert that the following be approved:

CHANGE ORDER NO. 2

SEWAGE TREATMENT PLANT DISTRICT NO. 3

TOWN OF CHEEKTOWAGA, NEW YORK

Contractor:  
C.E. Knowles Company

Proposed Change and Cost:

Item No. 2 from C.E. Knowles' letter of November 25, 1953:

Damp Proofing

The interior of the following structures should be cleaned down, cracks patched and painted with two coats of Inertol to protect them from further damage.

- a. Walls of grit chambers and comminutor basins.
- b. Old primary walls to a point approximately eight (8) feet below the top of the structure. Also remove disintegrated concrete on pilasters and columns and recap as required.
- c. Interior of walls of the old final tank.

Bid price of \$1,280.00

Reason for change:

During construction, the condition of this masonry has been found to be in bad condition, needing protection as above indicated, We have checked this price and believe it to be reasonable.

Recommended by:

Charles L. O'Donnell  
Nussbaumer Clarke and Velzy.

Date: January 4, 1954.

Approved:

Town Board of Cheektowaga

Date: January 4, 1954.

ITEM NO. 30 Councilman Nagel moved, seconded by Councilman Wroblewski, that all department heads be authorized to attend the Annual Meeting of the Association of Towns of the State of New York, in New York City on February 8th, 9th and 10th, 1954.

ITEM NO. 31 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same.  
( Warrant No. 1 to No. 55, inclusive, drawn on the Supervisor.)

ITEM NO. 32 Councilman Nagel moved, seconded by Councilman Bystrak, to adjourn.

Kenneth T. Hanley

SEAL.

Town Clerk.



ITEM NO. 7-Cont'd

Reason for Change:

The old enclosed sludge beds and enclosure are in such a bad state of repair that they are no longer useful. The west wall is badly cracked and out of line permitting surface and ground water to enter the beds from the west side so as to render that portion practically useless.

Recommended by:

Irving Clarke  
Nussbaumer Clarke and Velzy

Dated: 1-18-54

Approved:

Cheektowaga Town Board

Dated: 1-18-54

January 18, 1954.

CHANGE ORDER NO. 4

SEWAGE TREATMENT PLANT DISTRICT NO. 3

TOWN OF CHEEKTOWAGA, NEW YORK

Contractor:

C.E. Knowles Company

Proposed Change and Cost:

- A. Relocate the 8" sludge pipe and valves moving into existing sludge beds.
- B. Wire brush and paint wall with inertol, all exposes pipe and valves.
- C. Install three concrete splash blocks at points where sludge enters the beds.
- D. Recess the chlorine scales in the floor of the Chlorine room and change chlorine pipe and manifold for convenience and accessibility.
- E. Remove chimney on existing pump house.
- F. Tear off top of present chlorine manhole, rebuild and furnish a new manhole frame and cover so as to support loads of sludge coming from the old sludge beds.

Bid price of

\$1,990.00

Reason for Change:

To eliminate the lifting of heavy chlorine cylinder. Chimney is cracked and pulled away from the building and is no longer used. During construction, the condition of this masonry has been found to be in bad condition. Present manhole frame and cover is not heavy enough to take heavy trucking.

Recommended by:

Irving Clarke  
Nussbaumer Clarke and Velzy

Date: 1-18-54

Approved:

Cheektowaga Town Board

Date: 1-18-54

January 18th, 1954.

- ITEM NO. 8 Councilman Wroblewski presented the following resolution and moved its adoption: 7  
RESOLVED, that the Erie County Highway Department be requested to install a boulevard stop sign at South Roycroft Boulevard and Cleveland Drive in the Town of Cheektowaga, New York.  
Seconded by Councilman Neibert. CARRIED: AYES: -4-  
ABSENT: -1-.
- ITEM NO. 9 Councilman Wroblewski presented the following resolution and moved its adoption:  
RESOLVED, that the Police Department be authorized and directed to install two Boulevard Stop Signs at the intersection of South Roycroft Boulevard and Mapleview Road, traffic to stop for South Roycroft Boulevard.  
Seconded by Councilman Neibert. CARRIED: AYES: -4-.
- ITEM NO. 10 Councilman Neibert presented the following resolution and moved its adoption:  
WHEREAS, the members of the Zoning Board of Appeals are required to devote several hours of time in the consideration of Zoning Applications and Appeals for variances and other matters referred to it by the Town Board and the amount presently allowed of \$5.000 per hearing and investigation is inadequate, be it  
RESOLVED, that the fee allowed in the future to the Zoning Board Members for attending hearing and making investigations be increased from \$5.00 a day to \$10.00.  
Seconded by Councilman Wroblewski. CARRIED: AYES: -4-.
- ITEM NO. 11 Councilman Wroblewski presented the following resolution and moved its adoption:  
RESOLVED, that Patricia Buechi of No. , be appointed a Senior Stenographer at an annual salary of \$2500 payable at semi-monthly installments, that she be assigned to Civil Defense and to perform such other duties as shall be assigned to her by the Town Board, and be it further  
RESOLVED, that a copy of this resolution be forwarded to the Personnel Director of Erie County with the request that he hold a Civil Service examination for Senior Stenographers of Cheektowaga.  
Seconded by Councilman Neibert. CARRIED: AYES: -4-.
- ITEM NO. 12. Councilman Bystrak presented the following resolution and moved its adoption:  
BE IT RESOLVED, that the Supervisor be authorized to purchase from Mernan Chevrolet, Inc., 2751 Bailey Avenue, one (1) 1954 Chevrolet Truck Model #4103 Chassis and Cab-with the following equipment:-  
6 7:50 x 20 8 ply tires  
H.D. Frame  
Helper Springs  
Oil Filter  
Fresh Air Heater  
Signals  
Prestone  
Lettering  
Change Over Dump Body  
for the sum of \$2,401.70 for Disposal Plant No. 5, and be it further  
RESOLVED, that the Supervisor be authorized to execute and deliver to the Mernan Chevrolet, Inc., in trade, the 1950 1 1/2 truck chassis and cab for the sum of \$401.70 leaving a balance of \$2,000.00, the said amount to be charged against Sewer District No. 5, be it further  
RESOLVED, that the Supervisor be and he is hereby authorized if he deems it advisable to exchange the four rear tires to new mud grip tires, cost thereof being an additional sum of \$100.00.  
Seconded by Councilman Neibert. CARRIED: AYES: -4-.
- ITEM NO 13 Councilman Neibert presented the following resolution and moved its adoption:  
RESOLVED. that Elizabeth Sullivan of No. , Esther Enser of No. and Madeline Angielczyk of No. , be appointed School Guards at an hourly rate of \$1.05, and, that they be ordered to report to the Chief of Police for assignment of duties.  
Seconded by Councilman Wroblewski. CARRIED: AYES: -4-.
- ITEM NO. 14 Councilman Wroblewski presented the following resolution and moved its adoption:  
RESOLVED, that the request of the Town Highway Superintendent to attend a public hearing on Village, Town, County and State Highways, to be held in Albany, New York, on January 25, 1954, be granted.  
Seconded by Councilman Bystrak. CARRIED: AYES: -4-.

ITEM NO. 15  
adoption:

Councilman Neibert presented the following resolution and moved its

WHEREAS, a written petition was duly filed with this Board for the improvement of the highway known as Mapleview Avenue, by the construction of a lateral sewer in said highway, to wit: that portion of Mapleview Avenue commencing in the center of the intersection of Mapleview Avenue and Birkdale Road and extending easterly on Mapleview Avenue, a distance of approximately 660 feet,

WHEREAS, it duly appears that such petition has been duly signed by owners of real estate fronting or abutting on both sides of said public highway, situate between the points aforesaid owning at least one-half of the frontage or bounds on both sides of the public highway to be improved as aforesaid, and was signed by resident owners residing along said highway proposed to be improved, owning not less than one-half of the aggregate frontage owned by resident owners, 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 highway as stated in the petition is the sum of \$7,600.00,

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, New York, shall meet at the Town Hall, corner of Union Road and Broadwya, in said Town, on the 1st day of February, 1954, at 2:30 P.M., E.S.T., of that day for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and be it further

RESOLVED and ORDERED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the Cheektowaga Times, 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:

Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Nagel	Voting AYE

CARRIED: AYES: -4-

ABSENT: (1)

Posted as follows on the 21st day of January, 1954:

- 1- Telephone Pole No. 93 R, Birkdale and Mapleview Drive;
- 2- Telephone Pole 50 feet east of telephone pole No. 93 R on Mapleview Road;
- 3- Tree 100 feet east of telephone pole No. 93 R, Mapleview Drive;
- 4- Tree 150 feet east of telephone pole No. 93 R, Mapleview Drive;
- 5- Tree 200 feet east of telephone pole No. 93 R, Mapleview Drive.

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

**NOTICE OF HEARING**  
**Lateral Sewer Petition**

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 18th day of January, 1954, at 7:30 o'clock P.M. Eastern Standard Time, there were:

**PRESENT:**

Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
Stanley Bystrak, Councilman  
Henry Nagel, Councilman

**ABSENT: One**

Benedict T. Holtz, Supervisor  
Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board for the improvement of the highway known as Mapleview Avenue, by the construction of a lateral sewer in said highway, to wit: that portion of Mapleview Avenue commencing in the center of the intersection of Mapleview Avenue and Birkdale Road and extending easterly on Mapleview Avenue, a distance of approximately 660 feet.

WHEREAS, it duly appears that such petition has been duly signed by owners of real estate fronting or abutting on both sides of said public highway, situate between the points aforesaid owning at least one-half of the frontage or bounds on both sides of the public highway to be improved as aforesaid, and was signed by resident owners residing along said highway proposed to be improved, owning not less than one-half of the aggregate frontage owned by resident owners, 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 highway as stated in the petition is the sum of \$7600,

**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 Union Road and Broadway, in said Town, on the 1st day of February, 1954, at 2:30 P.M. Eastern Standard Time, of that day for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and be it further

**RESOLVED AND ORDERED,** that the Town Clerk be and he is hereby **ORDERED AND DIRECTED** to publish a certified copy of this resolution and order in the "Cheektowaga Times," 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:

Councilman Joseph A. Neibert voting Aye.

Councilman Felix Wroblewski voting Aye.

Councilman Stanley Bystrak voting Aye.

Councilman Henry Nagel voting Aye.

**AYES: 4 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 18th day of January, 1954, 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 18th day of January, 1954.

**KENNETH T. HANLEY**  
Clerk of the Town Board  
Town of Cheektowaga, N. Y.  
(SEAL)

**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 JAN 21 1954; last publication JAN 21 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of JAN 25 1954, 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, 1955  
Registered No. 5029



ITEM NO. 17-Cont'd

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 1st day of February, 1954, at 2:30 o'clock P.M., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED, that a copy of this order, certified by the Town Clerk, be published at least once in the Cheektowaga Times, the official newspaper of the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five (5) 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.

resulted as follows:

Councilman Wroblewski  
Councilman Neibert  
Councilman Bystrak  
Councilman Nagel

Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE

CARRIED: AYES: -4-

NOES: -0-

ABSENT: -1-

Posted as follows on the 21st day of January, 1954;

- 1- Telephone Pole No. 40 Carol Drive;
- 2- Post in front of No. 78 Carol Drive;
- 3- Post at the corner of Carol Drive and Rowan Road;
- 4- Tree fifty feet south of No. 21 Carol Drive;
- 5- Post at the corner of Carol Drive and Delevan Avenue.

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

Times;

**NOTICE OF HEARING**

**Street Lighting Petition**

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 18th day of January,

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 ..... JAN 21 1954 .....  
last publication ..... JAN 21 1954 .....  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of ..... JAN 25 1954 ..... 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, 1955  
Registered No. 5029

ITEM NO. 16  
adoption:

Councilman Neibert presented the following resolution and moved its

RESOLVED, that Nussbaumer Clarke and Velzy, Consulting Engineers of the Town of Cheektowaga, New York, be employed to prepare plans and specifications for the following work, and, following receipt of the petition, to supervise construction of the following work:

1. Design of sanitary sewer relief connections in Woodridge Avenue at Seaton Road and connections in Huth Road at Beach Road.

2. Design pumping station in George Urban Boulevard near Scajaquada Creek crossing to take the surplus water from existing sanitary sewers at storm periods and discharge same into Scajaquada Creek. ( This is a post-war planning project. An Application has been made to the Department of Municipal Planning and the State Department of Public Works for an allocation of funds towards the engineering costs and same has been approved).

3. Prepare a preliminary report for storm drainage facilities for the area west of the Thruway, running roughly from Cleveland Drive to Genesee Street, and from the Thruway west to the extension of Roycroft Blvd. Said report to include a study to determine the principal trunk lines required, the area to be included in the proposed storm drainage district, an estimate of the costs, and description of the district. The estimated cost of the report is about \$4,500.00 with an estimate of about \$500.00 additional to cover the description of the area and map to accompany the petition.

4. From the report which was prepared for storm drainage for the so-called Beach Road-Maryvale Road area; prepare a map to show the area to be included in the proposed storm drainage district on the east side of the Thruway; prepare a map to accompany the petition, a description of the area to be included in the proposed district, and revise the estimate of costs for the proposed utilities. The estimated cost of this work is about \$1,500.00.

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

Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Nagel	Voting AYE

CARRIED: AYES: -4-

ABSENT: -1-

ITEM NO. 17 -NOTICE OF HEARING-STREET LIGHTING INSTALLATION-CAROL DRIVE-

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highways 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 21st day of October, 1953,

PUBLIC HIGHWAYS TO BE IMPROVED

CAROL DRIVE from East Delevan Avenue to Rowan Road

TYPE OF STREET LIGHTING INSTALLATION

Boulevard Type-No. 1348-with underground conduit

WHEREAS, Edward B. Jerzewski, Andrew H. Schwenk and Eugene A. Rudzynski, 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 of 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 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 1st day of February, 1954, at 2:30 o'clock P.M., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED, that a copy of this order, certified by the Town Clerk, be published at least once in the Cheektowaga Times, the official newspaper of the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five (5) public places on each of the said highways to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

Seconded by Councilman Neibert and duly put to a vote which

resulted as follows:

Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Nagel	Voting AYE

CARRIED: AYES: -4-

NOES: -0-

ABSENT: -1-

Posted as follows on the 21st day of January, 1954;

- 1- Telephone Pole No. 40 Carol Drive;
- 2- Post in front of No. 78 Carol Drive;
- 3- Post at the corner of Carol Drive and Rowan Road;
- 4- Tree fifty feet south of No. 21 Carol Drive;
- 5- Post at the corner of Carol Drive and Delevan Avenue.

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

Times;

**NOTICE OF HEARING**  
**Street Lighting Petition**

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 18th day of January, 1954, at 7:30 o'clock P.M., Eastern Standard Time, there were:

**PRESENT:**  
Joseph A. Neibert, Councilman  
Felix T. Wroblewski, Councilman  
Henry J. Nagel, Councilman  
Stanley Bystrak, Councilman

**ABSENT:** One  
Benedict T. Holtz, Supervisor  
Mr. Bystrak presented the following resolution and moved its adoption.

**WHEREAS,** a petition for the improvement of both sides of the public highways situate in Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment herein-after particularly described was presented to this Town Board on the 21st day of December, 1953.

**PUBLIC HIGHWAYS TO BE IMPROVED**

Carol Drive FROM East Delavan Ave. TO Rowan Road.

**TYPE OF STREET LIGHTING INSTALLATION**

Boulevard Type - No. 1348 - with underground conduit.

**WHEREAS,** EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZYNSKI, 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 on 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 1st day of February, 1954, at 2:30 o'clock P.M. Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

**IT IS FURTHER ORDERED** that a copy of this order, certified by the Town Clerk, be published at least once in the Cheektowaga Times, the official newspaper of the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five (5) public places on each of the said highways to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

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

Councilman Neibert, voting Aye
Councilman Wroblewski, voting Aye
Councilman Nagel, voting Aye
Councilman Bystrak, voting Aye

AYES: 4 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 18th day of January, 1954, 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 18th day of January, 1954.

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

(SEAL)

**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 JAN 21 1954; last publication JAN 21 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
day of JAN 25 1954, 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, 1956  
Registered No. 5029

Councilman Wroblewski presented the following resolution and moved its adoption;

BOND RESOLUTION

BOND RESOLUTION, DATED NOVEMBER 17, 1952, AUTHORIZING THE ISSUANCE OF \$11,270.00 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF CURBING.

WHEREAS, this Town Board has undertaken the construction of curbs, together with the installation of receivers and necessary underground drains on both sides of Olcott Place in the Town of Cheektowaga, New York, for its entire length, commencing at Genesee Street to the end of the street, a distance of approximately 1,127 feet, and such purpose is a special improvement authorized by Article 12 of the Town Law of New York;

NOW, THEREFORE,

BE IT RESOLVED, by the Town Board of the Town of Cheektowaga, New York, as

follows:

Section 1. In order to finance the specific object or purpose, herein-after described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$11,270.00 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose ( hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of curbs, together with the installation of receivers and necessary underground drains on both sides of Olcott Place in the Town of Cheektowaga, New York, for its entire length commencing at Genesee Street to the end of the street, a distance of approximately 1,127 feet, in accordance with the resolution adopted by the Town Board of said Town on August 18, 1952.

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement, An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvements, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$11,270.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) The Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town .

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 24 of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five (5) years.

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to 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 8. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the "Cheektowaga Times," the official newspaper of the Town of Cheektowaga, New York, published and having a general circulation in said Town.

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

The bond resolution published herewith has been adopted on November 17, 1952, 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, State of New York, 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.

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

Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Nagel	Voting AYE

CARRIED: AYES: -4-

NOES: -0-

ABSENT: -1-

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

**BOND RESOLUTION**

**BOND RESOLUTION, DATED NOVEMBER 17, 1952, AUTHORIZING THE ISSUANCE OF \$11,270.00 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF CURBING.**

WHEREAS, this Town Board has undertaken the construction of curbs, together with the installation of receivers and necessary underground drains on both sides of Olcott Place in the Town of Cheektowaga, New York, for its entire length, commencing at Genesee Street to the end of the street, a distance of approximately 1,127 feet, and such purpose is a special improvement authorized by Article 12 of the Town Law of New York;

NOW, THEREFORE,

BE IT RESOLVED by the Town Board of the Town of Cheektowaga, New York as follows:

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$11,270.00 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of curbs, together with the installation of receivers and necessary underground drains on both sides of Olcott Place in the Town of Cheektowaga, New York, for its entire length commencing at Genesee Street to the end of the street, a distance of approximately 1,127 feet, in accordance with the resolution adopted by the Town Board of said Town on August 18, 1952.

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$11,270.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c)

the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 24 of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five (5) years.

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to 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 8. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the "Cheektowaga Times," the official newspaper of the Town of Cheektowaga, New York, published and having a general circulation in said Town.

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

The bond resolution published herewith has been adopted on November 17, 1952, 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, State of New York, 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, New York

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

*Willard C. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *he* is  
*publishes* of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks; first  
publication *JAN 21 1954*;  
last publication *JAN 21 1954*;  
and that no more than six days intervened be-  
tween publications.

*Willard C. Allis*

Sworn to before me this .....  
day of *FEB 25 1954* 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, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Checkowaga  
**Herald and News**

a public newspaper published at Depew, Town of Check-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... week, the first insertion being on the  
21st day of January, 1954, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

Sworn to before me this ..... 1954 day of

FEB 2, 19.....

*Alvin J. Hawley*  
Notary Public in and for Erie County.

4457000



The following resolution was offered by Mr. Neibert who moved its adoption, and seconded by Mr. Wroblewski, to wit:

CAPITAL NOTE RESOLUTION DATED JANUARY 18, 1954,  
authorizing the issuance of \$4,750.00 compromised claim  
Capital Notes of the Town of Cheektowaga, in the County of  
Erie, pursuant to the Local Finance Law.

WHEREAS, this Town Board has heretofore authorized the compromise and settlement of the claim of Leonard Amadore, an infant, against the Town of Cheektowaga, in the amount of \$4,050.00, which claim was based upon injuries alleged to have been received by said infant on or about November 10, 1949, when the front wheel of his bicycle dropped into a hole in a Town Highway known as "Leather Road, and this Town Board has likewise authorized the compromise and settlement of the claim of Joseph Amadore, father of said infant, for the sum of \$700.00 for the care and treatment of said Leonard Amadore, and an order was made by the Supreme Court of Erie County on December 17, 1953, authorizing this Town, pursuant to the provisions of Section 68 of the Town Law, to compromise and settle these claims in the total amount of \$4,750.00; NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its capital notes of the aggregate principal amount of \$4,750.00 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the payment in compromise and settlement of the claims of Leonard Amadore, an infant, and Joseph Amadore, his father, in the total amount of \$4,750.00, which claims were made against the Town of Cheektowaga as above set forth.

Section 3. It is hereby stated that:

- a) The maximum cost of said purpose, as estimated by the Town Board, is \$4,750.00; and
- b) No money has heretofore been authorized to be applied to the payment of the cost of said purpose; and
- c) The Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said capital notes; and
- d) All of such cost is to be paid by the levy of a tax upon all the taxable real property within the said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued, pursuant to the Local Finance Law, \$4,750.00 capital Notes of the Town of Cheektowaga, designated substantially Compromised Claim Capital Notes Series A of 1954, which shall bear a date not earlier than January 18, 1954, which dates to be fixed by the Supervisor, in the denomination of \$2,375.00 each, numbered 1 and 2, maturing in numerical order in the amount of \$2,375.00 on April 1 in each of the years 1955 and 1956, and bearing interest at a rate not exceeding five percent (5%) per annum, payable semi-annually on April 1 and October 1. Such capital notes shall be in bearer form, with the privilege of conversion into capital notes registered as to both principal and interest, and shall be payable as to both principal and interest in lawful money of the United States of America, at the Manufacturers and Traders Trust Company, in Buffalo, New York, which by contract is the paying agent of the issuer. Such capital notes shall be signed in the name of the Town of Cheektowaga by its Supervisor, and sealed with its corporate seal and attested by its Town Clerk.

Section 5. All other matters, except as provided herein, relating to such capital notes shall be determined by the Supervisor. Such capital notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law as the Supervisor shall determine.

Section 6. The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such capital notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such capital note becoming due and payable in such year. There shall annually be levied a tax upon all the taxable real property of the Town of Cheektowaga sufficient to pay the principal of and interest on such capital notes as the same shall become due and payable.

Section 7. Such capital notes shall be sold at private sale by the Supervisor at a price of not less than par value of and accrued interest, if any, and the proceeds of such sale shall be applied solely for the purpose aforesaid, but the receipt of the Supervisor shall be a full acquittance to the purchaser of such capital notes who shall not be obliged to see to the application of the purchase money.

Section 8. It is hereby determined that said purpose is an object or purpose described in Subdivision 33, Paragraph (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 five years.

Section 9. It is hereby determined that the proposed maturity of the

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the 21st day of January, 1954, 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*

1954 day of ....., 19.....

*Hanley*  
Public in and for Erie County.

RESOLVED  
THE AUTHORITY OF THE BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF CURBING.

WHEREAS, this Town Board has undertaken the construction of curbs, together with the installation of receivers and necessary underground drains on both sides of Olcott Place in the Town of Cheektowaga, New York, for its entire length, commencing at Genesee Street to the end of the street, a distance of approximately 1,127 feet, and such purpose is a special improvement authorized by Article 12 of the Town Law of New York;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Cheektowaga, New York as follows:

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$11,270.00 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of curbs, together with the installation of receivers and necessary underground drains on both sides of Olcott Place in the Town of Cheektowaga, New York, for its entire length commencing at Genesee Street to the end of the street, a distance of approximately 1,127 feet, in accordance with the resolution adopted by the Town Board of said Town on August 18, 1951.

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement

Section 4. It is hereby determined that the estimated cost of said purpose, as estimated by the Town Board, is \$11,270.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by taxes levied upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object described in Subdivision 2 of Paragraph (a) of Section 120 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five (5) years.

Section 7. The validity of said Serial Bonds or of any bond or obligation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such objections 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 shall be commenced within twenty (20) 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 8. This resolution shall be published in full by the Town Clerk of said Town together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the DEPEW HERALD and CHEEKTOWAGA NEWS, and CHEEKTOWAGA TIMES, the official newspapers of the Town of Cheektowaga, New York, published and having a general circulation in said Town.

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

The bond resolution published herewith has been adopted on November 17, 1952, 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, State of New York, 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

The following resolution was offered by Mr. Neibert who moved its adoption, and seconded by Mr. Wroblewski, to wit:

CAPITAL NOTE RESOLUTION DATED JANUARY 18, 1954,  
authorizing the issuance of \$4,750.00 compromised claim  
Capital Notes of the Town of Cheektowaga, in the County of  
Erie, pursuant to the Local Finance Law.

WHEREAS, this Town Board has heretofore authorized the compromise and settlement of the claim of Leonard Amadore, an infant, against the Town of Cheektowaga, in the amount of \$4,050.00, which claim was based upon injuries alleged to have been received by said infant on or about November 10, 1949, when the front wheel of his bicycle dropped into a hole in a Town Highway known as "Heather Road, and this Town Board has likewise authorized the compromise and settlement of the claim of Joseph Amadore, father of said infant, for the sum of \$700.00 for the care and treatment of said Leonard Amadore, and an order was made by the Supreme Court of Erie County on December 17, 1953, authorizing this Town, pursuant to the provisions of Section 68 of the Town Law, to compromise and settle these claims in the total amount of \$4,750.00; NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its capital notes of the aggregate principal amount of \$4,750.00 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the payment in compromise and settlement of the claims of Leonard Amadore, an infant, and Joseph Amadore, his father, in the total amount of \$4,750.00, which claims were made against the Town of Cheektowaga as above set forth.

Section 3. It is hereby stated that:

- a) The maximum cost of said purpose, as estimated by the Town Board, is \$4,750.00; and
- b) No money has heretofore been authorized to be applied to the payment of the cost of said purpose; and
- c) The Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said capital notes; and
- d) All of such cost is to be paid by the levy of a tax upon all the taxable real property within the said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued, pursuant to the Local Finance Law, \$4,750.00 capital Notes of the Town of Cheektowaga, designated substantially Compromised Claim Capital Notes Series A of 1954, which shall bear a date not earlier than January 18, 1954, which dates to be fixed by the Supervisor, in the denomination of \$2,375.00 each, numbered 1 and 2, maturing in numerical order in the amount of \$2,375.00 on April 1 in each of the years 1955 and 1956, and bearing interest at a rate not exceeding five percent (5%) per annum, payable semi-annually on April 1 and October 1. Such capital notes shall be in bearer form, with the privilege of conversion into capital notes registered as to both principal and interest, and shall be payable as to both principal and interest in lawful money of the United States of America, at the Manufacturers and Traders Trust Company, in Buffalo, New York, which by contract is the paying agent of the issuer. Such capital notes shall be signed in the name of the Town of Cheektowaga by its Supervisor, and sealed with its corporate seal and attested by its Town Clerk.

Section 5. All other matters, except as provided herein, relating to such capital notes shall be determined by the Supervisor. Such capital notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law as the Supervisor shall determine.

Section 6. The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such capital notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such capital note becoming due and payable in such year. There shall annually be levied a tax upon all the taxable real property of the Town of Cheektowaga sufficient to pay the principal of and interest on such capital notes as the same shall become due and payable.

Section 7. Such capital notes shall be sold at private sale by the Supervisor at a price of not less than par value of and accrued interest, if any, and the proceeds of such sale shall be applied solely for the purpose aforesaid, but the receipt of the Supervisor shall be a full acquittance to the purchaser of such capital notes who shall not be obliged to see to the application of the purchase money.

Section 8. It is hereby determined that said purpose is an object or purpose described in Subdivision 33, Paragraph (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 five years.

Section 9. It is hereby determined that the proposed maturity of the

obligations authorized by this resolution will not be in excess of three years.

Section 10. The validity of said capital notes may be contested 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 11. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the Cheektowaga Times and the Depew Herald & Cheektowaga News, newspapers published and having a general circulation in said Town, and which are the official newspapers of said Town.

Section 12. This resolution shall take effect immediately upon its ADOPTION.

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

Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Nagel	Voting AYE

CARRIED: AYES: -4-

NOES: -0-

ABSENT: -1-

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

*Ente Cheek Times affidavit*

STATE OF NEW YORK  
COUNTY OF ERIE

ss:

authorized by such capital and 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. MANLEY,  
Town Clerk of the Town of Cheektowaga.

RICHARD G. BENNETT

Being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the ..... day of ..... 1954 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

Sturgis Scores 29  
Pis. In Van Effort  
To Snap Win Strea

The Cheektowaga Travelers  
ended their win streak to six  
in the town Munny loop  
right by dropping the Nobod  
the score of 70-50. Although  
close going during the first  
the Travelers led the dect

19	MacArthur, S
14	Heasle, R
1	Maryvale High
4	Bieber, J
13	Bestine, J
1	Jones, J
0	Donelon, C
0	Arant, S
62	Dill, S
12	
12	
18	

..... 1954 .....  
*Kenneth T. Manley*  
Notary Public in and for Erie County.

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board duly adopted a resolution authorizing the sale of Serial Bonds in the sum of \$110,000.00 to finance improvements in Sewer District #5 in the Town of Cheektowaga, New York, and

WHEREAS, on the 1st day of June, 1953, this Town Board duly adopted a resolution authorizing the issuance and sale of bond anticipation notes in the sum of \$110,000.00, and

WHEREAS, there has been issued pursuant to said resolution, bond anticipation notes aggregating the sum of \$70,000.00, and

WHEREAS, the contract for the improvements has been fully completed and is ready for acceptance by the Town Board, and

WHEREAS, the sum of \$40,000.00 is needed to pay the balance due to the contractor and other expenses incurred in connection with financing the improvements in Sewer District #5, as authorized by the bond resolution, be it

RESOLVED, that the Supervisor of the Town of Cheektowaga, New York, be and he hereby is authorized to execute on behalf of the Town of Cheektowaga, New York, a bond resolution note in the sum of \$40,000.00. The power to prescribe the terms, form and contents of such note subject to the provisions of the bond anticipation note resolution dated June 1, 1953, and to sell and deliver said note is hereby delegated to the Town Supervisor. The Town Supervisor and the Town Clerk are hereby directed to sign the said note issued pursuant to this resolution and to affix to such note, the corporate seal of the Town of Cheektowaga, New York,

THAT, annexed hereto and made a part of this resolution, is a true copy of the bond anticipation note.

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

Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Nagel	Voting AYE

CARRIED: AYES: -4-

NOES: -0-

ABSENT: -1-

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA

BOND ANTICIPATION NOTE

\$40,000.00

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay the bearer of this note the sum of

---FORTY THOUSAND DOLLARS (\$40,000.00)---

on the 21st day of March, 1954, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable March 21, 1954, and annually thereafter.

Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This note is one of an authorized issue the aggregate principal amount of which is One Hundred Ten Thousand Dollars (\$110,000.00), the notes of which are of like tenure, except as to number, amount and maturity.

This note is issued pursuant to the provisions of a bond anticipation note resolution, dated June 1, 1953, authorizing the issuance of bond anticipation notes of the Town of Cheektowaga, New York, in the amount of One Hundred Ten Thousand Dollars (\$110,000.00) in anticipation of the sale of Serial Bonds authorized to finance improvements in Sewer District #5 in said Town, in the amount of One Hundred Ten Thousand Dollars (\$110,000.00).

The faith and credit of such Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Statutes of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this note, exist, have happened and have been performed, and that this note, together with all other

STATE OF NEW YORK  
COUNTY OF ERIE

RESOLUTION  
JANUARY 18, 1954. ALL  
THE ISSUANCE OF  
CLAIM  
CAPITAL NOTES OF THE TOWN  
OF CHEEKTOWAGA, IN THE  
COUNTY OF ERIE, PURSUANT  
TO THE LOCAL FINANCE LAW.

WHEREAS, this Town Board has heretofore authorized the compromise and settlement of the claim of Leonard Amadore, an infant, against the Town of Cheektowaga in the amount of \$4,050.00, which claim was based upon injuries alleged to have been received by said infant on or about November 10, 1949, when the front wheel of his bicycle dropped into a hole in a town highway known as Heather Road, and this Town Board has likewise authorized the compromise and settlement of the claim of Joseph Amadore, father of said infant, for the sum of \$700.00 for the care and treatment of said Leonard Amadore, and an order was made by the Supreme Court of Erie County on December 17, 1953, authorizing this Town, pursuant to the provisions of Section 68 of the Town Law, to compromise and settle these claims in the total amount of \$4,750.00; NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Cheektowaga, in the County of Erie, as follows:

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its capital notes of the aggregate principal amount of \$4,750.00, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the payment in compromise and settlement of the claims of Leonard Amadore, an infant, and Joseph Amadore, his father, in the total amount of \$4,750.00, which claims were made against the Town of Cheektowaga as above set forth.

Section 3. It is hereby stated that:

a) The maximum cost of said purpose, as estimated by the Town Board, is \$4,750.00; and

b) No money has heretofore been authorized to be applied to the payment of the cost of said purpose; and

c) The Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said capital notes; and

d) All of such cost is to be paid by the levy of a tax upon all taxable real property within the said Town.

Section 4. For the purpose of

which shall bear a rate of interest...  
to be fixed by the Supervisor, in the denomination of \$5.00 each, numbered 1 and 2, respectively, in numerical order in the amount of \$2,375.00 on April 1 in each of the years 1955 and 1956, and bearing interest at a rate not exceeding five percent (5%) per annum, payable semi-annually on April 1 and October 1. Such capital notes shall be in bearer form, with the privilege of conversion into capital notes registered as to both principal and interest, and shall be payable as to both principal and interest in lawful money of the United States of America, at the Manufacturers and Traders Trust Company, in Buffalo, New York, which by contract is the paying agent of the issuer. Such capital notes shall be signed in the name of the Town of Cheektowaga by its Supervisor, and sealed with its corporate seal and attested by its Town Clerk.

Section 5. All other matters, except as provided herein, relating to such capital notes shall be determined by the Supervisor. Such capital notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law as the Supervisor shall determine.

Section 6. The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such capital notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such capital note becoming due and payable in such year. There shall annually be levied a tax upon all the taxable real property of the Town of Cheektowaga sufficient to pay the principal of and interest on such capital notes as the same shall become due and payable.

Section 7. Such capital notes shall be sold at private sale by the Supervisor at a price of not less than par value of and accrued interest, if any, and the proceeds of such sale shall be applied solely for the purpose aforesaid, but the receipt of the Supervisor shall be a full acquittance to the purchaser of such capital notes who shall not be obliged to see to the application of the purchase money.

Section 8. It is hereby determined that said purpose is an object or purpose described in Subdivision 33, Paragraph (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 five years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for

week, the first insertion being on the 38<sup>th</sup> day of January 1954, 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

19

in and for Erie County.

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board duly adopted a resolution authorizing the sale of Serial Bonds in the sum of \$110,000.00 to finance improvements in Sewer District #5 in the Town of Cheektowaga, New York, and

WHEREAS, on the 1st day of June, 1953, this Town Board duly adopted a resolution authorizing the issuance and sale of bond anticipation notes in the sum of \$110,000.00, and

WHEREAS, there has been issued pursuant to said resolution, bond anticipation notes aggregating the sum of \$70,000.00, and

WHEREAS, the contract for the improvements has been fully completed and is ready for acceptance by the Town Board, and

WHEREAS, the sum of \$40,000.00 is needed to pay the balance due to the contractor and other expenses incurred in connection with financing the improvements in Sewer District #5, as authorized by the bond resolution, be it

RESOLVED, that the Supervisor of the Town of Cheektowaga, New York, be and he hereby is authorized to execute on behalf of the Town of Cheektowaga, New York, a bond resolution note in the sum of \$40,000.00. The power to prescribe the terms, form and contents of such note subject to the provisions of the bond anticipation note resolution dated June 1, 1953, and to sell and deliver said note is hereby delegated to the Town Supervisor. The Town Supervisor and the Town Clerk are hereby directed to sign the said note issued pursuant to this resolution and to affix to such note, the corporate seal of the Town of Cheektowaga, New York,

THAT, annexed hereto and made a part of this resolution, is a true copy of the bond anticipation note.

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

Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Nagel	Voting AYE

CARRIED: AYES: -4-

NOES: -0-

ABSENT: -1-

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA

BOND ANTICIPATION NOTE

\$40,000.00

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay the bearer of this note the sum of

---FORTY THOUSAND DOLLARS (\$40,000.00)---

on the 21st day of March, 1954, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable March 21, 1954, and annually thereafter.

Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This note is one of an authorized issue the aggregate principal amount of which is One Hundred Ten Thousand Dollars (\$110,000.00), the notes of which are of like tenure, except as to number, amount and maturity.

This note is issued pursuant to the provisions of a bond anticipation note resolution, dated June 1, 1953, authorizing the issuance of bond anticipation notes of the Town of Cheektowaga, New York, in the amount of One Hundred Ten Thousand Dollars (\$110,000.00) in anticipation of the sale of Serial Bonds authorized to finance improvements in Sewer District #5 in said Town, in the amount of One Hundred Ten Thousand Dollars (\$110,000.00).

The faith and credit of such Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Statutes of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this note, exist, have happened and have been performed, and that this note, together with all other



indebtedness of such Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this note to be signed by its Supervisor, and its corporate seal to be hereunto affixed and attested by its Town Clerk and this note to be dated as of the 18th day of January, 1954.

TOWN OF CHEEKTOWAGA, ERIE COUNTY,  
NEW YORK,

BY: Benedict T. Holtz  
Supervisor

ATTEST:

Kenneth T. Hanley

Town Clerk.

ITEM NO. 22  
adoption:

Councilman Neibert presented the following resolution and moved its

BOND RESOLUTION

BOND RESOLUTION DATED JANUARY 18, 1954, AUTHORIZING THE ISSUANCE OF \$16,000.00 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE PAVING OF DARWIN DRIVE.

WHEREAS, the Town Board has undertaken the specific object or purpose hereinafter described, and such specific object or purpose is a special improvement authorized by Article 12, of the Town Law of New York: NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$16,000.00, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a permanent paving portion of Darwin Drive which extends from the north curb line of Cleveland Drive to the Amherst-Cheektowaga town line, in accordance with the resolution adopted by the Town Board of said Town on May 4, 1953.

Section 3. The expenses of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$16,000.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 20 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. 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 & Cheektowaga News and Cheektowaga Times, the official newspapers of the Town of Cheektowaga, 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 (20) days after the date of such publication; or if such

obligations are authorized in violation of the provisions of the Constitution of New York. Section 8. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been adopted on January 18, 1954, 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, State of New York, 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.

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

Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Nagel	Voting AYE

CARRIED: AYES: -4-

NOES: -0-

ABSENT: -1-

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

**BOND RESOLUTION**  
**BOND RESOLUTION, DATED**  
**JANUARY 18, 1954, AUTHORIZING**  
**THE ISSUANCE OF \$16,000 SERIAL**  
**BONDS OF THE TOWN OF**  
**CHEEKTOWAGA, IN THE COUN-**  
**TY OF ERIE, PURSUANT TO THE**  
**LOCAL FINANCE LAW, TO FI-**  
**NANCE THE PAVING OF DARWIN**  
**DRIVE.**

WHEREAS, the Town Board has undertaken the specific object or purpose hereinafter described, and such specific object or purpose is a special improvement authorized by Article 12 of the Town Law of New York: NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$16,000 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a permanent paving in the portion of Darwin Drive which extends from the north curb line of Cleveland Drive to the Amherst-Cheektowaga town line, in accordance with the resolution adopted by the Town Board of said Town on May 4, 1953.

Section 3. The expenses of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$16,000 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 20 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in "The Depew Herald and Cheektowaga News" and CHEEKTOWAGA TIMES, the official newspapers of the Town of Cheektowaga, published and having a general circulation in said Town. The validity of said Serial Bonds or of any bond

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 ..... JAN 28 1954 .....; last publication ..... JAN 28 1954 .....; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
FEB 25 1954  
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, 1955  
Registered No. 5029

as follows:

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

Councilman Wroblewski  
Councilman Neibert  
Councilman Bystrak  
Councilman Nagel

Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE

CARRIED: AYES: -4-

NOES: -0-

ABSENT: -1-

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

**BOND RESOLUTION**

**BOND RESOLUTION, DATED JANUARY 18, 1954, AUTHORIZING THE ISSUANCE OF \$16,000 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE PAVING OF DARWIN DRIVE.**

WHEREAS, the Town Board has undertaken the specific object or purpose hereinafter described, and such specific object or purpose is a special improvement authorized by Article 12 of the Town Law of New York: NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$16,000 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a permanent paving in the portion of Darwin Drive which extends from the north curb line of Cleveland Drive to the Amherst-Cheektowaga town line, in accordance with the resolution adopted by the Town Board of said Town on May 4, 1953.

Section 3. The expenses of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$16,000 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 20 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in "The Depew Herald and Cheektowaga News" and CHEEKTOWAGA TIMES, the official newspapers of the Town of Cheektowaga, 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 (20) days after the date of such publication; or if such obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been adopted on January 18, 1954, 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, State of New York, 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

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 JAN 28 1954; last publication JAN 28 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

FEB 25 1954

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

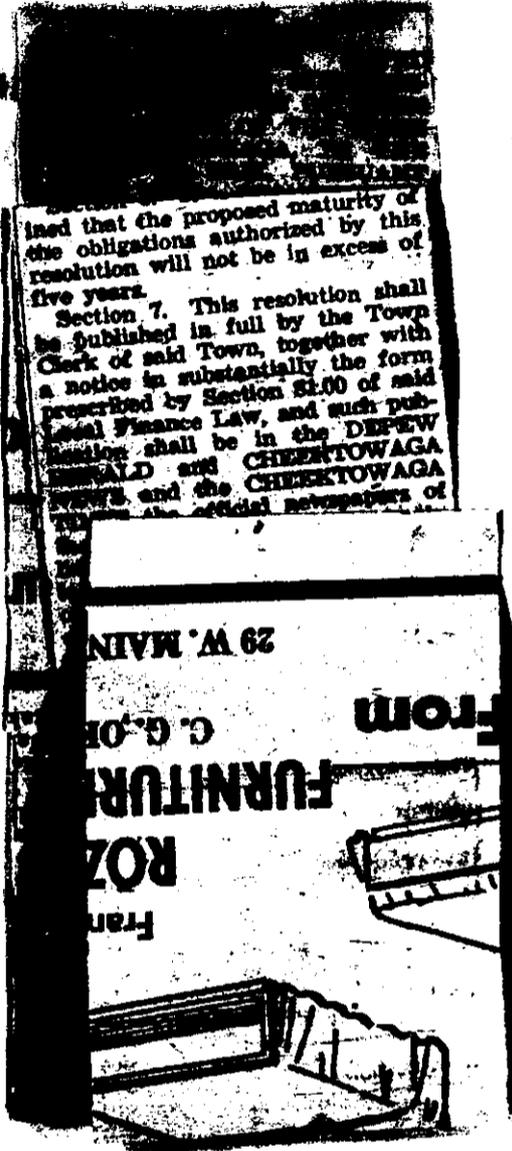
*Eve J. Allis*

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, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:



RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for <sup>1</sup> week, the first insertion being on the <sup>28<sup>th</sup></sup> day of January, 1954, and last insertion being on the ..... day of ....., 19....., and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

FEB 2 1954

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

hs 52 0000

Councilman Neibert presented the following resolution and moved its adoption:

**LEGAL NOTICES**

**BOND RESOLUTION, DATED JANUARY 18, 1954, AUTHORIZING THE ISSUANCE OF \$7,500 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE PAVING OF SUGNET DRIVE.**

WHEREAS, the Town Board has undertaken the specific object or purpose hereinafter described, and such specific object or purpose is a special improvement authorized by Article 12 of the Town Law of New York: NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$7,500 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a permanent paving in the portion of Sugnet Drive which extends from the south line of Cleveland Drive to the north line of Fontaine Drive, in accordance with the resolution adopted by the Town Board of said Town on January 4, 1954.

Section 3. The expenses of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$7,500 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 20 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the DEPEW HERALD and CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES the official newspapers of the Town of Cheektowaga, 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 (20) days after the date of such publication; or if such obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been adopted on January 18, 1954, 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, State of New York, 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

follows:

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

STATE OF NEW YORK  
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 28th day of January, 1954, 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 \_\_\_\_\_, 19\_\_\_\_

*Hanley*  
\_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_  
public in and for Erie County.

RESOLVED BY THE TOWN BOARD OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE PAVING OF DARWIN DRIVE.

WHEREAS, the Town Board has undertaken the specific object or purpose hereinafter described, and whereas the specific object or purpose of such improvement is approved by the Town Board:

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$16,000 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "the purpose") is the paving of Darwin Drive on the north side of Cheektowaga town line, in accordance with the resolution adopted by the Town Board of said Town on May 4, 1953.

Section 3. The expenses of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine to be benefited by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$16,000 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 2 of Paragraph (a) of Section 1100 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the DEPEW HERALD and CHEEKTOWAGA NEWS and the CHEEKTOWAGA NEWS, the official newspapers of the Town of Cheektowaga, published and having a general circulation in said Town. The validity of said Serial Bonds or of any bond or obligation 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 (20) days after the date of such publication; or if such obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been adopted on January 18, 1954, 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, State of New York, 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

Councilman Neibert presented the following resolution and moved its adoption:

**LEGAL NOTICES**

**BOND RESOLUTION, DATED JANUARY 18, 1954, AUTHORIZING THE ISSUANCE OF \$7500 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE PAVING OF SUGNET DRIVE.**

WHEREAS, the Town Board has undertaken the specific object or purpose hereinafter described, and such specific object or purpose is a special improvement authorized by Article 12 of the Town Law of New York: NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$7,500 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a permanent paving in the portion of Sugnet Drive which extends from the south line of Cleveland Drive to the north line of Fontaine Drive, in accordance with the resolution adopted by the Town Board of said Town on January 4, 1954.

Section 3. The expenses of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$7,500 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 20 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the DEPEW HERALD and CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES the official newspapers of the Town of Cheektowaga, 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 (20) days after the date of such publication; or if such obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been adopted on January 18, 1954, 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, State of New York, 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

follows:

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

Councilman Wroblewski  
Councilman Neibert  
Councilman Bystrak  
Councilman Nagel

Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE

CARRIED: AYES: -4-

NOES: -0-

ABSENT: -1-

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

**RESOLUTION OF THE TOWN OF CHEEKTOWAGA IN THE**

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 such publication.

of such obligations are authorized in violation of the provisions of the Constitution of New York.

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

The bond resolution published herewith has been adopted on January 18, 1954, 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, County of Erie, State of New York, is not authorized to expend money, or the provisions of law which should be complied with at the date of such publication.

were authorized in violation of the provisions of the Constitution of New York

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

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 JAN 28 1954; last publication JAN 28 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
day of FEB 25 1954, 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, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

ation 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 (20) days after the date of such publication; or if such obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been adopted on January 12, 1954, and the validity of the obligations authorized by such resolution may be hereafter

were 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

101, 52 | Beld of 188 Omsted Ave, De

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the ..... day of January, 1954, and the last insertion being on the ..... day of ..... 19....., and that not more than six days intervened between any two publications thereof

*Richard G. Bennett*

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

FEB 2 1954

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

101, 52 000

Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Nagel	Voting AYE

CARRIED: AYES: -4-

NOES: -0-

ABSENT: -1-

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

**RESOLUTION OF THE TOWN BOARD CONCERNING THE ISSUANCE OF \$7,500 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE PAVING OF SUGNET DRIVE.**

WHEREAS, the Town Board has undertaken the specific object or purpose hereinafter described, and such specific object or purpose is a special improvement authorized by Article 12 of the Town Law of New York: NOW, THEREFORE,

BE IT RESOLVED by the Town Board of the Town of Cheektowaga, New York as follows:

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$7,500 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a permanent paving in the portion of Sugnet Drive which extends from the south line of Cleveland Drive to the north line of Fontaine Drive, in accordance with the resolution adopted by the Town Board of said Town on January 4, 1954.

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$7,500 and (b) the money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments levied against the property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 20 of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five (5) years.

Section 7. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be published in "The Depew Herald and Cheektowaga News" and the "Cheektowaga Times," the official newspapers of the Town of Cheektowaga, published and having a general circulation in said Town. The validity of said Serial Bonds or any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the time of publication of this resolution have not been complied with.

Section 8. If such obligations are authorized in violation of the provisions of the Constitution of New York.

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

The bond resolution published herewith has been adopted on January 18, 1954, 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, State of New York, is not authorized to expend money, or the provisions of law which should be complied with at the time of publication of this resolution have not been complied with.

Section 10. If such obligations were authorized in violation of the provisions of the Constitution of New York.

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

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 JAN 28 1954; last publication JAN 28 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
day of FEB 25 1954 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, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

TOWN OF CHEEKTOWAGA  
RESOLVED PURSUANT TO THE LOCAL FINANCE LAW  
TO FINANCE THE PAVING OF  
SUGNET DRIVE

WHEREAS, the Town Board has undertaken the specific object or purpose hereinafter described, and such specific object or purpose is a special improvement authorized by Article 12 of the Town Law of New York: NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$7,500 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a permanent paving in the portion of Sugnet Drive which extends from the south line of Cleveland Drive to the north line of Fontaine Drive, in accordance with the resolution adopted by the Town Board of said Town on January 4, 1954.

Section 3. The expenses of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the estimated cost of the purpose, as represented by the Town Board is \$7,500 and for no more.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 2 of Paragraph (a) of Section 1.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of ten years.

Section 7. This resolution shall be published in full by the Town Board of said Town, together with notice in substantially the form described by Section 1.00 of said Local Finance Law, and such publication shall be in the DEPEW HERALD and CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES the official newspapers of the Town of Cheektowaga, 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 (20) days after the date of such publication; or if such obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been adopted on January 18, 1954, and the validity of the obligations authorized by such bond resolution may be hereafter

contested only if such obligations are authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, State of New York, is not authorized to expend money, or if 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 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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the

annexed printed slip taken from said newspaper, is a copy,

was inserted and published therein once a week for

..... week, the first insertion being on the

5<sup>th</sup> day of January, 1954, and

the last insertion being on the ..... day of

....., 19....., and that not

more than six days intervened between any two publi-

cations thereof

Richard G. Bennett

1954 day of

19.....

Hanley

in and for Erie County.

Councilman Neibert presented the following resolution and moved its adoption.

**LEGAL NOTICE**

**BOND RESOLUTION DATED JANUARY 18, 1954, AUTHORIZING THE ISSUANCE OF \$6,500 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE PAVING OF WALTON DRIVE.**

WHEREAS, the Town Board has undertaken the specific object or purpose hereinafter described, and such specific object or purpose is a special improvement authorized by Article 12 of the Town Law of New York: NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$6,500 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a permanent paving in the portion of Walton Drive which extends from the Gelb property located on said Walton Drive in a northerly direction to the north line of said Town, in accordance with the resolution adopted by the Town Board of said Town on January 4, 1954.

Section 3. The expenses of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$6,500 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an

area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 20 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the DEPEW HERALD and CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES the official newspapers of the Town of Cheektowaga, 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 (20) days after the date of such publication; or if such obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been adopted on January 18, 1954, 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, State of New York, 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

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

Councilman Wroblewski  
Councilman Neibert  
Councilman Bystrak  
Councilman Nagel

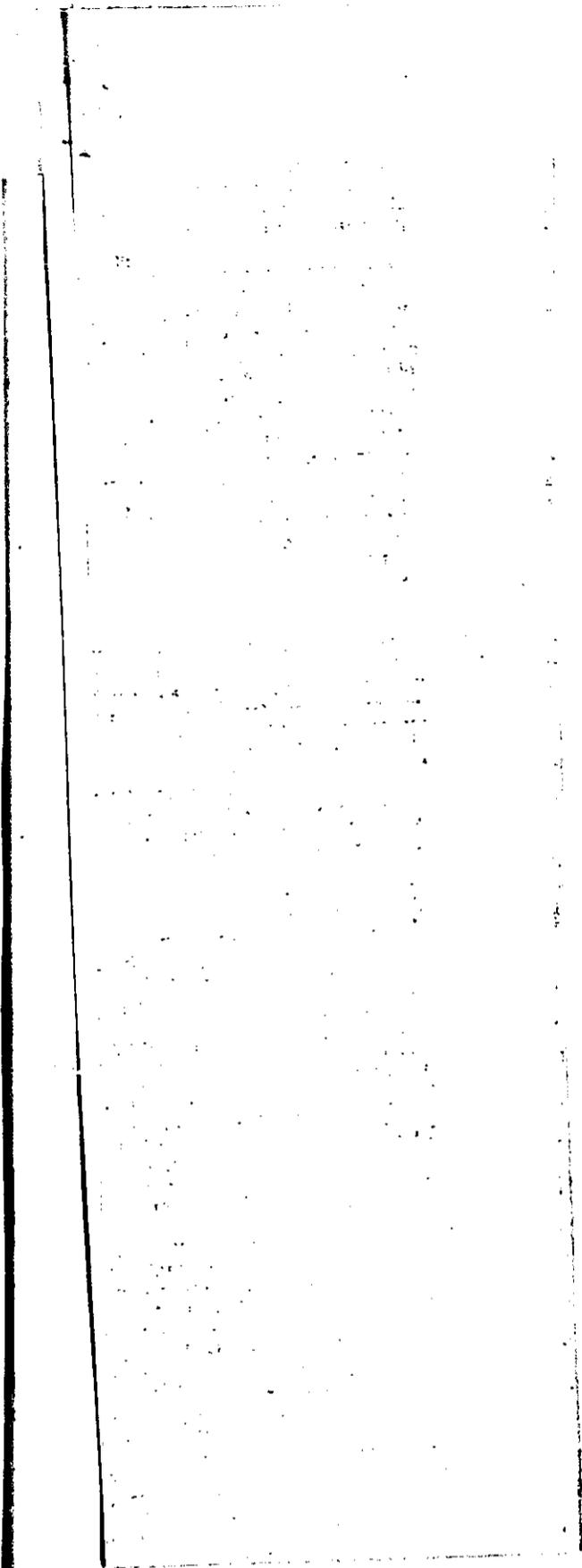
Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE

CARRIED: AYES: -4-

ABSENT: -1-

NOES: -0-

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



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 JAN 28 1954; last publication JAN 28 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
day of FEB 25 1954, 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, 1955  
Registered No. 5029

Councilman Neibert presented the following resolution and moved its adoption.

**LEGAL NOTICE**

**BOND RESOLUTION DATED JANUARY 18, 1954, AUTHORIZING THE ISSUANCE OF \$6,500 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE PAVING OF WALTON DRIVE.**

WHEREAS, the Town Board has undertaken the specific object or purpose hereinafter described, and such specific object or purpose is a special improvement authorized by Article 12 of the Town Law of New York: NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$6,500 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a permanent paving in the portion of Walton Drive which extends from the Geib property located on said Walton Drive in a northerly direction to the north line of said Town, in accordance with the resolution adopted by the Town Board of said Town on January 4, 1954.

Section 3. The expenses of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefited by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefited by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$6,500 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an

area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 20 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the DEPEW HERALD and CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES the official newspapers of the Town of Cheektowaga, 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 (20) days after the date of such publication; or if such obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been adopted on January 18, 1954, 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, State of New York, 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

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

Councilman Wroblewski  
Councilman Neibert  
Councilman Bystrak  
Councilman Nagel

Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE

CARRIED: AYES: -4-

ABSENT: -1-

NOES: -0-

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

**BOND RESOLUTION**  
BOND RESOLUTION, DATED JANUARY 18, 1954, AUTHORIZING THE ISSUANCE OF \$6,500 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE PAVING OF WALTON DRIVE.

WHEREAS, the Town Board has undertaken the specific object or purpose hereinafter described, and such specific object or purpose is a special improvement authorized by Article 12 of the Town Law of New York; NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$6,500 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a permanent paving in the portion of Walton Drive which extends from the Geib property located on said Walton Drive in a northerly direction to the north line of said Town, in accordance with the resolution adopted by the Town Board of said Town on January 4, 1954.

Section 3. The expenses of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that: (a) the maximum cost of said purpose, as estimated by the Town Board is \$6,500 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 20 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in "The Depew Herald and Cheektowaga News" and CHEEKTOWAGA TIMES, the official newspapers of the Town of Cheektowaga, 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 (20) days after the date of such publication; or if such obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been adopted on January 18, 1954, 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, State of New York, 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 (20) 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

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 JAN 28 1954; last publication JAN 28 1954; and that no more than six days intervened between publications:

*Willard C. Allis*

Sworn to before me this.....  
day of FEB 25 1954, 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, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

NEWS and the CHEEKTOWAGA TIMES the official newspapers of the Town of Cheektowaga, 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

The bond resolution published herewith has been adopted on January 18, 1954, 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, State of New York, 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

1954 day of

F.L.D. 2  
19  
*Kenneth T. Hanley*  
Notary Public in and for Erie County.  
4452440

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 5<sup>th</sup> week, the first insertion being on the 28<sup>th</sup> day of January, 1954, 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*

adoption: Councilman Neibert presented the following resolution and moved its

**LEGAL NOTICE**

BOND RESOLUTION, DATED JANUARY 18, 1954, AUTHORIZING THE ISSUANCE OF \$6,000 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE PAVING OF CRESTHAVEN DRIVE.

WHEREAS, the Town Board has undertaken the specific object or purpose hereinafter described, and such specific object or purpose is a special improvement authorized by Article 12 of the Town Law of New York: NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$6,000 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a permanent paving in the portion of Cresthaven Drive which extends from the north line of Sublot No. 220, Cover 1445, to the Amherst-Cheektowaga town line, in accordance with the resolution adopted by the Town Board of said Town on January 4, 1954.

Section 3. The expenses of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$6,000 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said

Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 20 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the DEPEW HERALD and CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES the official newspapers of the Town of Cheektowaga, 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 (20) days after the date of such publication; or if such obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been adopted on January 18, 1954, 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, State of New York, 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

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

Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Nagel	Voting AYE

CARRIED: AYES: -4-

NOES: -0-

ABSENT: -1-

STATE OF NEW YORK  
COUNTY OF ERIE

ISSUANCE OF \$6,500  
BONDS OF THE TOWN  
CHEEKTOWAGA IN THE  
COUNTY OF ERIE PURSUANT  
TO THE LOCAL FINANCE LAW,  
TO FINANCE THE PAVING OF  
WALTON DRIVE.

WHEREAS, the Town Board has undertaken the specific object or purpose hereinafter described, and such specific object or purpose is a special improvement authorized by Article 12 of the Town Law of New York: NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$6,500 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a permanent paving in the portion of Walton Drive which extends from the Geib property located on said Walton Drive in a northerly direction to the north line of said Town, in accordance with the resolution adopted by the Town Board of said Town on January 4, 1954.

Section 3. The expenses of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvements shall confer upon the same, in accordance with Subdivision 2

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision (a) of Paragraph (a) of Section 81.00 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 ten years.

Section 6. This resolution shall be published in full by the Town Board of said Town, together with notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the DEPEW HERALD and CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES the official newspapers of the Town of Cheektowaga, 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 publication of this resolution.

Section 7. The validity of such obligations may be contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, State of New York, 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.

The bond resolution published herewith has been adopted on January 18, 1954, 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, State of New York, 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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week the first insertion being on the 5th day of January, 1954, and the last insertion being on the day of 1954, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

1954 day of

19

Public in and for Erie County.

Councilman Neibert presented the following resolution and moved its adoption:

**LEGAL NOTICE**

BOND RESOLUTION, DATED JANUARY 18, 1954, AUTHORIZING THE ISSUANCE OF \$6,000 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE PAVING OF CRESTHAVEN DRIVE.

WHEREAS, the Town Board has undertaken the specific object or purpose hereinafter described, and such specific object or purpose is a special improvement authorized by Article 12 of the Town Law of New York: NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$6,000 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a permanent paving in the portion of Cresthaven Drive which extends from the north line of Sublot No. 220, Cover 1445, to the Amherst-Cheektowaga town line, in accordance with the resolution adopted by the Town Board of said Town on January 4, 1954.

Section 3. The expenses of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$6,000 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said

Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 20 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the DEPEW HERALD and CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES the official newspapers of the Town of Cheektowaga, 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 (20) days after the date of such publication; or if such obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been adopted on January 18, 1954, 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, State of New York, 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

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

Councilman Wroblewski  
Councilman Neibert  
Councilman Bystrak  
Councilman Nagel

Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE

CARRIED: AYES: -4-

NOES: -0-

ABSENT: -1-

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

**BOND RESOLUTION**  
BOND RESOLUTION, DATED JANUARY 18, 1954, AUTHORIZING THE ISSUANCE OF \$3,000 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE PAVING OF CRESTHAVEN DRIVE.

WHEREAS, the Town Board has undertaken the specific object or purpose hereinafter described, and such specific object or purpose is a special improvement authorized by Article 12 of the Town Law of New York: NOW THEREFORE,

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$3,000 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a permanent paving in the portion of Cresthaven Drive which extends from the north line of Sublot No. 22A, Cover 1445, to the Amherst-Cheektowaga town line, in accordance with the resolution adopted by the Town Board of said Town on January 4, 1954.

Section 3. The expenses of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$3,500 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 20 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in "The Depew Herald and Cheektowaga News" and "Cheektowaga Times," the official newspapers of the Town of Cheektowaga, 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 (20) days after the date of such publication or if such obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been adopted on January 18, 1954, 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, State of New York, is not authorized to expend money or if the provisions of the 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

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 seven weeks; first publication JAN 28 1954; last publication JAN 28 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of FEB 25 1954, 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, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

RESOLUTION  
LOCAL FINANCE LAW  
TO FINANCE THE PAVING OF  
CRESTHAVEN DRIVE.

WHEREAS, the Town Board has undertaken the specific object or purpose hereinafter described, and such specific object or purpose is a special improvement authorized by Article 12 of the Town Law of New York: NOW, THEREFORE,

BETT RESOLVED by the Town Board of the Town of Cheektowaga, as follows:

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$6,000 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a permanent paving in the portion of Cresthaven Drive which extends from the north line of Sublot No. 220, Cover 1445, to the Amherst-Cheektowaga town line, in accordance with the resolution adopted by the Town Board of said Town on January 4, 1954.

Section 3. The expenses of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and assess to be especially benefited by such improvement.

Such taxes shall be annually assessed and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$6,000 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object of local improvement as defined in Subdivision 1 of Section 231 of the Town Law of New York.

Section 6. The period of the amortization authorized by this resolution will not be in excess of ten years.

Section 7. This resolution shall be published in full by the Town Clerk of said Town, together with notice in substantially the form prescribed by Section 2107 of said Local Finance Law, and such publication shall be in the DEPEW HERALD and CHEEKTOWAGA NEWS, the official newspapers of the Town of Cheektowaga, 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 (20) days after the date of such publication; or if such obligations were authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall take effect immediately upon its adoption.

This bond resolution published herewith has been adopted on January 13, 1954, and the validity of the obligations authorized by such 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, State of New York, 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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 28th day of January, 1954, 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 \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_ 19\_\_\_\_

in and for Erie County.

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

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 <sup>one</sup> weeks:  
first publication ..... JAN 28 1954 .....  
last publication ..... JAN 28 1954 .....  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this .....  
FEB 25 1954  
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, 1955  
Registered No. 5029

... as authorized by Section 1101 of the  
 ... Law, and the validity of  
 ... in the Town of Cheektowaga  
 ... and the CHEEKTOWAGA  
 ... the official newspapers of  
 the Town of Cheektowaga, pub-  
 lished and having a general circu-  
 lation in said Town. The validity  
 of said Serial Bonds or of any bond  
 anticipation notes issued in antici-  
 pation 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 va-  
 lidity, is commenced within twenty  
 (20) days after the date of such  
 publication; or if such obligations  
 are authorized in violation of the  
 provisions of the Constitution of  
 New York.

Section 8. This resolution shall  
 take effect immediately upon its  
 adoption.

The bond resolution published  
 herewith has been adopted on Jan-  
 uary 15, 1954, and the validity of  
 the obligations authorized by such  
 resolution may be contested  
 only if such obligations  
 are authorized for an object or  
 purpose for which the Town of  
 Cheektowaga, in the County of  
 Erie, State of New York, is not  
 authorized to expend money or if  
 the provisions of law which should  
 have been complied with at the  
 date of publication of this resolu-  
 tion are not substantially  
 complied with, and an action, suit  
 or proceeding contesting such va-  
 lidity, is commenced within twenty  
 (20) days after the date of publica-  
 tion of such obligations were  
 authorized in violation of the pro-  
 visions of the Constitution of 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 public newspaper published at Depew, Town of Cheek-  
 towaga, Erie County, New York, that notice of which the  
 annexed printed slip taken from said newspaper, is a copy,  
 was inserted and published therein once a week for  
 1 week, the first insertion being on the  
 28<sup>th</sup> day of January, 1954, and  
 the last insertion being on the ..... day of  
 ....., 19....., and that not  
 more than six days intervened between any two publi-  
 cations thereof.

*Richard G. Bennett*

Sworn to before me this 1954 day of

FEB 2

....., 19.....  
*Kenneth T. Hanley*  
 Notary Public in and for Erie County.

NY 52800

ITEM NO. 26

Mr. Henry Geleszinski was granted the floor and requested action on his application to establish a Automobile Trailer Court on Walden Avenue in the Town of Cheektowaga, New York. Ordered tabled until February 1, 1954.

ITEM NO. 27 Councilman Wroblewski moved, seconded by Councilman Neibert, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same.

( Warrant No. 56 to Warrant No. 169, inclusive, drawn on the Supervisor.)

ITEM NO. 28 Councilman Wroblewski moved, seconded by Councilman Neibert, to adjourn.

Kenneth T. Hanley

Town Clerk.

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 25th day of January, 1954, at 2:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Stanley R. Bystrak	Councilman
ABSENT: Joseph A. Neibert	Councilman

Also present were: Town Clerk Hanley, Town Attorney Doyle and Town Engineer Kam.

Item No. 2 The Town Clerk proceeded to read the minutes of the previous meetings held on January 4, 1954 and January 18, 1954, and there being no corrections or alterations same were ordered to be placed on file in the Town Clerks' Office.

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

WHEREAS, the Town of Cheektowaga entered into a contract with the Village of Depew to connect its water line with the water line of the Village of Depew, at or near the intersection of Borden and Zurbrick Roads, pending the completion by the Town of Cheektowaga of its own water line; and

WHEREAS, the Town of Cheektowaga has completed its water line so as to service all property located in Water District No. 9 and Extensions thereof and no longer needs to purchase water from the Village of Depew; and

WHEREAS, the meter can be closed and no water taken therefrom to service the property located in the Town of Cheektowaga, New York, known as Water District No. 9, and Extensions,

BE IT RESOLVED, that said contract be and same is hereby terminated and the Engineer instructed to disconnect the water line and seal the valve,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be mailed to the Village of Depew by the Town Clerk.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

CARRIED: AYES: -4-

NOES: -0-

ABSENT: -1-

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

WHEREAS, the Bond Resolutions hereinafter referred to have taken effect in accordance with law and the Town Board desires to make provision for the issuance of the bonds authorized by said Bond Resolutions; NOW, THEREFORE,

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

(1) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$100,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, dated June 1, 1953, authorizing the issuance of \$110,000 Serial Sewer District No. 5 Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law", which was adopted by the Town Board on June 1, 1953. Said bonds shall be designated "Serial Sewer District No. 5 Bonds, Series "A". Said bonds shall consist of one hundred bonds of the denomination of \$1,000 each, numbered from 1 to 100, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz: \$3,000 in each of the years 1955 to 1970, inclusive, and \$4,000 in each of the years 1971 to 1983, inclusive.

(2) Bonds of said Town of the aggregate principal amount of \$55,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, dated June 1, 1953, authorizing the issuance of \$80,000 Serial Sewer District No. 5 Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law ", which was adopted by the Town Board on June 1, 1953. Said Bonds shall be designated "Serial Sewer District No. 5 Bonds, Series B ". Said bonds shall consist of six bonds of the denomination of \$500 each and fifty-two bonds of the denomination of \$1,000 each, numbered from 1 to 58, inclusive, in the order of their maturity, the \$500 bonds being numbered 1,3,5,7,9 and 11,

and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz: \$1,500 in each of the years 1955 to 1960, inclusive, and \$2,000 in each of the years 1961 to 1983, inclusive.

(3) Bonds of said Town of the aggregate principal amount of \$11,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, dated November 17, 1952, authorizing the issuance of \$11,270 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the construction of curbing", which was adopted by the Town Board on November 17, 1952. Said bonds shall be designated "Serial Olcott Place Improvement Bonds". Said bonds shall consist of eleven bonds of the denomination of \$1,000 each, numbered from 1 to 11, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz: \$3,000 in each of the years 1955, 1956 and 1957, and \$2,000 in 1958.

(4) Bonds of said Town of the aggregate principal amount of \$6,500 shall be issued pursuant to the bond resolution entitled "Bond Resolution, dated January 18, 1954, authorizing the issuance of \$6,500 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the paving of Walton Drive", which was adopted by the Town Board on January 18, 1954. Said Bonds shall be designated "Serial Walton Drive Improvement Bonds". Said bonds shall consist of five bonds of the denomination of \$1,000 each, numbered 1,3,5,7 and 8, and three bonds of the denomination of \$500 each, numbered 2,4 and 6 shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$2,000 in 1955 and \$1,500 in each of the years 1956, 1957 and 1958.

(5) Bonds of said Town of the aggregate principal amount of \$16,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, dated January 18, 1954, authorizing the issuance of \$16,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the paving of Darwin Drive", which was adopted by the Town Board on January 18, 1954. Said bonds shall be designated "Serial Darwin Drive Improvement Bonds". Said bonds shall consist of sixteen bonds of the denomination of \$1,000 each, numbered from 1 to 16, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$4,000 in each of the years 1955 to 1958, inclusive.

(6) Bonds of said Town of the aggregate principal amount of \$6,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, dated January 18, 1954, authorizing the issuance of \$6,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the paving of Cresthaven Drive", which was adopted by the Town Board on January 18, 1954. Said bonds shall be designated "Serial Cresthaven Drive Improvement Bonds". Said bonds shall consist of four bonds of the denominations of \$1,000 each, numbered 1,3, 5 and 7, and four bonds of the denomination of \$500 each, numbered 2,4,6 and 8, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$1,500 in each of the years 1955 to 1958, inclusive.

(7) Bonds of said Town of the aggregate principal amount of \$7,500 shall be issued pursuant to the bond resolution entitled "Bond Resolution, dated January 18, 1954, authorizing the issuance of \$7,500 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the paving of Sugnet Drive", which was adopted by the Town Board on January 18, 1954. Said bonds shall be designated "Serial Sugnet Drive Improvement Bonds". Said bonds shall consist of seven bonds of the denomination of \$1,000 each, numbered 1, and from 3 to 8, inclusive, and one bond of the denomination of \$500 numbered 2, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$2,000 in each of the years 1955, 1956 and 1957, and \$1,500 in 1958.

(8) All of said bonds shall be dated January 1, 1954 and shall bear interest from their date at a rate which shall not exceed five per centum (5%) per annum. Such interest shall be payable semi-annually on January 1 and July 1.

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

(10) Each of said bonds shall be payable to bearer with coupons attached for the payment of interest to bearer and such bond shall be convertible into a registered bond. Each of said bonds shall be executed by the Town Supervisor of said Town and shall be attested by the Town Clerk of said Town. Each of said bonds shall be sealed with the seal of said Town. Each of the interest coupons to be attached to said bonds shall be authenticated by the facsimile signature of said Town Supervisor.

(11) The power to prescribe the terms, form and contents of said Serial Bonds, subject to the provisions of this resolution, and all powers and duties pertaining or incidental to the sale and issuance of said Serial Bonds, are hereby delegated to the Town Supervisor. Said bonds shall bear interest at the rate specified in the proposal to purchase said bonds which shall be accepted by the Town Supervisor at the public sale of said bonds.

(12) The faith and credit of the Town are hereby pledged to the payment of said bonds and the interest thereon as the same become due and payable.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

AYES: -4-

NOES: -0-

ABSENT: -1-

Item No. 5

LEO SAUER REZONING GRANTED

WHEREAS, the Zoning Board of Appeals held a public hearing on the 20th day of January, 1954, for the purpose of considering the application of Leo Sauer for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 20th day of January 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a special meeting thereon on the 25th day of January, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone said premises from Residence District to Business District, be and the same is hereby confirmed and approved.

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942 and as now amended, entitled "Zoning Ordinance" 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

Part of Lot 27, Township 11, Range 7 of the Holland Land Company's Survey and more particularly described as being Lots Nos. 24, 25, 26 on a certain Subdivision Map filed in the Erie County Clerk's Office under Cover 1440, being the northeast corner of Harlem Road and Grey Street.

Dated: January 25, 1954

KENNETH T. HANLEY,

Town Clerk  
Town of Cheektowaga,  
New York.

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication JAN 28 1954; last publication JAN 28 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
MAR 4 1954  
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, 1955  
Registered No. 5029

A copy of the above notice was posted on the Town Hall Bulletin Board on the 29th day of January, 1954.

Item No. 6

Councilman Nagel moved, seconded by Councilman Wroblewski, to adjourn.

Kenneth T. Hanley

Town Clerk.

SEAL

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 1st day of February, 1954, at 2:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Stanley R. Bystrak	Councilman
ABSENT: Joseph A. Neibert	Councilman

Also present were: Town Clerk Hanley; Town Attorney Doyle; Town Engineer Kam; Recreational Director Janiak; Highway Superintendent Zablotny; Secretary to the Highway Superintendent Meyer; Assessor Jerzewski; General Foreman Eberl and Chief of Police Mersmann.

Item No. 2 Without any objections the reading of the minutes of the previous meeting were dispensed with until a later date.

Item No. 3 This being the time and the place advertised for a public hearing on the proposed improvement of Carol Drive, from East Delevan Avenue to Rowan Road, by the installation of street lighting improvement standards, the Supervisor directed the Town Clerk to present proof of publication of the Notice of the Hearing.

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing, and no person or persons appeared in opposition to the proposed improvement, the Supervisor ordered the hearing closed and decision reserved, and that the proceedings be referred to Councilman Bystrak, Chairman of the Public Utility Committee for study and investigation.

Item No. 4 This being the time and the place advertised for a public hearing for the improvement of Mapleview Avenue, by the construction of a lateral sewer in said highway to wit: that portion of Mapleview Avenue commencing in the center of the intersection of Mapleview Avenue and Birkdale Road and extending easterly on Mapleview Avenue, a distance of approximately 660 feet, the Supervisor directed the Town Clerk to present proof of publication of the Notice of the Hearing.

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. No person or persons appeared in opposition to the proposed improvement, the Supervisor ordered the hearing closed and decision reserved, and referred same to the Town Attorney to draw up a proper resolution for the adoption of the proposed improvement.

Item No. 5 The following order and resolution was offered by Mr. Wroblewski, who moved its adoption, seconded by Mr. Bystrak, to wit:

WHEREAS, the Town Board of the Town of Cheektowaga, in the County of Erie, has determined it to be necessary for the proper maintenance and service of the existing trunk sewer system maintained by Sewer District No. 3 of the Town of Cheektowaga, to increase, improve, or reconstruct the facilities of such trunk sewer system and the appurtenances thereto and, at the request of the Town Board, Nussbaumer, Clarke and Velzy, who are competent Civil Engineers duly licensed by the State of New York, have prepared a map and a general plan for the improvement of such trunk sewer system and for the increase of the facilities thereof and also an estimate of the expense thereof, and said map and general plan and estimate are dated February 1st, 1954, and have been presented to the Town Board and have been filed in the office of the Town Clerk; and

WHEREAS, none of the improvements described in said map and general plan includes any lateral sewer main authorized to be constructed pursuant to Section 199 of the Town Law of New York; and

WHEREAS, the Town Board desires to hold a public hearing for the consideration of such map and general plan and estimate; now, therefore,

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

(1) The Town Clerk is hereby authorized and directed to publish and post the following notice.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, in the County of Erie and State of New York, will meet at Town Hall, corner of Broad and Union Road, way

Item No. 5 Cont'd

in said Town, on the 15th day of February, 1954, at 7:30 o'clock P.M., Eastern Standard Time, and hold a public hearing for the purpose of considering a map and general plan describing proposed improvements to the trunk sewer system maintained by Sewer District No. 3 of the Town of Cheektowaga, and an estimate of the cost thereof, and that the Town Board will, at said time and place, hear all persons interested in the subject of such hearing and will receive all evidence offered which will enable the Town Board to determine pursuant to the provisions of the Town Law of New York, whether it is in the public interest to make the improvements described in said map and general plan and estimate, either in whole or in part, and whether the property located within the boundaries of said District will be benefitted by the making of such improvements.

The improvements hereinbefore referred to are described in a map and general plan dated February 1, 1954, prepared at the request of the Town Board by Nussbaumer, Clarke and Velzy, Consulting Engineers, now on file in the office of the Town Clerk of the Town of Cheektowaga, and consist of improvements to the Sewage and Treatment Plant and site of Sewer District No. 3, as follows:

1. Two (2) additional open sludge beds with appurtenances and connecting piping.
2. Partially reconstruct concrete walls of grit chamber, comminutor basin, primary and secondary sedimentation basins.
3. Partially reconstruct digester walls and provide new electrical controls and other operating appurtenances.
4. Partially reconstruct dozing chamber.
5. Construct service roads and parking area.
6. Remodel present sludge bed.

The estimated expense of making said improvements is Forty Thousand Dollars (\$40,000.00).

Kenneth T. Hanley

Town Clerk of the Town of Cheektowaga.

(2) Such notice shall be published once in the Cheektowaga Times and the Depew Herald & Cheektowaga News, Newspapers published in the Town of Cheektowaga and circulating in said Sewer District No. 3, and which are the official newspapers of said Town, and a copy of such notice shall be posted conspicuously in not less than five public places within said District, such publication and posting to be made not less than ten nor more than twenty days prior to the date fixed for such public hearing.

(3) The Town Board shall meet at the time and place specified in said notice and shall hold a public hearing as therein provided.

The resolution was duly adopted, the vote being as follows:

Supervisor Benedict T. Holtz	Voting AYE
Councilman Felix T. Wroblewski	Voting AYE
Councilman Stanley Bystrak	Voting AYE
Councilman Henry Nagel	Voting AYE

Posted as follows on the 5th day of February, 1954;

- 1- Telephone Pole at the corner of William and Andrew Street;
- 2- Telephone Pole at the corner of Dingen and Alaska Street;
- 3- Telephone Pole at the corner of Harlem and Grunner Road;
- 4- Telephone Pole at the corner of Clinton Street and Meadowbrook Parkway
- 5- Telephone Pole at the corner of Clinton Street and Harlem Road.

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

**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 Rd., Cheektowaga, New York, in said Town on the 1st day of February, 1954, at 2:30 o'clock P.M., Eastern Standard Time.

The meeting was called to order by Supervisor Holtz and the roll being called, there were:

**PRESENT:**  
Benedict T. Holtz, Supervisor  
Felix Wroblewski, Councilman  
Stanley Bystrak, Councilman  
Henry Nagel, Councilman

**ABSENT:**  
Joseph A. Neibert, Councilman  
The following order and resolution was offered by Mr. Wroblewski, who moved its adoption, seconded by Mr. Bystrak, to wit:

**WHEREAS**, the Town Board of the Town of Cheektowaga, in the County of Erie, has determined it to be necessary for the proper maintenance and service of the existing trunk sewer system maintained by Sewer District No. 3 of the Town of Cheektowaga, to increase, improve, or reconstruct the facilities of such trunk sewer system and the appurtenances thereto and, at the request of the Town Board, Nussbaumer, Clarke & Velzy, who are competent Civil Engineers duly licensed by the State of New York, have prepared a map and a general plan for the improvement of such trunk sewer system and for the increase of facilities thereof and also an estimate of the expense thereof, and said map and general plan and estimate are dated February 1st, 1954, and have been presented to the Town Board and have been filed in the office of the Town Clerk; and

**WHEREAS**, none of the improvements described in said map and general plan includes any lateral sewer main authorized to be constructed pursuant to Section 199 of the Town Law of New York; and

**WHEREAS**, the Town Board desires to hold a public hearing for the consideration of such map and general plan and estimate; now, **THEREFORE**,

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

(1) The Town Clerk is hereby authorized and directed to publish and post the following notice.

**NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that the Town Board of the Town of Cheektowaga, in the County of Erie and State of New York, will meet at Town Hall, corner of Broadway and Union Road, in said Town, on the 15th day of February, 1954, at 7:30 o'clock P.M., Eastern Standard Time, and hold a public hearing for the purpose of considering a map and general plan describing proposed improvements to the trunk sewer system maintained by Sewer District No. 3 of the Town of Cheektowaga, and an estimate of the cost thereof, and that the Town Board will, at said time and place, hear all persons interested in the subject of such hearing and will receive all evidence offered which will enable the Town Board to determine pursuant to the provisions of the Town Law of New York, whether it is in the public interest to make the improvements described in said map and general plan and estimate, either in whole or in part, and whether the property located within the boundaries of said District will be benefitted by the making of such improvements.

The improvements hereinbefore referred to are described in a map and general plan dated February 1, 1954, prepared at the request of the Town Board by Nussbaumer, Clarke & Velzy, Consulting Engineers, now on file in the office of the Town Clerk of the Town of Cheektowaga, and consist of improvements to the Sewage and Treatment Plant and site of Sewer District No.3, as follows

1. Two (2) additional open sludge beds with appurtenances and connecting piping.
2. Partially reconstruct concrete walls of grit chamber, comminutor basin, primary and secondary sedimentation basins.
3. Partially reconstruct digester walls and provide new electrical controls and other operating appurtenances.
4. Partially reconstruct dosing chamber.
5. Construct service roads and

parking area.  
6. Remodel present sludge bed.  
The estimated expense of making said improvements is Forty Thousand Dollars (\$40,000.00).

**KENNETH T. HANLEY**  
Town Clerk of the  
Town of Cheektowaga  
(2) Such notice shall be published once in the **CHEEKTOWAGA TIMES** and the **DEFEW HERALD AND CHEEKTOWAGA NEWS**, newspapers published in the Town of Cheektowaga and circulating in said Sewer District No. 3, and which are the official newspapers of said Town, and a copy of such notice shall be posted conspicuously in not less than five public places within said District, such publication and posting to be made not less than ten nor more than twenty days prior to the date fixed for such public hearing.

(3) The Town Board shall meet at the time and place specified in said notice and shall hold a public hearing as therein provided.

The resolution was duly adopted, the vote being as follows:

Supervisor Benedict T. Holtz voting Aye.  
Councilman Felix T. Wroblewski voting Aye.  
Councilman Stanley Bystrak voting Aye.  
Councilman Henry Nagel voting Aye.

**STATE OF NEW YORK**  
**COUNTY OF ERIE** )  
**TOWN OF CHEEKTOWAGA** )

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on February 1, 1954, 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 A9 inclusive of said book.

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

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

**IN WITNESS WHEREOF**, I have hereunto set my hands and have hereunto affixed the corporate seal of said Town, this 1st day of February, 1954.

**KENNETH T. HANLEY**  
Town Clerk

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Item No. 5 Cont'd

in said Town, on the 15th day of February, 1954, at 7:30 o'clock P.M., Eastern Standard Time, and hold a public hearing for the purpose of considering a map and general plan describing proposed improvements to the trunk sewer system maintained by Sewer District No. 3 of the Town of Cheektowaga, and an estimate of the cost thereof, and that the Town Board will, at said time and place, hear all persons interested in the subject of such hearing and will receive all evidence offered which will enable the Town Board to determine pursuant to the provisions of the Town Law of New York, whether it is in the public interest to make the improvements described in said map and general plan and estimate, either in whole or in part, and whether the property located within the boundaries of said District will be benefitted by the making of such improvements.

The improvements hereinbefore referred to are described in a map and general plan dated February 1, 1954, prepared at the request of the Town Board by Nussbaumer, Clarke and Velzy, Consulting Engineers, now on file in the office of the Town Clerk of the Town of Cheektowaga, and consist of improvements to the Sewage and Treatment Plant and site of Sewer District No. 3, as follows:

1. Two (2) additional open sludge beds with appurtenances and connecting piping.
2. Partially reconstruct concrete walls of grit chamber, comminutor basin, primary and secondary sedimentation basins.
3. Partially reconstruct digester walls and provide new electrical controls and other operating appurtenances.
4. Partially reconstruct dozing chamber.
5. Construct service roads and parking area.
6. Remodel present sludge bed.

The estimated expense of making said improvements is Forty Thousand Dollars (\$40,000.00).

Kenneth T. Hanley

Town Clerk of the Town of Cheektowaga.

(2) Such notice shall be published once in the Cheektowaga Times and the Depew Herald & Cheektowaga News, Newspapers published in the Town of Cheektowaga and circulating in said Sewer District No. 3, and which are the official newspapers of said Town, and a copy of such notice shall be posted conspicuously in not less than five public places within said District, such publication and posting to be made not less than ten nor more than twenty days prior to the date fixed for such public hearing.

(3) The Town Board shall meet at the time and place specified in said notice and shall hold a public hearing as therein provided.

The resolution was duly adopted, the vote being as follows:

Supervisor Benedict T. Holtz	Voting AYE
Councilman Felix T. Wroblewski	Voting AYE
Councilman Stanley Bystrak	Voting AYE
Councilman Henry Nagel	Voting AYE

Posted as follows on the 5th day of February, 1954;

- 1- Telephone Pole at the corner of William and Andrew Street;
- 2- Telephone Pole at the corner of Dingen and Alaska Street;
- 3- Telephone Pole at the corner of Harlem and Grunner Road;
- 4- Telephone Pole at the corner of Clinton Street and Meadowbrook Parkway
- 5- Telephone Pole at the corner of Clinton Street and Harlem Road.

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

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 ..... FEB 4 1954 .....  
last publication ..... FEB 4 1954 .....  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
day of ..... FEB 5 1954 ..... 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, 1955  
Registered No. 5029

STATE OF NEW YORK

COUNTY OF ERIE

That the property located within the boundaries of said District, will be benefitted by the making of such improvements.

The improvements hereinbefore referred to are described in a map and general plan dated February 1, 1954, prepared at the request of the Town Board by Nussbaumer, Clarke and Velzy, Consulting Engineers. The time when said meeting was convened and 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 1st day of February, 1954.

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 public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 4th day of February, 1954 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 this 1st day of February, 1954

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

IN 52 8800

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 4th day of February, 1954 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*

1954 day of

19.....

*Ther...*  
Public in and for Erie County.

and Union Road, Cheektowaga, New York in said Town on the 1st day of February 1954 at 2:30 o'clock P.M. Eastern Standard Time.

The meeting was called to order by Supervisor Holtz and the roll being called, there were:

**PRESENT:**  
Benedict T. Holtz, Supervisor,  
Felix Wroblewski, Councilman  
Stanley Bystrak, Councilman  
Henry Nagel, Councilman

**ABSENT:**  
Joseph A. Neibert, Councilman

The following order and resolution was offered by Mr. Wroblewski, who moved its adoption, seconded by Mr. Bystrak, to wit:

**WHEREAS**, the Town Board of the Town of Cheektowaga, in the County of Erie, has determined it to be necessary for the proper maintenance and service of the existing trunk sewer system maintained by Sewer District No. 3 of the Town of Cheektowaga, to increase, improve, or reconstruct the facilities of such trunk sewer system and the appurtenances thereto and, at the request of the Town Board, Nussbaumer, Clarke and Velzy, who are competent Civil Engineers duly licensed by the State of New York, have prepared a map and a general plan for the improvement of such trunk sewer system and for the increase of the facilities thereof and also an estimate of the expense thereof, and said map and general plan and estimate are dated February 1st, 1954, and have been presented to the Town Board and have been filed in the office of the Town Clerk; and

**WHEREAS**, none of the improvements described in said map and general plan includes any lateral sewer main authorized to be constructed pursuant to Section 199 of the Town Law of New York; and

**WHEREAS**, the Town Board desires to hold a public hearing for the consideration of such map and general plan and estimate; now,

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

(1) The Town Clerk is hereby authorized and directed to publish and post the following notice.

**NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that the Town Board of the Town of Cheektowaga, in the County of Erie and State of New York, will meet at Town Hall, corner of Broadway and Union Road, in said Town, on the 15th day of February, 1954 at 7:30 o'clock P.M., Eastern Standard Time and hold a public hearing for the purpose of considering a map and general plan describing proposed improvements to the trunk sewer system maintained by Sewer District No. 3 of the Town of Cheektowaga, and an estimate of the cost thereof, and

The Town Board to determine pursuant to the provisions of the Town Law of New York, whether it is in the public interest to make the improvements described in said map and general plan and estimate, either in whole or in part, and whether the property located within the boundaries of said District will be benefitted by the making of such improvements.

The improvements hereinbefore referred to are described in a map and general plan dated February 1, 1954, prepared at the request of the Town Board by Nussbaumer, Clarke and Velzy, Consulting Engineers, now on file in the office of the Town Clerk of the Town of Cheektowaga, and consist of improvements to the Sewage and Treatment Plant and site of Sewer District No. 3, as follows:

1. Two (2) additional open sludge beds with appurtenances and connecting piping.
2. Partially reconstruct concrete walls of grit chamber, comminutor basin, primary and secondary sedimentation basins.

The following order and resolution was offered by Mr. Wroblewski who moved its adoption, seconded by Mr. Nagel, to wit:

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In the Matter |

of |

the extension of Sewer District |

No. 5 of the Town of Cheektowaga, |

in the County of Erie, New York. |

-----|

WHEREAS, Alois Peinkifer and Lillian Balbach, owners of taxable real property situated within the Town of Cheektowaga, in the County of Erie, have presented to the Town Board of said Town, at a meeting of said Town Board, held on the 2nd day of November, 1953, a petition requesting that Sewer District No. 5 of said Town be extended so that it shall include the territory in said Town bounded and described as follows:

DESCRIPTION OF BOUNDARIES OF AN EXTENSION TO SANITARY SEWER DISTRICT NO. 5, IN THE ORIOLE PLACE, NOW CHEROKEE DRIVE AREA, TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BEGINNING at a point in the westerly line of Union Road distant 21.33 feet southerly of the southerly line of Oriole Place, now Cherokee Drive, said point being in the southeasterly line of the U-Crest Drain;

THENCE southwesterly and westerly along the southeasterly and southerly boundary line of the U-Crest Drain to a point distant 380.00 feet westerly from the westerly line of Union Road drawn at right angles thereto;

THENCE southerly and along a line drawn parallel to and distant 380.00 feet westerly from the westerly line of Union Road, drawn at right angles thereto, to a point in the northwesterly line of the West Shore Railroad;

THENCE southwesterly and along the northwesterly line of the West Shore Railroad to its intersection with the southerly line of lands now, or formerly owned by Alois Peinkofer and One and as described in Liber 5295, at Page 457, Erie County Clerks' Office;

THENCE westerly and along the southerly line of lands as so described and now, or formerly owned by Alois Peinkofer and One to a point in the easterly line of the Ontario Thruway;

THENCE northerly and along the easterly line of the Ontario Thruway to a point in the southerly line now, or formerly owned by Alois Peinkofer and as described in Liber 5108, at Page 390, Erie County Clerks' Office;

THENCE westerly and along the southerly line of lands as so described and now, or formerly owned by Alois Peinkofer, extended westerly to a point in the easterly line of lands owned by the Niagara-Mohawk Power Company;

THENCE northerly and along the easterly line of lands owned by the Niagara-Mohawk Power Company, said line being the easterly line of Sanitary Sewer District Number 5, to a point in the southerly line of Sanitary Sewer District Number 5;

THENCE easterly and northerly and along the southerly boundary line of Sanitary Sewer District Number 5, to a point in the southerly line of Oriole Place, now Cherokee Drive;

THENCE easterly and along the southerly line of Oriole Place, now Cherokee Drive;

The improvements hereinafter referred to are described in a map and general plan dated February 1, 1954, prepared at the request of the Town Board by Nussbaumer, Clarice and Velzy, Consulting Engineers, now on file in the office of the Town Clerk of the Town of Cheektowaga, and consist of improvements to the Sewage and Treatment Plant and site of Sewer District No. 3, as follows:

1. Two (2) additional open sludge beds with appurtenances and connecting piping.
2. Partially reconstruct concrete walls of grit chamber, comminutor basin, primary and secondary sedimentation basins.
3. Partially reconstruct digester walls and provide new electrical controls and automatic operating machinery.
4. Partially reconstruct grit chamber.
5. Construct access road and parking area.
6. Remodel present sludge bed.

The estimated expense of making said improvements is Forty Thousand Dollars (\$40,000.00).

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

(2) Such notice shall be published once in the CHEEKTOWAGA TIMES and DEPEW HERALD and CHEEKTOWAGA NEWS, newspapers published in the Town of Cheektowaga and circulating in said Sewer District No. 3, and which are the official newspapers of said Town, and a copy of such notice shall be posted conspicuously in not less than five public places within said District, such publication and posting to be made not less than ten nor more than twenty days prior to the date fixed for such public hearing.

(3) The Town Board shall meet at the time and place specified in said notice and shall hold a public hearing as therein provided. The resolution was duly adopted, the vote being as follows:  
Supervisor Benedict T. Holtz, Voting Aye,  
Councilman Felix T. Wroblewski, Voting Aye,  
Councilman Stanley Bystrak, Voting Aye,  
Councilman Henry Nagel, Voting Aye.

State of New York )  
County of Erie ) ss:  
Town of Cheektowaga )

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on February 1, 1954, 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 4-4 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 and 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 1st day of February, 1954.

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 public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 4<sup>th</sup> day of February, 1954, 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*

1954 day of \_\_\_\_\_

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

The following order and resolution was offered by Mr. Wroblewski who moved its adoption, seconded by Mr. Nagel, to wit:

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In the Matter

of

the extension of Sewer District  
No. 5 of the Town of Cheektowaga,  
in the County of Erie, New York.

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WHEREAS, Alois Peinkifer and Lillian Balbach, owners of taxable real property situated within the Town of Cheektowaga, in the County of Erie, have presented to the Town Board of said Town, at a meeting of said Town Board, held on the 2nd day of November, 1953, a petition requesting that Sewer District No. 5 of said Town be extended so that it shall include the territory in said Town bounded and described as follows:

DESCRIPTION OF BOUNDARIES OF AN  
EXTENSION TO SANITARY SEWER DISTRICT  
NO. 5, IN THE ORIOLE PLACE, NOW  
CHEROKEE DRIVE AREA, TOWN OF  
CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BEGINNING at a point in the westerly line of Union Road distant 21.33 feet southerly of the southerly line of Oriole Place, now Cherokee Drive, said point being in the southeasterly line of the U-Crest Drain;

THENCE southwesterly and westerly along the southeasterly and southerly boundary line of the U-Crest Drain to a point distant 380.00 feet westerly from the westerly line of Union Road drawn at right angles thereto;

THENCE southerly and along a line drawn parallel to and distant 380.00 feet westerly from the westerly line of Union Road, drawn at right angles thereto, to a point in the northwesterly line of the West Shore Railroad;

THENCE southwesterly and along the northwesterly line of the West Shore Railroad to its intersection with the southerly line of lands now, or formerly owned by Alois Peinkofer and One and as described in Liber 5295, at Page 457, Erie County Clerks' Office;

THENCE westerly and along the southerly line of lands as so described and now, or formerly owned by Alois Peinkofer and One to a point in the easterly line of the Ontario Thruway;

THENCE northerly and along the easterly line of the Ontario Thruway to a point in the southerly line now, or formerly owned by Alois Peinkofer and as described in Liber 5108, at Page 390, Erie County Clerks' Office;

THENCE westerly and along the southerly line of lands as so described and now, or formerly owned by Alois Peinkofer, extended westerly to a point in the easterly line of lands owned by the Niagara-Mohawk Power Company;

THENCE northerly and along the easterly line of lands owned by the Niagara-Mohawk Power Company, said line being the easterly line of Sanitary Sewer District Number 5, to a point in the southerly line of Sanitary Sewer District Number 5;

THENCE easterly and northerly and along the southerly boundary line of Sanitary Sewer District Number 5, to a point in the southerly line of Oriole Place, now Cherokee Drive;

THENCE easterly and along the southerly line of Oriole Place, now Cherokee Drive;

THENCE easterly and along the southerly line of Oriole Place, now Cherokee Drive being also the southerly boundary line of Sanitary Sewer District Number 5, to a point in the westerly line of Union Road;

THENCE southerly and along the westerly line of Union Road for a distance of 21.33 feet to the place, or point of beginning.

The above described lands being proposed as an extension or addition to Sanitary Sewer District Number 5, Town of Cheektowaga, Erie County, State of New York.

WHEREAS, said petition also requests that there be constructed in said territory proposed to be added to said sewer district a sewer system in accordance with a map and plan attached to such petition, wholly at the expense of said district; and

WHEREAS, such sewer system, as shown by said map and plan, is to consist of sewer lines and the appurtenances necessary for their operation to be constructed at the locations specified in said map and plan; and

WHEREAS, said Town Board duly adopted, on the 2nd day of November, 1953, an order providing that said Town Board shall meet at the Town Hall, corner Broadway and Union Road, Cheektowaga, New York, on the 16th day of November, 1953, at 7:30 o'clock P.M. Eastern Standard Time, to consider said petition and to hear all persons interested in the subject thereof concerning the same, and certified copies of said order have been duly published and posted as prescribed by law, and said Town Board has, at the time and place specified in said order, duly met and considered said petition and heard all persons interested in the subject thereof, who appeared at such time and place concerning the same; and

WHEREAS, the Town Board did, by resolution duly adopted on the 7th day of December, 1953, determine that (1) said petition is signed and acknowledged or proved as required by law and is otherwise sufficient; (2) all property and property owners within said proposed extension of said district are benefitted thereby; (3) all property and property owners benefitted are included within the limits of said proposed extension of said district; and (4) it is in the public interest to grant in whole the relief sought in and by said petition; and also did approve the extension of said district to include the territory described in said petition and in this resolution, and the construction of a sewer system in said proposed extension of said district in accordance with the map and plan attached to said petition; and

WHEREAS, the Town Clerk of said Town duly filed, on or about the 19th day of December, 1953, a certified copy of said resolution in duplicate, in the office of the State Department of Audit and Control, at Albany, New York, together with an application, in duplicate, for permission to extend said district, duly executed by the Town Supervisor of said Town and complying in all respects with Section 194 of the Town Law of New York, and the Comptroller of the State of New York, did, on the 27th day of January, 1954, duly make an order granting permission for the extension of said district in accordance with said petition, and has heretofore duly filed said order in the manner required by Section 194 of the Town Law of New York; and

WHEREAS, the Town Board desires to extend said district in accordance with said petition, NOW, THEREFORE,

BE IT ORDERED, by the Town Board of the Town of Cheektowaga, in the County of Erie, that the relief sought by said petition be and it hereby is granted and that said district be and it hereby is extended so as to include the territory in said Town hereinbefore described; be it further

ORDERED, that there shall be constructed in said territory a sewer system in accordance with the map and plan attached to said petition at a cost not exceeding Sixty Thousand Dollars (\$60,000.00),

FURTHER ORDERED, that the Town Clerk be and he hereby is directed to record a certified copy of this order in the office of the Clerk of the County of Erie, and to file a certified copy of such order in the office of the State Department of Audit and Control in Albany, New York.

Duly put to a vote which resulted as follows:

Supervisor Benedict T. Holtz	Voting AYE
Councilman Felix T. Wroblewski	Voting AYE
Councilman Stanley Bystrak	Voting AYE
Councilman Henry J. Nagel	Voting AYE

CARRIED: AYES: -4-

NOES: -0-

ABSENT: -1-

The following resolution was offered by Mr. Bystrak, who moved its adoption, seconded by Mr. Wroblewski, to wit:

**RESOLUTION AUTHORIZING THE ISSUANCE OF \$3,750.00 LIGHTING DISTRICT CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.**

WHEREAS, the expense of making the improvements hereinafter described must be borne by local assessment upon the several lots and parcels of lands within the districts in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law for the assessment of the cost of maintenance in a sewer district as the same shall be annually determined and apportioned by the Town Board, and the Town Board desires to issue capital notes to finance the cost of said improvements and to annually apportion and assess upon the several lots and parcels of lands especially benefitted by such improvements in proportion to the amount of benefit which the improvements shall confer upon the same an amount sufficient to pay the principal of and interest on the capital notes issued for such improvements as the same shall become due and payable, all of which shall be done in accordance with the provisions of Subdivision 6 of Section 198 of Chapter 634 of the Laws of 1932 as amended by Chapter 325 of the Laws of 1946.

**NOW, THEREFORE,**

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its capital notes of the aggregate principal amount of \$3,750.00 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the purchase and installation of street lighting equipment pursuant to Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve properties on both sides of said highways, to wit:

- a) Cunard Avenue from Genesee Street to Winston Road.
- b) Mapleview Road from Oehman Boulevard to Birkdale Road.
- c) Briarcliffe Road from Cleveland Drive to Wayne Terrace.
- d) South Roycroft Drive from Cleveland Drive to Cleveland Hill School property.

Section 3. It is hereby stated that:

- a) The maximum cost of said purpose as estimated by the Town Board is \$3,750.00, and
- b) No money has heretofore been authorized to be applied to the payment of the cost of said purpose, and
- c) The Town Board plans to finance the cost of said purpose

issued pursuant to the Local Finance Law, \$3,750.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series A of 1954, which shall bear a date not earlier than February 1, 1954, to be fixed by the Supervisor in the following denominations and to be numbered as follows: to wit

- 1. In the amount of \$1,875.00 maturing on April 1, 1954, and
- 2. In the amount of \$1,875.00 maturing on April 1, 1955,

each of such notes to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such Capital Notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

Section 5. All other matters, except as provided herein, relating to such capital notes shall be determined by the Supervisor. Such capital notes shall comply with the provisions of the Local Finance Law of New York.

Local Finance Law, and shall observe to in such town and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law as the Supervisor shall determine.

Section 6. The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such capital notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such capital note becoming due and payable in such year. There shall annually be apportioned and assessed upon the several lots and parcels of land especially benefitted by the said improvements in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law, an amount sufficient to pay the principal of and interest on such capital notes as the same become due and payable.

Section 7. Such capital notes shall be sold at private sale by the Supervisor at a price of not less than par value of and accrued interest, if any, and the proceeds of such sale shall be applied solely for the purpose aforesaid, but the receipt of the Supervisor shall be a full acquittance to the purchaser of such capital notes who shall not be obliged to see to the application of the purchase money.

Section 8. It is hereby determined that said purpose is an object or purpose described in Subdivision 35 of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 5 years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of 5 years.

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 20 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 11. 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 the said Local Finance Law, and such publication shall be in the Cheektowaga Times and Depew Herald and Cheektowaga News, newspapers published and having a general circulation in said Town, and which newspapers are the official newspapers of the Town.

This resolution shall be in full force and effect upon its adoption.

The capital note obligation published herewith has been adopted on the 1st day of February, 1954, and the validity of the obligations authorized by such capital note resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice.

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

Supervisor Holtz  
Councilman Nagel  
Councilman Wroblewski  
Councilman Bystrak

Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE

The resolution was duly adopted.

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

**LEGAL NOTICE**

**Capital Note Resolution**  
NOTICE IS HEREBY GIVEN that on the 1st day of February, 1954, the Town Board of the Town of Cheektowaga, in Erie County, New York, adopted the following resolution:

**CAPITAL NOTE RESOLUTION DATED FEBRUARY 1, 1954, AUTHORIZING THE ISSUANCE OF \$3,750.00 LIGHTING DISTRICT CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.**

WHEREAS, the expense of making the improvements hereinafter described must be borne by local assessment upon the several lots and parcels of lands within the districts in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law for the assessment of the cost of maintenance in a sewer district as the same shall be annually determined and apportioned by the Town Board, and the Town Board desires to issue capital notes to finance the cost of said improvements and to annually apportion and assess upon the several lots and parcels of lands especially benefitted by such improvements in proportion to the amount of benefits which the improvements shall confer upon the same an amount sufficient to pay the principal of and interest on the capital notes issued for such improvements as the same shall become due and payable, all of which shall be done in accordance with the provisions of Subdivision 6 of Section 198 of Chapter 634 of the Laws of 1932 as amended by Chapter 325 of the Laws of 1946.

**NOW, THEREFORE,**

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga in the County of Erie, shall issue its Capital Notes of the aggregate principal amount of \$3,750.00 pursuant to Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the purchase and installation of street lighting equipment pursuant to Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve properties on both sides of said highways, to wit:

- (a) Cunard Avenue from Genesee Street to Winston Road.
- (b) Mapleview Road from Oehman Boulevard to Birkdale Road.
- (c) Briarcliffe Road from Cleveland Drive to Wayne Terrace.
- (d) South Roycroft Drive from Cleveland Drive to Cleveland Hill School property.

Section 3. It is hereby stated that:

- (a) The maximum cost of said purpose as estimated by the Town Board is \$3,750.00, and
- (b) No money has heretofore been authorized to be applied to the payment of the cost of said purpose, and
- (c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.

(d) All of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued pursuant to the Local Finance Law, \$3,750.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series A of 1954, which shall bear a date not earlier than February 1, 1954, to be fixed by the Supervisor in the following denominations and to be numbered as follows: to wit

- 1. In the amount of \$1,875.00 maturing on April 1, 1954, and
- 2. In the amount of \$1,875.00 maturing on April 1, 1955,

each of such notes to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such Capital Notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

Section 5. All other matters, except as provided herein, relating to such capital notes shall be determined by the Supervisor. Such capital notes

shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law as the Supervisor shall determine.

Section 6. The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such capital notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such capital note becoming due and payable in such year. There shall annually be apportioned and assessed upon the several lots and parcels of land especially benefitted by the aforesaid improvements in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law, an amount sufficient to pay the principal of and interest on such capital notes as the same become due and payable.

Section 7. Such capital notes shall be sold at private sale by the Supervisor at a price of not less than par value of and accrued interest, if any, and the proceeds of such sale shall be applied solely for the purpose aforesaid, but the receipt of the Supervisor shall be a full acquittance to the purchaser of such capital notes who shall not be obliged to see to the application of the purchase money.

Section 8. It is hereby determined that said purpose is an object or purpose described in Subdivision 35 of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of three (3) years.

Section 10. 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 the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 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 11. 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 the said Local Finance Law, and such publication shall be in the CHEEKTOWAGA TIMES and DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers published and having a general circulation in said Town, and which newspapers are the official papers of this Town.

Section 12. This resolution shall take effect immediately upon its adoption.

The capital note resolution published herewith has been adopted on the 1st day of February, 1954, and the validity of the obligations authorized by such capital note resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the town of Cheektowaga, in the County of Erie, State of New York, is not authorized to expend money or if the provisions of the 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, New York

CHEEKTOWAGA } ss.

I, \_\_\_\_\_ of the Town of Cheektowaga, Erie, being duly sworn,

do hereby certify that \_\_\_\_\_ is the publisher of the \_\_\_\_\_ public newspaper published in \_\_\_\_\_

\_\_\_\_\_ town; that the notice, of \_\_\_\_\_ dated slip, taken from said \_\_\_\_\_

\_\_\_\_\_ was inserted and published \_\_\_\_\_ week for \_\_\_\_\_ weeks;

FEB 4 1954  
FEB 4 1954

\_\_\_\_\_ six days intervened between \_\_\_\_\_

\_\_\_\_\_ d. C. Allis

\_\_\_\_\_ 5 1954, 19 \_\_\_\_\_

\_\_\_\_\_ J. Allis

\_\_\_\_\_ d for Erie County, N. Y.

W. J. ALLIS  
TOWN CLERK OF NEW YORK  
Erie County  
Expires March 30, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

suit or proceeding contesting such validity is commenced within 20 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 11. 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 the said Local Finance Law, and such publication shall be in the Cheektowaga Times and Depew Herald and Cheektowaga News, newspapers published and having a general circulation in said Town, which newspapers are the official papers of this Town.

Section 12. This resolution shall take effect immediately upon its adoption.

The capital note resolution published herewith has been adopted on the 1st day of February, 1954, and the validity of the obligations authorized by such capital note resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 4th day of February, 1954 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 5th day of FEB 1954

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

no 52880

resolution was duly

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AYE

shed in the

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

WILLARD C. ALLIS, of the Town of Cheekto-  
waga, in said County of Erie, being duly sworn,  
deposes and says that he is the publisher of the  
Cheektowaga Times, a public newspaper pub-  
lished 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 ..... FEB 4 1954 .....  
last publication ..... FEB 4 1954 .....  
and that no more than six days intervened be-  
tween publications.

*Willard C. Allis*

Sworn to before me this.....

day of ..... FEB 5 1954 ..... 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, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 4th day of February, 1954 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*

CAPITAL NOTE RESOLUTION  
DATED FEBRUARY 1, 1954.  
AUTHORIZING THE ISSUANCE  
OF \$3,750.00 LIGHTING DISTRICT CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

WHEREAS, the expense of making the improvements hereinafter described must be borne by local assessment upon the several lots and parcels of lands within the districts in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law for the assessment of the cost of maintenance in a sewer district as the same shall be annually determined and apportioned by the Town Board and the Town Board desires to issue capital notes to finance the cost of said improvements and to annually apportion and assess upon the several lots and parcels of lands especially benefitted by such improvements in proportion to the amount of benefit which the same amount sufficient to pay the principal of and interest on the capital notes issued for such improvements as the same shall become due and payable, all of which shall be done in accordance with the provisions of Subdivision 6 of Section 198 of Chapter 634 of the Laws of 1932 as amended by Chapter 325 of the Laws of 1946.

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its capital notes of the aggregate principal amount of \$3,750.00 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the purchase and installation of street lighting equipment pursuant to Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve properties on both sides of said highways, to wit:

- a) Cunard Avenue from Genesee Street to Winston Road.
- b) Mapleview Road from Oehman Boulevard to Birkdale Road.
- c) Briarcliffe Road from Cleveland Drive to Wayne Terrace.
- d) South Roycroft Drive from Cleveland Drive to Cleveland Hill School property.

Section 3. It is hereby stated that:

- a) The maximum cost of said purpose as estimated by the Town Board is \$3,750.00, and
- b) No money has heretofore been authorized to be applied to the payment of the cost of said purpose, and
- c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.
- d) All of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued pursuant to the Local Finance Law, \$3,750.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series A of 1954, which shall bear a date not earlier than February 1, 1954, to be fixed by the Supervisor in the following denominations and to be numbered as follows: to wit

- 1. In the amount of \$1,875.00 maturing on April 1, 1954, and
- 2. In the amount of \$1,875.00 maturing on April 1, 1955,

each of such notes to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such Capital Notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

Section 5. All other matters, except as provided herein, relating to such capital notes shall be determined by the Supervisor. Such capital notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law as the Supervisor shall determine.

Section 6. The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such capital notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such capital note becoming due and payable in such year. There shall annually be apportioned and assessed upon the several lots and parcels of land especially benefitted by the aforesaid improvements in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law.

Section 7. The amount sufficient to pay the principal of and interest on such

1954 day of

*T. Hanley*  
Treasurer Public in and for Erie County.

resolution was duly

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shed in the

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for *one* week; first publication ..... FEB 4 1954 .....; last publication ..... FEB 4 1954 .....; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of ..... FEB 5 1954 ..... 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, 1955  
Registered No. 5029

SECTION 5. ALL OTHER RECITALS, except as provided herein, relating to such capital notes shall be determined by the Supervisor. Such capital notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law as the Supervisor shall determine.

Section 6. The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such capital notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such capital note becoming due and payable in such year. There shall annually be apportioned and assessed upon the several lots and parcels of land especially benefitted by the aforesaid improvements in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 223-a of the Town Law, an amount sufficient to pay the principal of and interest on such

shall be sold at private sale by the Supervisor at a price of not less than par value of and accrued interest, if any, and the proceeds of such sale shall be applied solely for the purpose aforesaid, but the receipt of the Supervisor shall be a full acquittance to the purchaser of such capital notes who shall not be obliged to see to the application of the purchase money.

Section 8. It is hereby determined that said purpose is an object or purpose described in Subdivision 35 of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 5 years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of 3 years.

Section 10. 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 the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 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 11. 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 the said Local Finance Law, and such publication shall be in the Cheektowaga Times and Depew Herald and Cheektowaga News, newspapers published and having a general circulation in said Town, and which newspapers are the official papers of this Town.

Section 12. This resolution shall take effect immediately upon its adoption.

The capital note resolution published herewith has been adopted on the 1st day of February, 1954, and the validity of the obligations authorized by such capital note resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 4th day of February, 1954 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*

1954 day of

19\_\_\_\_\_

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

**RESOLUTION DATED FEBRUARY 1, 1954 AUTHORIZING THE ISSUANCE OF \$60,000.00 SERIAL SEWER DISTRICT No. 5 BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.**

WHEREAS, Sewer District No. 5 hereinafter described is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such, has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York; and

WHEREAS, said Sewer District No. 5 was, by an order duly made by said Town Board on February 1, 1954, extended so as to include certain additional territory within said Town, and said order provides that there shall be constructed in said territory a sanitary sewer system consisting of sewer lines and the appurtenances necessary for their operation at locations specified in the map and plan described in said order and the purpose hereinafter described is a special improvement authorized by said Article 12; NOW THEREFORE,

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 an aggregate principal amount of \$60,000.00 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose"), to be financed by the

purpose is the extension of said Sewer District No. 5 by said order adopted by the Town Board of said Town on February 1, 1954, in accordance with said order and pursuant to the provisions of Section 194, of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$60,000.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. It is hereby determined that the 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. 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, and the CHEEKTOWAGA TOWN, newspapers, published and having a general circulation in said Town and which are the official newspapers of 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 contest is commenced within twenty days after the date of such publication, or if such contest is commenced 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 day of February, 1954, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such contest is commenced within twenty days after the date of such publication, or if such contest is commenced 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 day of February, 1954, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such contest is commenced within twenty days after the date of such publication, or if such contest is commenced in violation of the provisions of the Constitution of New York.

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

Supervisor Benedict T. Holtz, Voting Aye  
Councilman Felix Wroblewski,

*[Faint signatures and text at the bottom of the page, including names like "Supervisor Benedict T. Holtz" and "Councilman Felix Wroblewski".]*

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

**BOND RESOLUTION**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the Town of Cheektowaga, New York, on the 1st day of February, 1954 at 2:30 o'clock P.M., Eastern Standard Time, there were:

**PRESENT:**  
Benedict T. Holtz, Supervisor  
Felix Wroblewski, Councilman  
Stanley Bystrak, Councilman  
Henry Nagel, Councilman

**ABSENT:** One  
Joseph A. Neibert, Councilman

Councilman Bystrak presented the following resolution and moved its adoption:

**BOND RESOLUTION, DATED FEBRUARY 1, 1954 AUTHORIZING THE ISSUANCE OF \$60,000.00 SERIAL SEWER DISTRICT No. 5 BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.**

WHEREAS, Sewer District No. 5, hereinafter described is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such, has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York; and

WHEREAS, said Sewer District No. 5 was, by an order duly made by said Town Board on February 1, 1954, extended so as to include certain additional territory within said Town, and said order provides that there shall be constructed in said territory a sanitary sewer system consisting of sewer lines and the appurtenances necessary for their operation at locations specified in the map and plan described in said order and the purpose hereinafter described is a special improvement authorized by said Article 12; NOW THEREFORE,

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 \$60,000.00 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose"), to be financed by the issuance of such Serial Bonds is the construction of a sanitary sewer system, consisting of the sewer lines and the appurtenances necessary for their operation, in the territory included in the extension of said Sewer District No. 5 by said order adopted by the Town Board of said Town on February 1, 1954, in accordance with said order and pursuant to the provisions of Section 194, of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$60,000 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. It is hereby determined that said purpose is an object of 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 (30) 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 CHEEKTOWAGA TIMES, and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers, published and having a general circulation in said Town and which are the official newspapers of 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 (20) days after the date of such publication; or if such 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 1st day of February, 1954, 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.

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

Supervisor Benedict T. Holtz, voting Aye.

Councilman Felix Wroblewski voting Aye.

Councilman Stanley Bystrak, voting Aye.

Councilman Henry Nagel voting Aye.

AYES: 4 NOES: 0 ABSENT: 1

STATE OF NEW YORK )  
COUNTY OF ERIE ) SS:

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 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 1st day of February, 1954 and that the same is a correct and true transcript of such original resolution and the whole thereof.

In witness Whereof, I have hereto set my hand and affixed the seal of said Town this 1st day of February, 1954.

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

GA } ss.  
The Town of Cheektowaga, being duly sworn, the publisher of the public newspaper published; that the notice, of slip, taken from said certified and published for... weeks: 4 1954 4 1954 days intervened be-

*E. C. Allis*  
Erie County, N. Y.

ALLIS  
TOWN OF NEW YORK  
Erie County  
March 30, 1954  
No. 5029

RESOLUTION DATED FEBRUARY 1, 1954 AUTHORIZING THE ISSUANCE OF \$60,000.00 SERIAL SEWER DISTRICT No. 5 BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

WHEREAS, Sewer District No. 5, hereinafter described is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York; and

WHEREAS, said Sewer District No. 5 was, by an order duly made by said Town Board on February 1, 1954, extended so as to include certain additional territory within said Town, and said order provides that there shall be constructed in said territory a sanitary sewer system consisting of sewer lines and the appurtenances necessary for their operation at locations specified in the map and plan described in said order and the purpose hereinafter described is a special improvement authorized by said Article 12; NOW THEREFORE,

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 an aggregate principal amount of \$60,000.00 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose"), to be financed by the

purpose is the construction of said Sewer District No. 5 by said order adopted by the Town Board of said Town on February 1, 1954, in accordance with said order and pursuant to the provisions of Section 194, of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$60,000.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. It is hereby determined that the 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. 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, and the CHEEKTOWAGA TIMES, newspapers, published and having a general circulation in said Town and which are the official newspapers of 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 contesting action is commenced within twenty days after the date of such publication, or if such 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 1st day of February, 1954, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such contesting action is commenced within twenty days after the date of such publication, or 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.

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

The bond resolution published herewith has been adopted on the 1st day of February, 1954, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such contesting action is commenced within twenty days after the date of such publication, or 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.

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

Supervisor Benedict T. Holtz  
Voting Aye  
Councilman Felix Wroblewski

Supervisor Benedict T. Holtz  
Councilman Felix Wroblewski  
Supervisor Benedict T. Holtz  
Councilman Felix Wroblewski

Time

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication FEB 4 1954; last publication FEB 4 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of FEB 5 1954, 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, 1956  
Registered No. 5029

Dine at 177

COLOR as well like it

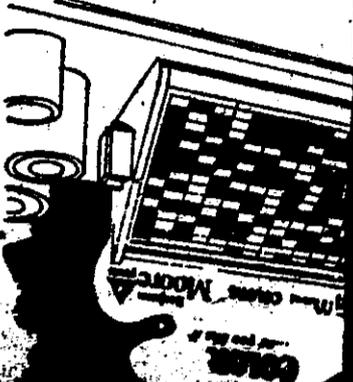
ss and exterior paints in

re quality...interior flat,

our next decorating job.

to Wild Iris... Choose

Benjamin Moore paints

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew                      Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the 4<sup>th</sup> day of February, 1954, 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 5<sup>th</sup> day of

February, 1954

*Herbert T. Harley*

Notary Public in and for Erie County.

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

BOND ANTICIPATION NOTE RESOLUTION, DATED FEBRUARY 1, 1954, AUTHORIZING THE ISSUANCE OF \$60,000.00 BOND ANTICIPATION NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

BE IT RESOLVED, by the Town Board, as follows:

Section 1. The Town Board of the Town of Cheektowaga, Erie County, shall issue its Bond Anticipation Notes of the aggregate principal amount of \$60,000 pursuant to the Local Finance Law of New York, in order to finance the specific object or purpose hereinafter described, in anticipation of the issuance of \$60,000 Serial Sewer District No. 5 Bonds authorized by the Bond Resolution entitled " Bond Resolution, dated February 1, 1954, authorizing the issuance of \$60,000 Serial Sewer District No. 5 Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law", adopted by the Town Board on February 1, 1954.

Section 2. The specific purpose ( Hereinafter referred to as "purpose"), to be financed by the issuance of such Serial Bonds is the construction of a sanitary sewer system, consisting of the sewer lines and the appurtenances necessary for their operation, in the territory included in the extension of said Sewer District No. 5 by said order adopted by the Town Board of said Town on February 1, 1954, in accordance with said order and pursuant to the provisions of Section 194 of the Town Law of New York.

Section 3. As required by said Local Finance Law, it is hereby stated that (a) there are no outstanding Bond Anticipation Notes issued in anticipation of the sale of said Serial Bonds, and (b) the notes authorized by this resolution are not renewal notes, and (c) the notes authorized by this resolution shall mature within one year from the date of their issue, and (d) such notes are issued in anticipation of bonds for an assessable improvement.

Section 4. The power to prescribe the terms, form and contents of said Bond anticipation Notes, subject to the provisions of this resolution, and to sell and deliver said Bond Anticipation Notes, is hereby delegated to the Supervisor. The Supervisor and the Town Clerk are hereby directed to sign any Bond Anticipation Notes issued pursuant to this resolution and the Town Clerk is hereby directed to affix to such notes the corporate seal of the Town.

Section 5. This resolution shall take effect immediately upon its adoption. Seconded by Councilman Wroblewski and duly put to a vote which resulted as follows:

follows:

Supervisor Holtz	Voting AYE
Councilman Felix Wroblewski	Voting AYE
Councilman Stanley Bystrak	Voting AYE
Councilman Henry Nagel	Voting AYE

AYES; -4-

Noes; -0-

Absent; -1-

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

WHEREAS, the Town of Cheektowaga, New York, is the owner of Certain property located in the Town of Cheektowaga, New York, which is a part of George Urban Town Park and the same cannot be used for park purposes; and

WHEREAS, Union Free School District No. 10 owns the adjoining property and can use the property for school purposes, and hereto attached is a complete description of the property intended to be conveyed by the Town of Cheektowaga to Union Free School District No. 10,

RESOLVED, that the Supervisor be and he is hereby authorized and directed to execute said deed.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

Carried;AYES: -4-

NOES: -0-

ABSENT: -1-

Hereto attached is a copy of the aforementioned deed.

STATE OF NEW YORK  
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 4th day of February, 1954, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not

more than \_\_\_\_\_ days intervened between any two publi-

at 2:30 p.m. on \_\_\_\_\_  
Time, there were present:

PRESENT:  
Benedict T. Holtz, Supervisor  
Felix Wroblewski, Councilman  
Stanley Bystrak, Councilman  
Henry Nagel, Councilman

ABSENT:  
Joseph A. Neibert, Councilman  
Councilman Bystrak presented the following resolution and moved its adoption:

BOND RESOLUTION, DATED FEBRUARY 1, 1954, AUTHORIZING THE ISSUANCE OF \$60,000.00 SERIAL SEWER DISTRICT No. 5 BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

WHEREAS, Sewer District No. 5, hereinafter described is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such, has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York; and

WHEREAS, said Sewer District No. 5 was by an order duly made by said Town Board on February 1, 1954, extended so as to include certain additional territory within said District, and said order provided that the cost of such extension should be borne by the Town of Cheektowaga in the manner hereinafter described:

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 \$60,000.00 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose hereinafter referred to as "purpose", to be financed by the issuance of such Serial Bonds is the construction of a sanitary sewer system, consisting of the sewer lines and the appurtenances necessary for their operation, in the territory included in the extension of said Sewer District No. 5 by said order adopted by the Town Board of said Town on February 1, 1954, in accordance with said order and pursuant to the provisions of Section 194, of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose is estimated by the Town of Cheektowaga to be \$60,000.00 and (b) no such cost has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area within the limits of said Town.

Section 4. It is hereby determined that the 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. 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, and the CHEEKTOWAGA TIMES, newspapers, published and having a general circulation in said Town and which are the official newspapers of 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 shall take effect immediately upon its adoption.

The bond resolution published herewith has been adopted on the 1st day of February, 1954, 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

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

BOND ANTICIPATION NOTE RESOLUTION, DATED FEBRUARY 1, 1954, AUTHORIZING THE ISSUANCE OF \$60,000.00 BOND ANTICIPATION NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

BE IT RESOLVED, by the Town Board, as follows:

Section 1. The Town Board of the Town of Cheektowaga, Erie County, shall issue its Bond Anticipation Notes of the aggregate principal amount of \$60,000 pursuant to the Local Finance Law of New York, in order to finance the specific object or purpose hereinafter described, in anticipation of the issuance of \$60,000 Serial Sewer District No. 5 Bonds authorized by the Bond Resolution entitled " Bond Resolution, dated February 1, 1954, authorizing the issuance of \$60,000 Serial Sewer District No. 5 Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law", adopted by the Town Board on February 1, 1954.

Section 2. The specific purpose ( Hereinafter referred to as "purpose"), to be financed by the issuance of such Serial Bonds is the construction of a sanitary sewer system, consisting of the sewer lines and the appurtenances necessary for their operation, in the territory included in the extension of said Sewer District No. 5 by said order adopted by the Town Board of said Town on February 1, 1954, in accordance with said order and pursuant to the provisions of Section 194 of the Town Law of New York.

Section 3. As required by said Local Finance Law, it is hereby stated that (a) there are no outstanding Bond Anticipation Notes issued in anticipation of the sale of said Serial Bonds, and (b) the notes authorized by this resolution are not renewal notes, and (c) the notes authorized by this resolution shall mature within one year from the date of their issue, and (d) such notes are issued in anticipation of bonds for an assessable improvement.

Section 4. The power to prescribe the terms, form and contents of said Bond anticipation Notes, subject to the provisions of this resolution, and to sell and deliver said Bond Anticipation Notes, is hereby delegated to the Supervisor. The Supervisor and the Town Clerk are hereby directed to sign any Bond Anticipation Notes issued pursuant to this resolution and the Town Clerk is hereby directed to affix to such notes the corporate seal of the Town.

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

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

Supervisor Holtz	Voting AYE
Councilman Felix Wroblewski	Voting AYE
Councilman Stanley Bystrak	Voting AYE
Councilman Henry Nagel	Voting AYE

AYES; -4-

Noes; -0-

Absent; -1-

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

WHEREAS, the Town of Cheektowaga, New York, is the owner of Certain property located in the Town of Cheektowaga, New York, which is a part of George Urban Town Park and the same cannot be used for park purposes; and

WHEREAS, Union Free School District No. 10 owns the adjoining property and can use the property for school purposes, and hereto attached is a complete description of the property intended to be conveyed by the Town of Cheektowaga to Union Free School District No. 10,

RESOLVED, that the Supervisor be and he is hereby authorized and directed to execute said deed.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

Carried;AYES: -4-

NOES: -0-

ABSENT: -1-

Hereto attached is a copy of the aforementioned deed.

No. 5 was by an order duly made by said Town Board on February 1, 1954, extended so as to include certain additional territory within said Town, and said order provides that there shall be constructed in said territory a sanitary sewer system and the appurtenances necessary for the operation at locations

cations thereof.

*Richard S. Bennett*

specified in the map and plan described in said order and the purpose hereinafter described is a special improvement authorized by said Article 12; NOW THEREFORE

5<sup>th</sup> day of  
1954

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

*Hanley*  
Public in and for Erie County.

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$60,000.00 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose"), to be financed by the issuance of such Serial Bonds is the construction of a sanitary sewer system, consisting of the sewer lines and the appurtenances necessary for their operation, in the territory included in the extension of said Sewer District No. 5 by said order adopted by the Town Board of said Town on February 1, 1954, in accordance with said order and pursuant to the provisions of Section 194, of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$60,000.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. It is hereby determined that the 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. 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 DEFEW HERALD and CHEEKTOWAGA NEWS, and the CHEEKTOWAGA TIMES, newspapers, published and having a general circulation in said Town and which are the official newspapers of 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 applied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or if said obligations are authorized in violation of the provisions of the Constitution of New York.

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

The bond resolution published herewith has been adopted on the 5th day of February, 1954, 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 applied 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.

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

- Supervisor Benedict T. Hoffa, Voting Aye
- Councilman Felix Wroblewski, Voting Aye
- Councilman Stanley Bystrak, Voting Aye
- Councilman Henry Nagel, Voting Aye

AYES: 4; NOES: 0; ABSENT: 0.

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 1st day of February, 1954 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 1st day of February, 1954.

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

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. 34, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the point of intersection of the southerly line of Lot No. 34 with the westerly line of Gualbert Street (formerly John Street); running thence northerly along the westerly line of Gualbert Street and said westerly line extended northerly 60 feet, more or less, to the southeast corner of lands conveyed to Anthony Ippolito and Rose Ippolito, his wife, by deed recorded in Erie County Clerk's Office in Liber 4650 of Deeds at page 311; thence westerly along the southerly line of lands so conveyed to Anthony Ippolito and wife 40 feet to the southwest corner thereof; thence northerly along the westerly line of lands so conveyed to Anthony Ippolito and wife 130.10 feet to the northwest corner thereof, said northwest corner being in the southerly line of lands conveyed to James Winspear by deed recorded in Erie County Clerk's Office in Liber 74 of Deeds at page 127; thence easterly along said southerly line of lands so conveyed to James Winspear 321.35 feet, more or less, to the westerly line of Alexander Avenue; thence northerly along said westerly line of Alexander Avenue 399.98 feet, more or less, to the southerly line of lands conveyed to Tobias Baumer by deed recorded in Erie County Clerk's Office in Liber 289 of Deeds at page 106; thence westerly along the southerly line of lands so conveyed to Tobias Baumer, 66 feet, more or less, to the southeasterly top of the bank of Scajaquada Creek as the same is shown on Survey No. 10952 made by Nussbaumer & Clarke, Inc. dated April 10, 1946 and annexed to, and made a part of, deed recorded in Erie County Clerk's Office in Liber 4019 of Deeds at page 356; thence southwesterly along the said southeasterly top of the bank of Scajaquada Creek, 840 feet, more or less, to the southerly line of said Lot No. 34; thence easterly along the southerly line of said Lot No. 34, 390 feet, more or less, to the westerly line of Gualbert Street, at the point or place of beginning,

ALSO

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. 34, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the extension northerly of the westerly line of Ridge Park Avenue at the northeast corner of lands conveyed to Frank J. Wojtylak, et al, as Trustees of and for Common School District #10 of the Town of Cheektowaga by deed recorded in Erie County Clerk's Office in Liber 2163 of Deeds at page 83; running thence northerly along the extension northerly of the westerly line of Ridge Park Avenue 25 feet to the northerly line of lands conveyed to Pennock Winspear by deed recorded in Erie County Clerk's Office in Liber 327 of Deeds at page 466; thence westerly along the northerly line of lands so conveyed to Pennock Winspear 706.42 feet to the easterly line of lands conveyed to Town of Cheektowaga by deed recorded in Erie County Clerk's Office in Liber 4019 of Deeds at page 356; thence southerly along the easterly line of lands so conveyed to Town of Cheektowaga 25 feet to the northwest corner of lands conveyed to the Town of Cheektowaga by deed recorded in Erie County Clerk's Office in Liber 2162 of Deeds at page 282; thence easterly along the northerly line of lands so conveyed to the Town of Cheektowaga by said last mentioned deed and along the northerly line of lands conveyed to Frank J. Wojtylak, et al as Trustees, etc. by deed recorded in Erie County Clerk's Office in Liber 2163 of Deeds at page 83, 706.42 feet to the point or place of beginning.

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

WHEREAS, the Town of Cheektowaga is the owner of certain property located in the Town of West Seneca, New York, known as Parcel #4, hereinafter more particularly described:

ALL THAT PIECE OR PARCEL OF LAND known as Parcel #4, situated in the Town of West Seneca, County of Erie, State of New York, being part of Lot 1, Township 10, Range 7 of the Buffalo Creek Reservation, and more particularly described as follows:

BEGINNING at a point of the existing westerly highway bounds of Harlem Avenue, C.R. No. 210, said point being distant eighty-eight and thirty-eight hundredths (88.38) feet westerly at right angles to the existing center line of Harlem Avenue, C.R. No. 210, at station 100 + 65; thence southeasterly, a distance of one hundred forty-nine and sixty-four hundredths (149.64) FEET TO A POINT ON THE existing easterly highway bounds of Harlem Avenue, C.R. No. 210, said point also being distant fifty (50) feet easterly at right angles to the said existing center line of Harlem Avenue, C.R. No. 210, At Station 100 + 12.5; thence south 40°52'52" west, a distance of one hundred sixteen and sixty-five hundredths (116.65) feet to a point in the center of Buffalo Creek; thence northwesterly and on the center line of said Buffalo Creek, a distance of one hundred sixty-three (163) feet to a point; thence north 100°03'26" east, a distance of one hundred one and fifty-one hundredths (101.51) feet to the point of beginning and containing an area of 0.364, acres, more or less.

The deed is dated the 1st day of February, 1954, wherein the Town of Cheektowaga is the Grantor and the County of Erie is Grantee, and

WHEREAS, the County of Erie is desirous of obtaining title of this property for public use which will benefit the Town of Cheektowaga, New York, be it

RESOLVED, that the Supervisor be and he is hereby authorized and directed to execute said deed conveying the property hereinabove described by the Town of Cheektowaga to the County of Erie.

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

Councilman Nagel	Voting	AYE
Councilman Wroblewski	Voting	AYE
Councilman Bystrak	Voting	AYE
Supervisor Holtz	Voting	AYE

CARRIED: AYES -4-

NOES: -0-

ABSENT: -1-

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

RESOLVED, that the Subdivision map of Kemp Park prepared by Herthe and Sonnenberger, Engineers, dated December 4, 1953, be approved and ordered filed in the Town Clerks Office.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -4-

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

RESOLVE to authorize the Town, under the direction of the Chief of Police, to install 2 Boulevard Stop Signs at Southgate Road and Century Road, one at the southwest corner and one at the northeast corner.

Seconded by Councilman Bystrak.

CARRIED: AYES: -4-

ABSENT: -1-

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

RESOLVED, that the New York State Gas & Electric Company be authorized and directed to install the following street lights:

- Genesee Street pole No. 184-1 6000 lumen
- Pleasant Street pole No. 4 2500 lumen
- Lemoine Street pole No. 3 1000 lumen
- Raymond Street poles No. 2, 4 and 6 2500 lumen
- Henry and New Parker Avenue 2500 lumen
- New Parker Avenue midway between Frederick and Helen Street 2500 lumen

Also change present light on Crisfield Street near Cayuga Creek Road from 1000 to 2500 lumen.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -4-

ABSENT: -1-

The consideration for this deed is the conveyance by the party of the second part to the party of the first part of Sublots Nos. 45 and 46, as shown on a subdivision map filed in Erie County Clerk's Office under Cover No. 998, together with easement for highway purposes along two strips of land representing the extension northerly of Alexander Avenue and of Ridge Park Avenue, lying adjacent to the present school site of this School District.

The party of the first part excepts from this conveyance and retains and reserves the easement and right-of-way granted to it and to the County of Erie and the Works Progress Administration, by instrument recorded in Erie County Clerk's Office in Liber 2633 of Deeds at Page 235, and the easement and right-of-way granted to the same parties by instrument recorded in Erie County Clerk's Office in Liber 2743 of Deeds at page 235.

Item No. 15 Mr. Nagel presented the following resolution and moved its adoption:  
WHEREAS, the Sheriff's Department of Chautauqua County is conducting a Fingerprint Identification School at Mayville, from Monday, February 15th through Friday, February 19th, 1954, and  
WHEREAS, Det. Sgt. Daniel Weber is taking a course in fingerprinting and related subjects, be it  
RESOLVED, that Det. Sgt. Daniel Weber be authorized to attend the school at Mayville from Monday, February 15th to Friday, February, 19th, 1954, at Town Expense.

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

Supervisor Holtz,	voting <u>Aye</u>
Councilman Nagel,	voting <u>Aye</u>
Councilman Bystrak,	voting <u>Aye</u>
Councilman Wroblewski,	voting <u>Aye</u>

AYES: -4-  
ABSENT: -1-

Item No. 16 Mr. Nagel presented the following resolution and moved its adoption:

WHEREAS, JULIA BOYER REINSTEIN, Town Historian, had filed with the Town Board here annual report for the year 1953 as required by the Educational Law of the State of New York, be it

RESOLVED, that said report be and the same is hereby approved and ordered filed in the Town Clerk's Office.

Seconded by Mr. Bystrak.

UNANIMOUSLY CARRIED.

AYES: -4-  
ABSENT: -1-

Item No. 17 Councilman Nagel moved, seconded by Councilman Bystrak, that the Town Building Inspectors and Councilman Wroblewski, be authorized to attend a Building Inspectors Conference to be held at the Hotel New Yorker in New York City on February 11th and February 12th, 1954.

CARRIED: AYES: -4-.

Item No. 18 Supervisor Holtz issued the following statement:

School Officials and Parent-Teacher Associations and other civic groups have requested the aid of the Town Board to compel property owners, particularly in school area, to construct sidewalks.

Some time ago, the Town Board requested the State Legislature for authority to compel construction of sidewalks along State and County highways. The Bill passed the Legislature, but was vetoed by Gov. Dewey. The Town Board, therefore, is powerless to require property owners on State and County highways to construct sidewalks. This does not mean that owners of property can not voluntarily construct sidewalks, or petition the Town Board to do so on a Bond issue, in which they agree to pay the cost for the special improvements. Such a petition must be signed by property owners, owning at least 50% of the street frontage.

Property owners on Town highways can build their own sidewalks providing they obtain the proper grades from the Town Engineer. This is the most economical way and far less expensive, than having the construction done under a Bond Issue, and the Town Board recommends the construction of sidewalks be done by the property owners themselves.

Something, however, must be done, particularly in school areas to require the construction of sidewalks for the reason that where there are no sidewalks, school children are obliged to walk in the street. We must regard as serious the danger we are exposing these children to, and unless property owners on Town highways do something about either constructing sidewalks themselves, or petitioning the Town Board to do so under a Bond Issue, I shall recommend to the Town Board that it adopt an Ordinance requiring the construction of sidewalks in the populated areas.

I am asking the cooperation of the property owners to construct sidewalks in front of their properties in the populated areas. I realize this involves the expenditure of money by individual property owners.

We cannot assess the cost of sidewalks against all property owners in the Township. Such a tax would be unjust and unfair particularly to those taxpayers who have installed sidewalks in front of their properties at their own expense.

Benedict T. Holtz  
Supervisor

Item No. 19 Councilman Nagel moved, seconded by Councilman Wroblewski, to adjourn.

Kenneth T. Hanley  
Town Clerk.

SEAL.



Item No. 4 At a regular adjourned 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 February, 1954, at 10: o'clock AM, E.S.T. there were:

PRESENT:	Benedict T. Holtz	Supervisor
	Felix Wroblewski	Councilman
	Stanley Bystrak	Councilman
ABSENT:	Henry J. Nagel	Councilman
	Joseph A. Neibert	Councilman

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

RESOLVED, that the Supervisor be authorized to purchase from Mernan Chevrolet, Incorporated, a new 1954 Chevrolet, Model #4102, Chassis equipped with the following

6 - 6.50-20-6 Ply Tires  
Helper Springs  
Oil Filter  
Heater  
Signals  
Spot Light  
Lettering

for the sum of One Thousand Seven Hundred Fifty-nine Dollars and 15/100 (1,759.15) to be charged to Sewer District No.5

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
AYES	3	NOES	0
		ABSENT	2

Item No.5 At a regular adjourned 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 February, 1954, at 1:00 o'clock A.M., E.S.T. there were:

PRESENT:	Benedict T. Holtz	Supervisor
	Felix T. Wroblewski	Councilman
	Stanley Bystrak	Councilman
ABSENT:	Henry J. Nagel	Councilman
	Joseph A. Neibert	Councilman

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Supervisor be authorized to purchase a new 1954 Chevrolet Handyman Station Wagon - with Heater and Defroster (Fresh Air) Safety light; Oil Filter; Signals; Two-Tone Paint and Lettering for the sum of TWO THOUSAND FOUR HUNDRED TWENTY-THREE DOLLARS AND 55/100 (\$2,423.55) - to be charged to Engineering Item in the budget.

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
AYES	3	NOES	0
		ABSENT	2

Item No. 6 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 6th day of February, 1954 at 11:00 AM E.S.T., There were:

PRESENT:	Benedict T. Holtz	Supervisor
	Councilman Wroblewski	Councilman
	Stanley Bystrak	Councilman
ABSENT:	Henry J. Nagel	Councilman
	Joseph A. Niebert	Councilman

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED that the Chief of Police be authorized to purchase fire extinguishers for each police automobile. Also light weight tarpaulins, fusses and first aid kit with tourniquet, together with necessary containers.

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

AYES	3	NOES	0	ABSENT.	2
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Item No.7 Councilman Bystrak moved seconded by Councilman Wroblewski to adjourn the meeting.

George R. Doyle  
Acting Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 15th day of February, 1954, at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT:	Benedict T. Holtz	Supervisor
	Henry J. Nagel	Councilman
	Felix T. Wroblewski	Councilman
	Stanley R. Bystrak	Councilman

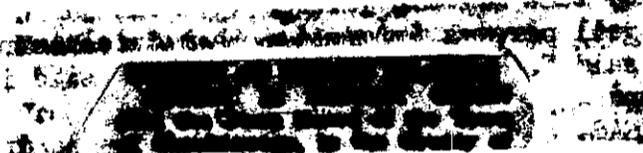
ABSENT:	Joseph A. Neibert	Councilman
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Also present were: Town Clerk Hanley; Town Attorney Doyle; Town Engineer Kam; Town Historian Julia B. Reinstein; Justice of the Peace Pyszczynski; Building & Plumbing Inspector Roehm and Dog Warden Kraska.

Item No. 2 Without any objections the reading of the minutes of the previous meeting were dispensed with until a later date.

Item No. 3 This being the time and the place advertised for a public hearing for the purpose of considering a map and general plan describing proposed improvements to the trunk sewer system maintained by Sewer District No. 3 of the Town of Cheektowaga and an estimate the of cost thereof.

( Hereto attached is a copy of the notice of the hearing).

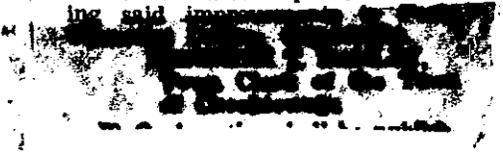


Erie and State of New York, will meet at Town Hall, corner of Broadway and Union Road, in said Town, on the 15th day of February, 1954 at 7:30 o'clock P.M., Eastern Standard Time and hold a public hearing for the purpose of considering a map and general plan describing proposed improvements to the trunk sewer system maintained by Sewer District No. 3 of the Town of Cheektowaga, and an estimate of the cost thereof, and that the Town Board will, at said time and place, hear all persons interested in the subject of such hearing and will receive all evidence offered which will enable the Town Board to determine pursuant to the provisions of the Town Law of New York, whether it is in the public interest to make the improvements described in said map and general plan and estimate, either in whole or in part, and whether the property located within the boundaries of said District will be benefitted by the making of such improvements.

The improvements hereinbefore referred to are described in a map and general plan dated February 1, 1954, prepared at the request of the Town Board by Nussbaumer, Clarke and Velzy, Consulting Engineers, now on file in the office of the Town Clerk of the Town of Cheektowaga, and consist of improvements to the Sewage and Treatment Plant and site of Sewer District No. 3, as follows:

1. Two (2) additional open sludge beds with appurtenances and connecting piping.
2. Partially reconstruct concrete walls of grit chamber, comminutor basin, primary and secondary sedimentation basins.
3. Partially reconstruct digester walls and provide new electrical controls and other operating appurtenances.
4. Partially reconstruct dozing chamber.
5. Construct service roads and parking area.
6. Remodel present sludge bed.

The estimated expense of making said improvements is \$1,000,000.



The Supervisor directed the Town Clerk to present proof of publication of the Notice of the Hearing.

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. No person or persons appeared in opposition to the proposed improvement.

The Supervisor ordered the hearing closed.

Mr. Nagel offered the following resolution and moved its adoption, seconded by Mr. Wroblewski, to wit:

WHEREAS, the Town Board of the Town of Cheektowaga, in the County of Erie, has determined it to be necessary for the proper maintenance and service of the existing trunk sewer system maintained by Sewer District No. 3 of the Town of Cheektowaga, to increase, improve, or reconstruct the facilities of such trunk sewer system and the appurtenances thereto and, at the request of the Town Board, Nussbaumer Clarke and Velzy, who are competent Civil Engineers duly licensed by the State of New York, have prepared a map and general plan for the improvement of such trunk sewer system and for the increase of the facilities thereof and also an estimate for the expense thereof, and said map and general plan and estimate are dated February 1, 1954, and have been presented to the Town Board and have been filed in the office of the Town Clerk; and

WHEREAS, none of the improvements described in said map and general plan include any lateral sewer main authorized to be constructed pursuant to Section 199 of the Town Law of New York; and

WHEREAS, the Town Board did on the 1st day of February, 1954, duly adopt an order which provided that the Town Board should meet at the Town Hall, corner of Broadway and Union Road, in said Town of the 15th day of February, 1954, at 7:30 o'clock P.M., E.S.T., on that day, to consider said map and general plan and estimate and the improvements therein described, and to hear all persons interested therein concerning the same, and to take such action on the part of said Town Board with relation to said improvements as may be authorized and required by law; and

WHEREAS, a notice of said public hearing in the form prescribed on the 4th day of February 1954 in the Cheektowaga Times and Depew Herald and Cheektowaga News, the official newspapers published in said Town, and copies of said notice were posted conspicuously in five public places within said District on the 5th day of February, 1954 all as shown by affidavits submitted to the Town Board; and

WHEREAS, said Town Board has, at the time and place specified in said said order, considered said map and general plan and estimate and the making of the improvements therein described, and has heard all persons interested who have desired to be heard concerning the same, and has considered all evidence submitted at said time and place which will enable said Town Board to make the determinations herein after made; NOW, THEREFORE,

BE IT ORDERED by the Town Board of the Town of Cheektowaga as follows:

(1) It is hereby determined that (a) all the property and property owners within said Sewer District No.3 will be benefited by the construction of said improvements; (b) all the property and property owners benefited by the construction of said improvements are included in said Sewer District No.3; and (c) it is in the public interest to authorize the construction of the improvements described in said map and general plan as set forth in said map and general plan.

(2) The improvements described in said map and general plan shall be constructed in accordance with said map and general plan, at a cost of not exceeding Forty Thousand Dollars (\$40,000.00).

(3) The Town Clerk is hereby directed to record a certified copy of this order in the office of the Clerk of the Erie County pursuant to and in accordance with Section 195 of the Town Law.

The resolution was duly adopted, the vote being as follows:

Supervisor	Benedict T. Holtz	Voting	Aye
Councilman	Felix T. Wroblewski	voting	Aye
Councilman	Stanley Bystrak	Voting	Aye
Councilman	Henry Nagel	Voting	Aye

Item No. 5 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 15th day of February, 1954, at 7.30 o'clock PM, Eastern Standard Time, there:

PRESENT	Benedict T. Holtz	Supervisor
	Henry J. Nagel	Councilman
	Stanley Bystrak	Councilman
	Felix T. Wroblewski	Councilman
ABSENT	Joseph Neibert	Councilman

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, this Town Board on the 1st day of February, 1954, held a public hearing on the improvement in Mapleview Avenue, in the Town of Cheektowaga, New York, by the construction of a lateral sewer in said highway, and heard all persons interested in the subject thereof,

NOW, THEREFORE,

BE IT RESOLVED, that this Town Board does hereby decide, after such public hearing and upon the evidence given thereat, that it is in the public interest to improve Mapleview Avenue by the construction of a lateral sewer in said highway as hereinafter described, and

BE IT FURTHER RESOLVED, that Nussbaumer & Clarke, Consulting Engineers for the Town of Cheektowaga, be and they hereby are directed to prepare definite plans and specifications and to make a careful estimate of the expenses, and with the assistance of the Town Attorney, prepare a proposed contract for the execution of the work required to be performed.

That portion of Mapleview Avenue commencing in the Center of the intersection of Mapleview Avenue and Birkdale Road and extending easterly on Mapleview Avenue, a distance of approximately 660 feet.

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

	Councilman Nagel	voting	aye	
	Councilman Wroblewski	voting	aye	
	Councilman Bystrak	voting	aye	
	Supervisor Holtz	voting	aye	
ABSENT	Councilman Neibert			AYES 4

Item No. 6 Councilman Wroblewski moved, seconded by Councilman Bystrak, WHEREAS, The owners of taxable real property situated within the Town of Cheektowaga, in the County of Erie, presented to the Town Board of said Town, at a meeting of said Town Board held on the 7th day of May, 1951, a petition requesting that Water District No. 9 of said Town be extended so that it shall include the following tract or parcel of land:

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

BEGINNING at a point in the center line of Como Park Boulevard at a point 233 feet east of the center line of Borden Road:

THENCE northerly 300 feet on a line parallel with the center line of Borden Road:

THENCE easterly 1227.72 feet on a line parallel with the center line of Como Park Boulevard:

THENCE southerly 67 feet on a line parallel with the center line of Borden Road:

THENCE easterly 1141.98 feet on a line parallel with the center line of Como Park Boulevard:

THENCE northerly 1027.08 feet along a line parallel to the center line of Transit Road:

THENCE easterly 200 feet along the line parallel to the center line of Zurbrick Road:

THENCE southerly 1560.08 feet on a line parallel with the center line of Transit Road:

THENCE westerly on a line parallel with the center line of Como Park Boulevard to a point 233 feet east of the center line of Borden Road:

THENCE northerly 300 feet to the point of beginning.

and

WHEREAS, said petition also requests that there be constructed in said territory proposed to be added to said Water District, certain water mains, distribution pipes, hydrants and other facilities in accordance with a map and plan referred to in said petition and now on file in the office of the Town Clerk of said Town, wholly at the expense of said extension; and

WHEREAS, said Town Board duly adopted, on the 7th day of May, 1951, an order providing that said Town Board shall meet at the Town Hall, corner of Broadway and Union Road, in said Town, on the 21st day of May, 1951, at 7.30 o'clock, PM, Eastern Daylight Saving Time, to consider said petition and to hear all persons interested in the subject thereof concerning the same, and certified copies of said order have been duly published and posted as prescribed by law, and said Town Board has, at the time and place specified in said order, duly met and considered said petition and heard all persons interested in the subject thereof, who appeared at such time and place concerning the same; and

WHEREAS, The Board did, by resolution duly adopted on the 16th day of July, 1951, determine that (1) said petition is signed and acknowledged or proved as required by law and is otherwise sufficient; (2) all property and property owners within said proposed extension are benefited thereby; (3) all property and property owners benefited are included within the limits of said proposed extension; and (4) it is in the public interest to grant in whole the relief sought in and by said petition; and also did approve the extension of said district to include the territory described in said petition and in this resolution, and the construction of said water mains, distribution pipes, hydrants and other facilities in said proposed extension of said district in accordance with the map and plan herein before described; and

WHEREAS, the Town Clerk of said Town duly filed, on the 16th day of July 1951, a certified copy of said resolution in duplicate, in the office of the State Department of Audit and Control, at Albany, New York, together with an application in duplicate, for permission to extend said district, duly executed by the Town Supervisor of Said Town and complying in all respects with Section 194 of the Town Law of New York, and the Comptroller of State of New York, did, on the 30th day of December 1952, duly make an order granting permission for the extension of said district in accordance with said petition, and has heretofore duly filed said order in the manner required by Section 194 of the Town Law of New York; and

WHEREAS, The Town Board desired to extend said district in accordance with said petition; NOW THEREFORE,

BE IT ORDERED by the Town Board of the Town of Cheektowaga, in the County of Erie, that the relief sought by said petition be and it hereby is granted and that said district be and it hereby is extended so as to include the territory in said Town hereinbefore described.

FURTHER ORDERED, that there shall be constructed in said territory water mains, distribution pipes, hydrants and other facilities in accordance with the map and plan hereinbefore referred to at a cost not exceeding Thirty Thousand Dollars (\$30,000).

FURTHER ORDERED, that the Town Clerk be and he hereby is directed to record a certified copy of this order in the office of the Clerk of the County of Erie, and to file a certified copy of this order in the office of the Comptroller of the State of New York

DULY put to a vote which resulted as follows:

Councilman Nagel voting aye

Councilman Bustrak voting aye

Councilman Wroblewski voting aye

Supervisor Holtz voting aye

ABSENT

Councilman Neibert

CARRIED Ayes 4

Item No. 7

Councilman Bystrak moved, seconded by Councilman Wroblewski, WHEREAS, WHEREAS, the owners of taxable real property situated within the Town of Cheektowaga, in the County of Erie, presented to the Town Board of said Town, at a meeting of said Town Board held on 2nd day of July 1951, a petition requesting that Water District No. 9 of said Town be extended so that it shall include the following tract or parcel of land:

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

BEGINNING at a point in the center line of Strassmer Road, 233 Feet east of the Center line of Borden Road:

THENCE N 8 degrees E, 235.3 feet on a line which is the present easterly boundary of Water District No.9;

THENCE easterly 2926.31 feet on a line parallel with the center line of Strassmer Road:

THENCE southerly 466 feet on a line parallel with the center line of Transit Road:

THENCE westerly 2955.54 feet on a line parallel with the center line of Strassmer Road to a point 233 feet east of the center line of Borden Road;

THENCE northerly 233 feet to the point of beginning.

and

WHEREAS, said petition also requests that there be constructed in said territory proposed to be added to said Water District, certain water mains, distribution pipes, hydrants and other facilities in accordance with a map and plan referred to in said petition and now on file in the office of the Town clerk of said Town, wholly at the expense of said extension; and

WHEREAS, said Town Board duly adopted, on the 6th day of August 1951, an order providing 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 1951, at 7.30 o'clock P.M., Eastern Daylight Saving Time, to consider said petition and to hear all persons interested in the subject thereof concerning the same, and certified copies of said

order have been duly published and posted as prescribed by law, and said Town Board has, at the time and place specified in said order duly met and considered said petition and heard all persons interested in the subject thereof, who appeared at such time and place, concerning the same; and

WHEREAS, the Town Board did, by resolution duly adopted on the 3rd day of December, 1951, determine that (1) said petition is signed and acknowledged or proved as required by law and otherwise sufficient; (2) all property and property owners within said proposed extension are benefited thereby; (3) all property and property owners benefited are included within the limits of said proposed extension; and (4) it is in the public interest to grant in whole the relief sought in and by said petition; and also did approve the extension of said district to include the territory described in said petition and in this resolution, and the construction of said water mains, distribution pipes, hydrants and other facilities in said proposed extension of said district in accordance with the map and plan herein before described; and

WHEREAS, the Town Clerk of said Town duly filed, on the 3rd day of December, 1951, a certified copy of said resolution in duplicate, in the office of the State Department of Audit and Control, at Albany, New York, together with an application, in duplicate, for permission to extend said district, duly executed by the Town Supervisor of said Town and complying in all respects with Section 194 of the Town Law of New York, and the Comptroller of the State of New York did, on the 3rd day of October, 1952, duly make an order granting permission for the extension of said district in accordance with said petition, and has heretofore duly filed said order in the manner required by Section 194 of the Town Law of New York; and

WHEREAS, the Town Board desires to extend said district in accordance with said petition; NOW, THEREFORE,

BE IT ORDERED by the Town Board of the Town of Cheektowaga, in the County of Erie, that the relief sought by said petition be and it hereby is granted and that said district be and it hereby is extended so as to include the territory in said Town hereinbefore described.

FURTHER ORDERED, that there shall be constructed in said territory water mains, distribution pipes, hydrants and other facilities in accordance with the map and plan hereinbefore referred to at a cost not exceeding Fifteen Thousand Dollars (\$15,000.00).

FURTHER ORDERED, that the Town Clerk be and he hereby is directed to record a certified copy of this order in the office of the Clerk of the County of Erie, and to file a certified copy of this order in the office of the Comptroller of the State of New York.

Duly put to a vote which resulted as follows:

- Councilman Nagel voting aye
- Councilman Wroblewski voting aye
- Councilman Bystrak voting aye
- Supervisor Holtz voting aye

ABSENT:

Councilman Weibart

CARRIED AYES 4

Item No. 8

Councilman Bystrak offered the following resolution and moved its adoption:

WHEREAS, this Town Board on the 1st day of February 1954 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
Carol Drive	East Delavan Avenue	Rowan Road

TYPE OF street lighting installation

#1348 Standard 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 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 the Erie County, New York, within ten days after the adoption hereof, in conformity with Section 195 of the Town Law.

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

	COUNCILMAN	Nagel	voting	aye		
	Councilman	Wroblewski	voting	aye		
	Councilman	Bystrak	voting	aye		
	Supervisor	Holtz	voting	aye		
AYES	4		ABSENT	1	NOES	0

Item #9 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED that the Supervisor be authorized and directed to purchase 13 #1348 Street Lighting Standards to be installed on Carol Drive.

Seconded by Councilman Wroblewski.

CARRIED AYES 4

Item # 10 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED that the Supervisor be authorized and directed to purchase 4 #700 330 Y20 Street Lighting Standards to be installed on Verdun Place.

Seconded by Councilman Wroblewski.

CARRIED AYES 4

Item #11 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED that the Supervisor be authorized and directed to purchase 6 lamp standards providing a mounting height of 21 feet for pendant type luminaries to be installed on Chesterfield Drive.

Seconded by Councilman Wroblewski.

CARRIED AYES 4

Item # 12 Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, the Town of Cheektowaga, New York entered into an Easement and Right-of-Way Agreement with Rose Kraus to construct a sewer over and through the property hereinafter described:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga Erie County, New York, beginning at the intersection of the east property line of Barbara Place with the north line of Subdivision Lot No. 34 and extending easterly along the north line of Lot No. 34 a distance of 206.17 feet to the east lot line of subdivision Lot No. 34;

THENCE, southerly along the east line of Subdivision Lot no. 34, a distance of 60 feet to the south lot line of Subdivision Lot No. 34;

THENCE, westerly along the south line of Subdivision Lot No. 34, a distance of 20 feet.

THENCE, northerly parallel with the east line of Subdivision Lot No. 34, a distance of 186.28 feet to the east property line of Barbara Place;

THENCE, northerly along the east property line of Barbara Place 20 feet to the point or place of beginning.

This right-of-way or easement is further described as being the northerly 20 feet and easterly 20 feet of Subdivision Lot No. 34 as shown on map filed in the Erie County Clerk's Office under Cover No. 450.

AND

WHEREAS, the Town of Cheektowaga agreed to pay for said easement the sum of \$500.00 to Rose Kraus, be it

RESOLVED, that the Supervisor be and he is hereby authorized and directed to pay to Rose Kraus the sum of \$500.00 being the consideration agreed upon for the said easement and Right-of-Way Agreement.

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

	Supervisor	Benedict T. Holtz	voting	aye	
	Councilman	F. Wroblewski	voting	aye	
	Councilman	S. Bystrak	voting	aye	
	Councilman	H. Nagel	voting	aye	
AYES	4		ABSENT	1	

WHEREAS, it is necessary to make corrections in the Sanitary Sewer System of Sanitary Sewer District No. 5 to increase, extend and repair the Sanitary Sewer System on Huth Avenue west of Beach Road and Woodridge Avenue at Seaton Road, and

WHEREAS, Nussbaumer, Clarke and Velzy, consulting engineers of the Town of Cheektowaga, New York, have prepared definite plans and specifications for the construction of the improvements to be made and copies of the plans and drawings have been duly filed in the Town Clerk's Office, and

WHEREAS, the amount proposed to be expended exceeds the sum of \$2,500.00 for the cost of materials and labor, be it

RESOLVED, that sealed proposals be invited for the furnishing of labor and materials necessary for the doing of the work for the construction of certain improvements in Sanitary Sewer System District No. 5 to consist of the installation of Sanitary Sewer and appurtenances on the following streets:

Huth Avenue west of Beach Road  
Woodridge Avenue at Seaton Road

in accordance with the said plans, specifications, estimate and proposed contract approved by the publication of a notice thereof at least once in the CHEEKTOWAGA TIMES AND DEPEW HERALD AND CHEEKTOWAGA NEWS, official newspapers, requiring each person who shall offer to do the work to file a sealed proposal or offer to do the work with certified check in the sum of Five Hundred Dollars (\$500.00) payable to the order of the Supervisor, or a bond with sufficient sureties to be approved by the Town Attorney in a penal sum of Five Hundred Dollars (\$500.00), conditioned that if his proposal shall be accepted he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract, and be it further

RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga, New York, at the Town Hall in the said Town of Cheektowaga on the 1st day of March, 1954 at 2:30 o'clock P.M. Eastern Standard Time, and be it further

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

#### NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board, Town of Cheektowaga, New York, sealed proposals shall be received and considered by said Town Board on the 1st day of March, 1954 at 2:30 o'clock P.M. Eastern Standard Time at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, N.Y. for the furnishing of all materials and equipment, together with all labor for the construction of certain improvements to the Sanitary Sewer System of District No. 5, to consist of the installation of sanitary sewers and appurtenances on the following streets:

Huth Avenue West of Beach Road  
Woodridge Avenue at Seaton Road

All in accordance with proposed contract documents, plans, profiles, drawings, instructions, to bidders, specifications, and estimates for said construction, prepared by Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer, Clarke and Velzy Consulting Engineers of the Town of Cheektowaga and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where the same may be examined during the usual business hours. Copies of the proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may also be examined at the office of Nussbaumer and Clarke, Consulting Engineers of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$10.00.. Any bidder, upon returning such copy in good conditions within thirty days following the award of the contracts or the rejection of bid of such bidder, will be refunded \$10.00 and any non-bidder, upon of such copy, will be refunded \$5.00.

Each proposal shall be accompanied by a certified check payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney, in the sum of Five Hundred Dollars - - - - - (\$500.00). If a bond is submitted, the same shall be conditioned, that if the bidder's 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. The Town Board reserves the right to reject any and all bids and proposals and to advertise anew and to award one contract for the entire work or separate contracts for portions thereof, if in its judgment it shall deem it to be for the best interests of the Town to do so.

By order of the Town Board of the Town of Cheektowaga.

KENNETH T. HANLEY  
Town Clerk

Dated: February 18, 1954

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

Supervisor	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanley Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

AYES: -4-

NOES: -0-

ABSENT: -1-

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

**NOTICE TO CONTRACTORS**  
NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board, Town of Cheektowaga, New York, sealed proposals shall be received and considered by said Town Board on the 1st day of March, 1954 at 2:30 o'clock P.M., Eastern Standard Time at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, N. Y. for the furnishing of all materials and equipment, together with all labor for the construction of certain improvements to the Sanitary Sewer System of District No. 5, to consist of the installation of sanitary sewers and appurtenances on the following street:

Huth Avenue west of Beach Road.  
Woodridge Avenue at Seaton Rd.

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications and estimates for said construction, prepared by Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer, Clarke & Velzy, construction engineers of the Town of Cheektowaga and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where the same may be examined during the usual business hours. Copies of the proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may also be examined at the office of Nussbaumer & Clarke, Consulting Engineers of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contracts, plans, profiles drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$10.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contracts or the rejection of bid of such bidder, will be refunded \$10.00 and any non-bidder, upon return of such copy, will be refunded \$5.00.

Each proposal shall be accompanied by a certified check payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney, in the sum of Five Hundred Dollars (\$500.00). If a bond is submitted, the same shall be conditioned, that if the bidder's 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. The Town Board reserves the right to reject any and all bids and proposals and to advertise anew and to award one contract for the entire work or separate contracts for portions thereof, if in its judgment it shall deem it to be for the best interests of the Town to do so.

By order of the Town Board of the Town of Cheektowaga.

KENNETH T. HANLEY  
Town Clerk

Dated: February 18, 1954

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 FEB 18 1954; last publication FEB 18 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of FEB 23 1954, 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, 1955  
Registered No. 5029



Susan Oliver of Hyland Ave. at-  
 tended a Valentine party given by  
 Cathy Cragg on Transit Rd. Sat-  
 \* \* \* \* \*  
 of Mrs. Oliver and Mrs. Miller.  
 mark. Mrs. Rasmussen is a niece  
 who recently returned from Den-  
 Mr. and Mrs. Knud Rasmussen,  
 and first wedding anniversary of  
 Falls to celebrate the homecoming of  
 Mrs. Walter Miller in Niagara  
 evening at the home of Mr. and  
 family attended a party Saturday  
 Mr. and Mrs. Harold Oliver and  
 \* \* \* \* \*  
 zolf on Bowen Rd. in Lancaster.  
 at the home of Mrs. Irving Mart-  
 Hy-Dean Club met Monday night  
 \* \* \* \* \*  
 of weeks.  
 of 287 Hyland Ave. for a couple  
 ter, Mrs. Howard Boyer and family  
 Franklin, Pa., is visiting her daugh-  
 Mrs. Laura Knightlinger of  
 \* \* \* \* \*  
 iversity Ave. in Buffalo.  
 at the Vernon Nablo home on Uni-  
 Ave. were dinner guests Sunday  
 Audrey and Shirley from Hyland  
 Mr. and Mrs. Vernon Shoup,  
 \* \* \* \* \*

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
 towaga, Erie County, New York, that notice of which the  
 annexed printed slip taken from said newspaper, is a copy,  
 was inserted and published therein once a week for  
 ..... week, the first insertion being on the  
 ..... 18<sup>th</sup> day of February, 1954, and  
 the last insertion being on the ..... day of  
 ....., 19....., and that not  
 more than six days intervened between any two publi-  
 cations thereof.

*Richard G. Bennett*

Sworn to before me this 24<sup>th</sup> day of  
February, 1954

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

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

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

WHEREAS, the Town of Cheektowaga is about to submit an application for such project to the New York State Youth Commission for its approval, and if approved, to apply subsequently to the State of New York for partial reimbursement of funds expended on said project, as provided by Chapter 556 of the Laws of 1945, as amended; now therefore, be it

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

Section 2: This resolution shall take effect immediately

Seconded by Councilman Wroblewski/

Adopted by the following vote: AYES 4 NAYES 0

CERTIFICATION

I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, do hereby certify that I have examined and compared the foregoing resolution with the original resolution, duly adopted by the Town Board of the Town of Cheektowaga New York 15th day of February, and on file in my office. That the same is a true and correct copy thereof and the whole thereof.

Kenneth T. Hanley

Town Clerk

Item #15

Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED that the subdivision map of six lots on Walton Drive dated Feb 2 1954 made by E. J. Gaiser licensed Engineer be approved and ordered filed in the Assessor's Office.

Seconded by Councilman Bystrak.

CARRIED AYES 4 NOES 0 ABSENT 1

Item #16

Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved, and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same.

( Warrant No. 260 to No. 357, inclusive, drawn on the Supervisor.)

Item # 17

Councilman Nagel moved, seconded by Councilman Wroblewski to adjourn.

Kenneth T. Hanley

Town Clerk

SEAL.

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 19th day of February, 1954, at 2:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Stanley R. Bystrak	Councilman
ABSENT: Joseph A. Neibert	Councilman

Also present were: Town Clerk Hanley; Town Attorney Doyle; Town Engineer Kam; Receiver of Taxes and Assessments Pfohl; Secretary of the Board of Assessors Kistowski and Highway Superintendent Zablotny.

Item No. 2 Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, this Town Board of the Town of Cheektowaga, in the County of Erie, has determined it to be necessary for the property maintenance and service of the existing trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, to increase, improve, or reconstruct the facilities of such trunk sewer system and the appurtenances thereto and, to at the request of the Town Board, Nussbaumer Clarke and Velzy, who are competent Civil Engineers duly licensed by the State of New York, have prepared a map and general plan for the improvement of such trunk sewer system and for the increase of the facilities thereof and also an estimate of the expense thereof, and said map and general plan and estimate are dated October 19, 1953, and have been presented to the Town Board and have been filed in the office of the Town Clerk; and

WHEREAS, none of the improvements described in said map and general plan include any lateral sewer main authorized to be constructed pursuant to Section 199 of the Town Law of New York; and

WHEREAS, the Town Board did on the 19th day of October, 1953, duly adopt an order which provided that the Town Board should meet at the Town Hall, corner Broadway and Union Roads in said Town on the 2nd day of November, 1953, at 2:30 o'clock P.M., Eastern Standard Time, on that day, to consider said map and general plan and estimate and the improvements therein described, and to hear all persons interested therein concerning the same, and to take such action on the part of said Town Board with relation to said improvements as may be authorized and required by law; and

WHEREAS, a notice of said public hearing in the form prescribed by said resolution was published on the 22nd day of October, 1953, in the Cheektowaga Times, an official newspaper published in said Town, and copies of said notice were posted conspicuously in five public places within said District on the 23rd day of October, 1953, all as shown by affidavits submitted to the Town Board; and

WHEREAS, said Town Board has, at the time and place specified in said order, considered said map and general plan and estimate and the making of the improvements therein described, and has heard all persons interested who have desired to be heard concerning the same, and has considered all evidence submitted at said time and place which will enable said Town Board to make the determinations hereinafter made; NOW THEREFORE,

BE IT ORDERED by the Town Board of the Town of Cheektowaga, as follows:

(1) It is hereby determined that (a) all the property and property owners within said Sewer District No. 5 will be benefited by the construction of said improvements; (b) all the property and property owners benefited by the construction of said improvements are included in said Sewer District No. 5; and (c) it is in the public interest to authorize the construction of the improvements described in said map and general plan as set forth in said map and general plan.

(2) The improvements described in said map and general plan shall be constructed in accordance with said map and general plan, at a cost of not exceeding One Hundred and Twenty Thousand Dollars (\$120,000.00).

(3) The Town Clerk is hereby directed to record a certified copy of this order in the Office of the Clerk of the County of Erie pursuant to and in accordance with Section 195 of the Town Law.

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

Supervisor	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanley Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

AYES: -4-

NOES: -0-

ABSENT: -1-

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

**BOND RESOLUTION, DATED FEBRUARY 19, 1954, AUTHORIZING THE ISSUANCE OF \$120,000.00 SERIAL SEWER DISTRICT No. 5 BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.**

WHEREAS, Sewer District No. 5, hereinafter described, is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such, has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York, and the purpose, hereinafter described, is a special improvement authorized by said Article 12;

**NOW THEREFORE,**

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 \$120,000.00 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") is the making of improvements to the sewage and treatment plant and site of Sewer District No. 5 by construction of about 40,000 sq. ft. of sludge drying beds, construction of access roads to new sludge beds, necessary drainage facilities for roads, installation of piping from present sludge control building to new sludge beds, together with necessary pumps in accordance with an order and resolution authorizing said improvements made by the Town Board of said Town on February 19, 1954, pursuant to the provisions of Article 12 of the Town Law of New York in order to increase and improve the facilities of said Sewer District No. 5.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$120,000.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid

**of said Town.**

Section 4. It is hereby determined that the 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. 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, and the CHEEKTOWAGA TIMES, newspapers published and having a general circulation in said Town and which are the official newspapers of 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 shall take effect immediately upon its adoption.

The Bond Resolution published herewith has been adopted on the 19th day of February, 1954, 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,

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

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

AYES: -4-

NOES: -0-

ABSENT: -1-

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

**BOND RESOLUTION, DATED FEBRUARY 19, 1954, AUTHORIZING THE ISSUANCE OF \$120,000.00 SERIAL SEWER DISTRICT No. 5 BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.**

WHEREAS, Sewer District No. 5, hereinafter described is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such, has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York, and the purpose, hereinafter described, is a special improvement authorized by said Article 12:

NOW, THEREFORE, 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 \$120,000.00 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") is the making of improvements to the sewage and treatment plant and site of Sewer District No. 5 by construction of about 40,000 square feet of sludge drying beds, construction of access roads to new sludge beds, necessary drainage facilities for roads, installation of piping from present sludge control building to new sludge beds, together with necessary pumps in accordance with an order and resolution authorizing said improvements made by the Town Board of said Town on February 19, 1954, pursuant to the provisions of Article 12 of the Town Law of New York in order to increase and improve the facilities of said Sewer District No. 5.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$120,000.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. It is hereby determined

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 (30) 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 CHEEKTOWAGA TIMES, and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers, published and having a general circulation in said Town and which are the official newspapers of 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 (20) days after the date of such publication; or if such 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 19th day of February, 1954, 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  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for <sup>one</sup> weeks: first publication FEB 25 1954 last publication FEB 25 1954 and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of FEB 25 1954, 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, 1955  
Registered No. 5029

RESOLUTION  
PUBLISHED IN THE  
ISSUANCE OF  
\$120,000.00 SERIAL SEWER DIS-  
TRICT No. 5 BONDS OF THE  
TOWN OF CHEEKTOWAGA, IN  
THE COUNTY OF ERIE, PUR-  
SUANT TO THE LOCAL FIN-  
ANCE LAW.

WHEREAS, Sewer District No. 5, hereinafter described, is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such, has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York, and the purpose, hereinafter described, is a special improvement authorized by said Article 12;

NOW THEREFORE,  
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 \$120,000.00 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") is the making of improvements to the sewage and treatment plant and site of Sewer District No. 5 by construction of about 40,000 sq. ft. of sludge drying beds, construction of access roads to new sludge beds, necessary drainage facilities for roads, installation of piping from present sludge control building to new sludge beds, together with necessary pumps in accordance with an order and resolution authorizing said improvements made by the Town Board of said Town on February 19, 1954, pursuant to the provisions of Article 12 of the Town Law of New York in order to increase and improve the facilities of said Sewer District No. 5.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$120,000.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose from the funds raised by the sale of said Serial Bonds, and

Section 4. The purpose described in Section 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, and the CHEEKTOWAGA TIMES, newspapers published and having a general circulation in said Town and which are the official newspapers of 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 shall take effect immediately upon its adoption.

The Bond Resolution published herewith has been adopted on the 19th day of February, 1954, 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,  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 25th day of February, 1954, 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*

1954  
day of

19.....

Public in and for Erie County.

Item No. 4 Councilman Nagel presented the following Bond Anticipation Note Resolution and moved its adoption:

BOND ANTICIPATION NOTE RESOLUTION, DATED FEBRUARY 19, 1954, AUTHORIZING THE ISSUANCE OF \$120,000.00 BOND ANTICIPATION NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, IN ANTICIPATION OF THE SALE OF SERIAL SEWER DISTRICT No. 5 BONDS PURSUANT TO THE LOCAL FINANCE LAW.

WHEREAS, the Town Board of the Town of Cheektowaga, in the County of Erie has heretofore and on the 19th day of February, 1954, duly adopted a resolution authorizing the issuance of Serial Sewer District No. 5 Bonds in the amount of \$120,000.00 and

WHEREAS, there are no Bond Anticipation Notes outstanding which have been previously issued in anticipation of the sale of the aforesaid Bonds, and

WHEREAS, the Town Board desires now to provide for the issuance of Bond Anticipation Notes in anticipation of the sale of the aforesaid bonds, now therefore

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Bond Anticipation Notes in the principal amount of \$120,000.00 in anticipation of the sale of Serial Sewer District No. 5 Bonds of the aggregate principal amount of \$120,000.00 heretofore authorized by said resolution adopted February 19, 1954, entitled "Bond Resolution, dated February 19, 1954, authorizing the issuance of \$120,000.00 Serial Sewer District No. 5 Bonds of the Town of Cheektowaga, in the County of Erie pursuant to the Local Finance Law", and the said notes are issued in anticipation of bonds for an assessable improvement. Such Bond Anticipation Notes hereby authorized are original notes and are not renewal notes.

Section 2. Such notes shall be dated subsequent to February 19, 1954, as shall be determined by the Supervisor, will mature at a date not later than one year from the date of their issuance, will bear interest at a rate not exceeding 2 1/2% per annum payable at maturity, will be payable as to both principal and interest in lawful money of the United States at the MANUFACTURERS AND TRADERS TRUST COMPANY, Buffalo, New York, which is the paying agent of the issuer, will be signed by the Supervisor and attested by the Town Clerk of the Town of Cheektowaga and will be sealed with the seal of said town, such execution to be in the name of said town.

Section 3. The Supervisor shall determine the form, terms, and contents of said notes except as otherwise provided for in this resolution.

Section 4. The faith and credit of said town are hereby pledged for the payment of principal of and interest on such Bond Anticipation Notes. Such Bond Anticipation Notes shall be paid from the proceeds derived from the sale of said bonds or may be redeemed as provided by the Local Finance Law of the State of New York.

Section 5. The Supervisor of said town is hereby authorized to sell such Bond Anticipation Notes at private sale for not less than par and accrued interest at a rate of interest not exceeding the rate above specified and the Supervisor is authorized to deliver such Bond Anticipation Notes to the purchaser upon payment of the purchase price and accrued interest as above specified. The receipt of the Supervisor shall be of full acquittance to the purchaser who shall not be obliged to see the use of such monies.

Section 6. This resolution shall take effect immediately.

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

Supervisor	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanley Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

AYES: -4-

NOES: -0-

ABSENT: -1-



Item No. 4 Councilman Nagel presented the following Bond Anticipation Note Resolution and moved its adoption:

BOND ANTICIPATION NOTE RESOLUTION, DATED FEBRUARY 19, 1954, AUTHORIZING THE ISSUANCE OF \$120,000.00 BOND ANTICIPATION NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, IN ANTICIPATION OF THE SALE OF SERIAL SEWER DISTRICT No. 5 BONDS PURSUANT TO THE LOCAL FINANCE LAW.

WHEREAS, the Town Board of the Town of Cheektowaga, in the County of Erie has heretofore and on the 19th day of February, 1954, duly adopted a resolution authorizing the issuance of Serial Sewer District No. 5 Bonds in the amount of \$120,000.00 and

WHEREAS, there are no Bond Anticipation Notes outstanding which have been previously issued in anticipation of the sale of the aforesaid Bonds, and

WHEREAS, the Town Board desires now to provide for the issuance of Bond Anticipation Notes in anticipation of the sale of the aforesaid bonds, now therefore

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Bond Anticipation Notes in the principal amount of \$120,000.00 in anticipation of the sale of Serial Sewer District No. 5 Bonds of the aggregate principal amount of \$120,000.00 heretofore authorized by said resolution adopted February 19, 1954, entitled "Bond Resolution, dated February 19, 1954, authorizing the issuance of \$120,000.00 Serial Sewer District No. 5 Bonds of the Town of Cheektowaga, in the County of Erie pursuant to the Local Finance Law", and the said notes are issued in anticipation of bonds for an assessable improvement. Such Bond Anticipation Notes hereby authorized are original notes and are not renewal notes.

Section 2. Such notes shall be dated subsequent to February 19, 1954, as shall be determined by the Supervisor, will mature at a date not later than one year from the date of their issuance, will bear interest at a rate not exceeding 2 1/2% per annum payable at maturity, will be payable as to both principal and interest in lawful money of the United States at the MANUFACTURERS AND TRADERS TRUST COMPANY, Buffalo, New York, which is the paying agent of the issuer, will be signed by the Supervisor and attested by the Town Clerk of the Town of Cheektowaga and will be sealed with the seal of said town, such execution to be in the name of said town.

Section 3. The Supervisor shall determine the form, terms, and contents of said notes except as otherwise provided for in this resolution.

Section 4. The faith and credit of said town are hereby pledged for the payment of principal of and interest on such Bond Anticipation Notes. Such Bond Anticipation Notes shall be paid from the proceeds derived from the sale of said bonds or may be redeemed as provided by the Local Finance Law of the State of New York.

Section 5. The Supervisor of said town is hereby authorized to sell such Bond Anticipation Notes at private sale for not less than par and accrued interest at a rate of interest not exceeding the rate above specified and the Supervisor is authorized to deliver such Bond Anticipation Notes to the purchaser upon payment of the purchase price and accrued interest as above specified. The receipt of the Supervisor shall be of full acquittance to the purchaser who shall not be obliged to see the use of such monies.

Section 6. This resolution shall take effect immediately.

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

Supervisor	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanley Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

AYES: -4-

NOES: -0-

ABSENT: -1-

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA

BOND ANTICIPATION NOTE OF 1954

\$65,000.00

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this note the sum of

- - - - - SIXTY-FIVE THOUSAND DOLLARS - \$65,000.00 - - - - -

on the 1st day of October, 1954, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable October 1, 1954 and annually thereafter.

Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This note is one of an authorized issue, the aggregate principal amount of which is One Hundred Twenty Thousand Dollars (\$120,000.00).

This note is issued pursuant to the provisions of a bond anticipation note resolution, dated February 19, 1954, authorizing the issuance of bond anticipation notes of the Town of Cheektowaga, New York in the amount of One Hundred Twenty Thousand Dollars (\$120,000.00) in anticipation of the sale of serial bonds authorized to finance improvements to the sewage and treatment plant and site of Sewer District No. 5 by the construction of about 40,000 square feet of aludge drying beds, construction of access roads to new sludge beds, necessary drainage facilities for roads, installation of piping from present sludge control building to new sludge beds, together with necessary pumps, in the Town of Cheektowaga, New York.

The faith and credit of such Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Statutes of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this note, exist, have happened and have performed, and that this note, together with all other indebtedness of such Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this note to be signed by its Supervisor, and its corporate seal to be hereunto affixed and attested by its Town Clerk and this note to be dated as of the 19th day of February, 1954.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK

BY: Benedict T. Holtz

Supervisor

ATTEST:

Kenneth T. Hanley

Town Clerk

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

RESOLVED, that the sub-division map of Clover Place extension of six (6) lots on Clover Place prepared by Elmer C. Love be approved and ordered filed in the Town Assessors Office.

Seconded by Councilman Nagel.

CARRIED: AYES -4-

Item No.6. Councilman Bystrak moved, seconded by Councilman Nagel to adjourn.

Kenneth T. Hanley  
Town Clerk

SEAL:

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 1st day of March, 1954, at 2:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Stanley J. Bystrak	Councilman

ABSENT: Benedict T. Holtz	Supervisor
Joseph A. Neibert	Councilman

Also present were: Town Attorney Doyle, Town Clerk Hanley; Receiver of Taxes and Assessments Pfohl; General Foreman Eberl; Town Engineer Kam; Chief of Police Mersmann and Chairman of the Board of Assessors Jerzewski.

Item No. 2 Without any objections the reading of the minutes of the last meetings of the Town Board were dispensed with until a later date.

Item No. 3 Due to the absence of Supervisor Holtz, Councilman Nagel was designated to act as Chairman of this meeting.

Item No. 4 This being the time and the place advertised for the receiving of bids for furnishing of all materials and equipment, together with all labor for the construction of certain improvements to the Sanitary Sewer System of District No. 5 to consist of the installation of sanitary sewers and appurtenances on the following street:

"HUTH AVENUE WEST OF BEACH ROAD: WOODRIDGE AVENUE  
AT SEATON ROAD".

the Town of Cheektowaga, New York, sealed proposals shall be received and considered by said Town Board on the 1st day of March, 1954 at 2:30 o'clock P. M., Eastern Standard Time at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, N. Y. for the furnishing of all materials and equipment, together with all labor for the construction of certain improvements to the Sanitary Sewer System of District No. 5, to consist of the installation of sanitary sewers and appurtenances on the following street:

Huth Avenue West of Beach Road; Woodridge Avenue at Seaton Road.

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by Newell L. Nussbaumer and Irvin Clarke, doing business as Nussbaumer, Clarke, and Velzy Consulting Engineers of the Town of Cheektowaga and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where the same may be examined during the usual business hours. Copies of the proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may also be examined at the office of Nussbaumer and Clarke, Consulting Engineers of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$10.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contracts or the rejection of bid of such bidder, shall receive such copy and any such copy shall be refunded.

Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney, in the sum of Five Hundred Dollars (\$500.00). If a bond is submitted, the same shall be conditioned, that if the bidder's 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. The Town Board reserves the right to reject any and all bids and proposals and to advertise anew and to award one contract for the entire work or separate contracts for portions thereof, if in its judgment it shall deem it to be for the best interests of the Town to do so.  
By order of the Town Board of

The chairman directed the Town Clerk to present proof of publication of the Notice to Contractors. The Town Clerk presented that such proof has been duly published and upon order of the chairman such proof was duly filed.  
 Councilman Wroblewski moved, seconded by Councilman Bystrak, that the Town Clerk be authorized and directed to open the sealed bids.  
 Hereto attached is a summary of the bids received.

**BID SUMMARY**

Bid Opening 8:30 PM E.S.T. March 1, 1954

**TOWN OF CHEEKTOWAGA, N.Y. - HUTT ROAD & WOODRIDGE AVENUE SANITARY SEWER - SEWER DISTRICT NO. 5**

Item No.	Description	Theodore Sienicki Buffalo 16, N.Y.		Sisco Bros. Inc. Buffalo 16, N.Y.		Gerol Bros. Inc. Deerw. N.Y.		Easton Contracting Co. Cheektowaga		The R & R Co. Snyder 24, N.Y.		H.F. Darling Williamsville N.Y.		Sligo Inc. Buffalo 11, N.Y.		Anthony Malachowski Buffalo 12, N.Y.	
		UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
<b>HUTT ROAD PROJECT</b>																	
A-1	270 L.F. 8" V.T.P. 8'-10" Deep	2.50	\$ 675.00	4.95	\$ 1326.50	4.00	\$ 1080.00	3.90	\$ 1053.00	3.55	\$ 986.50	4.50	\$ 1236.00	4.65	\$ 1255.50	10.00	\$ 2700.00
	270 L.F. 10" V.T.P. 8'-10" Deep	8.00	\$ 216.00	-	-	4.25	\$ 1147.50	2.90	\$ 807.00	-	\$ 60.00	5.90	\$ 1481.00	5.00	\$ 1350.00	-	\$ 50.00
A-2	Connections To Existing Work	-	\$ 50.00	-	\$ 50.00	-	\$ 350.00	-	\$ 60.00	-	\$ 150.00	-	\$ 130.00	-	\$ 300.00	-	\$ 230.00
A-3	10 CY. Class "C" Cons. Cradles For Pipes	12.00	\$ 120.00	12.00	\$ 120.00	25.00	\$ 250.00	21.00	\$ 210.00	-	\$ 100.00	16.00	\$ 160.00	15.00	\$ 150.00	23.00	\$ 230.00
A-4	50 CY. Backfill Material Under Pav. Crossings	2.50	\$ 125.00	4.00	\$ 200.00	3.50	\$ 175.00	3.75	\$ 187.50	2.00	\$ 100.00	3.00	\$ 150.00	2.50	\$ 125.00	1.35	\$ 62.50
A-5	Pavement Replacement For Hutt Road	-	\$ 25.00	-	\$ 30.00	-	\$ 50.00	-	\$ 60.00	-	\$ 50.00	-	\$ 30.00	-	\$ 40.00	-	\$ 100.00
A-6	6" Wye Branches With Caps (6 Conn.)	5.00	\$ 100.00	5.50	\$ 110.00	15.00	\$ 150.00	9.00	\$ 72.00	3.00	\$ 22.00	7.00	\$ 56.00	10.00	\$ 80.00	3.80	\$ 30.40
Total For Bid Items A-1-A-6 Inclusive		8" Pipe	\$ 1085.00	8" Pipe	\$ 1925.00	10" Pipe	\$ 1992.50	10" Pipe	\$ 1642.50	8" Pipe	\$ 1482.50	8" Pipe	\$ 1822.00	8" Pipe	\$ 1950.50	10" Pipe	\$ 3172.90
<b>WOODRIDGE AVENUE PROJECT</b>																	
B-1	100 L.F. 10" V.T.P.	10.00	\$ 1000.00	6.90	\$ 680.00	7.50	\$ 750.00	9.14	\$ 914.00	15.00	\$ 1500.00	12.50	\$ 1250.00	18.00	\$ 1800.00	10.43	\$ 1043.00
	80 L.F. 15" V.T.P.	8.00	\$ 640.00	5.30	\$ 402.00	9.50	\$ 760.00	9.75	\$ 787.50	20.00	\$ 1600.00	20.00	\$ 1600.00	20.00	\$ 1600.00	19.82	\$ 1593.60
Total			\$ 1640.00		\$ 1082.00		\$ 1510.00		\$ 1692.00		\$ 3100.00		\$ 2850.00		\$ 3400.00		\$ 2636.60
B-2	a. Manholes in Woodridge Ave. No. 1	500.00	\$ 500.00	250.00	\$ 250.00	350.00	\$ 350.00	55.50	\$ 55.50	300.00	\$ 300.00	630.00	\$ 630.00	425.00	\$ 425.00	390.00	\$ 390.00
	b. Manholes in Easton Road No. 2	400.00	\$ 400.00	250.00	\$ 250.00	350.00	\$ 350.00	495.00	\$ 495.00	300.00	\$ 300.00	625.00	\$ 625.00	1320.00	\$ 1320.00	215.00	\$ 215.00
	c. Manhole No. 3	300.00	\$ 300.00	40.00	\$ 40.00	75.00	\$ 75.00	22.00	\$ 22.00	90.00	\$ 90.00	90.00	\$ 90.00	150.00	\$ 150.00	215.00	\$ 215.00
B-3	15 CY. Class "C" Cons. Cradles For Pipes	14.00	\$ 140.00	12.00	\$ 120.00	25.00	\$ 250.00	21.00	\$ 210.00	10.00	\$ 100.00	16.00	\$ 160.00	18.00	\$ 180.00	23.00	\$ 230.00
B-4	75 CY. Backfill Material Under Pav. Crossings	2.50	\$ 125.00	4.00	\$ 200.00	3.50	\$ 175.00	3.75	\$ 187.50	2.00	\$ 100.00	3.00	\$ 150.00	2.50	\$ 125.00	1.35	\$ 62.50
Total For Bid Items B-1-B-4 Inclusive			\$ 3037.50		\$ 2604.00		\$ 2922.50		\$ 3382.75		\$ 4025.00		\$ 4635.00		\$ 4857.50		\$ 3980.35
<b>TOTAL FOR TWO PROJECTS</b>																	
Total For Hutt Road Project A-1-A-6 Inclusive		8" Pipe	\$ 1085.00	8" Pipe	\$ 1925.00	10" Pipe	\$ 1992.50	10" Pipe	\$ 1642.50	8" Pipe	\$ 1482.50	8" Pipe	\$ 1822.00	8" Pipe	\$ 1950.50	10" Pipe	\$ 3172.90
Total For Woodridge Ave Project B-1-B-4 Inclusive			\$ 3037.50		\$ 2604.00		\$ 2922.50		\$ 3382.75		\$ 4025.00		\$ 4635.00		\$ 4857.50		\$ 3980.35
TOTAL FOR TWO PROJECTS		8" Pipe	\$ 1085.00	8" Pipe	\$ 1925.00	10" Pipe	\$ 4915.50	10" Pipe	\$ 1992.50	8" Pipe	\$ 1482.50	8" Pipe	\$ 1822.00	8" Pipe	\$ 3908.00	10" Pipe	\$ 7153.85*
		10" Pipe	\$ 2220.00	10" Pipe	\$ 2045.00	10" Pipe	\$ 4915.50	10" Pipe	\$ 1642.50	10" Pipe	\$ 2607.50	10" Pipe	\$ 2808.00	10" Pipe	\$ 6902.50	10" Pipe	\$ 6902.50
Bid Security		Travelers Indemnity Co.		American Surety Co.		American Surety Co.		Travelers Indemnity Co.		U.S. Fidelity & Surety Co.		Fidelity & Deposit Co.		Maryland Casualty Co.		Certified Check \$500	

\* Cubic Yds.  
\* Corrected Total

Item No. 4 Cont'd

Councilman Wroblewski moved, seconded by Councilman Bystrak, that the bids be referred to the Town Engineer for analysis and tabulation.

Item No. 5

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED that the mail be delivered daily to the office of the Town Highway Superintendent by the person who picks up the Town mail at the Post Office.  
Seconded by Councilman Bystrak.

CARRIED: AYES: -3-  
ABSENT: -2-

Item No. 6

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED that the annexed Work Order No. 1 Sewage Treatment Plant No. 3 recommended by Nussbaumer Clarke and Velzy dated January 5, 1954, be approved, and

BE IT FURTHER RESOLVED that the annexed Change Order No. 2 Sewage Treatment Plant No. 5 recommended by Nussbaumer Clarke and Velzy dated February 26, 1954, be approved.

Seconded by Councilman Bystrak.

CARRIED: AYES: -3-  
ABSENT: -2-

WORK ORDER NO. 1

SEWAGE TREATMENT PLANT DISTRICT NO. 3  
TOWN OF CHEEKTOWAGA, N.Y.

Contractor:  
C.E. Knowles Company

Proposed Work and Cost:

Include two additional sludge beds in contract award, to make a total of four as the project was originally bid.

Bid Price - Bid Item No. 9	\$23,677.00
Award for 2 beds todate	<u>11,838.50</u>

Amount of this Work Order  
for two sludge beds, as per Bid Item No. 9. \$11,838.50

Reason for Work:

These beds were needed and the only reason they were omitted from the original award was lack of money.

Recommended by:

Charles F. O'Donnell  
Nussbaumer, Clarke and Velzy

Date: January 5, 1954

Approved by:

Town Board

January 4, 1954

Date: March 1, 1954

CHANGE ORDER NO. 2

SEWAGE TREATMENT PLANT NO. 5  
SLUDGE DRYING BEDS  
TOWN OF CHEEKTOWAGA, N. Y.

Contractor:

Brunner Asphalt & Construction, Inc.  
237 Kensington Ave.  
Buffalo 14, N. Y.

Proposed Work and Cost:

Steel Reinforcement as per original plan	5.2 ton	
Steel Reinforcement as per revised plan	<u>6.593 ton</u>	
Net Increase in amount of Steel	1,393 ton	
or 2,786 lbs. @ \$0.15	-	\$417.90

Reason for Work:

Redesign of Center Sludge Trough

Recommended by:

Newell L. Nussbaumer  
Nussbaumer, Clarke and Velzy

Date: February 26, 1954

Approved:

Town Board  
February 26, 1954

Date: March 1, 1954

Item No. 7

DECISION OF  
ZONING BOARD OF APPEALS

-----  
In the Matter of the Application of  
SARKES STEPHEN

To rezone property from "Residential District"  
to "Business District".  
-----

The petitioner, Sarkes Stephen, has requested the rezoning from "Residence" to "Business" of premises located at the north side of Clinton Street, east of the Lehigh Valley Railroad tracks, for use as a Motion Picture Theatre of the open-air type. Most of the property in the immediate neighborhood is zoned "Residential" and homes have been built thereon.

At the Public Hearing, which was held February 17, 1954, many residents of the neighborhood appeared and opposed the application. Twenty-four residents of the neighborhood appeared in person in opposition to the application and there was a written petition signed by 15 property owners requested that the application for rezoning be denied. The members of the Zoning Board of Appeals inspected the property on February 20, 1954. There are a great many homes constructed in the immediate vicinity. This property is adaptable for "Residence" use.

We believe that the operation of an open-air theatre in this location would result in a depreciation of adjoining property and would create a traffic hazard.

We recommend that the application to zone the property described in the petition as being Subdivision Lot No. 29-34, 46-63, 64-78 and 91-102, as shown on Map filed in the Erie County Clerk's Office under Cover No. 1476, be denied.

\_\_\_\_\_  
Leo Kurnick

\_\_\_\_\_  
Chairman

Dated: February 26, 1954.

Item No. 7 Con't

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the application of Sarkes Stephen to rezone Subdivision Lot No. 29-34, 46-63, 64-78 and 91-102, as shown on map filed in the Erie County Clerk's Office under Cover No. 1476, from residence district to business district, be denied.

Seconded by Councilman Bystrak.

CARRIED: AYES: -3-  
ABSENT: -2-

Item No. 8

Councilman Wroblewski moved, seconded by Councilman Bystrak that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same.

Warrants No. 358 to No. 440 Inclusive drawn on the Supervisor.

Item No. 9

Councilman Wroblewski moved, seconded by Councilman Bystrak to adjourn.

Kenneth T. Hanley  
Town Clerk

SEAL:

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 5th day of March, 1954, at 2:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Benedict T. Holtz Supervisor  
Henry J. Nagel Councilman  
Felix T. Wroblewski Councilman  
Stanley R. Bystrak Councilman

ABSENT: Joseph A. Neibert Councilman

Also present were: Town Clerk Hanley; Town Attorney Doyle; Building Inspector Trafalski and Chief of Police Mersmann.

Item No. 2 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the application of Daniel D. Gentile to rezone premises located at the north west corner of Union Road and Park Avenue, from residential district to business district, be denied.

Seconded by Councilman Nagel.

CARRIED AYES 4 NOES 0 ABSENT 1

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

RESOLVED, that the application of Henry Geleszinski to establish a Automobile Trailer Camp in the Town of Cheektowaga, New York, be denied.

Seconded by Supervisor Holtz.

CARRIED AYES 4 NOES 0 ABSENT 1

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

RESOLVED, that the application of Edward Roehling to establish a Automobile Trailer Camp in the Town of Cheektowaga, New York be denied.

Seconded by Supervisor Holtz.

CARRIED AYES 4 NOES 0 ABSENT 1

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

RESOLVED, that the application of Wm. M. Tadio to establish a automobile Trailer Camp in the Town of Cheektowaga, New York be denied.

CARRIED AYES 4 NOES 0 ABSENT 1

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

RESOLVED, that the Town of Cheektowaga purchase the following automobiles and trucks, fully equipped, to meet the specifications set forth in the Notice to Bidders, and that the Town Clerk be directed to publish the annexed Notice to Bidders in connection with the purchase of the above mentioned automobiles and trucks: three police automobiles, one station wagon, one sanitation truck, one sewer truck and one Disposal Plant truck, two used 2-door 1952 passenger automobiles, and a 1954 2-ton truck for the Highway Department.

There is filed in the Town Clerk's Office, copies of the specifications to be made available for prospective bidders.

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

Supervisor Holtz voting aye  
Councilman Wroblewski voting aye  
Councilman Bystrak voting aye  
Councilman Nagel voting aye

AYES 4 NOES 0 ABSENT 1 CARRIED

SPECIFICATIONS FOR POLICE CARS.

1954 - 1 Standard 2-door sedan.

Engine - 6 cyl. 115 H.P. Equal.

Clutch - 11 inch permanently lubricated ball throw out bearing.

Brakes - 11 inch or equal bonded linings.

Coolings System - 16 qt. capacity or equal by pass type. Ribbed Cellular radiator. Permanently sealed water pump. Thermostatic heat control.

Chassis - Full length box girder type frame or equal. Double acting life sealed shock absorbers. front and rear wheels - 5 inch rim or equal

Specifications for 1954 4 door Station Wagon (4 passengers)

Same as Police cars except as to number of doors and type of automobile.

Specifications for 1954  
2-ton truck for Highway

1 1954 2-ton chassis and cab 137" W. Base  
Clutch - 11"  
Engine - 261 Cu. Inc. 135 H.P. or equal  
Transmission - 4- speed Synchronish  
R. Axle - 2 speed High 6.70 T 01 Low 886 T01  
Exle shafts splined to hub  
Brakes - Hydraulic 375 sq in. Booster or equal  
Tires - 825-20-10 Ply  
Wheels - 6½ rims  
Shocks - front  
Generator - 45 Ampers  
Wipers - Elec. or vacuum booster  
Oil filter - 2 qt.  
Mirror - R.H.  
Heater - Fresh Air  
Signals  
Anti freeze -Prestone  
Lettering  
Change over dump body and snow ;ow from 1947 Chev. Coleman

Specifications for  
Sewer Truck

1 1954 Flat face cowl chassis.  
Tires - 650-20-6- ply dual.  
Helper springs  
Oil Filter  
Heater - Fresh air  
Directional signals  
Generator - 45 ampere  
Body 0 Boyertown S.10 or equal  
Built in 10 ft. seat compartment, with hinged padded cover and lock.  
2-10'x 12' steel shelves  
1-360° roof flasher light  
Marker lights to operate with flasher  
Rear tow hook  
2 Dome lights  
1 Spot light  
Painted lettering

Specifications for Disposal  
Plant Truck.

1 1954 Chassis and cab 137" wheel base  
14,000 GVW.  
Dump body to be change over replace all worn parts.  
Engine - 235 cu in. Displacement - 6 cyl.  
Clutch - 11"  
Transmission - 4 speed - Synchronish  
R. Axle Full floating, exle shaft splined to hub  
Springs Front - 1740 each  
Springs Rear - 7800 each  
Brakes - Hydraulic 375 sq in.  
Parking Brake - On trans.  
Generator - 45 Amp.  
Tires - 750-20-8 Ply  
Oil Filter - Replaceable cartridge.  
Heater - Fresh Air type  
Anti Freeze Prestone  
Lettering - Cab doors.

Specifications for 1954  
Sanitation Truck

1 1954 2 -ton chassis and cab. 161 wheel base Tires - 825 2010 ply  
Wheels - 6½ rims  
Rear exle - 2 speed High 6.70 T01 Low 8.86 T01  
Exles - splined to hub  
Oil Filter - 2qt. (Engine 235 Cubic inch Disp.)  
Heater - F. Air type  
Signals  
Prestone  
5-8 yd Garbage body with rail and step on cab  
Running boards lower 4 inches.  
Generator - 45 amp.

NOTICE TO BIDDERS

Re; Separate sealed bids for three police automobiles, one station wagon, one sanitation truck, one sewer truck and one Disposal Plant truck, two used 2-door 1952 passenger automobiles, and a 1954 2-ton truck for the Highway Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. The sealed bids will be received not later than March 20, 1954, at 10 o'clock A.M., at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Town of Cheektowaga, New York, on the 20th day of March, 1954, at 10 o'clock A.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York. The town reserves the right to reject any and all bids.

Kenneth T. Hanley

Town Clerk

Posted as follows on the 11th day of March, 1954;

- 1- Town Hall Bulletin Board;
- 2- U-Crest Fire House, Evergreen Street and Clover Place;
- 3- Pine Hill Fire House, Genesee Street and Normandy Avenue;
- 4- Rescue Fire Hall, Pine Ridge Road;
- 5- Doyle Fire House No. 1, William and Alaska Street.

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

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

NOTICE TO BIDDERS

Re: Separate sealed bids to purchase for use by the Town: three police automobiles, one station wagon, one sanitation truck, one sewer truck and one Disposal Plant truck, two used 2-door 1952 passenger automobiles, and a 1954 2-ton truck for the Highway Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. The sealed bids will be received not later than March 20, 1954, at 10 o'clock A.M., at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Town of Cheektowaga, New York on the 20th day of March, 1954 at 10 o'clock A.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York. The Town reserves the right to reject any and all bids.

KENNETH T. HANLEY  
Town Clerk

Dated: March 5, 1954

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks:  
first publication ..... MAR 11 1954 .....  
last publication ..... MAR 11 1954 .....

and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
day of ..... MAR 11 1954 ..... 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, 1955  
Registered No. 5029

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

truck and passenger automobiles, and 1954 2-ton truck for the Highway Department.  
The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. The sealed bids will be received not later than March 20, 1954, at 10 o'clock A.M., at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Town of Cheektowaga, New York on the 20th day of March 1954 at 10 o'clock A.M.  
This notice is published by direction of the Town Board of the Town of Cheektowaga, New York. The town reserves the right to reject any and all bids.  
**KENNETH T. HANLEY**  
Town Clerk  
Dated: March 8, 1954.

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the 11th day of March, 1954, 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 16 day of

MAR 16 1954

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

IN 21 000

Item No. 7

Councilman Nagel moved, seconded by Councilman Bystrak, to adjourn.

SEAL

Kenneth T. Hanley

Town Clerk

44

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga on the 15th day of March, 1954, at 7:30 o'clock P.M., E.S.T., there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

ABSENT: -0-

Also present were: Town Clerk Hanley; Town Attorney Doyle; General Foreman Eberl; Plumbing & Building Inspector Roehm; Dog Warden Kraska; Chief of Police Mersmann and Town Engineer Kam.

Item No. 2 Without any objections the reading of the minutes of the previous meeting were dispensed with until a later date.

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

WHEREAS, the maturities of the \$11,000 Serial Olcott Place Improvement Bonds dated January 1, 1954, which are included in the bonds sold by the Town Supervisor to the Manufacturers and Traders Trust Company and Roosevelt and Cross, Inc., on February 15, 1954, do not comply with the requirements of the Local Finance Law, and the sale of said bonds has been rescinded with the consent of said purchasers, and the Town Board desires to make other provision for the issuance of said bonds;

NOW, THEREFORE

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

(1) The \$11,000 Serial Olcott Place Improvement Bonds which are authorized by the Bond Resolution entitled " Bond Resolution, dated November 17, 1952, authorizing the issuance of \$11,270 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the construction of curbing", adopted by the Town Board on November 17, 1952, shall consist of eleven bonds of the denomination of \$1,000 each, numbered from 1 to 11, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on October 1 in each year as follows: \$3,000 in 1954 and \$4,000 in each years 1955 and 1956.

(2) Said bonds shall be dated January 1, 1954, and shall bear interest from their date at the rate of 2½% per annum. The interest shall be payable on April 1, 1954, and thereafter semi-annually on October 1 and April 1. Except as otherwise herein provided, said bonds shall be issued in accordance with the resolution relating to said bonds adopted by the Town Board on January 25, 1954.

(3) The proposal to purchase said bonds at par and accrued interest submitted by the Manufacturers and Traders Trust Company is hereby accepted, and the Town Supervisor and Town Clerk are hereby directed to cause said bonds to be prepared and to execute said bonds in accordance with their terms. The Town Supervisor is hereby directed to deliver said bonds when they shall have been executed, to the Manufacturers and Traders Trust Company upon payment of the purchase price.

(4) The provisions of the resolution adopted by this Town Board on January 25, 1954, relating to the issuance of \$100,000 Serial Sewer District No. 5 Bonds, Series A; \$55,000 Serial Sewer District No. 5 Bonds, Series B; \$11,000 Serial Olcott Place Improvement Bonds; \$6,500 Serial Walton Drive Improvement Bonds; \$16,000 Serial Darwin Drive Improvement Bonds; \$6,000 Serial Cresthaven Drive Improvement Bonds; and \$7,500 Serial Sugnet Drive Improvement Bonds, are hereby ratified and confirmed except as otherwise provided herein.

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

Henry J. Nagel	Voting AYE
Felix T. Wroblewski	Voting AYE
Joseph A. Neibert	Voting AYE
Stanley R. Bystrak	Voting AYE
Benedict T. Holtz	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -0-

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

WHEREAS, the Bond Anticipation Note heretofore issued and sold to the Manufacturers and Traders Trust Company in the amount of \$5,500.00, became due on March 1, 1954, and

WHEREAS, the bonds for the permanent financing of this improvement have not yet been sold,

NOW, THEREFORE,

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to execute on behalf of the Town of Cheektowaga a renewal note payable on July 1, 1954, and deliver same to the Manufacturers and Traders Trust Company.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

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

WHEREAS, this Town Board on the 19th day of October, 1953, authorized the issuance of a Bond Anticipation Note to be dated October 19, 1953, in the sum of Fifty-Five Hundred Dollars (\$5,500.00) to finance improvements in Sewer District No. 5 by the construction of a sanitary sewer in Floral Place in the Town of Cheektowaga, New York, and

WHEREAS, the bonds in connection with the improvement mentioned and described in said Bond Resolution, have not as yet been sold and it is necessary to renew the note issued pursuant to said resolution and the resolution of the Town Board duly adopted the 1st day of March, 1954, for a further period of six months, be it

RESOLVED, that the Supervisor be and he is hereby authorized to execute a renewal note in the sum of Fifty-Five Hundred Dollars (\$5,500.00) with accrued interest together with interest thereon from the date hereof at the rate of 2% per annum, payable at maturity.

THAT, attached hereto and made a part of this resolution is the renewal note.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

CARRIED: AYES: -5-

NOES: -0-

ABSENT: -0-

\$5,500.00

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this renewal note the sum of

----- FIFTY-FIVE HUNDRED DOLLARS (\$5500.00)-----

six months from the date hereof, with accrued interest, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable at maturity.

Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This renewal note is one of an authorized issue, the aggregate principal amount of which is Fifty-five Hundred Dollars (\$5500.00) and is issued pursuant to the Local Finance Law of the Town Board of the Town of Cheektowaga, New York, on the 19th day of October, 1953, in anticipation of the sale of serial bonds authorized to finance improvements in Sewer District No. 5 by the construction of a Sanitary Sewer in Floral Place in the Town of Cheektowaga, New York, as more fully set forth in said resolution of the Town Board adopted March 1, 1954.

The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Statutes of the State of New York, to exist, to have happened and to have been performed precedent to and in the issuance of this note, exist, have happened and have been performed, and that this renewal note, together with all other indebtedness of said Town of Cheektowaga, is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this note to be signed by its Supervisor and its corporate seal to be hereunto affixed and attested by its Town Clerk and this renewal note to be dated as of the 1st day of March, 1954.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BY: Benedict T. Holtz

Attest:  
Kenneth T. Hanley

Town Clerk.

SEAL

Item No. 6  
adoption:

Councilman Nagel presented the following resolution and moved its

WHEREAS, this Town Board on the 16th day of March, 1953, authorized the issuance of a Bond Anticipation Note to be dated March 16, 1953, in the sum of Fourteen Thousand Dollars (\$14,000.00) to finance the cost of the extension of Water District No. 9, and

WHEREAS, the bonds in connection with the improvement mentioned and described in said Bond Resolution, have not as yet been sold and it is necessary to renew the note issued pursuant to said resolution and the resolution of the Town Board duly adopted on the 15th day of March, 1954, for a further period of six months, be it

RESOLVED, that the Supervisor be and he is hereby authorized to execute a renewal note in the sum of Fourteen Thousand Dollars (\$14,000.00) with accrued interest together with interest thereon from the date hereof at the rate of 2% per annum, payable at maturity.

THAT, attached hereto and made a part of this resolution is the renewal note.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -0-

\$14,000.00

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this renewal note the sum of

----- (FOURTEEN THOUSAND DOLLARS \$14,000.00) -----

six months from the date hereof, with accrued interest, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable at maturity.

Item No. 6 Cont'd Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This renewal note may be called for redemption on any date prior to maturity upon the giving of at least five days notice of the date of redemption by filing at the office of the Manufacturers and Traders Trust Company a written notice to such effect, and interest shall cease to be paid hereon after such date of redemption.

This renewal note is one of an authorized issue, the aggregate principal amount of which is (\$15,000.00) Fifteen Thousand Dollars and is issued pursuant to the Local Finance Law of New York and a bond anticipation note resolution duly adopted by the Town Board of the Town of Cheektowaga, New York, on the 16th day of March, 1953, in anticipation of the sale of Serial Bonds to finance the cost of the extension of Water District No. 9, Strassmer Road Extension, so called, as more fully set forth in said resolution of the Town Board adopted March 16, 1953, and in resolutions of the Town Board adopted October 19, 1953, December 21, 1953 and March 15, 1954.

The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this renewal note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Statutes of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this renewal note, exist, have happened and have been performed, and that this note, together with all other indebtedness of said Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this note to be signed by its Supervisor and its corporate seal to be hereunto affixed and attested by its Town Clerk and this note to be dated as of the 15th day of March, 1954.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BY: Benedict T. Holtz

Supervisor

Attest:

Kenneth T. Hanley  
Town Clerk.

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

WHEREAS, this Town Board, on the 16th day of March, 1953, authorized the issuance of a Bond Anticipation Note to be dated March 16, 1953 in the sum of Twenty-Eight Thousand Dollars (\$28,000.00) to finance the cost of the extension of Water District No. 9 Como Park Extension, and

WHEREAS, the Bonds, in connection with the improvement mentioned and described in said Bond Resolution, have not as yet been sold and it is necessary to renew the note pursuant to said resolution and the resolution of the Town Board duly adopted the 15th day of March, 1954, for a further period of six months, be it

RESOLVED, that the Supervisor be and he is hereby authorized to execute a renewal note in the sum of Twenty-Eight Thousand Dollars (\$28,000.00) with accrued interest together with interest thereon from the date hereof at the rate of 2% per annum, payable at maturity.

THAT attached hereto and made a part of this resolution is the renewal note.

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

Supervisor	Benedict T. Holtz	Voting <u>Aye</u>
Councilman	Joseph A. Neibert	Voting <u>Aye</u>
Councilman	Felix Wroblewski	Voting <u>&amp; Aye</u>
Councilman	Stanley Bystrak	Voting <u>Aye</u>
Councilman	Henry Nagel	Voting <u>Aye</u>

AYES: -5-

Noes: -0-

ABSENT: -0-

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this renewal note the sum of

----- TWENTY-EIGHT THOUSAND DOLLARS (\$28,000.00) -----

six months from the date hereof, with accrued interest, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable at maturity.

Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This renewal note is one of an authorized issue, the aggregate principal amount of which is Thirty Thousand Dollars (\$30,000.00) and is issued pursuant to the Local Finance Law of New York and a bond anticipation note resolution duly adopted by the Town Board of the Town of Cheektowaga, New York, on the 16th day of March, 1953, in anticipation of the sale of Serial Bonds, to finance the cost of the extension of Water District No. 9, Como Park Extension so called, as more fully set forth in said resolution of the Town Board adopted March 16, 1953 and resolutions of the Town Board adopted October 19, 1953, and December 21, 1953, and March 15, 1954.

The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of an interest on this note according to its terms.

It is hereby certified and recited that all conditons, acts and things required by the Constitution and Statutes of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this note, exist, have happened and have been performed, and that this renewal note, together with all other indebtedness of said Town of Cheektowaga, is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York has caused this note to be signed by its Supervisor and its corporate seal to be hereunto affixed and attested by its Town Clerk and this renewal note to be dated as of the 15th day of March, 1954.

TOWN OF CHEEKTOWAGA, ERIE COUNTY,  
NEW YORK

BY Benedict T. Holtz

Attest:

Kenneth T. Hanley  
Town Clerk

SEAL

Item No. 8

Councilman Bystrak presented the resolution and moved its adoption:

RESOLVED, that the Buffalo Post Office be requested to extend foot service to serve the following houses on Dingen Street and North Pleasant Parkway.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-

LOUMON CONSTRUCTION INC.

General Contractor

235 Ideal Street

Buffalo 6, N.Y.

March 10, 1954

<u>Sub-Lot No.</u>	<u>House No.</u>	
#3 . . . . .	496	Dingen St.,
#4 . . . . .	490	" "
#5 . . . . .	484	" "
#6 . . . . .	478	" "
#7 . . . . .	466	" "
#8 . . . . .	460	" "
<hr/>		
#9 . . . . .	230	N. Pleasant Pkwy.
#10. . . . .	231	" " "
#11. . . . .	234	" " "
#12. . . . .	235	" " "
#13. . . . .	238	" " "
#14. . . . .	239	" " "
#15. . . . .	242	" " "
#16. . . . .	243	" " "
#17. . . . .	246	" " "
#18. . . . .	247	" " "
#19. . . . .	250	" " "
#20. . . . .	251	" " "
#21. . . . .	254	" " "
#22. . . . .	255	" " "
#23. . . . .	258	" " "
#24. . . . .	259	" " "
#25. . . . .	262	" " "
#26. . . . .	263	" " "
#28. . . . .	267	" " "
#30. . . . .	271	" " "
#32. . . . .	275	" " "

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

WHEREAS, it is the intention of the Town of Cheektowaga, New York, to eventually place all of its departments on a 40-hour basis, and in order to accomplish this result it is necessary to appoint additional personnel in various departments of the Town, be it

RESOLVED, that the 40-hour week be adopted in the Town of Cheektowaga, New York, effective April 1, 1954, in all departments, except the Disposal Department.

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

Supervisor Holtz,	Voting	<u>Aye</u>
Councilman Bystrak,	Voting	<u>Aye</u>
Councilman Nagel,	Voting	<u>Aye</u>
Councilman Neibert,	Voting	<u>Aye</u>
Councilman Wroblewski,	Voting	<u>Aye</u>

AYES: -5-

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

WHEREAS, bids were received on March 1, 1954, for the construction of certain sewer alterations and extensions in connection with existing sewers in Huth Road and Woodridge Avenue, in accordance with the plans prepared by Nussbaumer Clarke and Velzy, Consulting Engineers of the Town of Cheektowaga, New York, and

WHEREAS, Pariso Brothers, Inc. submitted a bid in the sum of \$4,414.50 to do the work in accordance with the aforementioned plans and specifications, which bid is the lowest bid, using the alternate proposal of 10" pipe, and the engineers have recommended the award of said contract to Pariso Brothers, Inc., be it

Item No. 10 Con't

RESOLVED, that the bid submitted by Pariso Brothers, Inc. to do the work above described in accordance with the plans and specifications, be accepted and that the Supervisor be authorized to execute on behalf of the Town of Cheektowaga, a contract to do said work.

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

Supervisor	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Joseph A. Neibert	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanly Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 11  
its adoption:

Councilman Neibert presented the following resolution and moved

RESOLVED, that the request for Fire District No. 2 for the installation of Hydrants on McFarlin Avenue and Daniel Avenue, be approved and the Erie County Water Authority be requested to install hydrants on said highways, same to be located where requested by the Fire Commissioners, and be it further

RESOLVED, that a copy of this resolution be forwarded to the Erie County Water Authority.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-

Item No. 12  
its adoption:

Councilman Bystrak presented the following resolution and moved

RESOLVED, that the New York State Gas and Electric be authorized and directed to install a 2500 lumen street light on Pole No. 3 at Gloverdale Road, near Dick Road, in the Town of Cheektowaga.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-

Item No. 13  
its adoption:

Councilman Bystrak presented the following resolution and moved

WHEREAS, this Board created Water District No. 9 and two extensions thereof, and the cost thereof is assessed against property located within said Water District and its extensions, and

WHEREAS, water bills are furnished to each of the residents within the District receiving water service, and

WHEREAS, it is necessary for the Town Board to correctly assess all the property owners within the District and to make a correct charge for the water used, be it

RESOLVED, that Hollway & Company, town auditors, be authorized to make a complete audit of the financial condition of the District, including the water services supplied by the Erie County Water Authority.

That if there is a deficit existing in said District the Supervisor be authorized to pay the same out of funds in his hands on deposit to the credit of Special Districts. That any amount loaned to the Water District be assessed against the property located within the said Water District No. 9.

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

Supervisor Holtz,	Voting	<u>Aye</u>
Councilman Bystrak,	Voting	<u>Aye</u>
Councilman Nagel,	Voting	<u>Aye</u>
Councilman Neibert,	Voting	<u>Aye</u>
Councilman Wroblewski,	Voting	<u>Aye</u>

CARRIED: AYES: -5-

Item No. 14  
moved its adoption:

Councilman Wroblewski presented the following resolution and

RESOLVED, that the Erie County Highway Dept. be requested to install a "SLOW DOWN SCHOOL AHEAD" sign on both sides of the Mother of Divine Grace Church and School, on Maryvale Drive, in the Town of Cheektowaga, New York.

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

Councilman Nagel	Voting	AYE
Councilman Wroblewski	Voting	AYE
Councilman Neibert	Voting	AYE
Councilman Bystrak	Voting	AYE
Supervisor Holtz	Voting	AYE

CARRIED: AYES: -5-

Item No. 15 Councilman Wroblewski moved, seconded by Councilman Neibert, RESOLVED, that the Town Clerk be authorized and directed to issued building permits on applications processed by the Petitions Committee on March 13, 1954, after same have been approved by the Building Inspector.

CARRIED: AYES: -5-

Item No. 16 REZONING APPLICATION GRANTED-JOSEPH F. STRAUBINGER CONSTRUCTION COMPANY.

LEGAL NOTICE Rezoning Granted

WHEREAS, the Zoning Board of Appeals held a public hearing on the 17th day of February, 1954, for the purpose of considering the application of J. P. Straubinger Construction Company for the rezoning from Business District to First Industrial District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS the Zoning Board of Appeals on the 28th day of February 1954, having rendered its decision granting the application of petitioner to rezone from Business District to First Industrial the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a regular meeting thereon on the 1st day of March 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Business District to First Industrial District, be and the same is hereby confirmed and approved.

NOW, THEREFORE, BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance" be and the same hereby is amended by changing the Zoning Map so as to change the following described property from that of "Business District" to "First Industrial District."

DESCRIPTION

All that tract or parcel of land situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 17, Township Eleven (11), Range Seven (7) of the Holland Land Company's Survey and more particularly bounded and described as follows:

Beginning at a point on the east line of Lot No. 17 of the Holland Land Company's survey, distant eleven hundred five and fifty hundredths (1105.50) feet northerly from the southeast corner of said Lot No. 17, a distance of ten hundred ninety-nine and sixty-one hundredths (1099.61) feet to the southeasterly line of the lands of the New York Central Railroad (West Shore Railroad), thence northeasterly along the southeasterly line of the lands of the New York Central Railroad (West Shore Railroad) seven hundred fifty-six and ninety-two hundredths (756.92) feet to a point formed by the intersection of a line drawn parallel with the south line of Lot No. 17 from the east line of Lot No. 17; thence easterly along said line drawn parallel to the south line of Lot No. 17; distant three hundred and seventy-five (375) feet north from the point of beginning, measured along the east line of Lot No. 17; thence southerly along the east line of Lot No. 17 three hundred seventy-five (375) feet to the point of beginning.

(Union Road, west side, south of the West Shore Railroad Tracks) Dated: March 15, 1954.

KENNETH T. HANLEY, Town Clerk Town of Cheekowaga, New York (3-25)

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 MAR 25 1954 last publication MAR 25 1954; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of MAR 25 1954, 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, 1955 Registered No. 5029

was posted on the Town Hall Bulletin Board

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

**LEGAL NOTICE**  
Rezoning Granted

WHEREAS, the Zoning Board of Appeals held a public hearing on the 17th day of February, 1954, for the purpose of considering the application of Henry A. Menges for the rezoning from Residence District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and,

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 20th day of February 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a regular meeting thereon on the 1st day of March 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from Residence District to Business District, be and the same is hereby confirmed and approved.

NOW, THEREFORE, BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance" 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 PIECE OR PARCEL OF LAND in the Town of Cheektowaga, County of Erie and State of New York, bounded and described as follows:

Beginning at a point in the southerly line of Aero Drive 66 feet westerly from a point of intersection of the southerly line of Aero Drive and the westerly line of Transit Road; running thence westerly along the southerly line of Aero Drive 250 feet to a point; running thence southerly 325 feet; thence easterly 315 feet to the westerly line of Transit Road at a point 310 feet southerly from the point of intersection of the southerly line of Aero Drive and the westerly line of Transit Road; running thence along the westerly line of Transit Road 100 feet; thence northwesterly 216 feet to the point or place of beginning.

(Transit Road, west side, corner Aero Drive)

Dated: March 15, 1954

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

(3-25)

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 MAR 25 1954; last publication MAR 25 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAR 25 1954, 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, 1955  
Registered No. 5029

The above notice was posted on the Town Hall Bulletin Board on the 27th day of March, 1954.

It  
Ne  
pe  
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It

ed, seconded by Councilman  
authorized and directed to issued building  
ions Committee on March 13, 1954,  
Inspector.

CARRIED: AYES: -5-

GRANTED-JOSEPH F. STRAUBINGER

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks;  
first publication MAR 25 1954  
last publication MAR 25 1954;  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAR 25 1954, 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, 1955  
Registered No. 5029

The above notice was posted on the Town Hall Bulletin Board on the 27th day of March, 1954.

STATE OF NEW YORK  
COUNTY OF ERIE

On this day of March, 1954, for the purpose of considering the application of Leon and Bernice Kujawa for the rezoning from Residence District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 26th day of February, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a regular meeting thereon on the 1st day of March, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residence District to Business District, be and the same is hereby confirmed and approved.

NOW, THEREFORE, BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance" 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

Harlem Road, east side, Lot No. 355, House No. 2727.

Dated: March 15, 1954.

KENNETH T. HANLEY,  
Town Clerk

in 25 Town of Cheektowaga, N.Y. 1954 of

MAR 29 1954

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

in 52 0000

Near Leo. Huber

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for

1 week, the first insertion being on the 25th day of March, 1954, 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*

The above notice was posted on the Town Hall Bulletin Board on the 29th day of March, 1954.

Item No. 19 Communication read from the Cheektowaga Chamber of Commerce relating to flood conditions. Ordered referred to the Town Engineer and the Town Board.  
The president of the Cheektowaga Chamber of Commerce was granted the floor and related to the Town Board that it was not the contention of the Chamber to be in opposition to the proposed storm sewer project.

Item No. 20 Petition presented complaining about poor drainage system on Concord Drive. Ordered referred to the Town Engineer and the Town Board.

Item No. 21 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved, and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same.  
( Warrant No. 441 to No. 551, inclusive, drawn on the Supervisor.)

Item No. 22 Councilman Bystrak moved, seconded by Councilman Neibert, to adjourn.

Kenneth T. Hanley  
Town Clerk.

SEAL.

Item No. 1 At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 20th day of March, 1954, at 10:00 o'clock A.,., Eastern Standard Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

ABSENT: -0-

I Also present was Town Clerk Hanley.

Item No. 2 The Town Clerk proceeded to read the minutes of the previous meetings held on: January 25, 1954; February 1st, 1954; February 6th, 1954; February 15th, 1954; February 19th, 1954; March 1st, 1954; March 5th, 1954; and March 15th, 1954, and there being no changes or corrections, same were ordered to be placed on file in the Town Clerks' Office.

Item No. 3 This being the time and the place advertised for the receiving of sealed bids for the purchase of: 3 Police Cars; 1 Four-door StationWagon; 1 1954 Sanitation Truck; 1 Disposal Plant Truck; 1 Sewer Truck; 1 1954 2 ton truck for the Highway Department.

The Supervisor directed the Town Clerk to present proof of the publication of the Notice to Bidders.

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

( ~~Notice attached is a copy of the Notice to Bidders~~ )

**NOTICE TO BIDDERS**  
 The separate sealed bids to purchase 3 police automobiles, one station wagon, one sanitation truck, one sewer truck and one Disposal Plant truck, two used 2-door 1954 passenger automobiles, and a 1954 2-ton truck for the Highway Department.  
 The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. The sealed bids will be received not later than March 20, 1954, at 10 o'clock A.M., at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Town of Cheektowaga, New York on the 20th day of March, 1954 at 10 o'clock A.M.  
 This notice is published by direction of the Town Board, Town of Cheektowaga, New York. The Town reserves the right to accept or reject any or all bids.  
 KENNETH T. HANLEY  
 Town Clerk  
 Dated: March 1, 1954

Following is a list of the specifications for the aforementioned cars and trucks:

**SPECIFICATIONS FOR POLICE CARS**

- 1954- 1 Standard 2-door
- Engine- 6 cyl. 115 H.P. Equal.
- Clutch-11 inch permanently lubricated ball throw out bearing.
- Brakes- 11 inch or equal bonded linings.
- Cooling System- 16Qt. capacity or equal by pass type. Ribbed cellular radiator. Permanently sealed water pump. Thermostatic heat control.
- Chassis-Full length box girder type frame or equal. Double acting life sealed shock absorbers. Front and rear.
- Wheels-5 inch rim or equal.

SPECIFICATIONS FOR 1954 4-DOOR STATION WAGON

( 6 Passenger )

Same as Police cars except as to number of doors and type of automobile.

SPECIFICATIONS FOR 1954 SANITATION TRUCK.

1 1954 2-ton chassis and cab. 161 wheel base  
tires-825 20-10 ply.  
Wheels-6 $\frac{1}{2}$ " rims  
Rear axle-2 speed high 6.70 TOL Low 886 TOL  
Axles-splined to hub  
Oil filter -2 Qt. ( Engine 235 Cubic inch disp.)  
Heater-F, Air type  
Signals  
Prestone  
5-8 yd. Garbage Body with rail and step on cab  
Running boards lower 4 inches  
Generator-45 amp.

SPECIFICATIONS FOR DISPOSAL PLANT TRUCK

1-1954 CHASSIS AND CAB 137" wheel base  
14,000 G.V.W.  
Dump body to be change over, replace all worn parts.  
Engine-235 cu. in. displacement - 6 cyl.  
Clutch - 11"  
Transmission - 4 speed - synchronish  
R. Axle-Full floating, axle shaft splined hub  
Springs Front-1700 each  
Springs rear-7800 each  
Brakes-Hydraulic 375 sq. in.  
Parking Brake-On trans.  
Generator-45 Amp.  
Tires-750-20-8- ply  
Oil filer-Replaceable cartridge  
Heater-fresh air type  
Directional signals  
Anti-freeze-Prestone  
Lettering-Cab doors

SPECIFICATIONS FOR SEWER TRUCK

1-1954 Flat face cowl chassis  
Tires- 650-20-6 ply dual  
Helper springs  
Oil Filter  
Heater-fresh air  
Directional signals  
Generator- 45 ampere  
Body-Bovertown S 10 or equal  
Built-in 10 ft. seat compartment, with hinged padded cover  
and lock.  
2-10' x 12' steel shelves  
1-360° roof flasher light  
Marker lights to operate with flasher  
rear tow hook  
2 Dome lights  
1 spot light  
painted lettering.

SPECIFICATIONS FOR 1954 2-TON TRUCK FOR HIGHWAY  
DEPARTMENT.

1 1954 2-ton chassis and cab 137" W. Base  
Engine-261 Cu. in. 135 H P or equal  
Clutch-11"

- Transmission - 4 speed synchronish
- R. axle-2 speed high 6.70 TOL Low 886 TOL
- Axle shafts splined to hub
- Brakes-Hydraulic 375 sq. in. Booster or equal
- Tires - 825-20-10 ply
- Wheels-6½ rims
- Shocks-front
- Generator-45 ampere
- Wipers- Elc. or vac. booster
- Oil filter - 2 qt.
- Mirror- R.H.
- Heater-Fresh Air
- Signals
- Anti-freeze-Prestone
- Lettering
- Change over dump body and snow plow from 1947 Chev. Coleman

Supervisor Holtz announced that due to an error in the Police car specifications, the Town Board will accept the sealed bids and refer same to the Town Attorney and if the bids are opened they will be published, and if not opened same will be opened on March 22nd, 1954, at 2:30, o'clock P.M., at a regular adjourned Town Board meeting.

Item No. 4  
its adoption:

Councilman Bystrak presented the following resolution and moved

RESOLVED, that the Supervisor be authorized and directed to purchase twelve (12) lamp standards providing a mounting height of twenty-one (21) feet for pendant type luminaries with 2500 lumens lamps to be used in the special lighting district known as Mafalda Drive, Town of Cheektowaga, New York.

Seconded by Councilman Wroblewski. CARRIED: AYES: -5-.

Item No. 5  
moved its adoption:

Councilman Wroblewski presented the following resolution and

RESOLVED, that the following change orders be approved:

CHANGE ORDER NO. 3

Sewage Treatment Plant No. 5

SLUDGE DRYING BEDS

TOWN OF CHEEKTOWAGA, NEW YORK

Contractor:  
Brunner Asphalt and Construction, Inc.  
237 Kensington Avenue  
Buffalo 14, N.Y.

Engineer:  
Nussbaumer Clarke and Velzy

Proposed Work and Cost:

Construction of, approximately, 750 l.f.  
of ditching as per information submitted

@ \$3.00 L.F.

\$2,250.00

Reason for Work:

Conditions encountered on the above project make it imperative to add ditching to overall project at once.

Recommended by:

Newell L. Nussbaumer  
Nussbaumer, Clarke and Velzy.

Date: \_\_\_\_\_

Approved:

Town of Cheektowaga  
March 19, 1954

Date: March 20, 1954

CHANGE ORDER NO. 4

SEWAGE TREATMENT PLANT NO. 5

SLUDGE DRYING BEDS

TOWN OF CHEEKTOWAGA, NEW YORK

Contractor:  
Brunner Asphalt & Construction, Inc.  
237 Kensington Avenue  
Buffalo 14, N.Y.

Engineer:  
Nussbaumer, Clarke and  
Velzy

Proposed Work and Cost:

Excavate soft road areas and fill with 12" compacted run of bank rock

Approximately 200 sq. yd. @ \$3.25

Reason for Work:

The part of road in question is constructed on fill, and to expedite the road construction and give us a good base, felt that a strong base is necessary.

Recommended by:

Newell L. Nussbaumer  
Nussbaumer, Clarke and Velzy

Date: \_\_\_\_\_

Approved:

Town of Cheektowaga  
March 19, 1954

Date: 3-20-1954

CHANGE ORDER NO. 5

SEWAGE TREATMENT PLANT DISTRICT NO. 3

Town of Cheektowaga, New York

Contractor:  
C.E. Knowles Company

Engineer:  
Nussbaumer Clarke  
& Velzy

Proposed Change and Cost:

Old Digester

- a) Remove the old wooden enclosure around the steel superstructure over the old digester.
- b) Furnish and install weather proof controls with light and switch and also a sheet metal cover over the motor of the sludge stirring mechanism.
- c) Remove the present deteriorated concrete supernatent with-drawl chambers and replace with a new concrete chamber using the two present hatch covers.
- d) Wire brush and paint present covers and exposed piping.
- e) Remove loose concrete and patch concrete at each side of the above chamber.

Bid price of.....\$935.00

Reason for Change:

During construction, the wooden enclosure was found to be beyond repair and the concrete supernatent with-drawal manhole is deteriorated beyond repair and has to be replaced.

Recommended by:

Charles L. O'Donnell  
Nussbaumer, Clarke and Velzy

Dated: March 16, 1954

Approved:

Town of Cheektowaga  
March 16, 1954.

Date: 3-20-1954

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

Benedict T. Holtz	Voting AYE
Henry J. Nagel	Voting AYE
Felix T. Wroblewski	Voting AYE
Joseph A. Neibert	Voting AYE
Stanley R. Bystrak	Voting AYE

CARRIED: AYES: -5-

NOES: -0-

Item No. 6  
its adoption:

Councilman Neibert presented the following resolution and moved

RESOLVED, that the Supervisor be and he is hereby authorized to deposit in the First National Bank of Buffalo, Thru-way Plaza Branch, one of the authorized depositories of Town Funds, the sum of One Hundred Thousand Dollars (\$100,000.00) of Special District Funds.

Seconded by Councilman Bystrak. CARRIED: AYES: -5-.

Item No. 7  
its adoption:

Councilman Bystrak presented the following resolution and moved

WHEREAS, Arthur Cendrowski of \_\_\_\_\_, Sloan, New York, and Stanley A. Dombrowski of \_\_\_\_\_, Sloan, New York, passed a competitive Civil Service examination for Patrolman in the Town of Cheektowaga, New York, and are eligible for appointment to such position, be it

RESOLVED, that Arthur Cendrowski of \_\_\_\_\_, Sloan, New York, and Stanley A. Dombrowski of \_\_\_\_\_, Sloan, New York, be and each of them is appointed a Patrolman at a salary of \$3,900, to be paid in semi-monthly installments, be it further

RESOLVED, that a copy of this resolution be forwarded to the Personnel Officer of the County of Erie, with the request that the appointments herein made be approved.

This resolution shall become effective April 1, 1954.  
Seconded by Councilman Neibert. CARRIED: AYES: -5-.

Item No. 8

Communication read from Rev. John Hennessy, Pastor of Infant of Prague Church requesting the Town Board to have Foisset Avenue, from Cleveland Drive to the south end of the Infant of Prague school property designated as a play street from 11:30 A.M., to 12:45 P.M., on school days.

Councilman Neibert moved, seconded by Councilman Wroblewski, that the request be granted and that the matter be referred to the Chief of Police for action. CARRIED: AYES: -5-.

Item No. 9

Councilman Neibert moved, seconded by Councilman Bystrak, to adjourn until March 22, 1954, at 2:30 P.M., Eastern Standard Time.

Kenneth T. Hanley,  
Town Clerk

SEAL.

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, New York, on the 22nd day of March, 1954, at 2:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

Also present were: Town Clerk Hanley; Building & Plumbing Inspector Roehm and Assistant Building Inspector Trafalski.

Item No. 2 This being the time and the place scheduled for the opening of bids for Police cars and various trucks for the Town of Cheektowaga, New York.

The Supervisor announced that the Town Board is rejecting all bids for Police cars and that the Town Clerk be authorized and directed to return the sealed bids to the bidders.

The Supervisor ordered and directed the Town Clerk to open the sealed bids on the various trucks for the various departments of the Town of Cheektowaga.

( Hereto are a list of the bids received)

<u>BIDDER</u>	<u>SANITATION TRUCK</u>	<u>Disposal</u>	<u>Sewer</u>	<u>Highway</u>	<u>Handyman</u>	<u>2-Used 1952 Cars</u>
Glenn Campbell, Inc.	\$3172.81	\$1830.59	\$2894.60	\$2466.43	-0-	-0-
Mernan Chevrolet, Inc.	3681.45	1552.00	2829.85	2245.00	2423.55	-0-
Brost Bros.	3159.01	1865.62	2777.09	2413.27	1603.80	-0-
Edw. H. Cottrell Inc.	-0-	-0-	-0-	1929.50	2055.00	-0-
Zapfel Bros., Inc.	3413.00	2182.00	3072.00	-0-	2550.00	-0-
Maier Schuele-Galion Body	\$3171.42	1922.81	2795.34	2403.73	-0-	-0-
Garwood Body	3182.42					
Truck Equip.						
Body	3128.42					
Anthony Body	3121.92					
Heil Body	3112.42					
Community Chevrolet, Inc.,	3372.76	1869.49	2982.27	2494.86	1763.88	\$2290.00
Stumpf Bros.	3400.00	1900.00	3209.00	2535.00	1857.00	-0-
Hal. Casey	2999.81	1936.19	2727.06	2387.07	1700.00	-0-
Brost Motors Inc.,	3106.90	1947.40	2843.43	2392.00	-0-	-0-

Councilman Wroblewski moved, seconded by Councilman Niebert, that the bids be referred to the Town Board for analysis and tabulation. CARRIED: AYES: -5-.

Item No. 3 The Town Clerk then proceeded to read the minutes of the March 20, 1953, Town Board meeting, and there being no changes or alterations, same were ordered to be placed on file in the Town Clerks' Office.

Item No. 4 Councilman Nagel moved, seconded by Councilman Neibert, to adjourn.

SEAL.

Kenneth T. Hanley  
Town Clerk

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 26th day of March, 1954, at 2:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

Also present were: Town Attorney George B. Doyle.

Item No. 2 Due to the absence of Town Clerk Kenneth T. Hanley, Town Attorney Doyle was designated to act as the Clerk for this meeting.

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

WHEREAS, the Town Board desires to make further provision for the issuance of the \$11,000 Serial Olcott Place Improvement Bonds dated January 1, 1954, which are to be purchased by the Manufacturers and Traders Trust Company;

NOW, THEREFORE,

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

(1) Notwithstanding anything contained in the resolution adopted by said Town Board on March 15, 1954, the \$11,000 Serial Olcott Improvement Bonds which are to be issued pursuant to the bond resolution dated November 17, 1952, shall constitute an issue of bonds payable in annual installments on October 1 in each year as follows: \$3,000 in 1954, \$3,000 in 1955, \$3,000 in 1956 and \$2,000 in 1957.

(2) Notwithstanding anything contained in said resolution, the bonds payable on October 1, 1954 shall consist of three bonds of the denomination of \$1,000 each, numbered from 1 to 3, inclusive, and the bonds payable on October 1, 1955 shall consist of three bonds of the denomination of \$1,000 each, numbered from 4 to 6, inclusive, and the bonds payable on October 1, 1956 shall consist of three bonds of the denomination of \$1,000 each, numbered from 9 to 11, inclusive, and the bonds payable on October 1, 1957, shall consist of one bond of the denomination of \$2,000, numbered 12. Said bond payable on October 1, 1957, shall be issued in registered form.

(3) Except as otherwise herein provided, said bonds shall be issued in accordance with said resolution adopted on March 15, 1954.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Nagel	Voting AYE
Councilman Bystrak	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 4 Councilman Neibert moved, seconded by Councilman Nagel, to adjourn.

George B. Doyle

Acting Town Clerk.

SEAL

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga New York, held at the Town Hall in the said Town of Cheektowaga on the 5th day of April, 1954, at 2:20 o'clock P.M., E.S. time, there were:

PRESENT: Henry J. Nagel                    Councilman  
          Felix T. Wroblewski                Councilman  
          Joseph A. Neibert                   Councilman  
          Stanley B. Bystrak                  Councilman

ABSENT: Benedict T. Holtz                Supervisor

Also present were: Town Clerk Kenneth T. Hanby, Town Attorney George B. Doyle, General Foreman Mr. Eberl, Chairman of the Board of Assessors Mr. Jerezewski, Assessor Mr. Rudzynski, Highway Superintendent Mr. Zablotny, Chairman of the Zoning Board of Appeals Mr. Kurnick and Town Historian Julia Reinstein.

Item No. 2 Due to the absence of Supervisor Holtz from the Town during the next two weeks, Councilman Wroblewski moved, seconded by Councilman Neibert, that Councilman Henry J. Nagel be designated as Acting Supervisor.

Item No. 3 Without any objections the reading of the minutes of the previous meeting were dispensed with until a later date.

Item No. 4 Councilman Wroblewski moved, seconded by Councilman Neibert: RESOLVED, that the Town Clerk be authorized and directed to issue building permits on applications processed by the Petitions Committee on 5-3-54, after same have been approved by the Building Inspector.

CARRIED AYES 4

Item No. 5 RESOLVED that the bids received March 20th 1954, for trucks station wagon and police cars be rejected and new specifications be prepared and new bids be invited at a later date.

Seconded by Councilman Bystrak.

CARRIED: AYES 4

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

RESOLVED, that the Town Highway Department be authorized and directed to resurface the highway in the Town Park.

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

Councilman Wroblewski voting aye  
Councilman Neibert        voting aye  
Councilman Bystrak        voting aye  
Councilman Nagel           voting aye

CARRIED Ayes 4                    Noes 0                    Absent 1

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

RESOLVED, that Edward H. Pfohl, Receiver of Taxes and Assessments for the Town of Cheektowaga, New York, be authorized and directed to accept taxed from the County of Erie on County owned property for the year 1954 without fees or additions.

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

Councilman Wroblewski voting aye  
Councilman Neibert        voting aye  
Councilman Nagel           voting aye  
Councilman Bystrak        voting aye

CARRIED Ayes 4                    Noes 0                    Absent 1

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

RESOLVED, to request Mr. Bertram Tallany Chairman of the State Thruway Authority and Charles R. Waters, State District Engineer to consider the feasibility of constructing an overhead pedestrian bridge over the N.Y.S Thruway at Garland Avenue midway between Henry Street and Harlem Road, a distance of approximately 1/4 mile where a number of streets were dead ended by construction of the thruway. There are numerous people residing south of thruway who are inconvenienced when walking to church, schools bus stops and to shopping stores located on William Street which is on the north side of the N.Y.S. Thruway.

Seconded by Councilman Bystrak

CARRIED Ayes 4                    Noes 0                    Absent 1



Item No. 14 Councilman Bystrak moved and seconded by Councilman Wroblewski that the Chairman of the Board of Assessors, only be authorized to attend the State Assessors meeting at Syracuse, New York, on April 12th to 14th, 1954, inclusive.

CARRIED Ayes 4

Noes 0

Absent 1

Item No. 15

NOTICE OF HEARING \* STREET LIGHTING EQUIPMENT

VEGOLA AVENUE FROM GENESEE STREET

TO WINSTON ROAD.

**NOTICE OF HEARING**

At a regular meeting of the Town Board of the Town of Cheektowaga Erie County, New York, held in the Town Hall, in said Town of Cheektowaga on the 5th day of April, 1954, at 2:30 o'clock P.M., Eastern Standard Time, there were:

**PRESENT:**

Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley R. Bystrak, Councilman

**ABSENT:**

Benedict T. Holtz, Supervisor

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

WHEREAS, a petition for 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 was presented to this Town Board on the 11th day of March, 1954.

**PUBLIC HIGHWAYS TO BE IMPROVED**

Vegola Avenue from Genesee St. to Winston Road.

**TYPE OF STREET LIGHTING INSTALLATION**

Y-19 Standards

Underground Conduit

WHEREAS, EDWARD B. JERZEWSKI, BRONISLAUS T. ORLIKOWSKI and ANDREW H. SCHWENK, Assessors of said Town of Cheektowaga have certified in writing to this board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of each of said highways to be improved, as aforesaid, and

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of

Cheektowaga on the 19th day of April 1954, at 7:30 P.M. Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

Councilman Wroblewski voting Aye.

Councilman Neibert voting Aye.

Councilman Bystrak voting Aye.

Councilman Nagel voting Aye

Ayes, 4; 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 5th day of April, 1954, 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 5th day of April, 1954.

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

(SEAL)

(Apr. 8)



Item No. 16 The Town Clerk related to the Town Board that due to the closing of the Tiorunda School the Town has lost two polling places for election purposes, namely Election District No. 19 and No. 20. Ordered referred to the Board for study and recommendations. 58

Item No. 17 Petition presented for the improvement of Smallwood Terrace by the construction of a lateral sewer in said highway. Ordered referred to the Assessors for a property check.

Item No. 18 Petition presented for the improvement of Kendale Road by the installation of street lighting standards in said highway. Ordered referred to the Assessors for a property check.

Item No. 19 Councilman Bystrak moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized to draw a warrant on the Supervisor for payment of same. ( Warrant No. 552 to No. 692, inclusive, drawn on the Supervisor.

Item No. 20 Acting Supervisor Nagel adjourned this meeting with the following statement:

" We adjourn this meeting out of respect of the memory of the children who lost their lives in the recent school disaster. We extend to their families our sincerest sympathy".

SEAL

Kenneth T. Hanley

venue

Vegola Avenue

the Cheektowaga

T1

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 APR 8 1954; last publication APR 8 1954; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of APR 8 1954, 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, 1955  
Registered No. 5029

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 April, 1954, at 10:00 o'clock A.M., Eastern Standard Time, there were:

PRESENT: Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

ABSENT: Benedict T. Holtz	Supervisor
---------------------------	------------

Also present were: Town Clerk Hanley and Town Attorney Doyle.

Item No. 2 Due to the absence of Supervisor Holtz, Councilman Nagel was designated to act as chairman for this meeting.

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

RESOLVED, that the Subdivision Map of Zoladz Drive prepared by Herthe and Sonnenberger, Engineers, dated April 1, 1954, be approved by the Town Board, subject to approval by the New York State Health Department and the Town Highway Department, and ordered filed in the Town Clerks' Office.

Seconded by Councilman Nagel.

CARRIED: AYES: -4-.

Item No. 4 The Town Clerk then proceeded to read the minutes of the meetings held on March 22, 1954; March 26, 1954 and April 5, 1954, and there being no alterations or corrections, it was moved by Councilman Wroblewski, seconded by Councilman Bystrak, that these minutes stand approved as read and to be placed on file in the Town Clerks' Office.

CARRIED: AYES: -4-.

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

WHEREAS, Good Friday this year falls on the 16th day of April, 1954, and to encourage Town Employees and others to attend religious services on the afternoon of that day, be it

RESOLVED, that all Town Employees, except in cases where otherwise ordered by Department Heads, be released from work for a three-hour period commencing at 12 o'clock noon and ending at 3 o'clock P.M.,

Seconded by Councilman Neibert.

CARRIED: AYES: -4-.

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

WHEREAS, the Board of Elections is making a survey of the persons eligible to vote in the Town of Cheektowaga, New York, and

WHEREAS, last year, the Town of Cheektowaga experienced no difficulty in connection with the Town election in-so-far as being able to provide an opportunity for all voters within the Township to vote without any undue delay, be it

RESOLVED, that the Town of Cheektowaga request the Board of Elections to allow it to continue with the present number of election districts with the understanding that the number of election districts will be increased from 37 to 45 on or before June 1, 1955.

Seconded by Councilman Bystrak.

CARRIED: AYES: -4-.

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

WHEREAS, the Director of Recreation is about to open the Town Park and the Chapel and Tiorunda Playgrounds, and election booths can be used to store equipment belonging to that department, be it

RESOLVED, that four election booths be loaned to the Recreation Department and placed at the following locations:

2 at George Urban Town Park  
1 at Tiorunda Playground  
1 at Chapel Playground

that the cost of moving and returning said election booths be charged against the funds of the Recreation Department who have agreed to return said election booths in the same condition as received, ordinary wear and tear excepted.

Seconded by Councilman Neibert.

CARRIED: AYES: -4-.

Item No. 8  
to adjourn.

Councilman Neibert moved, seconded by Councilman Wroblewski,

Kenneth T. Hanley

SEAL

Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 19th day of April, 1954, at 7:30 P.M., E.S.T., there were:

- |                            |            |
|----------------------------|------------|
| PRESENT: Benedict T. Holtz | Supervisor |
| Felix T. Wroblewski        | Councilman |
| Joseph A. Neibert          | Councilman |
| Stanley R. Bystak          | Councilman |
| ABSENT: Henry J. Nagel     | Councilman |

Also present were: Town Clerk Hanley; Town Attorney Doyle; General Foreman Eberl; Chief of Police Mersmann; Town Engineer Kam; Town Historian Julia B. Reinstein; Highway Superintendent Zablotny; Building & Plumbing Inspector Roehm; Dog Warden Kraska; Justice of the Peace Pyszczynski and Chairman of the Board of Appeals Kurnick.

Item No. 2 Without any objections the reading of the minutes of the previous meeting were dispensed with until a later date.

Item No. 3 Communication read from the Town Park Homeowners Association relating to flood conditions in the Genesee-Harlem and George Urban areas. Ordered referred to the Town Engineer.

Item No. 4 Councilman Neibert moved, seconded by Councilman Wroblewski, that the Town Clerk be authorized and directed to issue Building Permits on applications processed by the Petitions Committee on April 10, 1954 and April 17, 1954, after same have been approved by the Building Inspector.  
CARRIED: AYES: -4-  
ABSENT: -1-

Item No. 5 Councilman Neibert moved, seconded by Councilman Wroblewski, that Change Order No. 6, hereto annexed, relative to constructing a service road at Sewer Treatment Plant No. 3 at a cost of \$1,989.00 be approved.  
CARRIED: AYES: -4-  
ABSENT: -1-

Councilman Neibert moved, seconded by Councilman Wroblewski, that Change Order No. 7, hereto attached, relative to providing parking area and access to Grit Chamber at Sewer Treatment Plant No. 3, at a cost of \$1,827.00, be approved.  
CARRIED: AYES: -4-  
ABSENT: -1-

CHANGE ORDER NO. 6

SEWAGE TREATMENT PLANT NO. 3

Town of Cheektowaga, N.Y.

Contractor:  
C.E. Knowles Company

Engineer:  
Nussbaumer, Clarke and Velzy

Proposed Change and Cost:

Service Road

To furnish and install a 12 foot road from the edge of the main highway pavement at the gate entrance extending past the sludge beds around the sprinkling filter to the old final tank. The base of the roads shall be properly graded to work in with adjoining grades and a slag base shall be provided with an average thickness of 5 inches, over which shall be applied a 2 inch penetrating asphalt top. The total average thickness of the road shall be 7 inches. The Apron from the edge of the road to the sludge beds extending the length of the beds shall be constructed of road material instead of concrete as originally specified and the old concrete drive to the present sludge bed shall be black topped to match adjoining roadways.

Bid Price \$1,989.00

Reason for change:

This change is necessary to provide a road for access to Sludge beds and chlorine to the final tanks.

Item No. 5 Cont'd

Recommended by;

Newell L. Nussbaumer

Date: 4-8-54

Nussbaumer, Clarke and Velzy

Approved:

Town Board

Date: 4-19-54

April 7, 1954.

CHANGE ORDER NO. 7

SEWAGE TREATMENT PLANT NO. 3

TOWN OF CHEEKTOWAGA, N.Y.

Contractor:

C.E. Knowles Company

Engineer

Nussbaumer, Clarke and Velzy

Proposed Change and Cost:

Parking Area and Access to Grit Chamber

To furnish and install parking lot, service courts and access to grit collector properly graded to work in with adjoining grades. A slag base shall be provided with an average thickness of 5 inches over which shall be applied a 2 inch penetrating asphalt top. The total average thickness shall be 7 inches. Install a 22' x 50' parking area on the west side of the entrance drive near the entrance gate as directed by the Engineers. A drive 12 feet wide shall extend west from the parking area to the new inlet manhole addition with the center of the drive lining up with the southwest corner of the inlet manhole. A turn out 25 feet wide shall be provided at the final, extending to the southerly line of the old final settling tank. The entire area between the old greenhouse and the sprinkling filter shall be surfaced as specified above extending south and connecting with the road just east of the old final settling tank.

Bid price of \$1,827.00

Reason for change:

This change is necessary to provide access to grit chamber and parking.

Recommended by:

Newell L. Nussbaumer

Date: 4-8-54

Nussbaumer Clarke and Velzy.

Approved:

Town Board.

Date: 4-19-54

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

WHEREAS, Rosemary Ohl, Clerk in the office of the Receiver of Taxes & Assessments, has completed her probation period, be it

RESOLVED, that the salary of Rosemary Ohl be increased from \$100 immediately, and \$100 on July 1, 1954.

Seconded by Councilman Neibert.

CARRIED: AYES: 4-  
ABSENT: -1-

OF THE TOWN OF CHEEKTOWAGA, AUTHORIZING THE COUNTY OF ERIE TO CONTROL, REGULATE AND PROHIBIT POLLUTION OF THE AIR BY EMISSION OF SMOKE, NOXIOUS GASES AND ODORS, DEPOSITS, DUST OR OTHER POLLUTIONS FROM SOURCES WITHIN SAID COUNTY.

Moved by Councilman Wroblewski, seconded by Councilman Neibert, THAT PURSUANT to the provisions of Chapter 459 of the laws of 1954, the Town of Cheektowaga acting through its governing board, viz., the Town Board of the said Town, does hereby signify its consent to the granting of power and authority to the County of Erie to control, regulate and prohibit pollution of the air by emission of smoke, noxious gases and odors, deposits, dust or other pollution from sources within said County, and further signifies its concurrence therein.

VOTE: AYES: -4-  
NOES: -0-  
ABSENT: -1-

Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

Item No. 8 Councilman Wroblewski moved, seconded by Councilman Neibert, that the Sub-division Map of Greenauer Sub-division prepared by Herthe and Sonnenberger, Engineers, date January 14, 1954, be approved and ordered filed in the Assessors Office, and be it

FURTHER RESOLVED, that the Sub-division Map of Tri-Abbott Sub-division prepared by Herthe and Sonnenberger, Engineers, dated February 27, 1954, be approved and ordered filed in the Assessors Office.

CARRIED: AYES: -4-  
ABSENT: -1-

Item No. 9 Councilman Wroblewski moved, seconded by Councilman Bystrak, that the Supervisor be authorized to execute contract with the Superintendent of Public Works of the State of New York relating to the sale of Parcel No. 35 Map No. 35 by the Town of Cheektowaga, New York, to the State of New York. (Parcel 382; Map 382).

CARRIED: AYES: -4-  
ABSENT: -1-

Item No. 10 Councilman Wroblewski moved, seconded by Councilman Bystrak, that the Iroquois Gas Corporation be requested to provide service to the residents on Losson Road, west of Borden Road, a distance of approximately one mile.

CARRIED: AYES: -4-  
Absent: -1-

Item No. 11 Councilman Bystrak moved, seconded by Councilman Neibert, that the Supervisor be authorized to purchase thru Westinghouse Electric Company twelve (12) No. 1348 light standards to replace damaged standards in various lighting districts and that the cost thereof be charged against the general fund.

CARRIED: AYES: -4-  
ABSENT: -1-

Item No. 12 ( Vegola Avenue Street Lighting-FINAL RESOLUTION )

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 order of the Supervisor, such proof was duly filed.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Vegola Avenue	Genesee Street	Winston Road

TYPE OF STREET LIGHTING EQUIPMENT

Y-19 Standards-Underground 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
Vegola Avenue	Genesee Street	Winston Road

TYPE OF STREET LIGHTING INSTALLATION

Y-19 Standards-Underground 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 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. Neibert and duly put to a vote which resulted as follows:

Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

Ayes: -4-

NOES: -0-

ABSENT: -1-

STATE OF NEW YORK ) SS. .  
COUNTY OF ERIE )

I, Kenneth T. Hanley, Town Clerk of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town on the 19th day of April, 1954, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof; and that the resolutions and orders duly adopted by the said Town Board are on file in my office.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

I FURTHER CERTIFY that a certified copy of such resolution and order was caused by me to be recorded in the Office of the Clerk of Erie County, New York, on the 28th day of April, 1954.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 28th day of April, 1954.

SEAL

Kenneth T. Hanley.  
Town Clerk

NEW YORK STATE DEPARTMENT OF PUBLIC WORKS  
BUREAU OF RIGHTS OF WAY AND CLAIMS

AGREEMENT OF ADJUSTMENT

Project ..... Ontario Thruway  
Map No. .... 35 ..... Parcel No (s) ..... 35 ..... County ..... Erie  
Map No. .... ..... Parcel No (s) ..... ..... Town ..... Cheektowaga  
Map No. .... ..... Parcel No (s) ..... ..... City or Village .....

THIS AGREEMENT, made this 19<sup>th</sup> day of APRIL, 1957, between

Town of Cheektowaga  
Cheektowaga, N.Y.

hereinafter referred to as "the first party" and the SUPERINTENDENT OF PUBLIC WORKS FOR THE PEOPLE OF THE STATE OF NEW YORK, hereinafter referred to as "the State", pursuant to Article XII-A of the Highway Law as amended,

WITNESSETH:

WHEREAS, pursuant to the aforementioned statute, the State is appropriating or has appropriated, for the purpose of the above identified project, certain property shown and described on the above designated map(s); and

Item No. 13 Councilman Wroblewski moved, seconded by Councilman Bystrak, that the request of Pasquale Vitale, Operator at Sewage Plant No. 5, for an additional week of vacation without pay be granted. CARRIED: AYES: -4-  
ABSENT: -1-

Item No. 14 Councilman Bystrak moved, seconded by Councilman Neibert, that Andrew Kolniak be employed as a laborer at an hourly wage of \$1.80 and assigned to the Sewer Department. CARRIED: AYES: -4-  
ABSENT: -1-

Item No. 15 Councilman Wroblewski moved, seconded by Councilman Neibert, that Norman Bauer; Jack Kirisits; John Wasielewski and John Janus be employed as part time Park Attendants at the rate of \$1.32 $\frac{1}{2}$  per hour. CARRIED: AYES: -4-  
ABSENT: -1-

Item No. 16 HENRY J. POPIELA APPLICATION FOR RE-ZONING OF PROPERTY FROM RESIDENCE DISTRICT TO BUSINESS DISTRICT - GRANTED.

**LEGAL NOTICE**

**Rezoning Granted**

WHEREAS, the Zoning Board of Appeals held a public hearing on the 31st day of March, 1954, for the purpose of considering the application of Henry J. Popiela for the rezoning from Residence District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 14th day of April, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a regular meeting thereon on the 19th day of April, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residence District to Business District, be and the same is hereby confirmed and approved.

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

**DESCRIPTION**

South 16 feet of Subdivision lot 6, all of Subdivision lots 7 and 8 Union Road, west side corner of Marie Avenue as shown on Subdivision map filed in the Erie County Clerk's Office under Cover No. 527.

Dated: April 19, 1954.

KENNETH T. HANLEY,

Town Clerk

ap 22 Town of Cheektowaga, N. Y.

Posted on the Town Hall Bulletin Board on the 28th day of April, 1954.

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

STATE OF NEW YORK  
COUNTY OF ERIE

ss:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for

1 week, the first insertion being on the 22nd day of April, 1954 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*

*3rd* day of

1954

*Hanley*

Notary Public in and for Erie County.

Zoning Board of Appeals on the 14th day of April, 1954, having rendered its decision granting the application of petitioner to rezone premises located in Residence District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a regular meeting thereon on the 15th day of April, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises located in Residence District to Business District be and the same is hereby confirmed and approved.

THEREFORE, BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1953, and as now amended, entitled "Zoning Ordinance" be and the same hereby is amended by changing the Zoning Map so as to change the following described property from that of "Residence District" to "Business District".

**DESCRIPTION**  
South 18 feet of Subdivision lot 7, all of Subdivision lots 7 and 8 on Union Road, west side corner of Erie Avenue as shown on Subdivision map filed in the Erie County Clerk's Office under Cover No. 527.

Dated: April 19, 1954.  
KENNETH T. HANLEY,  
Town Clerk  
Depew, Town of Cheektowaga, N. Y.

purpose of considering the application of Frank Steffenhagen for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinances accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 14th day of April, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a special meeting thereon on the 19th day of April, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from Residence District to Business District, be and the same is hereby confirmed and approved.

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21 1942 and as now amended, entitled "Zoning Ordinance" be and the same hereby be amended by changing the zoning map so as to change the following described property from that of "Residential District" to "Business District."

DESCRIPTION

Part of Lot No. 17, Township 11, Range 7; Old Genesee Street, north side, 30 feet west of the Ontario Thruway, 94.75 feet frontage, 200.25 feet in depth.

Posted on the Town Hall Bulletin Board on the 24th day of April, 1954.

Times;

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

Posted on the Town Hall Bulletin Board on the 28th day of April, 1954.

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

STATE OF NEW YORK  
COUNTY OF ERIE

..... Zoning Board of  
..... acting on  
..... for  
..... app-  
..... Papiela  
..... Residence  
..... District of the  
property hereinafter described, and  
..... Zoning Map and Or-  
..... accordingly, and

WHEREAS, there was afforded  
all parties interested an opportu-  
ny to be heard in respect to such  
..... application and amend-  
..... and

WHEREAS, the Zoning Board of  
Appeals on the 14th day of April,  
1954, having rendered its deci-  
sion granting the application of peti-  
tioner to rezone from Residence  
District to Business District the  
property hereinafter described, and  
the said decision of the Zoning  
Board of Appeals having been duly  
presented to the Town Board at a  
regular meeting thereon on the  
14th day of April, 1954.

BE IT RESOLVED, that the  
action of the Zoning Board of  
Appeals granting the application  
of petitioner to rezone premises  
from Residence District to Busi-  
ness District, be and the same is  
by confirmed and approved.

THEREFORE, BE IT  
RESOLVED, by this Town Board  
that the Ordinance adopted Decem-  
ber 15, 1953, be amended,

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for

1 week, the first insertion being on the  
22<sup>nd</sup> day of April, 1954 and

the last insertion being on the ..... day of  
....., 19....., and that not

more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

Sworn to before me this 3rd day of

May, 1954

*Kenneth Mandy*  
Notary Public in and for Erie County.

**LEGAL NOTICE  
REZONING GRANTED**

WHEREAS, the Zoning Board of Appeals held a public hearing on the 31st day of March, 1954, for the purpose of considering the application of Frank Steffenhagen for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinances accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 14th day of April, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a special meeting thereon on the 19th day of April, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone said premises from Residence District to Business District, be and the same is hereby confirmed and approved.

**NOW, THEREFORE**

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942 and as now amended, entitled "Zoning Ordinance" be and the same hereby be amended by changing the zoning map so as to change the following described property from that of "Residential District" to "Business District."

**DESCRIPTION**

Part of Lot No. 17, Township 11, Range 7; Old Genesee Street, north side, 30 feet west of the Ontario Thruway, 94.75 feet frontage, 209.20 feet in depth.

Dated: April 19, 1954

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

(4-22)

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 APR 22 1954  
last publication APR 22 1954  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
day of APR 22 1954, 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, 1955  
Registered No. 5029

Lighting District of the Town of  
Checktowaga, hereinafter referred to  
as said district, by the installation of  
street lighting equipment hereinafter  
particularly described was presented  
to this Town Board on the 5th day  
of April, 1964.

**PUBLIC HIGHWAYS TO  
BE IMPROVED**

Kendale Road from Allen Road  
to  
**TYPE OF STREET LIGHTING  
INSTALLATION**  
Y-20 Standards  
Underground Conduit

WHEREAS, EDWARD E. YER-  
WASKI, ANDREW H. SCHWABEK  
and EUGENE A. RUDZEN are mem-  
bers of the Town of Checktowaga  
and have certified in writing to this  
Board that the above petition is duly  
signed and acknowledged in the  
proper manner as a document re-  
quired by the owners of more than  
one-half of the entire frontage or  
backage on both sides of each of said  
highways to be improved as afore-  
said;

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

NOW, THEREFORE, IT IS HERE-  
BY ORDERED that the Town Board  
of the Town of Checktowaga meet  
at the Town Hall in said Town of  
Checktowaga on the 15th day of May,  
1964, at 7:30 P.M. Eastern Daylight  
Saving Time to consider the said  
petition and to hear all persons in-  
terested in the subject thereof con-  
cerning the same, and

IT IS FURTHER ORDERED that a  
copy of this order, certified by the  
Town Clerk, be published at least  
once in the Checktowaga Times, the  
official newspaper of the Town, not  
less than ten (10) nor more than  
twenty (20) days before the date set  
aside for the hearing aforesaid and  
that copies of this order be posted  
separately in five public places  
along 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 Neibert  
and duly put to a vote which re-  
sulted as follows:

- Councilman Wroblewski voting Aye.
- Councilman Neibert voting Aye.
- Councilman Bystrak voting Aye.
- Supervisor Heller voting Aye.

AYES: 4 - NOES: 0 - ABSENT: 1

**STATE OF NEW YORK  
ERIE COUNTY**

**OFFICE OF THE CLERK**  
**OF THE TOWN OF**  
**CHECKTOWAGA**

This is to certify that I, KENNETH  
HANLEY, Clerk of the Town of  
Checktowaga, in the said County of  
Erie, have compared the foregoing  
copy of resolution with the original  
resolution now on file at this office,  
and which was passed by the Town  
Board of the Town of Checktowaga  
in said County of Erie, on the 12th  
day of April, 1964, and that the  
same is a correct and true transcript  
of such original resolution and the  
whole thereof.

In Witness Whereof, I have  
set my hand and seal of said Town this 15th  
day of May, 1964.  
Kenneth Hanley  
Clerk of Checktowaga

Item No. 18 - Cont'd

Posted as follows on the 24th day of April, 1954;

- 1- Post corner of Kendale Road and Allendale Road, north side;
- 2- Telephone Pole No. 1, Kendale Road;
- 3- Post in front of No. 30 Kendale Road;
- 4- Telephone Pole No. 99, Kendale Road;
- 5- Post corner of Kendale Road and Allendale Road, south side.

Cheektowaga Times;

Hereto attached is a copy of the notice published in the

**NOTICE OF HEARING  
Street Lighting Petition**

At a regular meeting of the Town Board of the Town of Cheektowaga Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 19th day of April, 1954, at 7:30 o'clock P.M., Eastern Standard Time, there were:

**PRESENT:**  
Benedict T. Holtz, Supervisor  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley R. Bystrak, Councilman

**ABSENT:**  
Henry J. Nagel, Councilman  
Mr. Bystrak presented the following resolution and moved its adoption:

**WHEREAS**, a petition for 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 was presented to this Town Board on the 5th day of April, 1954.

**PUBLIC HIGHWAYS TO BE IMPROVED**  
Kendale Road from Allendale Rd. to Allendale Rd.

**TYPE OF STREET LIGHTING INSTALLATION**  
Y-20 Standards  
Underground Conduit

**WHEREAS**, EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZYNSKI, Assessors of the 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 3rd day of May, 1954, at 2:30 P.M. Eastern Daylight Saving Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

Councilman Wroblewski voting Aye.  
Councilman Neibert voting Aye.  
Councilman Bystrak voting Aye.

Supervisor Holtz voting Aye.  
**AYES: 4 - 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 19th day of April, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 19th day of April, 1954.

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

(SEAL)

(4-22)

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 APR 22 1954 last publication APR 22 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this APR 22 1954 day of APR 22 1954, 1954

*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, 1955  
Registered No. 5029

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

RESOLVED, that the Supervisor be authorized to execute, on behalf of the Town of Cheektowaga, New York, a sewer easement, for the extension of a sanitary sewer line on the south side of Parker Avenue, entered into between the said Town of Cheektowaga and Charles S. Pysz and Estelle M. Loptie (or Wladyslawa) Gorzynski, Victor Gorzynski and Priscilla and Celia Rydzynski, dated April 19, 1954, copy of which is hereto annexed.

Seconded by Councilman Neibert.

CARRIED: AYES: -4-  
ABSENT: -1-

*Enter easement  
when TA delrs  
same.*

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

RESOLVED, that the Supervisor be authorized to execute on behalf of the Town of Cheektowaga, New York, contract with Pelvin Land Company accepting Freda Avenue, South Colby Street, South Hedley Street and South Glidden Street as Town Highways.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -4-  
ABSENT: -1-

Item No. 21 Mrs. Gertrude Marshall of No. \_\_\_\_\_ was granted the floor and related to the Town Board that a group of Apartment Houses in the Town are not complying with the Town Building Code, in-as-much as doors which open inward should open outward. Ordered referred to the Building Inspector for investigation.

Item No. 22 Mr. Paul Kogler of No. \_\_\_\_\_ was granted the floor and related to the Town Board that to date nothing has been done to improve the highway known as Wilshire Road. Ordered referred to the Highway Superintendent for investigation.

Item No. 23 Mr. B. Mayzurk of No. \_\_\_\_\_ was granted the floor and complained about the bad condition of the highway in front of his residence. Ordered referred to the Highway Superintendent.

Item No. 24 Mr. Harry Schill of No. \_\_\_\_\_ was granted the floor and requested information relating to a grade for a storm ditch on Hemenway Road. Ordered referred to the Town Engineers.

Item No. 25 Councilman Wroblewski moved, seconded by Councilman Neibert, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. ( Warrant No. 693 to 780, inclusive, drawn on the Supervisor.)

Item No. 26 Councilman Bystrak moved, seconded by Councilman Wroblewski, to adjourn.

Kenneth T. Hanley

Town Clerk.

SEAL.

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, New York, on the 3rd day of May, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

ABSENT: Henry J. Nagel	Councilman
------------------------	------------

Item No. 2 Also present were: Town Clerk Hanley; Town Attorney Doyle; Chief of Police Mersmann; Receiver of Taxes & Assessments Pfohl; Chairman of the Board of Assessors Jerzewski; Town Historian Julia Reinstein; Town Engineer Kam and Dog Warden Kraska.

Item No. 3 Without any objections the reading of the minutes of the previous meeting were dispensed with until a later date.

Item No. 4 Petitions presented for the improvement of Oehman Boulevard by the installation of street lighting equipment in said highway; Beechwood Place by the installation of a lateral sanitary sewer in said highway; Homesgarth Avenue by the installation of street paving in said highway. All petitions ordered referred to the Board of Assessors for a property check by the chairman.

Item No. 5 Communications read from the Chamber of Commerce relating to traffic conditions on Genesee Street at Harlem Road and at Union Road and at Cayuga-Dick Road, also relating to Open Air Food Markets in the Town. Ordered referred to Councilman Wroblewski, chairman of the Petitions Committee, by the chairman.

Item No. 6 Communication read from the Chamber of Commerce relating to a shelter at the Town Park. Ordered referred to the Town Board and the Recreational Director by the chairman.

Item No. 7 Communication read from the Chamber of Commerce relating to flood conditions in the town. Ordered received and filed by the chairman.

Item No. 8 Councilman Neibert moved, seconded by Councilman Wroblewski, that the Town Health Officer be authorized to attend the Annual Health Conference at Lake Placid, New York, on June 6, 1954 to June 10, 1954, inclusive.

Item No. 9 Councilman Wroblewski moved, seconded by Councilman Bystrak, that the Town Clerk be authorized and directed to issue building permits on applications processed by the Petitions Committee on April 26, 1954 and May 1, 1954, after same have been approved by the Building Inspector. CARRIED: AYES: -4- ABSENT: -1-

Item No. 10 Councilman Bystrak moved, seconded by Councilman Neibert, that the Supervisor be authorized to purchase from the Westinghouse Manufacturing Company 8 Y-20 street lighting standards to be used in Vegola Avenue special street lighting district. CARRIED: AYES: -4- ABSENT: -1-

Item No. 11 Councilman Bystrak moved, seconded by Councilman Neibert, that the New York State Gas & Electric Company be authorized to install 1-2500 lumen street lamp on Pole No. 88/102, Lena Drive, Town of Cheektowaga, New York. CARRIED: AYES: -4- ABSENT: -1-

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

RESOLUTION FOR PUBLIC HEARING

WHEREAS, Niagara Frontier Transit System, Inc., having filed application with this Town Board in writing dated April 22nd, 1954, requesting consent of this Board to operate buses and motor vehicles on and along Broadway between a point approximately 100 feet east of Wagner Avenue and a point approximately 75 feet east of Michael Avenue, as a part of its Broadway route,

NOW, THEREFORE, BE IT RESOLVED,

that a public hearing be held on such application in the Town Hall of Cheektowaga in the Council Chambers thereof on the 17th day of May, 1954, at 7:30 P.M., at which time and place all persons interested in said application will be heard.

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

Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE

Item No. 12-Cont'd

Councilman Bystrak  
Supervisor Holtz  
Councilman Nagel

Voting AYE  
Voting AYE  
Absent

Carried: Ayes; -4-

Absents -1-

Noes: -0-

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that an application has been filed with the Town Board of the Town of Cheektowaga by Niagara Frontier Transit System, Inc. for consent under the provisions of the Public Service Law to operate a motor vehicle bus route on and along the following streets and highways in the Town of Cheektowaga:

On and along Broadway between a point approximately 100 feet east of its intersection with Wagner Avenue and a point approximately 75 feet east of its intersection with Michael Avenue, as part of its Broadway route.

Pursuant to a resolution duly passed by this Board on the 3rd day of May, 1954, a public hearing will be held upon said application in the Town Hall of the Town of Cheektowaga on the 17th day of May, 1954, at 7:30 P.M., at which time and place all persons interested in said application will be heard.

By order of the Town Board of the Town of Cheektowaga.

Dated: May 3, 1954.

KENNETH T. HANLEY  
Town Clerk

Posted as follows on the 7th day of May, 1954;

- 1- Town Hall Bulletin Board;
- 2- Telephone Pole No. 278 -Broadway
- 3- Telephone Pole No. 275-Broadway
- 4- Telephone Pole No. 282-Broadway
- 5- Telephone Pole No. 272-Broadway
- 6- Telephone Pole No. 2175-Broadway

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

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

**NOTICE OF PUBLIC HEARING**  
Notice is hereby given that an application has been filed with the Town Board of the Town of Cheektowaga by Niagara Frontier Transit System, Inc. for consent under the provisions of the Public Service Law to operate a motor vehicle bus route on and along the following streets and highways in the Town of Cheektowaga:

On and along Broadway between a point approximately 100 feet east of its intersection with Wagner Avenue and a point approximately 75 feet east of its intersection with Michael Avenue, as part of its Broadway route.

Pursuant to a resolution duly passed by this Board on the 3rd day of May, 1954, a public hearing will be held upon said application in the Town Hall of the Town of Cheektowaga on the 17th day of May, 1954, at 7:30 P.M., at which time and place all persons interested in said application will be heard.

By order of the Town Board of the Town of Cheektowaga.

Dated: May 3, 1954.

KENNETH T. HANLEY  
Town Clerk

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 MAY 6 1954; last publication MAY 6 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 6 1954, 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, 1955  
Registered No. 5029

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

RESOLVED, that the request of the New Liberty Park, Inc., to have a fire works display at Liberty Park on Decoration Day, the 4th day of July and Labor Day, be granted, weather permitting. In the event they are unable to have the fire works display on the above dates, then permission is granted to have the fireworks display on June 6, 1954, July 11, 1954 and September 6, 1954. This consent is granted with the understanding that there be no fire works display on any public highway but fully on their own property and that said New Liberty Park, Inc., file with the Town Clerk, written proof that it has obtained public liability insurance in the maximum amount not less than one hundred thousand dollars (\$100,000.00).

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

Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE
Councilman Nagel	ABSENT

Carried; Ayes; -4-

Noes: -0-

Absent: -1-

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

RESOLVED, that the following Play Supervisors and Assistant Play Supervisors be appointed in the Recreation Department:

PLAY SUPERVISORS

Frank Pry  
 Matthew Szydowski  
 William Little  
 Henry Andrzejewski

Assistant Play Supervisors

Florence Dondajewski  
 Patricia A. Weiss  
 Joanne Matuszewski

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 6<sup>th</sup> week, the first insertion being on the 6<sup>th</sup> day of May, 1954, and the last insertion being on the ..... day of ....., 19....., and that not more than six days intervened between any two publications thereof.

*R. G. Bennett*

Application for consent under the provisions of the Public Service Law to operate a motor vehicle bus route on and along the following streets and highways in the Town of Cheektowaga:  
On and along Broadway between a point approximately 100 feet east of its intersection with Wagner Avenue and a point approximately 75 feet east of its intersection with Michael Avenue, as a part of its Broadway route.  
Pursuant to a resolution duly passed by this Board on the 3rd day of May, 1954, a public hearing will be held upon said application in the Town Hall of Cheektowaga on the 17th day of May, 1954, at 7:30 P.M., at which time and place all persons interested in said application will be heard.  
By order of the Town Board of the Town of Cheektowaga.  
KENNETH T. HANLEY,  
Town Clerk  
Dated: May 3, 1954.

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Sworn to before me this ..... day of  
MAY 24 1954

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

Supervisor Nagel

ABSENT

Carried; Ayes; -4-

Noes; -0-

Absent: -1-

Item No. 14  
adoption:

Councilman Bystrak presented the following resolution and moved its

RESOLVED, that the following Play Supervisors and Assistant Play Supervisors be appointed in the Recreation Department:

PLAY SUPERVISORS

- Frank Pry
- Matthew Szydowski
- William Little
- Henry Andrzejewski

Assistant Play Supervisors

- Florence Dondajewski
- Patricia A. Weiss
- Joanne Matuszewski

Item No. 13-Cont'd  
resulted as follows:

Seconded by Councilman Neibert and duly put to a vote which

Councilman Nagel	ABSENT
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

Ayes: -4-

Noes: -0-

Absent; -1-

Item No. 14-a  
adoption:

Councilman Neibert presented the following resolution and moved its

RESOLVED, that the following named persons be appointed laborers in the Park Department at an hourly rate of \$1.80;

Peter Michalak  
John Godlewski  
George Ertel  
Leon Grabianowski  
Dominic Nartowicz  
Casmier Kozmerski  
Alex Godlewski  
William Selbert  
John Draszkiwicz

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

Councilman Nagel	ABSENT
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

Carried; Ayes; -4-

Noes: -0-

Absent; -1-

Item No. 15 Councilman Wroblewski moved, seconded by Councilman Neibert, RESOLVE, to designate the period of May 10, 1954 to May 14, 1954, for the Town's Annual Clean Up, Paint Up, Fix Up campaign and that General Foreman Eberl of the Sanitation Department is to distribute posters reminding residents of same.

Carried; Ayes; -4-; Absent: -1-

Item No. 16 Councilman Wroblewski moved, seconded by Councilman Neibert, RESOLVED, that the Sub-division map of Cherokee Park Part 2 prepared by Herthe and Sonnenberger, engineers, dated February 1, 1954, be approved and ordered filed in the Assessors Office, that Miami Parkway and Petan Drive shown on said map be accepted as Town Highways subject to the jurisdiction of the Town Highway Department upon the filing in the Town Clerks' Office a surety bond in the sum of \$100,000.00, required by agreement entered into between the Town of Cheektowaga and Alois Peinkofer and Lillian Balbach.

Carried: Ayes: -4- Absent: -1-

Item No. 17 Councilman Wroblewski moved, seconded by Councilman Neibert, WHEREAS, Ruth Grotz, Ronald Grotz and Edward Grotz were convicted of the crime of violating Section 722 of the Penal Law by a Justice of the Peace of the Town of Cheektowaga and their convictions were reversed upon appeal by the County Judge of Erie County on the 30th day of December 1952 and fines imposed must be returned, be it RESOLVED, that the Supervisor be authorized to make the following payments; Ruth Grotz fine remitted \$50; Ronald Grotz fine remitted \$25; Edward Grotz fine remitted \$100.

Carried: Ayes; -4- Absent: -1-

Item No. 18 Councilman Wroblewski moved, seconded by Councilman Neibert, RESOLVED, that the Town Highway Superintendent be authorized and directed to place appropriate signs on Henry Street for its entire length limiting the weight capacity of vehicles using said highway to six tons. Carried: Ayes: -4-, Absent: -1-.

Item No. 19 Councilman Wroblewski moved, seconded by Councilman Bystrak, RESOLVED that 2 reflector type signs be installed at the intersection of Meadowbrook Parkway and Griswold Street under the supervision of the Chief of Police.

Carried: Ayes: -4-, Absent: -1-.

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

WHEREAS, the Town Board on the 5th day of March, 1954, adopted a resolution to purchase three police automobiles, one station wagon, one sanitation truck, one sewer truck, one disposal plant truck, two used 2-door 1952 passenger automobiles and a 1954 2-ton truck for the highway department, and

WHEREAS, a notice to bidders was duly published as required by law, and bids were publicly received by the Town Board on the 20th day of March, 1954, and thereafter all the bids received were by resolution of the Town Board duly rejected, and

WHEREAS, only two police automobiles are required at this time and one station wagon, one sanitation truck, one sewer truck and one disposal plant truck,

WHEREAS, it is advisable that two of the used police automobiles be sold to the successful bidder, in their present condition as used automobiles, and that no used cars be purchased, be it

RESOLVED, that the resolution adopted by the Town Board on the 5th day of March, 1954, relating to the purchase of trucks be rescinded, and in its place the following resolution be adopted:

RESOLVED, that the Town of Cheektowaga purchase the following 1954 new automobiles and trucks, fully equipped, to meet the specifications set forth in the notice to bidders, and that the Town Clerk be directed to publish the annexed notice to bidders in connection with the purchase of the hereinafter mentioned automobiles and trucks: two used police automobiles are to be sold to the successful bidder and be considered in the bid submitted, one station wagon, one sanitation truck, one sewer truck and one disposal plant truck.

There are filed in the Town Clerks' Office copies of the specifications to be made available for prospective bidders. A copy of the specifications be mailed to all persons, firms or corporations who previously submitted bids for the automobiles and trucks heretofore received, on or before May 6, 1954.

There are also filed in the Town Clerks' Office copies of the Specifications, which are made available for all prospective bidders.

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

Councilman Nagel	Absent
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

Carried: Ayes: -4-

Noes: -0-

Absent: -1-

#### NOTICE TO BIDDERS

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of two police automobiles, one station wagon, one sanitation truck, one sewer truck, and one disposal plant truck.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than May 17, 1954, at 7:30 o'clock P.M., at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Road and Broadway, Town of Cheektowaga, New York, on the 17th day of May, 1954, at 7:30 o'clock P.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 3, 1954.

Kenneth T. Hanley  
Town Clerk

The above mentioned notice was posted as follows on the 7th day of May, 1954;

- 1- Town Hall Bulletin Board;
- 2- U-Crest Fire Hall-Evergreen Street and Clover Place;
- 3- Pine Hill Fire House-Genesee Street and Normandy Avenue;
- 4- Rescue Fire Hall-Pine Ridge Road;
- 5- Doyle Fire House No. 1- William and Alaska Street.

Hereto attached are affidavits of publication of said notice;

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

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of two police automobiles, one station wagon, one sanitation truck, one sewer truck, and one disposal plant truck.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than May 17, 1954, at 7:30 o'clock P.M., at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Road and Broadway, Town of Cheektowaga, New York, on the 17th day of May, 1954, at 7:30 o'clock P.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 3, 1954.

KENNETH T. HANLEY  
Town Clerk

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 MAY 6 1954; last publication MAY 6 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 6 1954, 19.....

*Eugene J. Allis*

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

Engineering Department  
**SPECIFICATIONS FOR HANDYMAN**

1. 1954 Handyman (4 Door) Standard Type or Equal.
2. Engine—6 Cyl. 115 H.P. or Equal.
3. Clutch—10".
4. Cooling System—15 Quart Capacity or Equal.
5. Fresh Air Heater and Defroster.
6. Vacuum Booster.
7. Oil Bath Air Cleaner.
8. Oil Filter.
9. Directional Signals.
10. Spot Light.
11. 360° Flasher.
12. Two-Tone Green or Brown.

"BIDDERS ARE REQUESTED TO FURNISH COMPLETE SPECS WITH THEIR BID, OF TYPE OF EQUIPMENT SPECIFIED IN THE BID."

STATE OF NEW YORK  
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the 6<sup>th</sup> day of May, 1954, 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*

the purchase of one mobile sanitation truck, one sanitation truck, one and one disposal plant truck.  
The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.  
Sealed bids will be received not later than May 17, 1954, at 7:30 o'clock P.M., at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Road and Broadway, Town of Cheektowaga, New York, on the 17th day of May, 1954, at 7:30 o'clock P.M.  
This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.  
Dated: May 3, 1954.  
KENNETH T. HANLEY,  
Town Clerk

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

MAY 24 1954

....., 19.....

*Kenneth T. Hanley*

Notary Public in and for Erie County.

no 52000

Item No. 21 Councilman Neibert moved, seconded by Councilman Bystrak, that William M. Tyler of No. 50 Alpine Place be provisionally appointed Telephone Police Dispatcher at an annual salary of \$3,400 payable in semi-monthly installments. Carried; Ayes; -4-, Absent: -1-

Item No. 22 Councilman Wroblewski presented the following resolution and moved its adoption:  
RESOLVED, that the New York State Highway Department be requested to clean a ditch located on the west side of Transit Road between 5152 Transit Road and Como Park Boulevard, also at the corner of Union Road and the southeast corner of Maryvale Drive.  
Seconded by Councilman Neibert. Carried; Ayes: -4-, Absent: -1-

Item No. 23 Councilman Wroblewski presented the following resolution and moved its adoption:  
RESOLVED, that Holloway and Company, the Town Auditors, be authorized to prepare the necessary tax rolls in connection with the spread of the sewer tax, both capital expenditures and maintenance costs.  
Seconded by Councilman Neibert. Carried; Ayes; -4- Absent: -1-

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

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of two police automobiles, one station wagon, one sanitation truck, one sewer truck, and one disposal plant truck.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than May 17, 1954, at 7:30 o'clock P.M., at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Road and Broadway, Town of Cheektowaga, New York, on the 17th day of May, 1954, at 7:30 o'clock P.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 3, 1954.

KENNETH T. HANLEY  
Town Clerk

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 MAY 6 1954; last publication MAY 6 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 6 1954, 19.....

*Eugene J. Allis*

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

Sewer Districts  
**SPECIFICATION FOR TRUCK**

1. 1954 Flat Face Cowl—1½ Ton Chassis; Approximately 137" Wheel Base; Six Cylinders; 235 Cu. In. Engine.
  2. 650-20-6 Ply Dual.
  3. Helper Springs.
  4. Fresh Air Heater.
  5. Directional Signals and Flashers.
  6. Oil Filter.
  7. Generator—45 Ampere.
  8. Boyertown S-10 Body or Equal—Built in 10' seat compartment with hinged, padded cover locker and lock.
  9. 10' x 12' Steel Shelves.
  10. Marker Lights to operate with Flasher.
  11. Rear Tow Hook.
  12. 2 Dome Lights.
  13. 2 Spot Lights.
  14. Painted Lettering — Town of Cheektowaga ident.
  15. Truck painted Dark Green.
  16. 6 Cylinder Ell or Overhead Valve of 235 Cu. In. Motor Displacement or Equal.
  17. 11" Clutch — Synchronesh — 4 speed Transmission.
- "BIDDERS ARE REQUESTED TO FURNISH COMPLETE SPECS WITH THEIR BID, OF TYPE OF EQUIPMENT SPECIFIED IN THE BID."

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

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of two police automobiles, one station wagon, one sanitation truck, one sewer truck, and one disposal plant truck.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than May 17, 1954, at 7:30 o'clock P.M., at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Road and Broadway, Town of Cheektowaga, New York, on the 17th day of May, 1954, at 7:30 o'clock P.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 3, 1954.

KENNETH T. HANLEY  
Town Clerk

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*Willard C. Allis*

Sworn to before me this.....

day of MAY 6 1954, 19.....

*Euel J. Allis*

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

Specifications For  
1954 SANITATION TRUCK

1. 1954—2 Ton Chassis and Cab — 16 1/2" Wheel Base. 6 Cyl. Ell or Overhead Valve Motor of 235 Cu. In. Displacement or equal.
2. 11" Clutch.
3. Four Speed Synchronesh Transmission.
4. Tires—825 x 20 x 10 Ply.
5. Wheels—7-6 1/2" Rims.
6. Two Speed Rear Axle — Timken Double Reduction or Equal.
7. Two Quart Oil Filter.
8. Fresh Air Heater and Defroster.
9. Signals.
10. 5-8 Yard Garbage Body with Rail and Step on Cab. Fourteen (14) Rope Hooks.

"BIDDERS ARE REQUESTED TO FURNISH COMPLETE SPECS WITH THEIR BID, OF TYPE OF EQUIPMENT SPECIFIED IN THE BID."

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

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of two police automobiles, one station wagon, one sanitation truck, one sewer truck, and one disposal plant truck.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than May 17, 1954, at 7:30 o'clock P.M., at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Road and Broadway, Town of Cheektowaga, New York, on the 17th day of May, 1954, at 7:30 o'clock P.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 3, 1954.

KENNETH T. HANLEY  
Town Clerk

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 MAY 6 1954; last publication MAY 6 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 6 1954, 19.....

*Eugene J. Allis*

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

Police Department  
SPECIFICATION FOR CARS

1. 1954—2 Standard Two-Door Sedans.
2. Engine—6 Cyl. 115 H.P. or Equal.
3. Clutch—10".
4. Cooling System—15 Qt. Capacity or Equal.
5. Fresh Air Heater and Defroster.
6. Vacuum Booster.
7. Oil Bath Air Cleaner.
8. Oil Filter.
9. Right Hand Visor and Arm Rests and Seat Covers.
10. Directional Signals.
11. 360° Flasher.
12. Change-over Generator, Siren and Arm. Right Hand Spot Light, lettering Town Idem. Cars painted Black.
13. Two Cars to be turned in.

"BIDDERS ARE REQUESTED TO FURNISH COMPLETE SPECS WITH THEIR BID, OF TYPE OF EQUIPMENT SPECIFIED IN THE BID."

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

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of two police automobiles, one station wagon, one sanitation truck, one sewer truck, and one disposal plant truck.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than May 17, 1954, at 7:30 o'clock P.M., at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Road and Broadway, Town of Cheektowaga, New York, on the 17th day of May, 1954, at 7:30 o'clock P.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 3, 1954.

KENNETH T. HANLEY  
Town Clerk

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 MAY 6 1954; last publication MAY 6 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 6 1954, 19.....

*Eugene J. Allis*

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

**SPECIFICATION FOR TRUCK**

1. 1954—1½ Ton Chassis and Cab; 137" Wheel Base; Engine—235 Cu. In. in Displacement—6 Cyl. or Equal.
2. Dump Body Hoist to be changed over from present truck and replace all worn parts.
3. Clutch—11".
4. Transmission—4 speed Synchronesh.
5. 6 Tires—750 x 20 x 8 Ply Dual (4 Mud Grip opp.).
6. Helper Springs.
7. Generator—45 Ampere.
8. Oil Filter.
9. Fresh Air Heater and Defroster.
10. Vacuum Booster.
11. Directional Signal.
12. Lettering Cab Doors.
13. Truck Painted Green.
14. One Truck to be sold to successful bidder.

"BIDDERS ARE REQUESTED TO FURNISH COMPLETE SPECS WITH THEIR BID, OF TYPE OF EQUIPMENT SPECIFIED IN THE BID."

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
Kendale Road	Allendale Road	Allendale Road

TYPE OF STREET LIGHTING INSTALLATION

Y-20 Standards\* Underground Conduit

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. No person 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
Kendale Road	Allendale Road	Allendale Road

TYPE OF STREET LIGHTING INSTALLATION

Y-20 Standards-Underground 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 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:

<u>Councilman Wroblewski</u>	VOTING	<u>Aye</u>
<u>Councilman Neibert</u>	VOTING	<u>Aye</u>
<u>Councilman Bystrak</u>	VOTING	<u>Aye</u>
<u>Supervisor Holtz</u>	VOTING	<u>Aye</u>

AYES: -4-

ABSENT: -1-

NOES: -0-

STATE OF NEW YORK ) SS.  
COUNTY OF ERIE )

I, Kenneth T. Hanley, Town Clerk of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town on the 3rd day of May 19 54, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof; and that the resolutions and orders duly adopted by the said Town Board are on file in my office.

I FURTHER CERTIFY that all members of said Town Board has due notice of said meeting.

I FURTHER CERTIFY that a certified copy of such resolution and order was caused by me to be recorded in the Office of Clerk of Erie County, New York, on the 12 th day of May 19 54.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Town of Cheektowaga, this 12th day of May 19 54.

Kenneth T. Hanley  
Town Clerk

SEAL

Item No. 25

NOTICE TO BIDDERS-BIRKDALE ROAD-MAPLEVIEW ROAD

~~Councilman Wroblewski presented the following resolution and moved its adoption:~~

WHEREAS, this Town Board has heretofore determined it to be in the public interest to make an improvement in Mapleview Avenue by the construction of a lateral sewer in said highway commencing in the center of the intersection of Mapleview Avenue and Birkdale Road and extending easterly on Mapleview Avenue, a distance of approximately 660 feet, and

WHEREAS, this Board has heretofore directed Nussbaumer and Clarke, consulting engineers for the Town of Cheektowaga duly licensed by the State of New York, to prepare definite plans and specifications and make a careful estimate of the expense and with the assistance of the Town Attorney to prepare a proposed contract for the execution of the work, and such plans, specifications, estimate and proposed contract having been duly prepared and presented to this Town Board and likewise filed with the Town Clerk and the same having been carefully examined by this Board,

NOW, THEREFORE,  
BE IT RESOLVED, that the estimate for said improvement in the sum of Seventy-six Hundred Dollars (\$7600.00) be and the same hereby is approved, and

BE IT RESOLVED, that sealed proposals be invited for the furnishing of labor and materials necessary for the doing of the work for the construction of said improvement in Mapleview Avenue in accordance with said plans, specifications, estimate and proposed contract heretofore approved, by the publication of notice thereof at least once in the Cheektowaga Times and DEPEW HERALD and CHEEKTOWAGA NEWS, official newspapers of the Town, requiring each person who shall offer to do said work to file a sealed proposal or offer to do the work with certified check in the sum of Three Hundred and Eighty Dollars (\$380.00) which is equal to Five Per Centum (5%) of the estimated expense of the improvement, payable to the order of the Supervisor, or a bond with sufficient sureties to be approved by the Supervisor, in a penal sum of Three Hundred Eighty Dollars (\$380.00), which is equal to Five Per Centum (5%) of the estimated expense of the improvement, conditioned that if his proposal shall be accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract; and

LATERAL SEWER

BE IT FURTHER RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga at the Town Hall in said Town of Cheektowaga, on the 17th day of June, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time; and  
BE IT FURTHER RESOLVED,

that the said notice to contractors be in substantially the following form, to wit:

NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board, Town of Cheektowaga, New York sealed proposals shall be received and Considered by said Town Board on the 17th day of May, 1954 at 7:30 o'clock p.m. Daylight Saving Time, at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, New York, for the furnishing of all materials and equipment, together with all labor for the construction of certain improvements to the Sanitary Sewer System of District No. 5, to consist of the installation of sanitary sewers and appurtenances of the following streets:

- Birkdale Road
- Mapleview Road

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where the same may be examined during the usual business hours. Copies of the proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be examined at the office of Nussbaumer, Clarke & Velzy, Consulting Engineers of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$15.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contracts or the rejection of all of such bidder, will be refunded \$15.00, and any non-bidder, upon return of such copy, will be refunded \$5.00.

Each proposal shall be accompanied by a certified check payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney, in the sum of Three hundred eighty Dollars (\$380.00). If a bond is submitted, the same shall be conditioned, that if the bidder's 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. The Town Board reserves the right to reject any and all bids and proposals and to advertise anew and to award one contract for the entire work or separate contracts for portions thereof, if in its judgment it shall deem it to be for the best interests of the Town to do so.

By order of the Town Board of the Town of Cheektowaga.  
KENNETH T. HANLEY,  
Town Clerk

Dated: May 3, 1954

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

- Supervisor Benedict T. Holtz, Voting AYE
- Councilman Joseph A. Neibert, Voting AYE
- Councilman Felix Wroblewski, Voting AYE

~~Councilman Wroblewski presented the following resolution and moved its adoption:~~  
AYES: 4; NOES: 0; ABSENT: 1

**NOTICE TO BIDDERS**

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 3rd day of May, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
Stanley Bystrak, Councilman

**ABSENT:**

Henry Nagel, Councilman

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board has heretofore determined it to be in the public interest to make an improvement in Mapleview Avenue by the construction of a lateral sewer in said highway commencing in the center of the intersection of Mapleview Avenue and Birkdale Road and extending easterly on Mapleview Avenue, a distance of approximately 600 feet, and

WHEREAS, this Board has heretofore directed Nussbaumer and Clarke, consulting engineers for the Town of Cheektowaga duly licensed by the State of New York, to prepare definite plans and specifications and make a careful estimate of the expense and with the assistance of the Town Attorney to prepare a proposed contract for the execution of the work, and such plans, specifications, estimate and proposed contract having been duly prepared and presented to this Town Board and likewise filed with the Town Clerk and the same having been carefully examined by this Board.

**NOW, THEREFORE,**

BE IT RESOLVED, that the estimate of said improvement in the sum of Seventy-six Hundred Dollars (\$7600.00) be and the same hereby is approved, and

BE IT RESOLVED, that sealed proposals be invited for the furnishing of labor and materials necessary for the doing of the work for the construction of said improvement in Mapleview Avenue in accordance with said plans, specifications, estimate and proposed contract heretofore approved, by the publication of notice thereof at least once in the CHEEKTOWAGA TIMES and the Cheektowaga News and Depew Herald, official newspapers of the Town, requiring each person who shall offer to do said work to file a sealed proposal or offer to do the work with certified check in the sum of Three Hundred and Eighty Dollars (\$380.00) which is equal to Five Per Centum (5%) of the estimated expense of the improvement, payable to the order of the Supervisor, or a bond with sufficient sureties to be approved by the Supervisor, in a penal sum of Three Hundred Eighty Dollars (\$380.00), which is equal to Five Per Centum (5%) of the estimated expense of the improvement, conditioned that if his proposal shall be accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract; and

BE IT FURTHER RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga at the Town Hall in said Town of Cheektowaga, on the 17th day of June, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time; and

BE IT FURTHER RESOLVED, that the said notice to contractors be

in substantially the following form, to wit:

**NOTICE TO CONTRACTORS**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board, Town of Cheektowaga, New York sealed proposals shall be received and considered by said Town Board on the 17th day of May, 1954 at 7:30 o'clock P.M., Daylight Saving Time, at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, New York, for the furnishing of all materials and equipment, together with all labor for the construction of certain improvements to the Sanitary Sewer System of District No. 5, to consist of the installation of sanitary sewers and appurtenances of the following streets:

**BIRKDALE ROAD  
MAPLEVIEW ROAD**

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where the same may be examined during the usual business hours. Copies of the proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be examined at the office of Nussbaumer, Clarke & Velzy, Consulting Engineers of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$15.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contracts or the rejection of bid of such bidder, will be refunded \$15.00, and any non-bidder, upon return of such copy, will be refunded \$5.00.

Each proposal shall be accompanied by a certified check payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney, in the sum of Three Hundred Eighty Dollars (\$380.00). If a bond is submitted, the same shall be conditioned that if the bidder's 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. The Town Board reserves the right to reject any and all bids and proposals and to advertise anew and to award one contract for the entire work or separate contracts for portions thereof, in its judgment it shall deem it to be for the best interests of the Town to do so.

By order of the Town Board of the Town of Cheektowaga.

**KENNETH T. HANLEY**  
Town Clerk

Dated: May 3, 1954.

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

Supervisor Benedict T. Holtz voting Aye.

Councilman Joseph A. Neibert voting Aye.

Councilman Felix Wroblewski voting Aye.

Councilman Stanley Bystrak voting Aye.

AYES: 4 NOES: 0 ABSENT: 1  
(May 6)

RK

WAGA

ss.

C. Allis, of the

in said County of Erie, be

es and says that he is

of the

public newspaper published

; that the notice, of which

slip, taken from said news-

inserted and published in

for one week; first

MAY 6 1954

MAY 6 1954

an six days intervened be-

Edward C. Allis

this

6 1954, 19

J. Allis

for Erie County, N. Y.

J. ALLIS  
STATE OF NEW YORK  
Erie County  
Expires March 30, 1955  
No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

**UNDERWATER PICTURES**  
Depew H. S. students held their last Friday night seated in the...  
of the photo are Bob Stevens, Art Charlene Albert, and From King...  
the right are Jeanette Dillido, H...

**EN CROWNED AT DH**  
DEPEW, N.Y.

**T P T**  
...of the State Department of  
Public Works will attend and  
speak at the meeting. There will  
be a discussion period at which  
time these gentlemen will answer

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for

..... week, the first insertion being on the  
*6<sup>th</sup>* day of *May*, 19*54*, 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

*MAY 24 1954*, 19.....

*Kenneth T. Hanley*

Notary Public in and for Erie County.

hs 528800

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

*Willard C. Allis* of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *he* is  
*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 news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks; first  
publication *MAY 6 1954*;  
last publication *MAY 6 1954*;  
and that no more than six days intervened be-  
tween publications.

*Willard C. Allis*

Sworn to before me this .....  
day of *MAY 6 1954*, 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, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

Town Board of the Town of Cheektowaga, Erie County, New York, met at the Town Hall in the said Town of Cheektowaga, New York, on the 3rd day of May, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, there were:

PRESENT:  
Benedict T. Holtz, Supervisor  
Joseph A. Nelbert, Councilman  
Felix Wroblewski, Councilman  
Stanley Bystrak, Councilman

ABSENT:  
Henry Nagel, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board has heretofore determined it to be in the public interest to make an improvement in Mapleview Avenue by the construction of a lateral sewer in said highway commencing in the center of the intersection of Mapleview Avenue and Birkdale Road and extending easterly on Mapleview Avenue, a distance of approximately 660 feet, and

WHEREAS, this Board has heretofore directed Nussbaumer and Clarke, consulting engineers for the Town of Cheektowaga duly licensed by the State of New York, to prepare definite plans and specifications and make a careful estimate of the expense and with the assistance of the Town Attorney to prepare a proposed contract for the execution of the work, and such plans, specifications, estimate and proposed contract having been duly prepared and presented to this Town Board and likewise filed with the Town Clerk and the same having been carefully examined by this Board, NOW, THEREFORE,

BE IT RESOLVED, that the estimate for said improvement in the sum of Seventy-six Hundred Dollars (\$7600.00) be and the same hereby is approved, and

BE IT RESOLVED, that sealed proposals be invited for the furnishing of labor and materials necessary for the doing of the work for the construction of said improvement in Mapleview Avenue in accordance with said plans, specifications, estimate and proposed contract heretofore approved, by the publication of notice thereof at least once in the Cheektowaga Times and DEPEW HERALD and CHEEKTOWAGA NEWS, official newspapers of the Town, requiring each person who shall offer to do said work to file a sealed proposal or offer to do the work with certified check in the sum of Three Hundred and Eighty Dollars (\$380.00) which is equal to Five Per Centum (5%) of the estimated expense of the improvement, payable to the order of the Supervisor, or a bond with sufficient sureties to be approved by the Supervisor, in a penal sum of Three Hundred Eighty Dollars (\$380.00), which is equal to Five Per Centum (5%) of the estimated expense of the improvement, conditioned that if his proposal shall be accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract; and

BE IT FURTHER RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga, at the Town Hall in the Town of Cheektowaga, Erie County, New York, on the 17th day of May, 1954, at 7:30 o'clock p.m. Daylight Saving Time, at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, New York, for the furnishing of all materials and equipment, together with all labor for the construction of certain improvements to the Sanitary Sewer System of District No. 5, to consist of the installation of sanitary sewers and appurtenances of the following streets:

- Birkdale Road
- Mapleview Road

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where the same may be examined during the usual business hours. Copies of the proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be examined at the office of Nussbaumer, Clarke & Velzy, Consulting Engineers of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$15.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contracts or the rejection of bid of such bidder, will be refunded \$15.00, and any non-bidder, upon return of such copy, will be refunded \$5.00.

Each proposal shall be accompanied by a certified check payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Supervisor, in a penal sum of Three Hundred and Eighty Dollars (\$380.00), which is equal to Five Per Centum (5%) of the estimated expense of the improvement, conditioned that if his proposal shall be accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract; and

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 6th week, the first insertion being on the 6th day of May, 1954, 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

19\_\_\_\_\_

*Stanley*  
\_\_\_\_\_ and for Erie County.

before directed Nussbaumer and Clarke, consulting engineers for the Town of Cheektowaga duly licensed by the State of New York, to prepare definite plans and specifications and make a careful estimate of the expense and with the assistance of the Town Attorney to prepare a proposed contract for the execution of the work, and such plans, specifications, estimate and proposed contract having been duly prepared and presented to this Town Board and likewise filed with the Town Clerk and the same having been carefully examined by this Board,

NOW, THEREFORE,  
BE IT RESOLVED, that the estimate for said improvement in the sum of Seventy-six Hundred Dollars (\$7600.00) be and the same hereby is approved, and

BE IT RESOLVED, that sealed proposals be invited for the furnishing of labor and materials necessary for the doing of the work for the construction of said improvement in Mapleview Avenue in accordance with said plans, specifications, estimate and proposed contract heretofore approved, by the publication of notice thereof at least once in the Cheektowaga Times and DEPEW HERALD and CHEEKTOWAGA NEWS, official newspapers of the Town, requiring each person who shall offer to do said work to file a sealed proposal or offer to do the work with certified check in the sum of Three Hundred and Eighty Dollars (\$380.00) which is equal to Five Per Centum (5%) of the estimated expense of the improvement, payable to the order of the Supervisor, or a bond with sufficient sureties to be approved by the Supervisor, in a penal sum of Three Hundred Eighty Dollars (\$380.00), which is equal to Five Per Centum (5%) of the estimated expense of the improvement, conditioned that if his proposal shall be accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract; and

BE IT FURTHER RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga at the

of the Town of Cheektowaga, New York

that the Town Board of the Town of Cheektowaga, New York sealed proposals shall be received and considered by said Town Board on the 17th day of May, 1954, at 7:30 o'clock p.m. Daylight Saving Time, at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, New York, for the furnishing of all materials and equipment, together with all labor for the construction of certain improvements to the Sanitary Sewer System of District No. 5, to consist of the installation of sanitary sewers and appurtenances of the following streets:

- Birkdale Road
- Mapleview Road

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where the same may be examined during the usual business hours. Copies of the proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be examined at the office of Nussbaumer, Clarke & Velzy, Consulting Engineers of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$15.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contracts or the rejection of bid of such bidder, will be refunded \$15.00, and any non-bidder, upon return of such copy, will be refunded \$5.00.

Each proposal shall be accompanied by a certified check payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney, in the sum of Three hundred eighty Dollars (\$380.00). If a bond is submitted, the same shall be conditioned, that if the bidder's 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. The Town Board reserves the right to

and proposed contract, and its judgment.

may be for the best interest of the Town to do so.

By order of the Town Board of the Town of Cheektowaga.

HANLEY,  
Town Clerk

Dated: May 17, 1954  
Seconded by William Neibert and duly put to a vote which resulted as follows:

Supervisor Benedict T. Holtz, Voting AYE  
Councilman Joseph A. Neibert, Voting AYE  
Councilman Felix Wroblewski, Voting AYE  
Councilman Stanley Bystrak, Voting AYE

AYES: 4; NOES: 0; ABSENT: 1.

day of May, 1954, and

the last insertion being on the day of May, 1954, and that not

more than six days intervened between any two publications thereof.

Richard G. Bennett

day of May, 1954

Hanley  
public in and for Erie County.

**LEGAL NOTICE  
REZONING GRANTED**

WHEREAS, the Zoning Board of Appeals held a public hearing on the 31st day of March, 1954, for the purpose of considering the application of Edward Kay for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 14th day of April, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 3rd day of May, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residence District to Business District be and the same is hereby confirmed and approved.

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance," be and the same hereby amended by changing the zoning map so as to change the following described property from that of "residential district" to "business district":

**DESCRIPTION**

Part of Lot No. 25, Township 11, Range 7, Harlem Road, east side, between Genesee Street and Northern Parkway.

Dated: May 3, 1954.

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

Posted as follows on the 9th day of May, 1954:

1- Town Hall Bulletin Board.

Hereto attached is the affidavit of publication:

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

**LEGAL NOTICE  
REZONING GRANTED**

WHEREAS, the Zoning Board of Appeals held a public hearing on the 31st day of March, 1954, for the purpose of considering the application of Edward Kay for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 14th day of April, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 3rd day of May, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residence District to Business District be and the same is hereby confirmed and approved.

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance," be and the same hereby amended by changing the zoning map so as to change the following described property from that of "residential district" to "business district":

**DESCRIPTION**

Part of Lot No. 25, Township 11, Range 7, Harlem Road, east side, between Genesee Street and Northern Parkway.

Dated: May 3, 1954.

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

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 MAY 6 1954; last publication MAY 6 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this MAY 6 1954 day of MAY 6 1954, 1954

*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, 1956  
Registered No. 5029

Item No. 27 Mrs. Gertrude Marshall No. \_\_\_\_\_ was granted the floor and requested information relating to No Parking on one side of Concord Drive; a report from the Building Inspector relating to Chapel Court Apartment Doors; Enforcement of the Dog Ordinance and Civil Defense duties in the Town. Ordered referred to the various department head involved by the Chairman.

Item No. 28. The Town Attorney rendered a report on the proposed side-walk ordinance for the Town, copy fo same follows:

"We have notified various property owners in areas near schools to construct sidewalks. We have not had very good responses.

In our letter to these property owners, we indicated that unless the sidewalks were constructed, the Town Engineer and myself would recommend the adoption of sidewalk ordinances in congested areas.

I think this is a matter that requires some consideration by the Town Board and unless we get some response by these property owners, the Town Board requests that such compulsory sidewalk ordinances be adopted.

It is not a matter that requires any action today, but it is something I would like to call to your attention, as you receive the complaints from the School Trustees, particularly in school areas."

Item No. 29 Councilman Wroblewski moved, seconded by Councilman Bystrak, that all claims presented at this meeting for audit be approved, and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. ( Warrant No. 1 to No. 55, inclusive, drawn on the Supervisor.)

Item No. 30 Councilman Bystrak moved, seconded by Councilman Neibert, to adjourn.

Kenneth T. Hanley

Town Clerk.

SEAL

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 May, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

ABSENT: -0-

Also present were: Kenneth T. Hanley, Town Clerk; George B. Doyle, Town Attorney; Julia B. Reinstein, Town Historian; Albert J. Kama, Town Engineer; John Eberl, General Foreman; John J. Zablotny, Town Highway Superintendent; A.T. Oberkircher, Director of Civilian Defense; Joseph Pyszczynsk, Justice of the Peace; and Edward B. Jerzewski, Chairman of the Board of Assessors.

Item No. 2 Without any objections the reading of the minutes of the previous meeting were dispensed with until a later date.

Item No. 3 ( COMMUNICATIONS )

Communication read from Town Clerk Hanley requesting permission to have built one election booth to be used in Electric District No. 20 (Tiorunda). Ordered referred to Councilman Wroblewski by the Supervisor.

Communication read from the Board of Assessors certifying that the petition for street lighting equipment on Oehman Boulevard have the required 51 per cent in favor. Ordered referred to Councilman Bystrak by the Supervisor.

Communication read from the Como Parl Blvd. & Union Road Citizens & Taxpayers Association relating to new industries locating in the town. Ordered referred to the Town Attorney by the Supervisor.

Communication read from Kenneth W. Kitzinger, attorney for School District No. 3, relating to No Parking on the north side of Bigelow Road, north side, west from No. 22 Bigelow Road during school hours. Ordered referred to Councilman Wroblewski and the Chief of Police by the Supervisor.

Communication read from Kenneth W. Kitzinger, attorney for School District No. 3 relating to the removal of portable traffic signs at the intersection of Harlem Road and Mafalda Drive and Cleveland Drive at Merrymont Road. Ordered referred to Councilman Bystrak by the Supervisor.

Item No. 4 Councilman Wroblewski moved, seconded by Councilman Nagel, that Joseph Kubera be re-appointed as a member of the Zoning Board of Appeals, said appointment to expire on May 17, 1959. Carried; Ayes: -5-

Item No. 5 Councilman Wroblewski moved, seconded by Councilman Bystrak, that the Town Clerk be authorized and directed to issue building permits on applications processed by the Petitions Committee, after same have been approved by the Building Inspector ( Applications processed on May 8, 1954 and May 15, 1954) Carried; Ayes: -5-

Item No. 6 Councilman Wroblewski moved, seconded by Councilman Neibert, that Boulevard Stop and Go Signs be installed at the following intersections:

Northwest corner of Sugnet Road & Fontaine Drive;  
North west corner of Marsdale Road & Fontaine Drive;  
North west corner of Mafalda Drive & Fontaine Drive:  
Carried; Ayes: -5-

Item No. 7 Councilman Bystrak moved, seconded by Councilman Neibert, that the New York State Gas & Electric Company be authorized and directed to install 1-2500 lumen street light on Pole No. 7 on Mansion Street, Town of Cheektowaga, New York, and 1-2500 lumen street light on Pole No. 13 on Cass Avenue, Cheektowaga, New York. Carried; Ayes: -5-

Item No. 8 Councilman Nagel moved, seconded by Councilman Neibert, that Change Orders No. 8 and No. 9 for Sewage Treatment Plant No 3, be approved, as according to annexed copies:

CHANGE ORDER NO. 8  
Sewage Treatment Plant No. 3  
Town of Cheektowaga, New York

Contractor:  
C.E. Knowles Company

Engineer:  
Nussbaumer, Clarke & Velzy

Proposed Change and Cost:

1. Raise manhole north of present pump house approximately 3'0" and fill in to provide a more gradual grade between walk and the upper grade to the north. Also provide for a drainage inlet at north side of walk. \$112.00
  2. Relocate 48 I.F. of outside chlorine line and furnish new V.T. pipe at an elevation which will permit the installation of the new 15" V.T. pipe entering the pump house. 344.00
  3. Build a partition in chlorine room to form a storage closet using 2 x 4 studs,  $\frac{1}{2}$ " fir plywood facing on one side, and install a present door using new hardware. Also build six shelves using 2 x 12 material. Paint both sides of partition and shelves three coats to match adjoining work. 192.00
- Total Bid Price of \$648.00

Reason for Change:

These items developed during the process of construction.

Recommended by:

Newell L. Nussbaumer  
Nussbaumer, Clarke and Velzy

Date: May 11, 1954

Approved:  
Town Board

Date: 5-17-1954

May 11, 1954.

CHANGE ORDER NO. 9  
SEWAGE TREATMENT PLANT NO. 3  
Town of Cheektowaga, N.Y.

Contractor:  
C.E. Knowles Company

Engineer:  
Nussbaumer, Clarke and Velzy

Proposed Change and Cost:  
Dosing Chamber

- a. Remove loose concrete, patch cracks and gunite the interior of the dosing chamber (except floor) using 2" pressure concrete screeded true and left under a natural gun finish with 2x2#12x12 galvanized mesh for reinforcing.
- b. Remove disintegrated concrete from five areas on the exterior of the tanks and rebuild to their original lines and contours.
- c. Paint the outside of the tank with masonry concrete paint similar to Bondex.

Bid price of \$2,400.00

Reason for Change:

Dosing Tank badly in need of repair.

Recommended by:

Newell L. Nussbaumer  
Nussbaumer, Clarke and Velzy

Date: May 11, 1954

Approved:  
Town Board  
May 11, 1954

Date: May 17, 1954

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

75

RESOLVED, that the snow removal contract between the County Superintendent of Highways and the Town of Cheektowaga, New York, for the period beginning the 15th day of November, 1953, and ending the 14th day of November, 1954, be approved as to form sufficiency, and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute the same on behalf of the Town of Cheektowaga, New York.

Seconded by Councilman Wroblewski.

CARRIED: Ayes: -5-

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

WHEREAS, the Town Board has established a 40-hour week in the Police Department, Sanitation Department and the Highway Department, but in none of the other Departments, be it

RESOLVED, that all employees of the Town of Cheektowaga, unless otherwise ordered by the Town Board, be in attendance at their respective positions from 9 A.M. to 4:30 P.M., every day except Saturday and on Saturday from 9 A.M., to 12 Noon.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-

Item No. 11 Councilman Wroblewski moved, RESOLVED, that George Ertel be appointed a School Guard at an hourly wage of \$1.05 and ordered to report to the Chief of Police for assignment of duties.

Seconded by Councilman Nagel.

CARRIED: Ayes -5-

Item No. 12 Councilman Wroblewski moved, RESOLVED, that the request of Civilian Defense Director Arthur J. Oberkircher to purchase 80 auto plates for Auxillary Police costing \$80 be granted, and he is authorized to purchase them.

Seconded by Councilman Neibert.

CARRIED: Ayes: -5-

Item No. 13 Councilman Wroblewski moved, RESOLVED, that Jerome Scherer and Leonard Kosubucki, be employed as Park Department Laborers.

Seconded by Councilman Nagel.

CARRIED: AYES-5-

Item No. 14 Councilman Wroblewski moved, RESOLVED, that the Supervisor be authorized to enter into a contract with Michael A. Wagner & Sons, Inc., to wash-down burnt areas at Town Hall, replace doors and repair damage done by fire at a cost of \$485.00.

Seconded by Councilman Nagel.

CARRIED: Ayes: -5-

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

WHEREAS, the Incinerator Department has recommended the purchase of a tractor with side mounted mower for use in that department and that said truck is needed by the Incineration Department, be it

RESOLVED, that the Town of Cheektowaga purchase a 1954 tractor with side mounted mower to mee the specifications set forth in the Notice to Bidders; that the Town Clerk be directed to publish the annexed Notice to Bidders in connection with the purchase of said tractor. There are filed in the Town Clerks' Office, copies of the specifications which are available for all prospective bidders.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

Carried; Ayes: -5-

Noes: -0-

#### NOTICE TO BIDDERS

The Town of Cheektowaga desires to purchase a 1954 tractor with side mounted mower for the Incinerator Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

The Town owns a Gibbons Tractor and a Case Tractor. The bidders should submit as a part of their bids, offer to purchase the aforementioned two tractors.

Sealed bids will be received not later than June 7, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Road and Broadway, Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock P.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 17, 1954.

Kenneth T. Hanley, Town Clerk

SPECIFICATIONS

**SPECIFICATIONS FOR TRACTOR**

Four wheel tractor with four cylinder engine, overhead valves, Piston displacement 134 Cu. in. Adjustable wheel tread from 48 In. to 76 In. in 4 inch increments. Hydraulic system positive displacement vane type, constant running, engine mounted. Maximum operating pressure 2000 lbs. PSI., adjustable from 2.1 to 4.8 gallons per minute by Hytrol Knob.

**SPECIFICATIONS ON  
DUAL-ACTION DOZER BLADE & FRAME**

Frame Tubular constructed, attaching to front and rear of tractor. Two-way Hydraulic controlled blade, lifting 18" above wheel level, hydraulic pressure supplied by tractor pump.

Blade, Cutting width 60", angling left or right, lifts and lowers by hydraulic control of tractor.

**SPECIFICATIONS ON SIDE MOUNTED MOWER**

Side mounted mower, hydraulically controlled, safety ignition cut out switch, Cutting width 6'.

(2 Tractors to be traded in — 1 Gibson, 1 Case.)

The notice to bidders was posted on the 24th day of May, 1954 in the following locations:

- 1- Town Hall Bulletin Board;
- 2- U-Crest Fire Hall, Evergreen Street and Clover Place;
- 3- Pine Hill Fire Hall, Genesee Street and Normandy Avenue;
- 4- Rescue Fire Hall- Pine Ridge Road;
- 5- Doyle Fire House No. 1, William and Alaska Street.

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

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

**NOTICE TO BIDDERS**

The Town of Cheektowaga desires to purchase a 1954 tractor with side mounted mower for the Incinerator Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

The Town owns a Gibbons tractor and a Case tractor. The bidders should submit as a part of their bids, offer to purchase the aforementioned two tractors.

Saled bids will be received not later than June 7, 1954 at 2:30 o'clock P.M., Eastern Daylight Saving Time, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Rd. and Broadway, Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock P.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 17, 1954.  
**KENNETH T. HANLEY**  
Town Clerk  
(5-20)  
Dated: May 17, 1954.

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~~ <sup>one</sup> week; first publication **MAY 20 1954**; last publication **MAY 20 1954**; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
day of **MAY 20 1954**, 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, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the 20th day of May, 1954, 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*  
By C.H.B.

Generator Department.  
The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.  
The Town owns a Gibbons tractor and a Case tractor. The bidders should submit as a part of their bids, offer to purchase the aforementioned two tractors.  
Sealed bids will be received not later than June 7, 1954, at 2:30 o'clock P.M. Bids must be opened during Time, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Road and Broadway, Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock P.M.  
This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.  
Dated: May 17, 1954.  
KENNETH T. HANLEY,  
Town Clerk.

Sworn to before me this May 21 1954 day of

..... 19.....  
*Kenneth T. Hanley*  
Notary Public in and for Erie County.  
No 52880

Item No. 16  
adoption:

Councilman Nagel presented the following resolution and moved its 77

WHEREAS, the Town Superintendent of Highways has recommended to the Town Board that it adopt a resolution to purchase three trucks for use by the Town Highway Department, a complete description of which is set forth in the attached specifications, be it

RESOLVED, that the request of the Town Highway Superintendent be approved, and be it further

RESOLVED, that the Town of Cheektowaga purchase three trucks for the highway department fully equipped to meet the specifications set forth in the Notice to Bidders, and that the Town Clerk be directed to publish the attached Notice to Bidders in connection with the purchase of said three trucks. Sealed bids will be received not later than June 7, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time at which time they will be publicly opened by the Town Board and the Town Highway Superintendent at a public meeting called for that purpose to be held at the Town Hall, Broadway and Union Road, Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock P.M., There are filed in the Town Clerks' Office, copies of the specifications which are made available for prospective bidders.

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

as follows:

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

Carried: Ayes: -5-

Noes: -0-

**NOTICE TO BIDDERS**

**LEGAL NOTICE**  
**NOTICE TO BIDDERS**  
 The Town of Cheektowaga hereby requires separate sealed bids for the purchase of three 1954 trucks for the Town Highway Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than June 7, 1954 at 2:30 o'clock P.M. by the Town Board and the Town Highway Superintendent at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, Broadway and Union, Town of Cheektowaga, New York on the 7th day of June, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.  
 Dated: May 17, 1954.  
 KENNETH T. HANLEY,  
 Town Clerk.

Hereto attached is a copy of said specifications:

**SPECIFICATIONS FOR TRUCKS FOR  
TOWN HIGHWAY DEPARTMENT**

**Specifications for Highway Department 2 Trucks**

ENGINE: 135 H.P.  
CLUTCH: 11" Dia.  
TRANS: 4-speed Synchronesh  
WHEEL BASE: 137"  
TIRE SIZE: 825-20-10 ply  
WHEELS: 6.5 rims  
BRAKES: Hydraulic 375 sq. in.  
GENERATOR: 45 ampere  
2 Quart Oil Filter  
2 Mirrors  
(Heater-Defroster-Fresh air)  
Signals  
Flasher  
Coleman 4 x 4 Drive  
Change over Dump Body  
Remove Snow Plows from present trucks and install on new.  
(2—1948 Chevrolet Truck to be traded in and sold to the  
successful bidder and will be considered in the bid submitted.)

**ONE MOTOR TRUCK**

Gross vehicle weight of Chassis, 24,000 lbs; Wheelbase not to  
exceed 140"; C.A. dimensions—75 5/8".

**FRAME**

Must be full double channel alloy frame  
Minimum of 9" channel by 3" by 1/4"  
Air Brakes  
Tow hooks front and rear, forge steel  
Minimum opening 2"

**ENGINE**

Engine must be minimum of 331 cubic inch  
Overhead design  
Wet sleeve cylinders

**FRONT AXLE**

8,000 lb. capacity, or equivalent to FD 900 Timken

**SPRINGS**

3" front and rear springs. Springs must be heavy service type,  
Extra leaves, other than standard.

**EQUIPMENT**

DeLuxe Heater & Defroster  
Low pressure indicator  
Directional signals, front & rear  
Must be equipped with self canceling switch

**REAR AXLE**

Double reduction 2-speed manufacturers rating 18,500 lbs.

**FUEL**

30 Gal. Gas tank

**CAB**

All steel DeLuxe cab.

**BODY**

Dump body to be over 8 gauge 4 yd. water level,  
6 yd. ends.  
10 ft. long, 7 ft. wide  
Hoist to be rated 12 ton capacity, minimum of 8" diameter.  
1/4 cab shield  
1" mesh screen over rear cab window  
marker lights on cab roof  
(One Autocar Truck to be traded in and sold to the successful  
bidder and will be considered in the bid submitted.)

The Notice to Bidders was posted on the 24th day of May, 1954, in the following places:

- 1- Town Hall Bulletin Board;
- 2- U-Crest Fire Hall, Evergreen Street and Clover Place;
- 3- Pine Hill Fire Hall, Genesee Street and Normandy Avenue;
- 4- Rescue Fire Hall Bulletin Board, Pine Ridge Road;
- 5- Doyle Fire House No. 1 Bulletin Board, William and Alaska Street.

Hereto attached is a copy the Notice to Bidders published in the Cheektowaga Times and The Depew Herald & Cheektowaga News:

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 MAY 20 1954; last publication MAY 20 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this..... day of MAY 20 1954, 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, 1955  
 Registered No. 5029

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of three 1954 trucks for the Town Highway Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Saled bids will be received not later than June 7, 1954 at 2:30 o'clock P.M. by the Town Board and the Town Highway Superintendent at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, Broadway and Union, Town of Cheektowaga, New York on the 7th day of June, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 17, 1954.  
**KENNETH T. HANLEY**  
 Town Clerk

(5-20)

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

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

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the 20th day of May, 1954, 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*  
by *C.P.B.*

The Town of Cheektowaga has prepared separate sealed bids for the purchase of three 1954 trucks for the Town Highway Department.  
The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.  
Sealed bids will be received not later than June 7, 1954 at 2:30 o'clock P.M. by the Town Board and the Town Highway Superintendent at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, Broadway and Union, Town of Cheektowaga, New York on the 7th day of June, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time.  
This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.  
Dated: May 17, 1954.  
KENNETH T. HANLEY,  
Town Clerk.

Sworn to before me this ..... day of ..... 21 1954

..... 19.....  
*Kenneth T. Hanley*  
Notary Public in and for Erie County.  
No 52880

Item No. 17  
its adoption:

Councilman Nagel presented the following resolution and moved

79

WHEREAS, Albert J. Kamm, Town Engineer, has recommended the purchase of a new two stage air cooled gasoline engine driven portable air compressor complete with electric starting and mounting on two-pneumatic tires, with a capacity of 60 to 75 C.F.M. actual at 100# pressure, that they are needed in his department, be it

RESLOVED, that the Town of Cheektowaga purchase a new compressor, described above, to meet the specifications set forth in the Notice to Bidders,

THAT, the Town Clerk be directed to publish the annexed Notice to Bidders in connection with the purchase of said compressor,

THERE, are filed in the Town Clerks' Office, copies of the specifications which are available for all, prospective bidders.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holts	Voting AYE

Carried: Ayes: -5-

Noes: -0-

#### NOTICE TO BIDDERS

##### NOTICE TO BIDDERS

The Town of Cheektowaga desires to purchase a new two stage air cooled gasoline engine driven portable air compressor complete with electric starting and mounting on two pneumatic tires with a capacity of 60 to 75 C.F.M. actual at 100# pressure.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than June 7, 1954, at 2:30 o'clock P.M., at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Road and Broadway, Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock P.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 17, 1954.

KENNETH T. HANLEY  
Town Clerk

(5-20)

Hereto attached are a copy of the specifications:

Specifications for 1 — New two stage air cooled gasoline engine driven portable air compressor complete with electric starting and mounting on two - pneumatic tires. Capacity shall be 60 to 75 C.F.M. actual at 100# pressure.

**SPECIFICATIONS:**

Compressor shall be two stage air cooled with two low pressure cylinders with 4¼" bore and one high pressure cylinder with 3¾" bore and 4" stroke. Each cylinder is to be separately cast. Compressor shaft is to be supported on outer end with a heavy duty ball bearing and inner end connecting directly to engine shaft. Splash system lubrication. Compressive shall be equipped with oil bath type air cleaner.

Intercooler shall be sectionalized radiator type intercooler served by a fan mounted on compressor crankshaft.

Gasoline engine shall be 4 cylinder water cooled with force feed lubrication and equipped with oil bath type air cleaner. Maximum engine speed approximately 1200 RPM.

Starting shall be push button electric starting complete with magneto, impulse coupling, generator and battery. Instrument panel shall be complete with air pressure gauge, engine oil pressure gauge, ammeter and starter button.

Gas tank is to be lead coated with capacity enough for a days run. Sediment and water traps and lockable filler cap shall be provided.

Air receiver shall be seamless pressed steel A.S.M.E. and National Board Code Welded. Fittings included pressure gauge, service and drain valves.

Tool boxes are to be built into sides of body complete with hinged covers.

Compressor mounting. Two pneumatic tired, spring mounted Timken bearing wheels. Tire sizes—6:00-16 4 ply. Complete with tow bar.

**ACCESSORIES:**

- 1—Medium Paving Breaker complete with Moil Point.
- 1—Backfill Tamper complete with on 3" and one 5¾ Pad.
- 1—Clay digger complete with clay scoop.
- 2—50 ft. lengths of Air Hose with Couplings.

The Notice to Bidders was posted on the 24th day of May, 1954, in the following places:

- 1- Town Hall Bulletin Board;
- 2- U-Crest Fire Hall, Evergreen Street and Clover Place;
- 3- Pine Hill Fire Hall Bulletin Board, Genesee Street and Normandy Avenue;
- 4- Rescue Fire Hall Bulletin Board, Pine Ridge Road;
- 5- Doyle Fire House No. 1, William and Alaska Street.

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 MAY 20 1954; last publication MAY 20 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
day of MAY 20 1954, 19.....

*Eve J. Allis*

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

**NOTICE TO BIDDERS**

The Town of Cheektowaga desires to purchase a new two stage air cooled gasoline engine driven portable air compressor complete with electric starting and mounting on two pneumatic tires with a capacity of 60 to 75 C.F.M. actual at 100# pressure.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than June 7, 1954, at 2:30 o'clock P.M., at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Road and Broadway, Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock P.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 17, 1954.

**KENNETH T. HANLEY**  
Town Clerk  
(5-20)

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1956  
Registered No. 5029

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

to purchase a new portable air cooled gasoline engine driven portable air compressor complete with electric starting and mounting on two-pneumatic tires with a capacity of 80 to 75 C.F.M. actual at 100 lbs. pressure.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than June 7, 1954, at 2:30 o'clock P.M., at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Road and Broadway, Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock P.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Witness my hand and seal: May 17, 1954.  
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 public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for <sup>1</sup> week, the first insertion being on the 20th day of May, 1954, 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*  
by *P/B*

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

May 21 1954

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

4452000

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

81

WHEREAS, the PELVION LAND COMPANY, INC. and the TOWN OF CHEEKTOWAGA entered into an agreement whereby the Pelvion Land Company Inc. has agreed to complete paving of Freda Avenue, South Colby Street, South Hedley Street and South Glidden Street, to conform with the requirements of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, and has duly filed with the said agreement a surety bond in the sum of \$10,000.00 that said highways will be completed on or before June 1, 1955, be it

RESOLVED, that Freda Avenue, South Colby Street, South Hedley Street, and South Glidden Street, all highways located in the Town of Cheektowaga, New York, and more specifically described in Maps filed in the Erie County Clerk's office under Covers Nox 1804 and 1826, be accepted as Town Highways under the jurisdiction of the Town Highway Department, and be it further

RESOLVED, that the Town Attorney be authorized to record in the Erie County Clerk's Office the deed to said highways, which deed has been submitted to the Town Board and approved as to form and sufficiency of description.

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

SUPERVISOR Moltz	voting aye
Councilman Neibert	voting aye
Councilman Wroblewski	voting aye
Councilman Bystrak	voting aye
Councilman Nagel	voting aye

AYES 5

CARRIED

#### AGREEMENT

This agreement made this 6th day of April, 1954, by and between the Town of Cheektowaga, a municipal corporation of the State of New York with its office and principal place of business in the County of Erie, State of New York party of the first part and the Pelvion Land Company, a domestic corporation, organized and existing under and by virtue of the laws of the State of New York with its office and principal place of business of 4845 Union Road, Cheektowaga, New York party of the second part;

#### WITNESSETH:

WHEREAS, the party of the second part has constructed or caused to be constructed homes on Freda Avenue, South Colby Street, South Hedley Street, and South Glidden Street, all highways located in the Town of Cheektowaga, New York, and has constructed the foundation for the highways on said streets in accordance with the specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, and

WHEREAS, the party of the first part has requested the party of the second part not to place topping on said streets until all construction on the streets has been completed and weather conditions permit such work, it is hereby

AGREED, that the party of the second part agrees to place topping, on Freda Street, commencing at Harlem Avenue and extending to Tillotson Avenue, a distance of approximately 877 feet, and on South Colby Street, from Dings Street to Parker Street a distance of approximately 785 feet, South Hedley Street from Dings Street to Parker Street, and South Glidden Street from Dings Street to Parker Street, and where necessary to reconstruct the foundation of said highways and complete the same so that each highway will conform in every respect with the requirements of the Town Highway Department and the regulations of the Town of Cheektowaga, New York on or before June 1, 1955, it is further

UNDERSTOOD AND AGREED, that the party of the second part will furnish the party of the first part a Surety Company Bond executed by a Bonding Company authorized to do business in the State of New York in the sum of \$10,000, said Bond to provide, among other things, that the part of the second part will, in all respects, comply with the terms and conditions of this Agreement and the accompanying resolution of the Town Board on or before June 1, 1955. In the event the party of the second part fails to live up to the terms of this Agreement, then the party of the first part is authorized to complete said highway so that the same complies in every respect with the minimum requirements of the Town Highway Department and the regulations of the Town of Cheektowaga, New York and all expenses incurred by it in completing said highways shall be paid by the party of the second part and its surety, and in the event said sum of \$10,000 is insufficient to pay such cost, then the party of the second part hereby agrees to pay any sum required in excess of the amount, it is however,

AGREED, that the maximum liability of the Surety Company is limited to the sum of \$10,000.00.

Upon filing with the Town Board an executed copy of this Agreement and the Surety Company Bond, it is agreed that the party of the first part will immediately accept said highways as Town Highways.

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

TOWN OF CHEEKTOWAGA NEW YORK  
BY: Benedict T. Moltz Supervisor  
BY: Gilbert T. Yeager (Pelvion Land Co. Inc.)  
Party of the second part

STATE OF NEW YORK SS  
COUNTY OF ERIE

On this 30th day of April, 1954, before me personally came Gilbert T. Yeager, to me personally know, who, being by me duly sworn, did depose and say that he resides in the City of Buffalo, Count of Erie and State of New York, that he is the Secretary of Pelvion Land Co., Inc., the corporation described in, and which executed, the within Instrument; that he knows the seal of said corporation; that the seal affixed to said Instrument is cudh corporate seal; that it was so affixed by order of the Board of Directors of said Corporation; and that he signed his name thereto by like Order.

R. F. Gardner  
Notary Public

STATE OF NEW YORK SS  
COUNTY OF ERIE

On this 30th day of April, 1954, before me personally came Benedict T. Holtz, to me known, who being by me duly sworn did depose and say that he resides in the Town of Cheektowaga, Erie County, New York; that he is the Supervisor of said Town of Cheektowaga, the municipal corporation described in and which executed the foregoin instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate sea;; that it was so affixed by order of the Town Board of Cheektowaga, and that he signed his name thereto by like order.

Geo. B. Doyle  
Notary Public

#### CONTRACT BOND

KNOW ALL MEN BY THESE PRESENTS, That we, PELVION LAND COMPANY, INC., a domestic corporation organized and existing under and by virtue of the Laws of the State of New York, with its office and principal place of business at 4845 Union Road, Cheektowaga, New York, as Principal, and the SEABOARD SURETY COMPANY a New York corporation, with its principal office at 75 Maiden Lane New York, New York, as Surety, are held and firmly bound unto the TOWN OF CHEEKTOWAGA, NEW YORK, in the sum of TEN THOUSAND (\$10,000.00) Dollars, lawful money of the United States of America, to be paid to the said Town of Cheektowaga, its certain attorney, or assigns, for which payment well and truly to be made, we bind ourselves, our heirs executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Sealed with our seals. Dated the 15th day of April, 1954.

WHEREAS, the above bounde, Pelvion Land Company Inc., has entered or is about to enter into contract with the Town of Cheektowaga, to place topping on Freda Street, commencing at Harlem Avenue and extending to Tillotson Avenue, a distance of approximately 877 feet, and on South Colby Street, from Dingens Street to Parker Street, a distance of approximately 785 feet, South Hedley Street from Dingens Street to Parker Street, and South Glidden Street from Dingens Street to Parker Street, and whre necessary to reconstruct the foundation of said highways and complete the same so that each highway will conform in every respect with the requirements of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, which contract is by reference made a part hereof and is hereinafter referred to as the contract.

NOW THEREFORE, the condition of this obligation is such, that if the above bounde, Pelvion Land Company, Inc., shall well and truly and in good and sufficient manner faithfully and completely perform the said contract, in accordance with the terms and stipulations therein contained, and shall well and truly perform all the labor and furnish all the material necessary to fully complete the work or improvements therein contemplated; and shall well and truly pay for all material used and services rendered in the execution of such contract, then this obligation shall be void.

PELVION LAND COMPANY, INC.

BY G. T. Yeager Sec.

SEABOARD SURETY COMPANY

BY John N Walsh Jr.  
Attorney in fact

moved its adoption:

WHEREAS, the Town Highway Superintendent has submitted to the Town Board that certain town highways be improved by the construction of permanent improvements thereon, be it

RESOLVED, that the Town Superintendent of Highways be and he is hereby authorized to improve the highways, a list of which is hereto annexed and made a part of this resolution, pursuant to Sec. 284 of the Highway Law.

That the annexed agreement as to said highway be executed by the members of the Town Board.

This resolution shall become effective after the annexed agreement has been approved by the County Superintendent of Highways.

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

Supervisor	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Joseph A. Neibert	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanley Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

BRIGHT ST. -----from William St. to Cayuga Cr. Rd. a distance of .378 miles. at a cost of \$9,000.00 surface treated 28ft. wide 2" thick 8" base.

PARKER ST. -----from Harlem Rd. to Bright St. a distance of .278 miles at a cost of \$5500.00 surface treated 28 ft. wide 2" thick 8" base.

SHANLEY ST.-----from Griswold St. to Clinton St. a distance of .378 miles at a cost of \$5000.00 surface treated 28 ft. wide 2" thick 8" base.

HUXLEY DR. -----from Cleveland Dr. to Wherle Dr. a distance of .378 miles at a cost of \$6000.00 surface treated 28 ft. wide 2" thick 8" base.

ANDREW ST. -----from Genesee St. to Delavan Ave. a distance of .227 miles at a cost of \$7500.00 surface treated 28 ft. wide 2" thick 8" base.

BARBARA ST.-----from Genesee St. to Atwood Pl. a distance of .189 miles at a cost of \$4000.00 surface treated 28 ft. wide 2" thick 8" base.

CENTURY RD.-----from Kensington Ave. to Treehave Rd. a distance of .227 miles at a cost of \$8000.00 surface treated 28 ft. wide 2" thick 8" base.

KENDALE RD.-----from Allendale Rd. to Allendale Rd. a distance of .189 miles at a cost of \$3000.00 surface treated 28 ft. wide 2" thick 8" base.

CHARNWOOD CT. --from Charnwood Rd. to dead end circle a distance of .132 miles at a cost of \$3000.00 surface treated 28 ft. wide 2" thick 8" base.

CHARNWOOD DR. --from Kensington Ave. to Cleveland Dr. a distance of .132 miles at a cost of \$3000.00 surface treated 28 ft. wide 2" thick 8" base.

CAMPWOOD CT. ---from Charnwood Dr. to cultersack a distance of .095 miles at a cost of \$2000.00 surface treated 28 ft. wide 2" thick 8" base.

CORRALWOOD CT. -from Charnwood Dr. to cultersack a distance of .114 miles at a cost of \$3500.00 surface treated 28 ft. wide 2" thick 8" base.

CASS AVE. -----from Thruway to William St. a distance of .378 miles at a cost of \$6000.00 surface treated 28ft. wide 2" thick 8" base.

CARLAND ST. ----from Thruway to William St. a distance of .378 miles at a cost of \$6000.00 surface treated 28 ft. wide 2" thick 8" base.

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

RESOLVED, that the Town of Cheektowaga cooperate with the Buffalo Courier Express Crusade for Safety and that the advertisement of such Crusade be exhibited on all motor vehicles operated by the Town of Cheektowaga and that the citizens of Cheektowaga be requested to join the Crusade for Safety and use every precaution to avoid accidents.

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

Supervisor	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Joseph A. Neibert	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanley Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

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

WHEREAS, the culvert under George Urban Blvd. at Frederick St. should be lowered and enlarged in order to take care of the increase amount of storm waters, be it

RESOLVED, that the County Superintendent of Highways, Harry A. Crafts, be requested to lower and enlarge said culvert as soon as possible.

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

SUPERVISOR	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Joseph A. Neibert	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanley Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

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

WHEREAS, Alois Peinkofer and Lillian Balbach and the said Town of Cheektowaga entered into an agreement whereby the said Alois Peinkofer and Lillian Balbach agreed to pave and install sewers in Petan Drive and Miami Pkwy. as shown on a subdivision map filed in the Erie County Clerk's Office under map cover No. 1847 in accordance with the terms of said agreement and as duly filed with the agreement, a surety bond in the sum of \$100,000.00, be it

RESOLVED, that Petan Drive and Miami Pkwy. as shown upon a subdivision map filed in the Erie County Clerk's Office under cover No. 1847, be accepted as Town highways under the jurisdiction of the Town Highway Department and be it further

RESOLVED, that the Town Attorney be authorized to record in the Erie County Clerk's Office the deed to said highways.

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

Supervisor	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Joseph A. Neibert	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanley Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-



Item No. 26  
moved its adoption:

Councilman Wroblewski presented the following resolution and

RESOLVED, that the following hydrants be ordered installed by the Erie County Water Authority within the Doyle Fire District No. 1, in compliance with the request of the Fire Commissioners:

(Hydrants to be installed on existing mains)

Rosler Street, S.E. corner of William  
Alaska Street, S.E. corner of William  
Hedley Street, S.E. corner of William  
Harlem Avenue, S.E. corner of William  
William Street, N.E. corner of Warsaw  
William Street, N.E. corner of Walkowiak  
William Street, N.E. corner of Ludwig  
Clidden Street, N.W. corner of Dingens  
Clidden Street, 500 feet north of Dingens  
Clinton Street, North side at West Line of Lehigh Valley RR.  
N. Meadowbrook, 430 feet north of Dingens.  
N. Pleasant, 500 feet north of Dingens.  
Shanley Street, end of new extension  
Cass Ave. in front of No. 60  
Cayuga Creek Rd. corner of Harlem Rd.

(Hydrants to be installed when mains are installed.)

Colby Street, N.E. corner of Dingens  
Colby Street, 500 feet north of Dingens  
Hedley Street, N.E. corner of Dingens  
Hedley Street, 500 feet north of Dingens  
Alaska Street, S.E. corner of Hurd  
Ludwig Street, 500 feet north of William  
Mansion Street, S.E. corner of Stradtman.

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

Councilman Nagel	Voting <u>Aye</u>
Councilman Wroblewski	Voting <u>Aye</u>
Councilman Neibert	Voting <u>Aye</u>
Councilman Bystrak	Voting <u>Aye</u>
Supervisor Holtz	Voting <u>Aye</u>

CARRIED: AYES: -5-

Item No. 27  
moved its adoption:

Councilman Bystrak presented the following resolution and

WHEREAS, The Board of Fire Commissioners of Cleveland Hill Fire District No. 6, Cheektowaga, New York, has requested that the Town Board prohibit parking of motor vehicles on the north side of Cleveland Drive for its entire length from Century Road to Cayuga Road, because it is necessary to maintain a fire lane, and

WHEREAS the width of the road is not too wide and there is always the danger of people stepping into the path of the fire trucks and the automobiles of firemen from behind parked cars, and the hazard is increased on account of people walking on the highway due to the fact that there are very few sections of sidewalks along Cleveland Drive, be it

RESOLVED, that the request of the Board of Fire Commissioners be granted and that consent be requested of the Erie County Highway Department to erect signs along said highway prohibiting parking on the north side of Cleveland Drive for its entire length from Century Road to Cayuga Road.

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

as follows:

Supervisor	Benedict T. Holtz	Voting <u>Aye</u>
Councilman	Joseph A. Neibert	Voting <u>Aye</u>
Councilman	Felix Wroblewski	Voting <u>Aye</u>
Councilman	Stanley Bystrak	Voting <u>Aye</u>
Councilman	Henry Nagel	Voting <u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

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

WHEREAS, the Town Board received a complaint of the dangerous condition of a building located at 44 Hedwig Street, be it

RESOLVED, that the Town Clerk immediately notify the owners of the buildings located near the above address requiring them to make said building safe and secure or remove the same from the premises;

That the Chief of Police be directed to inspect the premises and report, in writing, his findings of the condition thereof to the Town Board and if it is found that said building or structure located on the premises is unsafe so as to endanger a life, proceedings be instituted against the owners thereof in accordance with Ordinance 12 of the General Ordinances of the Town of Cheektowaga, New York.

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

Supervisor  
Councilman  
Councilman  
Councilman  
Councilman

Benedict T. Holtz  
Joseph A. Neibert  
Felix Wroblewski  
Stanley Bystrak  
Henry Nagel

Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye

AYES: -5-

NOES: -0-

ABSENT: -0-

In the Matter of the Application of Schwenzer Tool and Die Company, Inc., to Rezone from "Residential" to First Industrial" certain property located on Clinton Street, in the Town of Cheektowaga, New York.

This application is made to zone a parcel of land on Clinton Street having a frontage of approximately 150 feet. This property adjoins the premises owned by the petitioner along the Right-of-Way of the Lehigh Valley Railroad, which the Zoning Board of Appeals, on May 21, 1953, recommended to the Town Board that the same be zoned "First Industrial". The Town Board thereafter confirmed the determination of the Zoning Board of Appeals.

At the time of the hearing a year ago, the petitioner brought with him a plan of the building he intended to construct if the zoning application was granted. During the year, which has expired, the petitioner did nothing to improve the property.

At the hearing of this Board on May 5, 1954, the petitioner produced the same drawing, but did not leave it with the Board. It was also brought out at the hearing that the petitioner sold to the Niagara Mohawk Power Company 50 feet of the property zoned which is located closest to the right-of-way of the Lehigh Valley Railroad Company. There still remains, of the property zoned last year, 150 feet of land fronting on Clinton Street. The petitioner has ample room to locate the building he proposes to build on the remaining property and has no present need for the additional zoning at this time.

When its representative was asked whether he would file with the Zoning Board of Appeals a letter stating that an application for a building permit would be made before September, 1954, he refused.

It has been the practice of the Zoning Board of Appeals not to rezone "Residence" property for "Industrial" use where the applicant fails to allege the type of industry to be located on the premises.

We recommend the application to rezone be denied at this time, without prejudice to the petitioner and reapplying when it needs the property and is in a position to inform the Zoning Board of Appeals of the kind of business it is proposed to be constructed on the premises.

Dated: May 13, 1954.

Leo Kurnick, chairman  
C.G. Hanson  
Michael L. Henfling  
Joseph P. Kubera

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that this Town Board does hereby accept the recommendation of the Zoning Board of Appeals denying the application of the Schwenzer Tool and Die Company, Inc., to rezone from Residential District to First Industrial District the following described property:

Seconded by Councilman Nagel.  
(Enter Dea)

Carried; AYES: -5-

1. That the property 250 feet of your petitioner's property fronting on Clinton Street and extending back for its full depth of 500 feet is presently zoned 1st Industrial and the easterly 100 feet fronting on Clinton Street and extending back for its full depth of 500 feet is presently zoned Residential. This application for rezoning pertains only to the easterly 100 feet of your petitioner's property fronting on Clinton Street and extending back for its full depth of 500 feet.

2. Your petitioner desires to use this property for the following purposes: petitioner desires to utilize the property in connection with the operation of its plant.

3. That the easterly 100 feet of petitioner's property fronting on Clinton Street is now within a Residential Zone.

4. That in order for your petitioner to use the property for the purpose intended it is necessary that it be placed in a 1st Industrial Zone.

5. Petitioner has entered into a contract with Niagara Mohawk Power Corporation to sell a strip of land 60 feet in width adjacent to and on the easterly side of the Lehigh Valley Railroad right of way for the full depth of petitioner's property from Clinton Street. This sale is made by petitioner to accommodate Niagara Mohawk Power Corporation and to facilitate the construction of an electric power transmission line. Consequently your petitioner has lost 60 feet of that part of its plant site which is presently zoned Industrial and needs the additional 100 feet rezoned to a 1st Industrial District to permit petitioner to expand its plant operations.

WHEREFORE, your petitioner prays that the Town Board of the Town of Cheektowaga, take all necessary steps to rezone the aforementioned property from Residential to 1st Industrial.

Schwenzer Tool & Die Co. Inc.  
PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Town of Cheektowaga, Erie County, New York, will hold a public hearing on said application on the 5th day of May, 1954, at 7:30 o'clock P.M., E.D.S.T., to consider said application and all parties in interest and citizens will be given an opportunity to be heard in respect to such proposed application.

Dated: April 13, 1954.  
KENNETH T. HANLEY,  
Town Clerk

Item No. 29 Cont'd  
as follows;

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

Carried: AYES: -5-

NOES: -0-

Item No. 30 The following order and resolution was offered by Councilman Nagel, who moved its adoption, seconded by Councilman Wroblewski, to wit:

WHEREAS, the Town Board of the Town of Cheektowaga, in the County of Erie, has determined it to be necessary for the proper maintenance and service of the existing trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, to increase, improve, or reconstruct the facilities of such trunk sewer system and the appurtenances thereto and, at the request of the Town Board, Nussbaumer, Clarke and Velzy, who are competent Civil Engineers duly licensed by the State of New York, have prepared a map and a general plan for the improvement of such trunk system and for the increase of the facilities thereof and also an estimate of the expense thereof, and said map and general plan and estimate are dated May 5, 1954, and have been presented to the Town Board and have been filed in the office of the Town Clerk; and

WHEREAS, none of the improvements described in said map and general plan includes any lateral sewer main authorized to be constructed pursuant to Section 199 of the Town Law of New York; and

WHEREAS, the Town Board desires to hold a public hearing for the consideration of such map and general plan and estimate;

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

(1) The Town Clerk is hereby authorized and directed to publish and post the following notice:

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, in the County of Erie and State of New York, will meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, and hold a public hearing for the purpose of considering a map and general plan describing proposed improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, and an estimate of the cost thereof, and that the Town Board will, at said time and place, hear all persons interested in the subject of such hearing and will receive all evidence offered which will enable the Town Board to determine, pursuant to the provisions of the Town Law of New York, whether it is in the public interest to make the improvements described in said map and general plan and estimate, either in whole, or in part, and whether the property located within the boundaries of the District will be benefited by the making of such improvements.

The improvements heretofore referred to are described in a map and general plan dated May 5, 1954, prepared at the request of the Town Board by Nussbaumer, Clarke and Velzy, Consulting Engineers, now on file in the office of the Town Clerk of the Town of Cheektowaga, and consist of a trunk sewer, and the manholes and other appurtenances suitable for the operation of such trunk sewer, to be connected with the existing 24-inch trunk sanitary sewer which is maintained by Sewer District No. 5 at a point located 103.7 feet south of the center line of Central Boulevard Extension and 10 feet west of the east line of the school site of Union Free School District No. 11, and to run from such point in an easterly direction for 204 feet, and thence in a northerly direction at approximately a right angle a distance of 200 feet, and thence easterly at approximately a right angle a distance of 340 feet, and thence northerly at approximately a right angle a distance of 221.5 feet, and thence easterly at a right angle a distance of 325 feet to the westerly line of the Extension of Sewer District No. 5, established by the Town Board on February 1, 1954, where it will be connected with sanitary sewers to be constructed in such Extension.

The estimated expense of making said improvements is Thirty-Five Thousand Dollars (\$35,000.00).

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

Dated, May 17th, 1954.  
KENNETH T. HADLEY,  
Town Clerk of the  
Town of Cheektowaga



STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, in the County of Erie and State of New York, will meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, and hold a public hearing for the purpose of considering a map and general plan describing proposed improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, and an estimate of the cost thereof, and that the Town Board will, at said time and place, hear all persons interested in the subject of such hearing and will receive all evidence offered which will enable the Town Board to determine, pursuant to the provisions of the Town Law of New York, whether it is in the public interest to make the improvements described in said map and general plan and estimate, either in whole or in part, and whether the property located within the boundaries of said District will be benefitted by the making of such improvements.

The improvements hereinbefore referred to are described in a map and general plan dated May 5, 1954, prepared at the request of the Town Board by Nussbaumer, Clarke and Velsky, Consulting Engineers, now on file in the office of the Town Clerk of the Town of Cheektowaga, and consist of a trunk sewer, and the manholes and other appurtenances suitable for the operation of such trunk sewer, to be connected with the existing 24-inch trunk sanitary sewer which is maintained by Sewer District No. 5 at a point located 103.7 feet south of the centerline of Central Boulevard Extension and 10 feet west of the east line of the school site of Union Free School District No. 11, and to run from such point in an easterly direction for 204 feet, and thence in a northerly direction at approximately a right angle a distance of 200 feet, and thence easterly at approximately a right angle a distance of 340 feet, and thence northerly at approximately a right angle a distance of 221.5 feet, and thence easterly at a right angle a distance of 325 feet to the easterly line of the Extension of Sewer District No. 5, established by the Town Board on February 1, 1954, where it will be connected with sanitary sewers to be constructed in such Extension.

The estimated expense of making said improvements is Thirty-five Thousand Dollars (\$35,000.00).

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

Dated, May 17th, 1954.  
KENNETH T. HANLEY,  
Town Clerk of the  
Town of Cheektowaga

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the 20th day of May, 1954, 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*  
by *C.P.B.*

..... day of

....., 19.....

*Hanley*  
.....  
lic in and for Erie County.

The following resolution was offered by Mr. Bystrak, who moved its adoption, seconded by Mr. Neibert, to wit:

LEGAL NOTICE

CAPITAL NOTE RESOLUTION DATED MAY 17, 1954, AUTHORIZED BY THE TOWN BOARD OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

WHEREAS, the expense of making the improvements hereinafter described must be borne by local assessment upon the several lots and parcels of land within the districts in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law for the assessment of the cost of maintenance in a sewer district as the same shall be annually determined and apportioned by the Town Board, and the Town Board desires to issue capital notes to finance the cost of said improvements and to annually apportion and assess upon the several lots and parcels of lands especially benefitted by such improvements in proportion to the amount of benefit which the improvements shall confer upon the same an amount sufficient to pay the principal of and interest on the capital notes issued for such improvements as the same shall become due and payable, all of which shall be done in accordance with the provisions of Subdivision 6 of Section 198 of Chapter 634 of the Laws of 1932 as amended by Chapter 325 of the Laws of 1946.

NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its capital notes of the aggregate principal amount of \$2,400.00, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the purchase and installation of street lighting equipment pursuant to Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve properties on both sides of said highways, to wit:

- a) West Grande Boulevard from Central Boulevard to Southern Parkway.
b) McNaughton Avenue from Harlem Road to Tillotson Avenue.
c) Merrymont Road from Cleveland Drive to Wayne Terrace.

Section 3. It is hereby stated that:

- a) The maximum cost of said purpose as estimated by the Town Board is \$2,400.00.
b) No money has heretofore been applied to the payment of the cost of said purpose.
c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.
d) All of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued pursuant to the Local Finance Law, \$2,400.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series B of 1954, which shall bear a date not earlier than May 17, 1954, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and maturing as follows, to wit:

- 1. In the amount of \$1,200.00 maturing on April 1, 1955, and
2. In the amount of \$1,200.00 maturing on April 1, 1956.

Section 5. All other matters, except as provided herein, relating to such capital notes, shall be determined by the Supervisor. Such capital notes shall contain substantially the recital of valid-ly authorized purpose for in Section 51.00 of the Local Finance Law, and shall also be in such form and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law as the Supervisor shall determine.

determined by the Supervisor. Such capital notes shall contain substantially the recital of valid-ly authorized purpose for in Section 51.00 of the Local Finance Law, and shall also be in such form and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law as the Supervisor shall determine.

Section 6. The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such capital notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such capital note becoming due and payable in such year. There shall annually be apportioned and assessed upon the several lots and parcels of land especially benefitted by the afore-said improvements in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law, an amount sufficient to pay the principal of and interest on such capital notes as the same become due and payable.

Section 7. Such capital notes shall be sold at private sale by the Supervisor at a price of not less than par value of and accrued interest, if any, and the proceeds of such sale shall be applied solely for the purpose aforesaid, but the receipt of the Supervisor shall be a full acquittance to the purchaser of such capital notes who shall not be obliged to see to the application of the purchase money.

Section 8. It is hereby determined that said purpose is an object or purpose described in Subdivision 35 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 5 years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of 3 years.

Section 10. 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 the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 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 11. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the CHEEKTOWAGA TIMES and in the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers published and having a general circulation in said Town, and which newspapers are the official papers of this Town.

Section 12. This resolution shall take effect immediately upon its adoption.

The Capital Note Resolution published herewith has been adopted on the 17th day of May, 1954, and the validity of the obligations authorized by such Capital Note resolution may be hereafter contested only if such obligations were authorized for and 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, New York

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

Choose from 12 New 1954

"Key-Long" Color Key  
• Full Width Chaper, C  
• With Removable Easy  
• Built-in Zero Degre  
foods fresher; longer  
only refrigerator for th  
No dials to set. NO  
It's here for '54

**THE WORLD'S**

So Automatic  
thinks for itself

No Dials to Set

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... week, the first insertion being on the  
20th day of May, 1954, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*  
by C.A.B.

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

MAY 21 1954

....., 19.....  
*Herbert T. Hawley*  
Notary Public in and for Erie County.

m52800

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

Supervisor Holtz	Voting AYE
Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE

The resolution was duly adopted.

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

LEGAL NOTICE

CAPITAL NOTE RESOLUTION DATED MAY 17, 1954, AUTHORIZING THE ISSUANCE OF \$2,400.00 LIGHTING DISTRICT CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA IN THE COUNTY OF ERIE PURSUANT TO THE LOCAL FINANCE LAW

WHEREAS, the expense of making the improvements hereinafter described must be borne by local assessments upon the several lots and parcels of land within the districts in proportion to the amount of benefit which the improvements shall confer upon the same and in the manner provided in Section 202-a of the Town Law for the assessment of the cost of maintenance in a sewer district as the same shall be annually determined and apportioned by the Town Board, and the Town Board desires to issue capital notes to finance the cost of said improvements and to annually apportion and assess upon the several lots and parcels of lands especially benefitted by such improvements in proportion to the amount of benefit which the improvements shall confer upon the same an amount sufficient to pay the principal of and interest on the capital notes issued for such improvements as the same shall become due and payable, all of which shall be done in accordance with the provisions of Subdivision 6 of Section 198 of Chapter 434 of the Laws of 1932 as amended by Chapter 325 of the Laws of 1946.

NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga in the County of Erie, shall issue its capital notes of the aggregate principal amount of \$2,400.00, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the purchase and installation of street lighting equipment pursuant to Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve properties on both sides of said highway, to wit:

(a) West Grande Boulevard from Central Boulevard to Southern Parkway.

(b) McNaughton Avenue from Harlem Road to Tillotson Avenue.

(c) Merrymont Road from Cleveland Drive to Wayne Terrace.

Section 3. It is hereby stated that:

(a) The maximum cost of said purpose as estimated by the Town Board is \$2,400.00.

(b) No money has heretofore been applied to the payment of the cost of said purpose.

(c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.

(d) All of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued pursuant to the Local Finance Law, \$2,400.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series B of 1954, which shall bear a date not earlier than May 17, 1954, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and maturing as follows to wit:

1. In the amount of \$1,200.00 maturing on April 1, 1955, and

2. In the amount of \$1,200.00 maturing on April 1, 1956,

each of such notes to bear interest at a rate not exceeding 5% per annum, payable semi-monthly on April 1 and October 1. Such Capital Notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

Section 5. All other matters, except as provided herein, relating to such capital note shall be determined by the Supervisor. Such Capital Note shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law as the Supervisor shall determine.

Section 6. The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such capital notes as the same respectively becomes due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such capital note becoming due and payable in such year. There shall annually be apportioned and assessed upon the several lots and parcels or and especially benefitted by the aforesaid improvements in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202a of the Town Law, an amount sufficient to pay the principal of and interest on such capital notes as the same become due and payable.

Section 7. Such capital note shall be sold at private sale by the Supervisor at a price of not less than par value of and accrued interest, if any, and the proceeds of such sale shall be applied solely for the purpose aforesaid, but the receipt of the Supervisor shall be a full acquittance to the purchaser of such capital notes who shall not be obliged to see to the application of the purchase money.

Section 8. It is hereby determined, that said purpose is an object or purpose described in Subdivision 35 of paragraph (a) of Section 11.00 of the Local Finance Law and that the period of probable usefulness of said purpose is 5 years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of 3 years.

Section 10. 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 the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 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 11. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the CHEEKTOWAGA TIMES and in the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers published and having a general circulation in said Town, and which newspapers are the official papers of this Town.

Section 12. This resolution shall take effect immediately upon its adoption.

The capital note resolution published herewith has been adopted on the 17th day of May, 1954, and the validity of the obligations authorized by such capital note resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

RK  
WAGA } ss.

C. Allis, of the  
in said County of Erie, be-  
es and says that he is  
her of the

a public newspaper published  
; that the notice, of which  
slip, taken from said news-  
is inserted and published in  
ek for one week, first

MAY 20 1954

MAY 20 1954

than six days intervened be-

Edward C. Allis

this  
20 1954, 19

J. Allis

and for Erie County, N. Y.

EVE J. ALLIS  
CLERK, STATE OF NEW YORK  
Elected in Erie County  
Term Expires March 30, 1955  
Registered No. 5029

District use.  
 Residential District use to business  
 Place, west of River Street, from  
 on the north side of Humboldt  
 ston Lots Nos. 15 and 16 situated  
 Depew, N. Y., to rezoned Subdivi-  
 of Roy Cepers, Humboldt Place.  
 hearing was held on the application  
 in the official newspaper, a public  
 Pursuant to due advertisement  
 I absent.  
 Summary of roll call: 6 present,  
 TRUSTEE KOSINSKI, Absent  
 TRUSTEE LIPUMA, Present  
 MAYOR KOCIALSKI, Present

---

**HAVING**  
**Sewer Trouble?**  
**Call WI 7613**  
 We specialize in Sewer  
 and Drain Cleaning  
 Prompt 24-hour Service

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

Public newspaper published at Depew, Town of Cheek-  
 towaga, Erie County, New York, that notice of which the  
 annexed printed slip taken from said newspaper, is a copy,  
 was inserted and published therein once a week for  
 ..... week, the first insertion being on the  
 20th day of May, 1954, and  
 the last insertion being on the ..... day of  
 ....., 19....., and that not  
 more than six days intervened between any two publi-  
 cations thereof.

*Richard G. Bennett*  
 by C.P.B.

Sworn to before me this MAY 21 1954 day of

....., 19.....  
*Francis J. Hanley*  
 Notary Public in and for Erie County.  
 No. 52000

resolution was

ished in the

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

*Willard C. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *he* is  
*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 news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks, first  
publication **MAY 20 1954**;  
last publication **MAY 20 1954**;  
and that no more than six days intervened be-  
tween publications.

*Willard C. Allis*

Sworn to before me this .....  
day of **MAY 20 1954**, 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, 1955  
Registered No. 5029

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 20th day of May, 1954, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

**RESOLUTION CONCERNING THE ISSUANCE OF \$2,400.00 LIGHTING DISTRICT CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.**  
WHEREAS, the expense of making the improvements hereinafter described must be borne by local assessment upon the several lots and parcels of land within the districts in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law for the assessment of the cost of maintenance in a sewer district as the same shall be annually determined and apportioned by the Town Board, and the Town Board desires to issue capital notes to finance the cost of said improvements and to annually apportion and assess upon the several lots and parcels of lands especially benefitted by such improvements in proportion to the amount of benefit which the improvements shall confer upon the same an amount sufficient to pay the principal of and interest on the capital notes issued for such improvements as the same shall become due and payable, all of which shall be done in accordance with the provisions of Subdivision 6 of Section 198 of Chapter 634 of the Laws of 1952 as amended by Chapter 325

of the Laws of 1954, Chapter 325, Section 1.

IT IS RESOLVED BY the Town Board of the Town of Cheektowaga, in the County of Erie, as follows:

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its capital notes of the aggregate principal amount of \$2,400.00, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the purchase and installation of street lighting equipment; pursuant to Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve properties on both sides of said highways, to wit:

- a) West Grande Boulevard from Central Boulevard to Southern Parkway.
- b) McNaughton Avenue from Harlem Road to Tillotson Avenue.
- c) Merrymont Road from Cleveland Drive to Wayne Terrace.

Section 3. It is hereby stated that:

- a) The maximum cost of said purpose as estimated by the Town Board is \$2,400.00.
- b) No money has heretofore been applied to the payment of the cost of said purpose.
- c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.
- d) All of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued pursuant to the Local Finance Law, \$2,400.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series B of 1954, which shall bear a date not earlier than May 17, 1954, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and maturing as follows, to wit:

- 1. In the amount of \$1,200.00 maturing on April 1, 1955, and
  - 2. In the amount of \$1,200.00 maturing on April 1, 1956,
- each of such notes to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such Capital Notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

Section 5. All other matters, except as provided herein, relating to such capital notes, shall be determined by the Supervisor. Such capital notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law as the Supervisor shall determine.

Section 6. The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such capital notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such capital note becoming due and payable in such year. There shall annually be apportioned and assessed upon the several lots and parcels of land especially benefitted by the aforesaid improvements in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law, an amount sufficient to pay the principal of and interest on such capital notes as the same become due and payable.

Section 7. Such capital notes shall be sold at private sale by the Supervisor at a price of not less than par value of and accrued interest, if any, and the proceeds of such sale shall be applied solely

Section 3. It is hereby stated that:

- a) The maximum cost of said purpose as estimated by the Town Board is \$2,400.00.
- b) No money has heretofore been applied to the payment of the cost of said purpose.
- c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.
- d) All of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

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1. In the amount of \$1,200.00 maturing on April 1, 1955, and
  2. In the amount of \$1,200.00 maturing on April 1, 1956,
- each of such notes to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such Capital Notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

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Section 7. Such capital notes shall be sold at private sale by the Supervisor at a price of not less than par value of and accrued interest, if any, and the proceeds of such sale shall be applied solely for the purpose aforesaid, but the receipt of the Supervisor shall be a full acquittance to the purchaser of such capital notes who shall not be obliged to see to the application of the purchase money.

Section 8. It is hereby determined that said purpose is an object authorized in Sub-section (c) of Section 11.00 of the Local Finance Law and that the period of such purpose is not longer than is authorized in said law.

Section 9. It is hereby determined that the period of maturity of the obligations authorized by this resolution will not be in excess of 3 years.

Section 10. 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 the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 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 11. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the CHEEKTOWAGA TIMES and in the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers published and having a general circulation in said Town, and which newspapers are the official papers of this Town.

Section 12. This resolution shall take effect immediately upon its adoption.

The Capital Note Resolution published herewith has been adopted on the 17th day of May, 1954, and the validity of the obligations authorized by such Capital Note Resolution may be heretofore

contested only if such obligations are 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, New York

Item No. 32  
adoption:

Councilman Nagel presented the following resolution and moved its

WHEREAS, this Town Board has heretofore determined it to be in the public interest to extend Sanitary Sewer District No. 5 so as to embrace the real property mentioned and described in the resolution of the Town Board duly adopted the 25th day of February, 1954, extending said sewer district, and has likewise undertaken the increase of the facilities of the trunk sewer system of Sanitary Sewer District No. 5 in accordance with resolution of the Town Board duly adopted the 17th day of May, 1954, and

WHEREAS, this board has heretofore directed Nussbaumer, Clarke and Velzy, consulting engineers for the Town of Cheektowaga, New York to prepare definite plans and specifications and make a careful estimate of the expenses and with assistance of the Town Attorney to prepare a proposed contract for the execution of the work, and such plans, specifications, estimate and proposed contract having been duly prepared and presented to this Board and likewise filed with the Town Clerk, and the same having been carefully examined by the Town Board and approved, be it

RESOLVED, that sealed proposals be invited for the furnishing of labor and materials necessary for the doing of the work in connection with the extension to said Sanitary Sewer District No. 5 and in connection with the increase of the facilities of the Sewer District No. 5 by the publication of a notice there at least once in the Cheektowaga Times and the Depew Herald & Cheektowaga News, the official newspapers of the town requiring each person who shall offer to do said work to file a sealed proposal or offer to do the work, with a certified check of bid bond in the amount of \$3,000.00 for doing the work in connection with the extension of Sewer District No. 5 and in the amount of \$1,750.00 for doing the work in connection with the increase of the facilities of Sewer District No. 5, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, New York. The bond shall be approved by the Town Attorney, and

BE IT RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga, New York, in the Town Hall, Union Road and Broadway in said Township on the 7th day of June, 1954, at 2:30 P.M., E.D.S.T., and

BE IT FURTHER RESOLVED, that said notice to contractors be in substantially the following forms:

#### NOTICE TO CONTRACTORS

##### LEGAL NOTICE

**NOTICE TO CONTRACTORS**  
**NOTICE IS HEREBY GIVEN** that pursuant to a resolution of the Town Board of the Town of Cheektowaga, County of Erie, State of New York, sealed proposals shall be received and considered by said Town Board on the 7th day of June, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, in the Town Hall in the Town of Cheektowaga, Erie County, New York, for furnishing all materials and equipment, together with all labor for the construction of Sewers and Sewer extensions with appurtenances to serve Sanitary Sewer District No. 5, and the extension thereof, in accordance with proposed contract documents, plans, specifications, and instructions to bidders, prepared by Nussbaumer, Clarke & Velzy, consulting engineers, for the Town of Cheektowaga, New York, and approved by the Town Board of said Town, all of which are on file with the Town Clerk in his office in the Town Hall, where same may be examined during the usual business hours. Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be examined or secured at the office of the Consulting Engineers, Nussbaumer, Clarke & Velzy, 327 Franklin Street, Buffalo 2, New York. One copy of said documents may be obtained upon payment of \$50.00. Any bidder, upon returning such copy in good condition within thirty (30) days following the receipt of bids, will be refunded \$50.00, and any non-bidder upon so returning such copy, will be refunded \$25.00.

Each proposal must be accompanied by a certified check or bid bond in the amount of \$3,000.00 for the work in the extension of the District and \$1750.00 for the work in the District, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Bid for Sewer Construction serving Sanitary Sewer District No. 5".

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities in any bid submitted, should it be in the best interests of the Town, or reject any and all bids.

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

Dated: May 17, 1954.

KENNETH T. HANLEY,  
Town Clerk.

Supervisor Holtz  
Councilman Nagel  
Councilman Wroblewski  
Councilman Neibert  
Councilman Bystrak

Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE

Carried: Ayes; -5-

Noes: -0-

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

**NOTICE TO CONTRACTORS**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, County of Erie, State of New York, sealed proposals shall be received and considered by said Town Board on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, in the Town Hall in the Town of Cheektowaga, Erie County, New York, for furnishing all materials and equipment, together with all labor for the construction of Sewers and Sewer extensions with appurtenances to serve Sanitary Sewer District No. 5, and the extension thereof, in accordance with proposed contract, documents, plans, specifications, and instructions to bidders, prepared by Nussbaumer, Clarke & Velzy, consulting engineers, for the Town of Cheektowaga, New York, and approved by the Town Board of said Town, all of which are on file with the Town Clerk in his office in the Town Hall, where same may be examined during the usual business hours. Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be examined or secured at the office of the Consulting Engineers, Nussbaumer, Clarke & Velzy, 327 Franklin Street, Buffalo 2, New York. One copy of said documents may be obtained upon payment of \$50.00. Any bidder, upon returning such copy in good condition within thirty (30) days following the receipt of bids, will be refunded \$50.00, and any non-bidder upon so returning such copy will be refunded \$25.00.

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The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities in any bid submitted, should it be in the best interests of the Town, or reject any and all bids.

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

Dated: May 17, 1954.

KENNETH T. HANLEY  
Town Clerk

(5-20)

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 ..... MAY 20 1954 .....  
last publication ..... MAY 20 1954 .....  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
day of ..... MAY 20 1954 ..... 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, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:



RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

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Depew Cheektowaga  
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a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
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20th day of May, 1954, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*  
by C.P.B.

Sworn to before me this May 21 1954 day of

....., 19.....

*Emmett J. Barkley*

Notary Public in and for Erie County.

ht: 528600

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the 20th day of May, 1954, 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*  
by *C.A.B.*

1954

..... day of

....., 19.....

.....  
..... in and for Erie County.

The Town Board of Cheektowaga, Erie County, State of New York, sealed proposals shall be received and considered by said Town Board on the 7th day of June, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, in the Town Hall in the Town of Cheektowaga, Erie County, New York, for furnishing all materials and equipment, together with all labor for the construction of Sewers and Sewer extensions with appurtenances to serve Sanitary Sewer District No. 5, and the extension thereof, in accordance with proposed contract documents, plans, specifications, and instructions to bidders, prepared by Nussbaumer, Clarke & Velsy, consulting engineers, for the Town of Cheektowaga, New York, and approved by the Town Board of said Town, all of which are on file with the Town Clerk in his office in the Town Hall, where same may be examined during the usual business hours. Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be examined or secured at the office of the Consulting Engineers, Nussbaumer, Clarke & Velsy, 327 Franklin Street, Buffalo 2, New York. One copy of said documents may be obtained upon payment of \$50.00. Any bidder, upon returning such copy in good condition within thirty (30) days following the receipt of bids, will be refunded \$50.00, and any non-bidder upon so returning such copy will be refunded \$25.00.

Each proposal must be accompanied by a certified check or bid bond in the amount of \$3,000.00 for the work in the extension of the District and \$1750.00 for the work in the District, payable to the order of Benedict T. Holts, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Bid for Sewer Construction serving Sanitary Sewer District No. 5".

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening there-

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities in any bid submitted, should it be in the best interests of the Town, or reject any and all bids.

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

Dated: May 17, 1954.  
KENNETH T. HANLEY,  
Town Clerk.

Item No. 33 This being the time and the place advertised for the receiving of sealed bids for the purchase of;

- 2 Police Automobiles
- 1 Station Wagon
- 1 Sanitation Truck
- 1 Sewer Truck
- 1 Disposal Plant Truck

Councilman Nagel moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to open the sealed bids received.

Following is a summary of the bids received:

	<u>Police Cars</u>	<u>Handyman</u>	<u>Disposal</u>	<u>Sewer</u>	<u>Sanitation</u>
Kenmore Motor Co.	\$2,600	-0-	\$1,950 6 cy. 1,970 8 cy.	\$3,495	\$4,017.35
Hal. Casey	2,945	\$1,956.23	1,685.75	2,750	2,999.81
Zapfel Bros.	-0-	-0-	1,935.34	3,005.20	Opt. A-1 3,078.13
					Opt. B 3,278.13
Read Motor Co.	2,774.40	2,000	-0-	2,970	-0-
Reiman Motors	3,037.00	-0-	-0-	-0-	-0-
Brost Bros.	2,520	1,813.23	1,940.27	2,851.84	3,183.51
High St. Garage	-0-	-0-	2,236.40	3,354.40	3,803.60
Mernan Chev.	2,634	1,930.50	1,513.57	2,788.99	3,208.90
Edw. H. Cottrell	2,090	2,048	2,058	3,223	3,593
Don. Allen Chev.	2,493.20	1,873.38	1,572.08	2,843.13	3,247.38
G.M.C. Coach Maier-Schule	-0-	-0-	1,386.81	2,812.05	2,906.42
Brost Motors	2,343.60	-0-	1,729.68	2,798	3,079.55

Councilman Nagel moved, seconded by Councilman Neibert, that the bids be referred to the Town Board for analysis and tabulation.

Item No. 34 This being the time and the place advertised for the receiving of bids for the installation of a lateral sanitary sewer in Mapleview Drive from Birkdale Road, extending easterly a distance of 660 feet.

Councilman Nagel moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to open the sealed bids received.

Hereto attached is a summary of the bids received:

BID SUMMARY  
 FOR SANITARY SEWERS IN  
 MAPLEVIEW ROAD AND BIRKDALE ROAD  
 TOWN OF CHEMUNG, NEW YORK  
 Received May 10<sup>th</sup> 1954

					Straco, Inc.		Pariso Bros.	
<u>Bid Item I - Pipe</u>					Unit Price	Total	Unit Price	Total
	Dia.	Depth	Length	Quantity				
Birkdale Road	8"	6 - 8	400		\$ 2.75	\$1,500.00	\$ 2.45	\$1,160.00
		6 - 10	40		3.00	120.00	3.20	128.00
Total						\$1,220.00		\$1,508.00
Mapleview Road	8"	6 - 8	400		2.50	1,000.00	2.45	1,180.00
		8 - 10	685		2.50	689.00	3.20	848.00
Total						\$1,689.00		\$2,028.00
<u>Bid Item II - Manholes</u>								
Birkdale Road		6 - 8		2 ea.	225.00	450.00	240.00	480.00
		8 - 10		1 ea.	275.00	275.00	290.00	290.00
Total						725.00		770.00
Mapleview Road		6 - 8		2 ea.	225.00	450.00	240.00	480.00
		8 - 10		1 ea.	275.00	275.00	290.00	290.00
Total						725.00		770.00
<u>Bid Item III - Class C. Concrete</u>								
Birkdale Road				50 cu.yd.	15.00	750.00	14.00	700.00
Mapleview Road				10 cu.yd.	15.00	150.00	14.00	140.00
Total						900.00		840.00

Councilman Nagel moved, seconded by Councilman Neibert, that the bids be referred to the Engineers for analysis and tabulation.

Item No. 35 This being the time and the place advertised for a public hearing on the application of the Niagara Frontier Transit System to operate a motor vehicle bus route on and along the following streets and highways in the Town of Cheektowaga, New York:

On and along Broadway between a point approximately 100 feet east of its intersection with Wagner Avenue and a point approximately 75 feet east of its intersection with Michael Avenue, as a part of its Broadway route,

The following named persons appeared in favor of the proposed route:

Walter McClausland, representing the Niagara Frontier Transit System and Trustee Frank Kotlowski of the Sloan Village Board.

Petition presented bearing the signatures of 412 persons in favor.

The following named persons appeared in opposition:

Harold Kelley, Attorney for the Buffalo Transit Company; John Kaniecki, Sloan, N.Y.; Mrs. Reformat, Cheektowaga, New York. Supervisor Holtz ordered the hearing closed and decision was reserved.

Item No. 36

Trustees Podniesiński, Kotlowski and Kaniecki, of the Village of Sloan were granted the floor and requested information relating to the proposed dissolution of the Village of Sloan.

The Supervisor and the Members of the Town Board advised the Trustees that they will not have any information on the matter until after the Village is officially dissolved.

Item No. 37

NOTICE OF HEARING-HOMESGARTH ROAD PAVING

WHEREAS, a petition for the improvement of both sides of Homesgarth Avenue, extending from Mapleview Road easterly to Roycroft Blvd., a distance of approximately 730 feet, by the construction of a permanent pavement along said highway was filed in the Town Clerk's Office on April 26, 1954, which petition was presented to this Town Board on the 17th day of May, 1954, and WHEREAS, EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZINSKI, Assessors of said Town of Cheektowaga have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and also by resident owners owning more than one-half of the frontage owned by resident owners residing along both sides of said highway proposed to be improved, and WHEREAS, the maximum amount proposed to be expended for the improvement aforesaid is the sum of Ten Thousand Dollars (\$10,000.00), and WHEREAS, the portion of said

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the DEPEW HERALD & CHEEKTOWAGA NEWS, and the CHEEKTOWAGA TIMES, the official newspapers of the Town, and which newspapers are published in and which have a general circulation in said 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 along the said highway to be improved not less than ten nor more than twenty days before the day designated for the hearing as aforesaid. Seconded by Mr. Bystrak and duly put to a vote which resulted as follows: Supervisor Holtz, voting AYE Councilman Bystrak, voting AYE Councilman Nagel, voting AYE Councilman Neibert, voting AYE

Bid Item IV - Right-of-Way

	Quantity	Unit Price	Total	Unit Price	Total
Birkdale Road	50	\$ 2.90	\$145.00	\$ 4.00	\$200.00
Mapleview Road	50	2.90	145.00	4.00	200.00
Total			290.00		400.00

Bid Item V - Pavement Replacement

Birkdale Road			54.00		50.00
Mapleview Road			54.00		50.00
Total			108.00		100.00

Bid Item VI - 8" Wyo Branches

Birkdale Road	22		58.00		99.00
Mapleview Road	5		20.00		22.50
Total			108.00		121.50

Bid Item VII - Connection Birkdale

			30.00		40.00
<u>Total for Bid Items I through VII inclusive</u>			\$5,735.00		\$6,377.50

★

Councilman Nagel moved, seconded by Councilman Neibert, that the bids be referred to the Engineers for analysis and tabulation.

Item No. 35 This being the time and the place advertised for a public hearing on the application of the Niagara Frontier Transit System to operate a motor vehicle bus route on and along the following streets and highways in the Town of Cheektowaga, New York; 91

On and along Broadway between a point approximately 100 feet east of its intersection with Wagner Avenue and a point approximately 75 feet east of its intersection with Michael Avenue, as a part of its Broadway route,

The following named persons appeared in favor of the proposed route:

Walter McClausland, representing the Niagara Frontier Transit System and Trustee Frank Kotlowski of the Sloan Village Board.

Petition presented bearing the signatures of 412 persons in favor.

The following named persons appeared in opposition:

Harold Kelley, Attorney for the Buffalo Transit Company;  
John Kaniecki, , Sloan, N.Y.;  
Mrs. Reformat, , Cheektowaga, New York.  
Supervisor Holtz ordered the hearing closed and decision was reserved.

Item No. 36

Trustees Podniesiński, Kotlowski and Kaniecki, of the Village of Sloan were granted the floor and requested information relating to the proposed dissolution of the Village of Sloan.

The Supervisor and the members of the Town Board advised the Trustees that they will not have any information on the matter until after the Village is officially dissolved.

Item No. 37

#### NOTICE OF HEARING-HOMESGARTH ROAD PAVING

WHEREAS, a petition for the improvement of both sides of Homesgarth Avenue, extending from Mapleview Road easterly to Roycroft Blvd., a distance of approximately 730 feet, by the construction of a permanent pavement along said highway was filed in the Town Clerk's Office on April 26, 1954, which petition was presented to this Town Board on the 17th day of May, 1954, and

WHEREAS, EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZINSKI, Assessors of said Town of Cheektowaga have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and also by resident owners owning more than one-half of the frontage owned by resident owners residing along both sides of said highway proposed to be improved, and

WHEREAS, the maximum amount proposed to be expended for the improvement aforesaid is the sum of Ten Thousand Dollars (\$10,000.00), and

WHEREAS, the portion of said

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the DEPEW HERALD & CHEEKTOWAGA NEWS, and the CHEEKTOWAGA TIMES, the official newspapers of the Town, and which newspapers are published in and which have a general circulation in said 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 along the said highway to be improved not less than ten nor more than twenty days before the day designated for the hearing as aforesaid.

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

Supervisor Holtz, voting AYE  
Councilman Bystrak, voting AYE  
Councilman Nagel, voting AYE  
Councilman Neibert, voting AYE

- 1- Post at the corner of Homesgarth and Mapleview Drive;
- 2- Post in front of No. 45 Homesgarth Avenue;
- 3- Post in front of No. 84 Homesgarth Avenue;
- 4- Post in front of No. 89 Homesgarth Avenue;
- 5- Post in front of No. 91 Homesgarth Avenue.

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

**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 the said Town of Cheektowaga on the 17th day of May, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Henry J. Nagel, Councilman  
Joseph A. Neibert, Councilman  
Felix T. Wroblewski, Councilman

**ABSENT:** None.

Councilman Wroblewski presented the following resolution and moved its adoption.

WHEREAS, a petition for the improvement of both sides of Homesgarth Avenue, extending from Mapleview Road easterly to Roycroft Blvd., a distance of approximately 730 feet, by the construction of a permanent pavement along said highway was filed in the Town Clerk's Office on April 26, 1954, which petition was presented to this Town Board on the 17th day of May, 1954, and

WHEREAS, EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZINSKI, Assessors of said Town of Cheektowaga have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and also by resident owners owning more than one-half of the frontage owned by resident owners residing along both sides of said highway proposed to be improved, and

WHEREAS, the maximum amount proposed to be expended for the improvement aforesaid is the sum of Ten Thousand Dollars (\$10,000.00), and

WHEREAS, the portion of said highway to be improved is situated entirely in said Town outside of any incorporated village or city therein.

**NOW, THEREFORE,**

IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga met at the Town Hall in said Town of Cheektowaga on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the CHEEKTOWAGA TIMES, and Depew Herald and Cheektowaga News, the official newspapers of the Town, and which newspaper is published in and which has a general circulation in said 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 along the said highway to be improved not less than ten nor more than twenty days before the day designated for the hearing as aforesaid.

Seconded by Councilman Bystrak and duly put to a vote which resulted as follows:  
Supervisor Holtz, voting Aye.  
Councilman Bystrak, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Wroblewski, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0  
STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 17th day of May, 1954, 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 17th day of May, 1954.

KENNETH T. HANLEY,  
Clerk of the Town Board  
Town of Cheektowaga, N. Y.  
(SEAL) (may27)

AGA } ss.

the Town of Cheektowaga, Erie, being duly sworn,

is the publisher of the public newspaper published

in; that the notice, of said slip, taken from said

inserted and published for one week for one week;

MAY 27 1954  
MAY 27 1954

six days intervened before

*J.C. Allis*

1954, 19.....  
*J. Allis*  
for Erie County, N. Y.

J. ALLIS  
CLERK OF NEW YORK  
Erie County  
March 30, 1955  
No. 5029

Item No. \_\_\_\_\_

Several of the members of the Urban Hose Co. attended the Communion Service held Sunday morning at Our Lady Help of Christians Chapel. Breakfast was served following the service at the U-Crest Fire Hall.

Richard M. Nichols who is stationed there for his basic training. They brought the young man to his home in Niagara Falls since he had a weekend pass.

Saturday Mr. and Mrs. Edward Danks and family motored to Sampson Air Base to visit a nephew, AB.

Mrs. Lewis C. Fisher Regent 1173

**Urban - Hyland**

**This Holiday Saturday, Sunday**

Funeral services were held Saturday morning, May 22nd, from the Rucold-Kwiatkowski Funeral Home, 83 Burlington Ave., Depew, at 9:30 a.m. and from St. Peter and Paul Church at 10. Interment was in St. Augustine's Cemetery.

Central Hose Co. No. 4  
Depew Fire Department

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for \_\_\_\_\_ week, the first insertion being on the 22th day of May, 1954, 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*  
124 C.P.B.

Sworn to before me this 16 day of June, 1954

*Stan J. Lewek*  
Notary Public in and for Erie County.

STAN J. LEWEK  
Notary Public - State of New York  
Qualified in Erie County  
My commission expires Mar. 30, 1954

hn 52 6600

I  
of

Ch

§ 7. posted on the 28th day

and Mapleview Drive;  
th Avenue;  
th Avenue;  
th Avenue;  
th Avenue.

he notice published in the

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication MAY 27 1954; last publication MAY 27 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 28 1954, 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, 1955  
Registered No. 5029

STATE OF NEW YORK )  
COUNTY OF ERIE )

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 27th day of May, 1954, 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*  
124 C.P.D.

day of

1954

*Stan J. Lewer*  
in and for Erie County.

STAN J. LEWER  
Notary Public - State of New York  
Qualified in Erie County  
My commission expires Mar. 30, 1954

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, Cheektowaga, New York, in said Town on the 17th day of May, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT:  
Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Henry Nagel, Councilman  
Joseph Neibert, Councilman  
Felix Wroblewski, Councilman  
ABSENT: NONE

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of Highway No. 19, between \_\_\_\_\_ and \_\_\_\_\_

of a permanent pavement along said highway was filed in the Town Clerk's Office on April 25, 1954, which petition was presented to this Town Board on the 17th day of May, 1954, and

WHEREAS, EDWARD B. JERZYNSKI, ANDREW H. SCHWENK and EUGENE A. RUDZINSKI, Assessors of said Town of Cheektowaga have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and also by resident owners owning more than one-half of the frontage owned by resident owners residing along both sides of said highway proposed to be improved, and

WHEREAS, the maximum amount proposed to be expended for the improvement aforesaid is the sum of Ten Thousand Dollars (\$10,000.00), and

WHEREAS, the portion of said highway to be improved is situated entirely in said Town outside of any incorporated village or city therein.

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the DEPEW HERALD & CHEEKTOWAGA NEWS, and the CHEEKTOWAGA TIMES, the official newspapers of the Town, and which newspapers are published in and which have a general circulation in said 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 along the said highway to be improved not less than ten nor more than twenty days before the day designated for the hearing as aforesaid.

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

Supervisor Holtz, voting AYE  
Councilman Bystrak, voting AYE  
Councilman Nagel, voting AYE  
Councilman Neibert, voting AYE  
Councilman Wroblewski, voting AYE

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 17th day of May, 1954, and that the same is a correct and true transcript of the original resolution and the same thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 17th day of May, 1954.

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

Item No. 38 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same.  
( Warrant No. 897 to 1033, inclusive, drawn on the Supervisor )

Item No. 39 Councilman Neibert moved, seconded by Councilman Bystrak, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 27th day of May, 1954, at 11:00 o'clock A.M., E.D.S.T., there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Stanley R. Bystrak	Councilman

ABSENT: Joseph A. Neibert	Councilman
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Due to the absence of Town Clerk Hanley, Councilman Nagel was designated to act as Town Clerk for this meeting.

Item No. 2 Councilman Nagel presented the following information and moved its adoption:

WHEREAS, the Merchants Association at the Thruway Plaza has requested a permit to display fireworks on the private property of the Thruway Plaza on July 3, 1954, be it

RESOLVED, that permission is granted to the Thruway Plaza Merchants Association, Inc., to display fireworks on July 3, 1954, upon the premises belonging to the Thruway Plaza, providing the owner of said property consents thereto, in writing, and providing adequate Public Liability Insurance in a maximum amount of at least \$100,000.00 is provided to insure persons in an accident or injury resulting from such display;

THAT said policy of insurance include coverage for the Town of Cheektowaga, and be it further

RESOLVED, that said display of fireworks be conducted strictly in accordance with all state laws applicable thereto and only upon the private premises of the Thruway Plaza. This permit does not allow a fireworks display on abutting highways and is confined solely to the property belonging to the Thruway Plaza,

THAT a copy of this resolution be forwarded to the Thruway Plaza Merchants Association, Inc., by the Town Clerk.

Seconded by Councilman Bystrak.

CARRIED: AYES: -4-

ABSENT: -1-

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

WHEREAS, the Town Highway Superintendent has recommended to the Town Board that Wheaton Drive, running from Genesee Street to George Urban Boulevard be accepted as Town Highways, the same having been paved in accordance with the specifications of the Town Highway Superintendent and the regulations of the Town of Cheektowaga, be it

RESOLVED, that Wheaton Drive be accepted as a Town Highway of the Town of Cheektowaga, New York, subject to the jurisdiction of the Town Highway Superintendent.

Seconded by Councilman Nagel.

CARRIED: AYES: -4-

ABSENT: -1-

Item No. 4 Councilman Nagel moved, seconded by Councilman Wroblewski, to adjourn.

Henry J. Nagel, Acting Town Clerk.

SEAL

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 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

Also present were: Town Clerk Hanley; Town Attorney Doyle; Town Engineer Kamm; Assessor Jerzewski; Tax Collector Pfohl; Chief of Police Mersmann; Dog Warden Kraska; Recreational Director Janiak; Town Historian Julia B. Reinstein and General Foreman Eberle.

Item No. 2 Without any objections the reading of the previous meetings minutes were dispensed with until a later date.

Item No. 3 COMMUNICATION read from the Board of Assessors certifying that the petition for the construction of a lateral sanitary sewer in Genesee Street, extending from Awood Place, north easterly to Beechwood Place and Beechwood Place for its entire length from Genesee Street to Greenwood Place has sufficient percentage of signatures for approval. Ordered referred to the Town Attorney to draw up a resolution for a public hearing.

Item No. 4 COMMUNICATIONS

Communication read from State of New York, Department of Public Works, relating to left turns from Genesee Street into Harlem Road, Union Road and Cayuga Road. Ordered received and filed.

Communication read from the New York State Thruway Authority relating to construction of a pedestrian bridge over the New York State Thruway at Garland Avenue. Ordered received and filed.

Communication read from the Cayuga Hose Company inviting the Board to attend its Annual Parade on June 12, 1954. Ordered received, filed and to attend.

Item No. 5 This being the time and the place advertised for a public hearing for the proposed improvement of Homesgarth Avenue, extending from Maplevue Road easterly to Roycroft Boulevard, a distance of approximately 730 feet, by the construction of a permanent pavement along said highway..

The Supervisor directed the Town Clerk to present proof of publication of the Notice of the Hearing.

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. No person appeared in opposition to the proposed improvement, the Supervisor ordered the hearing closed and the matter was referred to the Town Attorney and the Town Engineer.

Item No. 6 This being the time and the place advertised for the receiving of sealed bids for the purchase of a new two stage air cooled gasoline engine driven portable air compressor complete with electric starting and mounting on two-pneumatic tires with a capacity of 60 to 75 C.F.M. actual at 100 lbs. pressure.

The Supervisor directed the Town Clerk to present proof of publication of the Notice to Bidders.

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

Councilman Neibert moved, seconded by Councilman Nagel, that the Town Clerk be authorized to open the sealed bids received.

Hereto is a list of the bids received:

Rupp Equipment Company.....	\$2,874.35
Gleason Corporation.....	2,274.00
LeRoi Equipment Corporation.....	2,222.00
Murray Construction Equipment Corporation..	2,405.00

Councilman Neibert moved, seconded by Councilman Nagel, that the bids be referred to Town Engineer Kamm for analysis and tabulation.

Item No. 7 This being the time and the place advertised for the receiving of sealed bids for the purchase of three (3) 1954 trucks for the Highway Department.

The Supervisor directed the Town Clerk to present proof of publication of the Notice to Bidders.

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

Councilman Nagel moved, seconded by Councilman Neibert, that the Town Clerk be authorized to open the sealed bids received.

Hereto is a list of the bidders,

Reo Motors.....	\$6,429.33
Mernan Chevrolet.....	8,566.00
Edward H. Cottrell.....	4,868.00 6,881.00

Councilman Nagel moved, seconded by Councilman Neibert, that the bids be referred to the Highway Superintendent for analysis and tabulation.

Item No. 8 This being the time and the place advertised for the receiving of bids for the purchase of a 1954 tractor with side mounted mower for the Incinerator Department.

The Supervisor directed the Town Clerk to present proof of publication of the Notice to Bidders.

The Town Clerk presented proof that such notice has been duly published and posted.

Councilman Wroblewski moved, seconded by Councilman Bystrak, that the Town Clerk be authorized to open the sealed bids received.

Hereto are a list of the sealed bids received:

Buffalo Tractor & Implement Company ( only bid received ).....\$2,377.75.

Councilman Wroblewski moved, seconded by Councilman Bystrak, that the bid be referred to the Town Engineer.

Item No. 9 The following order and resolution was offered by Mr. Neibert, who moved its adoption, seconded by Mr. Nagel, to wit:

BOND RESOLUTION DATED JUNE 7, 1954  
 AUTHORIZING THE ISSUANCE OF \$5,500  
 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA,  
 IN THE COUNTY OF ERIE, PURSUANT TO THE  
 LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION  
 OF SIDEWALKS.

WHEREAS, the Town Board has undertake the specific object or purpose hereinafter described, and such specific object or purpose is a special improvement authorize by Article 12 of the Town Law of New York; NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$5,500.00, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose ( hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of concrete sidewalks four (4) feet in width on both sides of Peinkofer Drive, from Beach Road easterly to Northvale Drive, on the south side of Peinkofer Drive and Lot No. 106 on the north side of Peinkofer Drive, excepting 207.43 feet on the north side of Peinkofer Drive belonging to Otto Gangloff, in accordance with the resolution adopted by the Town Board of said Town on June 30, 1952.

Section 3. The expenses of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the sveral lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$5,500.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purposes, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Item No. 9 Cont'd Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 24 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

35

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. 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 & Cheektowaga News" and "Cheektowaga Times", the official newspapers of the Town of Cheektowaga, 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 (20) days after the date of such publication or if such obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall take effect immediately upon its adoption.

The resolution was duly adopted, the vote being as follows:

Supervisor Benedict T. Holtz	Voting AYE
Councilman Felix T. Wroblewski	Voting AYE
Councilman Stanley Bystrak	Voting AYE
Councilman Henry Nagel	Voting AYE
Councilman Joseph A. Neibert	Voting AYE

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

Item No. 9 Cont'd Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 24 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

LEGAL NOTICE

BOND RESOLUTION DATED JUNE 7, 1954, AUTHORIZING THE ISSUANCE OF \$5,500 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF SIDEWALKS.

WHEREAS, the Town Board has undertaken the specific object or purpose hereinafter described, and such specific object or purpose is a special improvement authorized by Article 12 of the Town Law of New York; NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$5,500.00, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of concrete sidewalks four (4) feet in width on both sides of Peinkofer Drive, from Beach Road easterly to Northvale Drive, on the south side of Peinkofer Drive and Lot Number 106 on the north side of Peinkofer Drive, excepting 207.43 feet on the north side of Peinkofer Drive belonging to Otto Gangloff, in accordance with the resolution adopted by the Town Board of said Town on June 30, 1952.

Section 3. The expenses of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$5,500.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined

that said purpose is an object or purpose described in Subdivision 24 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 6. It is hereby determined that the proposed maturity of the obligation authorized by this resolution will not be in excess of five (5) years.

Section 7. 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 61.00 of said Local Finance Law, and such publication shall be in the "CHEEKTOWAGA TIMES," and "The Depew Herald and Cheektowaga News," the official newspapers of the Town of Cheektowaga, published and having a general circulation in said Town. The validity of said Serial Bonds or any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with as of 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 (20) days after the date of such publication or if such obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall take effect immediately upon its adoption.

The resolution was duly adopted, the vote being as follows:

Supervisor Benedict T. Holtz voting Aye.

Councilman Felix Wroblewski voting Aye.

Councilman Stanley Bystrak voting Aye.

Councilman Henry Nagel voting Aye.

Councilman Joseph A. Neibert voting Aye.

The bond resolution published herewith has been duly adopted on June 7, 1954, 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, State of New York, is not authorized to expend money or if the provisions of the 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 (20) 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

NEW YORK }  
ERIE } ss.  
CHEEKTOWAGA }

*Willard C. Allis*, of the

Town of Cheektowaga, in said County of Erie, be-

ing, deposes and says that *he* is

*Willard C. Allis* of the

Town of Cheektowaga, a public newspaper published

in said Town; that the notice, of which

a printed slip, taken from said news-

paper, was inserted and published in

the Town of Cheektowaga, for a week for *one* week, first

JUN 10 1954

JUN 10 1954

more than six days intervened be-

fore the date of publication of this notice.

*Willard C. Allis* me this

JUN 11 1954

1954, 19

*Willard C. Allis*

in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
Commission Expires March 30, 1955  
Registered No. 5029

aid purpose is an object  
ection 11.00 of the  
s of said purpose is five

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

*Willard C. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *he* is  
*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 news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks, first  
publication **JUN 10 1954**;  
last publication **JUN 10 1954**;  
and that no more than six days intervened be-  
tween publications.

*Willard C. Allis*

Sworn to before me this .....  
day of **JUN 11 1954**, 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, 1955  
Registered No. 5029

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 10th day of June, 1954, 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*

WHEREAS, the Town Board has undertaken the specific object or purpose hereinafter described, and such specific object or purpose is a special improvement authorized by Article 12 of the Town Law of New York; NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$5,500.00, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of concrete sidewalks four (4) feet in width on both sides of Peinkofer Drive, from Beach Road easterly to Northvale Drive, on the south side of Peinkofer Drive and Lot Number 106 on the north side of Peinkofer Drive, excepting 207.43 feet on the north side of Peinkofer Drive belonging to Otto Gangloff, in accordance with the resolution adopted by the Town Board of said Town on June 30, 1952.

Section 3. The expenses of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$5,500.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 24 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in violation of any law.

Section 7. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in violation of any law.

Section 8. This resolution shall take effect immediately upon its adoption.

The resolution was duly adopted, the vote being as follows:

Supervisor Benedict T. Holtz, Voting Aye  
Councilman Felix Wroblewski, Voting Aye  
Councilman Stanley Eyrak, Voting Aye  
Councilman Henry Nagel, Voting Aye  
Councilman Joseph A. Nelbert, Voting Aye

The bond resolution published herewith has been adopted on June 7, 1954, 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, State of New York, is not authorized to expend money, or if the provisions of the 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

The following order and resolution was offered by Mr. Neibert, who moved its adoption, seconded by Mr. Nagel, to wit:

BOND ANTICIPATION NOTE RESOLUTION, DATED  
JUNE 7, 1954, AUTHORIZING THE ISSUANCE OF  
\$5,500 BOND ANTICIPATION NOTES OF THE TOWN  
OF CHEEKTOWAGA, IN THE COUNTY OF ERIE,  
PURSUANT TO THE LOCAL FINANCE LAW, TO  
FINANCE THE CONSTRUCTION OF SIDEWALKS.

BE IT RESOLVED, by the Town Board as follows:

Section 1. The Town of Cheektowaga shall issue its Bond anticipation Notes of the aggregate principal amount of \$5,500, pursuant to the Local Finance Law of New York, in order to finance the specific object or purpose hereinafter described, in anticipation of the issuance of \$5,500 Serial Bonds authorized by the Bond Resolution entitled "Bond Resolution Dated June 7, 1954, authorizing the issuance of \$5,500 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the construction of sidewalks", adopted by the Town Board on June 7, 1954.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed by the issuance of said notes is the construction of concrete sidewalks four feet in width on both sides of Peinkofer Drive, from Beach Road easterly to Northvale Drive; on the south side of Peinkofer Drive and Lot No. 106 on the north side of Peinkofer Drive, excepting 207.43 feet on the north side of Peinkofer Drive belonging to Otto Gangleff.

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by Local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. The power to prescribe the terms, form and contents of said Bond Anticipation Notes, subject to the provisions of this resolution, and to sell and deliver such Bond Anticipation Notes, is hereby delegated to the Supervisor. The Supervisor and the Town Clerk are hereby directed to sign any Bond Anticipation Notes pursuant to this resolution and the Town Clerk is hereby directed to affix to such notes the corporate seal of the Town.

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

The resolution was duly adopted, the vote being as follows:

Supervisor Benedict T. Holts	Voting AYE
Councilman Felix Wroblewski	Voting AYE
Councilman Stanley Bystrak	Voting AYE
Councilman Henry Nagel	Voting AYE
Councilman Joseph A. Neibert	Voting AYE

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA

BOND ANTICIPATION NOTE OF 1954 \$2,600.00

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this note the sum of

---TWENTY SIX HUNDRED DOLLARS--- (\$2,600.00)---

on the 1st day of September, 1954, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable September 1, 1954 and annually thereafter.

Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This note is one of an authorized issue, the aggregate principal amount of which is Fifty Five Hundred Dollars, (\$5,500.00).

This note is issued pursuant to the provisions of a bond anticipation note resolution, dated June 7, 1954, authorizing the issuance of bond anticipation notes of the Town of Cheektowaga, New York, in the amount of Fifty-Five Hundred Dollars

COMMITTEES ANNOUNCE  
FOR FISH DINNER



RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

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

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the ..... day of June, 1954, 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

**JUN 18 1954**

....., 19.....

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

hn 52 8800

The following order and resolution was offered by Mr. Neibert, who moved its adoption, seconded by Mr. Nagel, to wit:

BOND ANTICIPATION NOTE RESOLUTION, DATED JUNE 7, 1954, AUTHORIZING THE ISSUANCE OF \$5,500 BOND ANTICIPATION NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF SIDEWALKS.

BE IT RESOLVED, by the Town Board as follows:

Section 1. The Town of Cheektowaga shall issue its Bond anticipation Notes of the aggregate principal amount of \$5,500, pursuant to the Local Finance Law of New York, in order to finance the specific object or purpose hereinafter described, in anticipation of the issuance of \$5,500 Serial Bonds authorized by the Bond Resolution entitled "Bond Resolution Dated June 7, 1954, authorizing the issuance of \$5,500 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the construction of sidewalks", adopted by the Town Board on June 7, 1954.

Section 2. The specific object or purpose ( hereinafter referred to as "purpose") to be financed by the issuance of said notes is the construction of concrete sidewalks four feet in width on both sides of Peinkofer Drive, from Beach Road easterly to Northvale Drive; on the south side of Peinkofer Drive and Lot No. 106 on the north side of Peinkofer Drive, excepting 207.43 feet on the north side of Peinkofer Drive belonging to Otto Gangloff.

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by Local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. The power to prescribe the terms, form and contents of said Bond Anticipation Notes, subject to the provisions of this resolution, and to sell and deliver such Bond Anticipations Notes, is hereby delegated to the Supervisor. The Supervisor and the Town Clerk are hereby directed to sign any Bond Anticipation Notes pursuant to this resolution and the Town Clerk is hereby directed to affix to such notes the corporate seal of the Town.

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

The resolution was duly adopted, the vote being as follows:

Supervisor Benedict T. Holtz	Voting AYE
Councilman Felix Wroblewski	Voting AYE
Councilman Stanley Bystrak	Voting AYE
Councilman Henry Nagel	Voting AYE
Councilman Joseph A. Neibert	Voting AYE

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA

BOND ANTICIPATION NOTE OF 1954 \$2,600.00

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this note the sum of

---TWENTY SIX HUNDRED DOLLARS--- (\$2,600.00)---

on the 1st day of September, 1954, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable September 1, 1954 and annually thereafter.

Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This note is one of an authorized issue, the aggregate principal amount of which is Fifty Five Hundred Dollars, (\$5,500.00).

This note is issued pursuant to the provisions of a bond anticipation note resolution, dated June 7, 1954, authorizing the issuance of bond anticipation notes of the Town of Cheektowaga, New York, in the amount of Fifty-Five Hundred Dollars

(\$5,500.00) in anticipation of the sale of serial bonds authorized to finance the construction of concrete sidewalks four feet in width on both sides of Peinkofer Drive, from Beach Road easterly to Northvale Drive, on the south side of Peinkofer Drive Lot No. 106 on the north side of Peinkofer Drive, excepting 207.43 feet on the north side of Peinkofer Drive belonging to Otto Gangloff.

The faith and credit of such Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Statutes of the State of New York, to exist, to have happened and to have been performed precedent to and in the issuance of this note, exist, have happened and have been performed, and that this note, together with all other indebtedness of such Town of Cheektowaga is within every debt and limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this note to be signed by its Supervisor, and its corporate seal to be hereunto affixed and attested by its Town Clerk and this note to be dated as of the \_\_\_ day of June, 1954.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BY:

Benedict T. Holts, Supervisor.

ATTEST:

\_\_\_\_\_  
TOWN CLERK.

Item No. 11 This being the time and the place advertised for a public hearing for the purpose of considering a map and general plan describing proposed improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, and an estimate of the cost thereof,

The Supervisor directed the Town Clerk to present proof that such notice has been duly published.

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

The Supervisor announced that the Town Board would hear all persons interest<sup>ed</sup> in the subject of the hearing, and no person appearing in opposition to the proposed improvement, the following order and resolution was offered by Mr. Nagel, who moved its adoption, seconded by Mr. Neibert, to wit:

WHEREAS, the Town Board of the Town of Cheektowaga, in the County of Erie, has determined it to be necessary for the proper maintenance and service of the existing trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, to increase, improve, or reconstruct the facilities of such trunk sewer system and the appurtenances thereto, and, at the request of the Town Board, Nussbaumer, Clarke and Velzy, who are competent Civil Engineers duly licensed by the State of New York, have prepared a map and a general plan for the improvement of such trunk sewer system and for the increase of the facilities thereof and also an estimate of the expense thereof, and said map and general plan and estimate are dated May 5, 1954, and have been presented to the Town Board and have been filed in the office of the Town Clerk, and

WHEREAS, the Town Board is satisfied that none of the improvements described in said map and general plan includes any lateral sewer main authorized to be constructed pursuant to Section 199 of the Town Law of New York, and

WHEREAS, the Town Board did, on the 17th day of May, 1954, duly adopt an order which provided that the Town Board should meet at the Town Hall, corner of Broadway and Union Road, in said Town, on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, on that day, to consider said map and general plan and estimate and the improvements therein described, and to hear all persons interested therein concerning the same, and to take such action on the part of said Town Board with relation to said improvements as may be authorized and required by law, and

WHEREAS, a notice of said public hearing in the form

prescribed by said resolution was published on the 20th day of May, 1954, in the Cheektowaga Times and in the Depew Herald and Cheektowaga News, official newspapers published in said Town, and copies of said notice were posted conspicuously in 5 public place within said District on the 24th day of May, 1954, all as shown by affidavits submitted to the Town Board, and

WHEREAS, said Town Board has, at the time and place specified in said order, considered said map and general plan and estimate and the making of the improvements therein described, and has heard all persons interested who have desired to be heard concerning the same, and has considered all evidence submitted at said time and place which will enable said Town Board to make the determinations hereinafter made: NOW, THEREFORE,

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

(1) It is hereby determined that (a) all the property and property owners within said Sewer District No. 5 will be benefited by the construction of said improvements: (b) all the property and property owners benefitted by the construction of said improvements are included in said Sewer District No. 5; and (c) it is in the public interest to authorize the construction of the improvements described in said map and general plan as set forth in said map and general plan.

(2) The improvements described in said map and general plan shall be constructed in accordance with said map and general plan, at a cost of not exceeding Thirty-Five Thousand Dollars (\$35,000.00).

(3) The Town Clerk is hereby directed to record a certified copy of this order in the office of the Clerk of the County of Erie pursuant to and in accordance with Section 195 of the Town Law.

The resolution was duly adopted, the vote being as follows:

Supervisor Benedict T. Holtz	Voting AYE
Councilman Felix Wroblewski	Voting AYE
Councilman Stanley Bystrak	Voting AYE
Councilman Henry Nagel	Voting AYE
Councilman Joseph Neibert	Voting AYE

Item No. 11 A This being the time and the place advertised for the receiving of sealed bids for furnishing all materials and equipment, together with all labor for the construction of Sewers and Sewer Extensions with appurtenances to serve Sanitary Sewer District No. 5, and the extension thereof.

The Supervisor directed the Town Clerk to present proof of the Notice to Bidders.

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

Councilman Nagel moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to open the sealed bids received.

Hereto attached is a copy and summary of the bids received:

Councilman Bystrak presented the following resolution and moved its adoption:  
 RESOLVED, that the Supervisor be authorized to make a contract with the  
 Niagara Mohawk Power Corporation to repair or replace light standards.

BID SUMMARY - TOWN OF CHEEKTOWAGA, N. Y. - SANITARY SEWER DISTRICT No 5 and ORIOLE EXTENSION

Bid Opening - <sup>JUNE 7</sup> May 13, 1954 - 2:30 PM, E.D.S.T.

Item No.	DESCRIPTION	DEWEN PAVING CO. INC.		STRACO INC.		FAGO BROS. CONST. CO.		THEODORE BIENIEK		H.F. DARLING		W.J. IRVINS & SONS		RIEFLER BROS. & DENNETT		UNIT	TOTAL	UNIT	TOTAL
		UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL				
No. 1	190 L.F. 12" V.C.P. 14'-16' Deep	8 <sup>00</sup>	1520 <sup>00</sup>	9 <sup>50</sup>	1425 <sup>00</sup>	12 <sup>00</sup>	2280 <sup>00</sup>	11 <sup>00</sup>	2090 <sup>00</sup>	8 <sup>00</sup>	1577 <sup>00</sup>	23 <sup>00</sup>	4370 <sup>00</sup>	8 <sup>50</sup>	1615 <sup>00</sup>				
No. 2	717 L.F. 12" V.C.P. 16'-18' Deep	8 <sup>50</sup>	6094 <sup>50</sup>	11 <sup>00</sup>	7887 <sup>00</sup>	13 <sup>00</sup>	9321 <sup>00</sup>	14 <sup>00</sup>	10,038 <sup>00</sup>	8 <sup>60</sup>	6166 <sup>20</sup>	27 <sup>00</sup>	19,359 <sup>00</sup>	11 <sup>00</sup>	7887 <sup>00</sup>				
No. 3	1010 L.F. 12" V.C.P. 18' and over in depth	9 <sup>00</sup>	9090 <sup>00</sup>	12 <sup>50</sup>	12625 <sup>00</sup>	15 <sup>00</sup>	15,150 <sup>00</sup>	20 <sup>00</sup>	20,200 <sup>00</sup>	9 <sup>10</sup>	9191 <sup>00</sup>	32 <sup>00</sup>	32,320 <sup>00</sup>	15 <sup>00</sup>	15,150 <sup>00</sup>				
No. 4	8 Manholes 3' or less in depth	500 <sup>00</sup>	4000 <sup>00</sup>	240 <sup>00</sup>	1920 <sup>00</sup>	300 <sup>00</sup>	2400 <sup>00</sup>	240 <sup>00</sup>	1920 <sup>00</sup>	420 <sup>00</sup>	3360 <sup>00</sup>	300 <sup>00</sup>	2400 <sup>00</sup>	250 <sup>00</sup>	2000 <sup>00</sup>				
No. 5	90' L.F. of manhole barrel	70 <sup>00</sup>	6300 <sup>00</sup>	40 <sup>00</sup>	3600 <sup>00</sup>	18 <sup>00</sup>	1620 <sup>00</sup>	30 <sup>00</sup>	2700 <sup>00</sup>	36 <sup>00</sup>	3240 <sup>00</sup>	30 <sup>00</sup>	2700 <sup>00</sup>	60 <sup>00</sup>	5400 <sup>00</sup>				
No. 6	1917 L.F. Concrete cradle	2 <sup>50</sup>	4792 <sup>50</sup>	2 <sup>00</sup>	3834 <sup>00</sup>	2 <sup>00</sup>	3834 <sup>00</sup>	3 <sup>00</sup>	5751 <sup>00</sup>	1 <sup>50</sup>	2875 <sup>50</sup>	3 <sup>00</sup>	5751 <sup>00</sup>	2 <sup>00</sup>	3834 <sup>00</sup>				
No. 7	16 12" x 6" Wye branches	9 <sup>00</sup>	144 <sup>00</sup>	8 <sup>50</sup>	136 <sup>00</sup>	10 <sup>00</sup>	160 <sup>00</sup>	15 <sup>00</sup>	240 <sup>00</sup>	10 <sup>00</sup>	160 <sup>00</sup>	5 <sup>00</sup>	80 <sup>00</sup>	7 <sup>00</sup>	112 <sup>00</sup>				
No. 8	200 L.F. 6" Riser pipe	1 <sup>25</sup>	250 <sup>00</sup>	1 <sup>50</sup>	300 <sup>00</sup>	2 <sup>00</sup>	400 <sup>00</sup>	3 <sup>00</sup>	600 <sup>00</sup>	1 <sup>25</sup>	250 <sup>00</sup>	4 <sup>00</sup>	800 <sup>00</sup>	3 <sup>00</sup>	600 <sup>00</sup>				
No. 9	Work at Station 0+00	L.S.	500 <sup>00</sup>	L.S.	300 <sup>00</sup>	L.S.	100 <sup>00</sup>	L.S.	200 <sup>00</sup>	L.S.	50 <sup>00</sup>	L.S.	250 <sup>00</sup>	L.S.	50 <sup>00</sup>				
No. 10	Creek crossing	L.S.	1000 <sup>00</sup>	L.S.	300 <sup>00</sup>	L.S.	500 <sup>00</sup>	L.S.	400 <sup>00</sup>	L.S.	500 <sup>00</sup>	L.S.	1500 <sup>00</sup>	L.S.	100 <sup>00</sup>				
No. 11	160 L.F. 48" R.C.P. & 12" Sewer pipe under Thruway	162 <sup>50</sup>	26,000 <sup>00</sup>	110 <sup>00</sup>	17,600 <sup>00</sup>	27 <sup>00</sup>	4320 <sup>00</sup>	60 <sup>00</sup>	9600 <sup>00</sup>	75 <sup>00</sup>	12,000 <sup>00</sup>	120 <sup>00</sup>	19,200 <sup>00</sup>	70 <sup>00</sup>	11,200 <sup>00</sup>				
Totals for Items No 1 thru No. 11			59,691 <sup>00</sup>		49,927 <sup>00</sup>		40,085 <sup>00</sup>		53,739 <sup>00</sup>		39,369 <sup>70</sup>		88,730 <sup>00</sup>		47,948 <sup>00</sup>				
Alternote 12" Coated R.C.P. Add or Deduct		NONE	NONE	ADD	2815 <sup>50</sup>	DEDUCT	1000 <sup>00</sup>	ADD	3,000 <sup>00</sup>	ADD	2775 <sup>00</sup>	ADD	3500 <sup>00</sup>	ADD	4000 <sup>00</sup>				
			59,691 <sup>00</sup>		52,742 <sup>50</sup>		39,085 <sup>00</sup>		56,739 <sup>00</sup>		42,144 <sup>70</sup>		92,230 <sup>00</sup>		51,948 <sup>00</sup>				
Bid Security			AMERICAN SURETY Co.		MARYLAND CASUALTY Co. of BALTIMORE		NEW AMSTERDAM CASUALTY Co.		TRAVELERS INDEMNITY Co., HARTFORD, CONN.		FIDELITY & DEPOSIT Co. of MARYLAND		NEW AMSTERDAM CASUALTY Co.		FIDELITY & DEPOSIT Co. of MARYLAND				

MUSSBAUMER, CLARKE & VELZY ENGINEERS  
 327 FRANKLIN ST., BFLG N.Y.  
 Dwg. No.

Councilman Nagel moved, seconded by Councilman Neibert, that the bids be referred to Nusbaumer Clarke and Velzy for analysis and tabulation.

Henry Nagel  
 AYES: -5-  
 NOES: -0-  
 Voting Aye  
 ABSENT: -0-

Councilman Nagel moved, seconded by Councilman Neibert, that the bids be referred to Nussbaumer Clarke and Velzy for analysis and tabulation.



Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, Section 6, Paragraph A of the Zoning Ordinances of the Town of Cheektowaga, New York, regulated side yard requirements in residence districts and provides as follows:

SECTION 6

SIDE YARDS IN RESIDENCE DISTRICTS

(a) In a residence district for every dwelling erected there shall be two side yards, one along each side line of the lot; at least twenty per cent (20%) of the width of an interior lot shall be devoted to side yards, but not more than seventeen and one-half (17½) feet need be so devoted. The least dimensions of a side yard shall be not less than four (4) feet.

and,

WHEREAS, it is deemed in the public interest to make some changes in its provisions, which changes are as follows:

(a) In a residence district, there shall be two side yards, one along each side line of the lot. In lots having a width of fifty (50) feet, but less than sixty (60) feet, the least dimensions of a side yard shall not be less than three (3) feet providing that the other side yard is at least five (5) feet.

In lots having a width of sixty (60) feet, but less than seventy (70) feet, the least dimensions of a side yard shall be not less than four (4) feet providing that the other side yard is at least six (6) feet.

In lots having a width of seventy (70) feet or more, the least dimensions of a side yard shall be not less than five (5) feet providing that the other side yard is at least seven (7) feet.

In old subdivisions where lots have been subdivided into widths of forty (40) feet or less, the least dimensions of a side yard shall be not less than two (2) feet on each side of said lot.

In lots having a width of forty-one (41) feet but less than fifty (50) feet, the least dimensions of a side yard shall be not less than three (3) feet on each side of said lot.

In irregular shaped lots, the Town Board may modify the above requirements by taking into account the width of the lot at its narrowest point and apply the provisions above mentioned on the same basis as if that were the width of the entire lot.

be it

RESOLVED, that pursuant to the provisions of the Town Law, the Town Board shall meet at the Town Hall, corner of Union Road and Broadway in said Town on the 21 st day of June, 1954 at 7:30 o'clock P.M. Eastern Daylight Saving Time for the purpose of considering the advisability of repealing Paragraph A of Section 6 of the Zoning Ordinances of the Town of Cheektowaga as above set forth, and adopting in its place, Paragraph A as hereinbefore set forth.

That at such public hearing, all persons interested in the subject matter shall be given an opportunity to be heard, be it further

RESOLVED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Towns and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing and that on or before said date, he post or cause to be posted conspicuously on a sign board maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order.

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

Supervisor	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Joseph A. Neibert	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanley Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

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

( Cheektowaga Times)

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 the said Town of Cheektowaga, New York, on the 7th day of June, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, there were:

PRESENT:

- Benedict T. Holtz, Supervisor
Stanley Bystrak, Councilman
Henry J. Nagel, Councilman
Joseph A. Neibert, Councilman
Felix T. Wroblewski, Councilman

ABSENT: None.

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, Section 6, Paragraph A of the Zoning Ordinances of the Town of Cheektowaga, New York, regulates side yard requirements in residence districts and provides as follows:

SECTION 6
SIDE YARDS IN RESIDENCE DISTRICTS

(a) In a residence district for every dwelling erected there shall be two side yards, one along each side line of the lot; at least twenty percent (20%) of the width of an interior lot shall be devoted to side yards, but not more than seventeen and one-half (17 1/2) feet need be so devoted. The least dimensions of a side yard shall be not less than four (4) feet and,

WHEREAS, it is deemed in the public interest to make some changes in its provisions, which changes are as follows:

(a) In a residence district, there shall be two side yards, one along each side line of the lot. In lots having a width of fifty (50) feet, but less than sixty (60) feet, the least dimensions of a side yard shall not be less than three (3) feet providing that the other side yard is at least five (5) feet.

In lots having a width of sixty (60) feet, but less than seventy (70) feet, the least dimensions of a side yard shall be not less than four (4) feet providing that the other side yard is at least six (6) feet.

In lots having a width of seventy (70) feet or more, the least dimensions of a single yard shall be not less than five (5) feet providing that the other side yard is at least seven (7) feet.

In old subdivisions where lots have been subdivided into width of forty (40) feet or less, the least dimensions of a side yard shall be not less than two (2) feet on each side of said lot.

In lots having a width of forty-one (41) feet but less than fifty (50) feet, the least dimensions of a side yard shall be not less than three (3) feet on each side of said lot.

In irregular shaped lots, the Town Board may modify the above re-

quirements by taking into account the width of the lot at its narrowest point and apply the provisions above mentioned on the same basis as if that were the width of the entire lot. BE IT

RESOLVED, that pursuant to the provisions of the Town Law, the Town Board shall meet at the Town Hall, corner of Union Road and Broadway in said Town on the 21st day of June, 1954 at 7:30 o'clock P.M. Eastern Daylight Saving Time for the purpose of considering the advisability of repealing Paragraph A of Section 6 of the Zoning Ordinances of the Town of Cheektowaga as above set forth, and adopting in its place, Paragraph A as hereinbefore set forth.

That at such public hearing, all persons interested in the subject matter shall be given an opportunity to be heard, be it further

RESOLVED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," newspapers having general circulation in the said Towns and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing and that on or before said date, he post or cause to be posted conspicuously on a sign board maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order.

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

- Supervisor Holtz, voting Aye.
Councilman Bystrak, voting Aye.
Councilman Nagel, voting Aye.
Councilman Neibert, voting Aye.
Councilman Wroblewski, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0
STATE OF NEW YORK
ERIE COUNTY
OFFICE OF THE CLERK SS:
OF THE TOWN OF
CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 7th day of June, 1954, 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 7th day of June, 1954.

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

NEW YORK
ERIE
CHEEKTOWAGA } ss.

Ed. C. Allis, of the
Cheektowaga, in said County of Erie, be-
deposes and says that he is

Editor of the
Cheektowaga Times, a public newspaper published

in said Town; that the notice, of which

a certified slip, taken from said news-

paper, was inserted and published in

the said newspaper for one week, first
JUN 10 1954
JUN 10 1954

and that more than six days intervened be-

fore the expiration of said notice.

Ed. C. Allis

Subscribed and sworn to before me this
JUN 11 1954, 1954

E. J. Allis

Notary Public and for Erie County, N. Y.

EVE J. ALLIS
Notary Public, STATE OF NEW YORK
Qualified in Erie County
Commission Expires March 30, 1955
Registered No. 5029

the 11th day of June,

published in the Cheektowaga

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

*Willard C. Allis* of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *he* is  
*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 news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks, first  
publication *JUN 10 1954*;  
last publication *JUN 10 1954*;  
and that no more than six days intervened be-  
tween publications.

*Willard C. Allis*

Sworn to before me this .....

day of *JUN 11 1954*, 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, 1955  
Registered No. 5029

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for week, the first insertion being on the 10th day of June, 1954, 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*

York, near the Town of Cheektowaga, Erie County, New York, on the 7th day of June, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time;

**PRESENT:**

- Benedict T. Holtz, Supervisor
- Joseph A. Neibert, Councilman
- Felix Wroblewski, Councilman
- Stanley Bystrak, Councilman
- Henry Nagel, Councilman

**ABSENT: 0**

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, Section 6, Paragraph A of the Zoning Ordinances of the Town of Cheektowaga, New York, regulates side yard requirements in residence districts and provides as follows:

**SECTION 6  
SIDE YARDS IN RESIDENCE DISTRICTS**

(a) In a residence district for every dwelling erected there shall be two side yards, one along each side line of the lot; at least twenty per cent (20%) of the width of an interior lot shall be devoted to side yards, but not more than seventeen and one-half (17½) feet need be so devoted. The least dimensions of a side yard shall be not less than four (4) feet.

and

in lots having a width of sixty (60) feet, but less than sixty-six (66) feet, the least dimensions of a side yard shall not be less than three (3) feet providing that the other side yard is at least five (5) feet.

In lots having a width of sixty (60) feet, but less than seventy (70) feet, the least dimensions of a side yard shall be not less than four (4) feet providing that the other side yard is at least six (6) feet.

In lots having a width of seventy (70) feet or more, the least dimensions of a side yard shall be not less than five (5) feet providing that the other side yard is at least six (6) feet.

In irregular shaped lots the Town Board may modify the side yard requirements by taking into account the width of the lot at its narrowest point and apply the provisions above mentioned on the same basis as if that were the width of the entire lot.

RESOLVED, that pursuant to the provisions of the Town Law, the Town Board shall meet at the Town Hall, corner of Union Road and Broadway in said Town on the 21st day of June, 1954 at 7:30 o'clock P.M. Eastern Daylight Saving Time for the purpose of considering the advisability of repealing Paragraph A of Section 6 of the Zoning Ordinances of the Town of Cheektowaga as above set forth, and adopting in its place Paragraph A as hereinbefore set forth.

That at such public hearing, all persons interested in the subject matter shall be given an opportunity to be heard, be it further

RESOLVED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the CHEEKTOWAGA NEWS and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing and that on or before said date, he post or cause to be posted conspicuously on a sign board maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order.

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

Supervisor Benedict T. Holtz, Voting Aye

Councilman Joseph A. Neibert, Voting Aye

Councilman Felix Wroblewski, Voting Aye

Councilman Stanley Bystrak, Voting Aye

Councilman Henry Nagel, Voting Aye

AYES: 5; NOES: 0; ABSENT: 0

State of New York

Erie County

Office of the Clerk of the ss:

Town of Cheektowaga

This is to certify that I, KENNETH T. HANLEY, Clerk of the

Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 7th day of June, 1954, 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 7th day of June, 1954.

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

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisabel to regulate the construction of buildings in First and Industrial Districts, be it

RESOLVED, that pursuant to the provisions of the Town Law of the State of New York, the Town Board shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 21st day of June, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20(b), to provide as follows:

Section 20(b)

CONSTRUCTION OF BUILDINGS IN FIRST AND  
SECOND INDUSTRIAL DISTRICTS

\*The construction residences in an Industrial District is not recommended, neither is it prohibited. In Industrial Districts, even though the equipment and apparatus is modern and up to date, and in accordance with approved practices, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes.

\*In both Industrial Districts a minimum setback line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

\*It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

\*Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

\*If property located in an Industrial District is used for residence purposes of any kind or description, then the setback line of twenty-five (25) feet is established and all Ordinances as they relate to a Residence District shall apply, including Sections 2 to 13, inclusive, of the Zoning Ordinances."

A Strict compliance of the aforementioned Ordinance shall be required in all cases, except when the enforcement thereof creates an undue harshship, due to the fact that there is insufficient depth of the property located in an "Industrial" district.

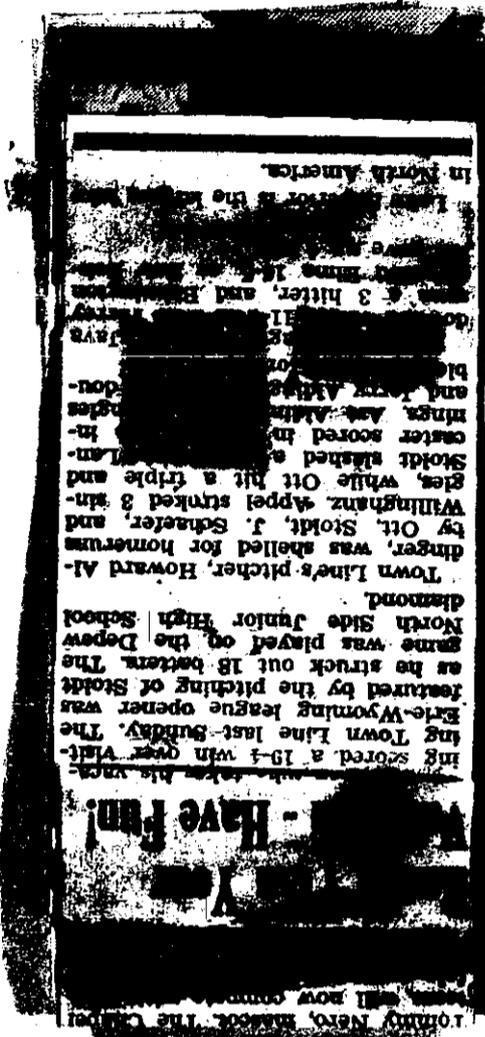
If such condition exists, then the Town Board may modify the foregoing provisions of this Ordinance subject to appropriate conditions and safeguard with due regard for the interest of the property owners in the immediate vicinity and no such modification shall be made except upon notice, in writing, being given to the property owners within a distance of 300 feet from the nearest lot line of the property upon which a modification is sought, such notice to be served by mail properly addressed to the last known address of the owners of the property in the immediate vicinity at least 10 days before the Town Board takes action on the application for a modification.

and be it further

RESOLVED, that at such public hearing, all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order.

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



RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

A public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the

annexed printed slip taken from said newspaper, is a copy, as inserted and published therein once a week for

1 week, the first insertion being on the 10th day of June, 1954, and

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

JUN 18 1954

..... 19.....

*Hermuth T. Money*

Notary Public in and for Erie County.

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisabel to regulate the construction of buildings in First and Industrial Districts, be it

RESOLVED, that pursuant to the provisions of the Town Law of the State of New York, the Town Board shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 21st day of June, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20(b), to provide as follows:

Section 20(b)

CONSTRUCTION OF BUILDINGS IN FIRST AND SECOND INDUSTRIAL DISTRICTS

"The construction residences in an Industrial District is not recommended, neither is it prohibited. In Industrial Districts, even though the equipment and apparatus is modern and up to date, and in accordance with approved practices, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes.

"In both Industrial Districts a minimum setback line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

"It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

"Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

"If property located in an Industrial District is used for residence purposes of any kind or description, then the setback line of twenty-five (25) feet is established and all Ordinances as they relate to a Residence District shall apply, including Sections 2 to 13, inclusive, of the Zoning Ordinances."

A Strict compliance of the aforementioned Ordinance shall be required in all cases, except when the enforcement thereof creates an undue hardship, due to the fact that there is insufficient depth of the property located in an "Industrial" district.

If such condition exists, then the Town Board may modify the foregoing provisions of this Ordinance subject to appropriate conditions and safeguard with due regard for the interest of the property owners in the immediate vicinity and no such modification shall be made except upon notice, in writing, being given to the property owners within a distance of 300 feet from the nearest lot line of the property upon which a modification is sought, such notice to be served by mail properly addressed to the last known address of the owners of the property in the immediate vicinity at least 10 days before the Town Board takes action on the application for a modification.

and be it further

RESOLVED, that at such public hearing, all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order.

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

Supervisor Holtz,	Voting	<u>Aye</u>
Councilman Bystrak,	Voting	<u>Aye</u>
Councilman Nagel,	Voting	<u>Aye</u>
Councilman Neibert,	Voting	<u>Aye</u>
Councilman Wroblewski,	Voting	<u>Aye</u>

CARRIED: AYES: -5-

Posted on the Town Hall Bulletin Board on the 11th day of June, 1954:

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

**NOTICE OF RESOLUTION**

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 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Henry Nagel, Councilman  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman

**ABSENT:** None

Councilman Nagel presented the following resolution and moved its adoption:

**WHEREAS**, it is deemed advisable to regulate the construction of buildings in First and Second Industrial Districts, be it

**RESOLVED**, that pursuant to the provisions of the Town Law of the State of New York, the Town Board shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 21st day of June, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20 (b), to provide as follows:

**Section 20(b)**

**CONSTRUCTION OF BUILDINGS IN FIRST AND SECOND INDUSTRIAL DISTRICTS.**

"The construction of residences in an Industrial District is not recommended, neither is it prohibited. In Industrial Districts, even though the equipment and apparatus is modern and up to date, and in accordance with approved practices, there is always some noise and fumes incidental to the operation of businesses, plants, and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes.

"In both Industrial Districts a minimum setback line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

"It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

"Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

"If property located in an Industrial District is used for residence purposes of any kind or description, then the setback line of twenty-five (25) feet is established and all Ordinances as they relate to a Residence District shall apply, including Sections 2 to 13, inclusive of the Zoning Ordinances."

A strict compliance of the aforementioned Ordinance shall be required in all cases, except when the

enforcement thereof is due hardship, due to the fact that there is insufficient area of property located in an industrial district.

If such a condition exists, the Town Board may modify the foregoing provisions of this Ordinance subject to appropriate conditions and safeguards with due regard for the interest of the property owners in the immediate vicinity and no such modification shall be made except upon notice, in writing, being given to the property owners within a distance of 300 feet from the nearest lot line of the property upon which a modification is sought, such notice to be served by mail properly addressed to the last known address of the owners of the property in the immediate vicinity at least 10 days before the Town Board takes action on the application for such a modification.

**RESOLVED**, that at such public hearing, all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

**RESOLVED**, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order.

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

Supervisor Holtz, voting Aye.
Councilman Bystrak, voting Aye.
Councilman Nagel, voting Aye.
Councilman Neibert, voting Aye.
Councilman Wroblewski, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0  
STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 7th day of June, 1954, 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 7th day of June, 1954.

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

NEW YORK  
ERIE  
CHEEKTOWAGA } ss.

*E. C. Allis* of the  
Cheektowaga, in said County of Erie, be-  
deposes and says that *he* is  
*lisher* of the

*imes*, a public newspaper published  
Town; that the notice, of which  
printed slip, taken from said news-  
y, was inserted and published in

a week for *one* week, first  
JUN 10 1954  
JUN 10 1954

more than six days intervened be-  
fore the publication of said notice.

*Villard C. Allis*

Subscribed and sworn to before me this  
JUN 11 1954, 19

*E. J. Allis*  
in and for Erie County, N. Y.

EVE J. ALLIS  
Notary Public, State of New York  
Qualified in Erie County  
Commission Expires March 30, 1955  
Registered No. 5029

( Depew Herald)

As a result of the June 3rd meeting the following members were elected to leadership for the 1954-1955 term. Your new commander is Leonard Swierak, 1st Vice-commander, Henry C. Baran; 2nd Vice-commander, Leonard J. ...

**DEPEW POST 1828 AMERICAN LEGION NEWS BRIEFS**

Do careful! With these things in mind, chances are at least fifty-fifty that you'll enjoy yourself.

Be careful! With these things in mind, chances are at least fifty-fifty that you'll enjoy yourself.

girls please read it "hubby.") be you can bring one back. (Single you don't start out with one, may on a vacation is your hobby. If One of the best things to take things go wrong. Prepare a second line of defense if meals, a soft bed or good fishing. Never let your fun depend on your trip. Retrain, if you can, from boasting that you covered 6,791 miles on minutes. deep, it beauty what ever you go. Drink "not missing a thing." Drink themselves out ever.

terferes. Beware of the hook, how- science with a fishing rod if it in- yourself--and wack your con- Spend enough money to enjoy

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga **Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for week the first insertion being on the 10th day of June, 1954 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

JUN 10 1954

19

*Wm. J. ...*

Notary Public in and for Erie County.

which resulted as

of June, 1954:

of the Cheektowaga

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

*Willard C. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *he* is  
*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 news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks, first  
publication *JUN 10 1954*;  
last publication *JUN 10 1954*;  
and that no more than six days intervened be-  
tween publications.

*Willard C. Allis*

Sworn to before me this .....

day of *JUN 11 1954*, 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, 1955  
Registered No. 5029

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
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was inserted and published therein once a week for  
1 week the first insertion being on the  
10th day of June, 1954 and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

in  
Cheektowaga,  
New York, on the 7th day of  
June, 1954, at 2:30 o'clock P.M.,  
Eastern Daylight Saving Time,  
there were:

PRESENT:  
Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Henry Nagel, Councilman  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
ABSENT: 0

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisable to regulate the construction of buildings in First and Industrial Districts, be it

RESOLVED, that pursuant to the provisions of the Town Law of the State of New York, the Town Board shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 21st day of June, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20(b), to provide as follows:

**Section 20(b)  
CONSTRUCTION OF BUILDINGS  
IN FIRST AND SECOND INDUS-  
TRIAL DISTRICTS.**

"The construction of residences in an Industrial District is not recommended, neither is it prohibited. In Industrial Districts, even though the equipment and apparatus is modern and up to date, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes.

"In both Industrial Districts a minimum setback line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

"It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

"Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

"If property located in an Industrial District is used for residence purposes of any kind or description, then the setback line of twenty-five (25) feet is established and all Ordinances as they relate to a Residence District shall apply, including Section 2 to 13, inclusive, of the Zoning Ordinances."

A strict compliance of the aforementioned Ordinance shall be required in all cases, except when the enforcement thereof creates an undue hardship, due to the fact that there is insufficient depth of the property located in an "Industrial" district.

If such a condition exists, then the Town Board may modify the foregoing provisions of this Ordinance subject to appropriate conditions and safeguards with due regard for the interest of the property owners in the immediate vicinity and no such modification shall be made except upon notice in writing, being given to the property owners within a distance of 300 feet from the nearest lot line of the property upon which a modification is sought, such notice to be served by mail properly addressed to the last known address of the owners of the property in the immediate vicinity at least 10 days before the Town Board takes action on the application for a modification.

and be it further  
RESOLVED, that at such public hearing, all persons interested in the subject matter shall be given an opportunity to be heard, and be it further.

RESOLVED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order.

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

Supervisor Holtz, voting Aye  
Councilman Bystrak, voting Aye  
Councilman Nagel, voting Aye  
Councilman Neibert, voting Aye  
Councilman Wroblewski, voting Aye

Ayes 5; Noes 0; Absent 0.  
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 resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said

there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Henry Nagel, Councilman  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman

**ABSENT: 0**

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisable to regulate the construction of buildings in First and Industrial Districts, be it

RESOLVED, that pursuant to the provisions of the Town Law of the State of New York, the Town Board shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 21st day of June, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20(b), to provide as follows:

**Section 20(b)**

**CONSTRUCTION OF BUILDINGS IN FIRST AND SECOND INDUSTRIAL DISTRICTS.**

"The construction of residences in an Industrial District is not recommended, neither is it prohibited. In Industrial Districts, even though the equipment and apparatus is modern and up to date, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes.

"In both Industrial Districts a minimum setback line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

"It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

"Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

"If property located in an Industrial District is used for residence purposes of any kind or description, then the setback line of twenty-five (25) feet is established and all Ordinances as they relate to a Residence District shall apply, including Section 2 to 13, inclusive, of the Zoning Ordinances."

A strict compliance of the aforementioned Ordinance shall be required in all cases, except when the enforcement thereof creates an undue hardship, due to the fact that there is insufficient depth of the property located in an "Industrial" district.

If such a condition exists, then the Town Board may modify the foregoing provisions of this Ordinance subject to appropriate conditions and safeguards with due regard for the interest of the property owners in the immediate vicinity and no such modification shall be made except upon notice in writing, being given to the property owners within a distance of 300 feet from the nearest lot line of the property upon which a modification is sought, such notice to be served by mail properly addressed to the last known address of the owners of the property in the immediate vicinity at least 10 days before the Town Board takes action on the application for a modification.

and be it further  
RESOLVED, that at such public hearing, all persons interested in the subject matter shall be given an opportunity to be heard, and be it further.

RESOLVED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, and that on or before said date, he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order.

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

Supervisor Holtz, voting Aye  
Councilman Bystrak, voting Aye  
Councilman Nagel, voting Aye  
Councilman Neibert, voting Aye  
Councilman Wroblewski, voting Aye

Ayes 5; Noes 0; Absent 0.  
State of New York...  
Erie County...  
Office of the Clerk of the : ss:  
Town of Cheektowaga

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 7th day of June, 1954, 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 7th day of June, 1954.

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

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 10th day of June, 1954 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 ..... 19..... and for Erie County.





ITEM NO. 29. Mrs. Jerry Suozzi, , was granted the floor and requested information relating to playground equipment for the following playgrounds; School No. 4, 5 and 4. Ordered referred to Councilman Nagel and Recreational Director Janiak.

ITEM NO. 30. Councilman Nagel moved, seconded by Councilman Wroblewski that all claims at this meeting for audit to be approved and that the Town Clerk is authorized and directed to draw a warrant on the Supervisor for payment of same. Warrant NO. 1034 to No. 1130, inclusive, drawn on the Supervisor.

ITEM no. 31. Councilman Wroblewski moved, seconded by Councilman Nagel to adjourn.

SEAL

Kenneth T. Hanley  
Town clerk

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 12th day of June, 1954, at 10:00 o'clock A.M., Eastern Daylight Savings Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

Also present were: Town Clerk Hanley; Town Attorney Doyle; Town Engineer Kamm; Highway Superintendent Zablotay; Receiver of Taxes & Assessments Pfohl; Health Officer Dr. Vendetti and Assistant Building Inspector Trafalski.

Item No. 2 The Town Clerk then proceeded to read the minutes of the previous meetings held on April 10, 1954; April 19, 1954; May 3rd, 1954; May 17th, 1954; May 27th, 1954; and June 7th, 1954, and there being no alterations or corrections, Councilman Nagel moved, seconded by Councilman Neibert, that the minutes stand as read and that a copy of same be placed on file in the Town Clerks' Office.

Item No. 3 The following order and resolution was offered by Mr. Wroblewski, who moved its adoption, seconded by Mr. Nagel, to wit:

WHEREAS, the Town Board of the Town of Cheektowaga, in the County of Erie, has determined it to be necessary for the proper maintenance and service of the existing trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, to increase, improve, or reconstruct the facilities of such trunk sewer system and the appurtenances thereto and, at the request of the Town Board, Nussbaumer, Clarke and Velzy, who are competent Civil Engineers duly licensed by the State of New York, have prepared a map and general plan for the improvement of such trunk sewer system and for the increase of the facilities thereof and also an estimate of the expense thereof, and said map and general plan and estimate are dated June 11, 1954, and have been presented to the Town Board and have been filed in the office of the Town Clerk; and

WHEREAS, none of the improvements described in said map and general plan includes any lateral sewer main authorized to be constructed pursuant to Section 199 of the Town Law of New York; and

WHEREAS, the Town Board desires to hold a public hearing for the consideration of such map and general plan and estimate;

NOW, THEREFORE,

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

(1) the Town Clerk is hereby authorized and directed to publish and post the following notice.

#### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, in the County of Erie and State of New York, will meet at the Town Hall, corner of Broadway and Union Road, in said Town, on the 28th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, and hold a public hearing for the purpose of considering a map and general plan describing proposed improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, and an estimate of the cost thereof, and that the Town Board will, at said time and place, hear all persons interested in the subject of such hearing and will receive all evidence offered which will enable the Town Board to determine, pursuant to the provisions of the Town Law of New York, whether it is in the public interest to make the improvements described in said map and general plan and estimate, either in whole or in part, and whether the property located within the boundaries of said District will be benefitted by the making of such improvements.

The improvements hereinbefore referred to are described in a map and general plan dated June 11, 1954, prepared at the request of the Town Board by Nussbaumer, Clarke and Velzy, Consulting Engineers, now on file in the office of the Town Clerk of the Town of Cheektowaga, and consist of the following construction:

#### Division A- George Urban Boulevard Pumping Station

1. Interception and overflow chamber to be constructed in existing 42" sanitary sewer on the north side of George Urban Boulevard east of Scajaquada Creek and a diversion pipe, therefrom, to the proposed pump station.

2. Construction of a pumping station at the northwest corner of George Urban Boulevard and Frederick Drive, approximately 30' x 35' to house three

Item No. 3 - Cont'd

pumping units with a total capacity of 35 m.g.d., together with necessary appurtenances and accessories and including a chlorination unit with accessories, for feeding chlorine and handling cylinders.

3. Discharge piping from the pumping station to Scajaquada Creek together with an outfall structure.

4. Miscellaneous piping, roadways, fencing and other site improvements.

Division B - Improvements at the District 5 Sewage Treatment Plant on the Southside of Central Avenue East of Harlem Avenue.

1. Change electric equipment from 25 cycles to 60 cycles to coordinate with general change-over program of electric service corporation.

2. Remodel pumping station to include one additional screening mechanism and two additional pumping units with a total capacity of about 8 m.g.d., together with necessary auxiliary equipment.

3. Construction of 36" and 30" force mains from pumping station to venturi vault and to grit chamber, with venturi metering equipment and chambers.

4. Remodel present grit chamber and construct additional grit removal facilities for increased capacity of treatment plant.

5. Two primary sedimentation basins 16' wide and 100' long with sludge and scum removal equipment.

6. Sludge digestion tank 75' in diameter with floating cover and control room, together with necessary gas control and heating facilities.

7. Revision to heating system and present digesters and building and substitution of external type sludge heaters for present heating equipment.

8. Conversion of two standard sprinkling filters into high capacity sprinkling filters, together with necessary dosing equipment, distributors, recirculation pumps and piping, and other accessory equipment.

9. Two final sedimentation basins to serve the new high capacity filters.

10. Necessary piping, valves, sludge pumps, driveways, fencing and other miscellaneous site improvements to coordinate with the proposed structures.

The estimated expense of making said improvements is Nine Hundred and Fifty Thousand Dollars (\$950,000.00).

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

Dated: June 12, 1954.

Kenneth T. Hasley

Town Clerk of the Town of Cheektowaga.

(2) Such notice shall be published once in the Cheektowaga Times and in the Depew Herald & Cheektowaga News, newspapers published in the Town of Cheektowaga and circulating in said Sewer District No. 5, and which are the official newspapers of said Town, and a copy of such notice shall be posted conspicuously in not less than five public places within said District, such publication and posting to be made not less than ten nor more than twenty days prior to the date fixed for such public hearing.

(3) The Town Board shall meet at the time and place specified in said notice and shall hold a public hearing as therein provided.

The resolution was duly adopted, the vote being as follows:

Supervisor	Benedict T. Holtz	Voting AYE
Councilman	Felix T. Wroblewski	Voting AYE
Councilman Stanley Bystrak		Voting AYE
Councilman	Henry Nagel	Voting AYE
Councilman	Joseph A. Neibert	Voting AYE

Posted as follows on the 17th day of June, 1954;

- 1- U-Crest Fire Hall Bulletin Board-Clover Place and Evergreen Street;
- 2- Telephone Pole No. 332 1-4 corner of Maryvale Drive and Union Road;
- 3- Telephone Pole No. 2654 corner of Genesee Street and Harlem Road;
- 4- Telephone Pole No. 26 corner of Union Road and Cleveland Drive;
- 5- Telephone Pole No. 903 corner of Cleveland Drive and Beach Road.

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

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, in the County of Erie and State of New York, will meet at the Town Hall, corner of Broadway and Union Road, in said Town, on the 28th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, and hold a public hearing for the purpose of considering a map and general plan describing proposed improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, and an estimate of the cost thereof, and that the Town Board will, at said time and place, hear all persons interested in the subject of such hearing and will receive all evidence offered which will enable the Town Board to determine, pursuant to the provisions of the Town Law of New York, whether it is in the public interest to make the improvements described in said map and general plan and estimate, either in whole or in part, and whether the property located within the boundaries of said District will be benefitted by the making of such improvements.

The improvements hereinbefore referred to are described in a map and general plan dated June 11, 1954, prepared at the request of the Town Board by Nussbaumer, Clarke and Velzy, Consulting Engineers, now on file in the office of the Town Clerk of the Town of Cheektowaga, and consist of the following construction:

**Division A—George Urban Boulevard Pumping Station**

1. Interception and overflow chamber to be constructed in existing 42" sanitary sewer on the north side of George Urban Boulevard east of Scajaquada Creek and a diversion pipe, therefrom, to the proposed pump station.

2. Construction of a pumping station at the northwest corner of George Urban Boulevard and Frederick Drive, approximately 30'x35' to house three pumping units with a total capacity of 35 m.g.d., together with necessary appurtenances and accessories and including a chlorination unit with accessories, for feeding chlorine and handling cylinders.

3. Discharge piping from the pumping station to Scajaquada Creek together with an outfall structure.

4. Miscellaneous piping, roadways, fencing and other site improvements.

**Division B—Improvements at the District No. 5 Sewage Treatment Plant on the Southside of Central Avenue East of Harlem Avenue**

1. Change electric equipment from 25 cycles to 60 cycles to coordinate with general change-over program of electric service corporation.

2. Remodel pumping station to include one additional screening mechanism and two additional pumping units with a total capacity of 8 m.g.d., together with necessary auxiliary equipment.

3. Construction of 36" and 30" force mains from pumping station to venturi vault and to grit chamber, with venturi metering equipment and chambers.

4. Remodel present grit chamber and construct additional grit removal facilities for increased capacity of treatment plant.

5. Two primary sedimentation basins 16' wide and 100' long with sludge and scum removal equipment.

6. Sludge digestion tank 75' in diameter with floating cover and control room, together with necessary gas control and heating facilities.

7. Revision to heating system and present digesters and building and

substitution of external type sludge heaters for present heating equipment.

8. Conversion of two standard sprinkling filters into high capacity sprinkling filters, together with necessary dosing equipment, distributors, recirculation pumps and piping, and other accessory equipment.

9. Two final sedimentation basins to serve the new high capacity filters.

10. Necessary piping, valves, sludge pumps, driveways, fencing and other miscellaneous site improvements to coordinate with the proposed structures.

The estimated expense of making said improvements is Nine Hundred and Fifty Thousand Dollars (\$950,000.00).

By order of the Town Board of the Town of Cheektowaga.

Dated: June 12, 1954.  
**KENNETH T. HANLEY,**  
Town Clerk,  
Town of Cheektowaga,  
New York.

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

*Willard C. Allis*, of the  
Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that *he* is  
*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 *JUN 17 1954*; last publication *JUN 17 1954*; and that no more than six days intervened between publications.

*Willard C. Allis*  
Sworn to before me this  
day of *JUN 17 1954*, 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, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 17th day of June, 1954, 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 1954

19.....

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

IN 52 6820

of Cheektowaga, Erie County of Erie and State of New York, will meet at the Town Hall, corner of Broadway and Union Road, in said Town, on the 28th day of June, 1954, at 2:30 o'clock P.M., East-Saving Time, and other pumps, driveways, valves, and other miscellaneous improvements to coordinate with the proposed structures. The estimated expense of making said improvements is Nine Hundred and Fifty Thousand Dollars (\$950,000.00). By Order of the Town Board of the Town of Cheektowaga. Dated: June 12, 1954. KENNETH T. HANLEY, Town Clerk of the Town of Cheektowaga

Item No. 4 Councilman Wroblewski presented the following resolution and moved its adoption: 106

WHEREAS, bids were received by the Town Board for the construction of a sewer extension in Sewer District No. 5, known as the Oriole Extension and Herbert F. Darling Company submitted a bid to supply the necessary labor and material for the sum of Thirty-Nine Thousand Three Hundred Sixty-nine Dollars and Seventy Cents (\$39,369.70) which bid was the lowest of all bids received,

BE IT RESOLVED, that the bid of Herbert F. Darling Company to install vitrified clay pipe, in accordance with the plans and specifications, in said Oriole Extension be, and the same is hereby accepted and that Nussbaumer, Clarke and Velzy, Consulting Engineers of the Town of Cheektowaga, New York, and the Town Attorney are directed to prepare the necessary formal contracts in accordance with specifications prepared by the Consulting Engineers and the Town Engineer.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-

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

RESOLVED, that John J. Zablotny, Town Superintendent of Highways, is authorized to attend the training school for New York State Association of Town Superintendents of highways to be held at Cornell University, Ithaca, New York, on July 21st to 23rd, inclusive, and his reasonable expenses are to be charged against the Highway Budget, further

RESOLVED, that Julia Boyer Reinstein be authorized to attend the New York State Historical Association at Cooperstown, New York, from July 6th to 13th, inclusive, and that her reasonable expenses be charged against the item in the Budget in connection with the Office of Town Historian, further

RESOLVED, that John F. Mersmann be authorized to attend the New York State Association of Chiefs of Police at New York City from July 26th to July 29th, inclusive, and that his reasonable expenses be paid from the Police Budget, further

RESOLVED, that Kenneth T. Hanley, Town Clerk, be authorized to attend the Town Clerks School Session at Cornell University on July 21st to 23rd, inclusive, and his reasonable expenses be paid from the General Fund.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-

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

WHEREAS, this Town Board on the 7th day of June, 1954, held a public hearing on the improvement of Homesgarth Avenue extending from Mapleview Road easterly to Roycroft Boulevard a distance of approximately 730 feet, by the construction of a permanent pavement along said highway and heard all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED,

That this Town Board does hereby decide after such public hearing and upon the evidence given thereat, that it is in the public interest to improve Homesgarth Avenue by the construction of a permanent pavement along said highway extending from Mapleview Road easterly to Roycroft Boulevard a distance of approximately 730 feet, and

BE IT FURTHER RESOLVED, that Nussbaumer, Clarke and Velzy, Consulting Engineers for the Town of Cheektowaga, be and they are directed to prepare definite plans and specifications and to make a careful estimate of the expenses, and with the assistance of the Town Attorney, prepare a proposed contract for the execution of the work required to be performed as follows:

PERMANENT PAVEMENT ALONG SAID HIGHWAY EXTENDING  
FROM MAPLEVIEW ROAD EASTERLY TO ROYCROFT BOULEVARD  
A DISTANCE OF APPROXIMATELY 730 FEET.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-

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

WHEREAS, the Chief of Police, the Town Health Officer, the Building & Plumbing Inspector and the Fire Chief have made an inspection of premises known as 44 Hedwig Street, being sub-division No. 92, as shown on map filed in the Erie County Clerks' Office, under Cover 577 and according to their reports the building located on 44 Hedwig Street is in such a run-down condition and bad state of repair that it creates an attractive nuisance, a fire hazard and because of being infested with rats and debris is a health menace and because of existing conditions it is necessary in the public interest to immediately have the house removed, and

WHEREAS, the Rev. Carl Kirschler of Buffalo, New York, has informed the Town Board that to the best of his knowledge, information and belief the owners of this property are Mrs. Rosa Ermonis, about 90 years old, address Buffalo State Hospital; Miss Anna Ermonis, her daughter, about 50 years old, address Buffalo State Hospital, Max Ermonis, son, address Buffalo State Hospital and Alfred E. Ermonis, son, address unknown, and

STATE OF NEW YORK  
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

that the Town Board of Cheektowaga, in the County of Erie and State of New York, will meet at the Town Hall, corner of Broadway and Union Road, in said Town, on the 28th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, and hold a public hearing for the purpose of considering a map and general plan describing proposed improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, and an estimate of the cost thereof, and that the Town Board will, at said time and place, hear all persons interested in the subject of such hearings and will receive all evidence offered which will enable the Town Board to determine, pursuant to the provisions of the Town Law of New York, whether it is in the public interest to make the improvements described in said map and general plan and estimate, either in whole or in part, and whether the property located within the boundaries of said District will be benefitted by the making of such improvements.

The improvements hereinbefore referred to are described in a map and general plan dated June 11, 1954, prepared at the request of the Town Board by Nussbaumer, Clarke and Velzy, Consulting Engineers, now on file in the office of the Town Clerk of the Town of Cheektowaga, and consists of the following construction:

**Division A - George Urban Boulevard Pumping Station**

1. Interception and overflow chamber to be constructed in existing 42" sanitary sewer on the north side of George Urban Boulevard east of Scajaquada Creek and a diversion pipe, therefrom, to the proposed pump station.

2. Construction of a pumping station at the northwest corner of George Urban Boulevard and Frederick Drive, approximately 30' x 35' to house three pumping units with a total capacity of 35 m.g.d., together with necessary appurtenances and accessories and including a chlorination unit with accessories, for feeding chlorine and handling cylinders.

3. Discharge piping from the pumping station to Scajaquada Creek together with an outfall structure.

4. Miscellaneous piping, roadways, fencing and other site improvements.

**Division B - Improvements at the District No. 5 Sewage Treatment Plant on the Southside of Central Avenue East of Harlem Avenue**

1. Change electric equipment from 25 cycles to 60 cycles to coordinate with general change-over program of electric service corporation.

2. Remodel pumping station to include one additional screening mechanism and two additional pumping units with a total capacity of about 8 m.g.d., together with necessary auxiliary equipment.

3. Construction of 36" and 30" force mains from pumping station to venturi vault and to grit chamber, with venturi metering equipment and chambers.

4. Remodel present grit chamber and construct additional grit removal facilities for increased capacity of treatment plant.

5. Two primary sedimentation basins 16' wide and 100' long with sludge and scum removal equipment.

6. Sludge digestion tank 75' in diameter with floating cover and control room, together with necessary gas control and heating facilities.

7. Revision to heating system and present digesters and building and substitution of external type sludge heaters for present heating equipment.

8. Conversion of two standard sprinkling filters into high capacity sprinkling filters, together with necessary dosing equipment, distributors, recirculation pumps and piping, and other necessary equipment.

9. Two final sedimentation basins to serve the new high capacity filters.

10. Necessary piping, valves, sludge pumps, driveways, fencing and other miscellaneous site improvements to coordinate with the proposed structures.

The estimated expense of making said improvements is Nine Hundred and Fifty Thousand Dollars (\$950,000.00).

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

Dated: June 12, 1954.  
KENNETH T. HANLEY,  
Town Clerk of the  
Town of Cheektowaga

Item No. 4 Councilman Wroblewski presented the following resolution and moved its adoption: 206

WHEREAS, bids were received by the Town Board for the construction of a sewer extension in Sewer District No. 5, known as the Oriole Extension and Herbert F. Darling Company submitted a bid to supply the necessary labor and material for the sum of Thirty-Nine Thousand Three Hundred Sixty-nine Dollars and Seventy Cents (\$39,369.70) which bid was the lowest of all bids received,

BE IT RESOLVED, that the bid of Herbert F. Darling Company to install vitrified clay pipe, in accordance with the plans and specifications, in said Oriole Extension be, and the same is hereby accepted and that Nussbaumer, Clarke and Velzy, Consulting Engineers of the Town of Cheektowaga, New York, and the Town Attorney are directed to prepare the necessary formal contracts in accordance with specifications prepared by the Consulting Engineers and the Town Engineer.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-

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

RESOLVED, that John J. Zablony, Town Superintendent of Highways, is authorized to attend the training school for New York State Association of Town Superintendents of highways to be held at Cornell University, Ithaca, New York, on July 21st to 23rd, inclusive, and his reasonable expenses are to be charged against the Highway Budget, further

RESOLVED, that Julia Boyer Reinstein be authorized to attend the New York State Historical Association at Cooperstown, New York, from July 6th to 13th, inclusive, and that her reasonable expenses be charged against the item in the Budget in connection with the Office of Town Historian, further

RESOLVED, that John F. Mersmann be authorized to attend the New York State Association of Chiefs of Police at New York City from July 26th to July 29th, inclusive, and that his reasonable expenses be paid from the Police Budget, further

RESOLVED, that Kenneth T. Hanley, Town Clerk, be authorized to attend the Town Clerks School Session at Cornell University on July 21st to 23rd, inclusive, and his reasonable expenses be paid from the General Fund.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-

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

WHEREAS, this Town Board on the 7th day of June, 1954, held a public hearing on the improvement of Homesgarth Avenue extending from Mapleview Road easterly to Roycroft Boulevard a distance of approximately 730 feet, by the construction of a permanent pavement along said highway and heard all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED,

That this Town Board does hereby decide after such public hearing and upon the evidence given thereat, that it is in the public interest to improve Homesgarth Avenue by the construction of a permanent pavement along said highway extending from Mapleview Road easterly to Roycroft Boulevard a distance of approximately 730 feet, and

BE IT FURTHER RESOLVED, that Nussbaumer, Clarke and Velzy, Consulting Engineers for the Town of Cheektowaga, be and they are directed to prepare definite plans and specifications and to make a careful estimate of the expenses, and with the assistance of the Town Attorney, prepare a proposed contract for the execution of the work required to be performed as follows:

PERMANENT PAVEMENT ALONG SAID HIGHWAY EXTENDING  
FROM MAPLEVIEW ROAD EASTERLY TO ROYCROFT BOULEVARD  
A DISTANCE OF APPROXIMATELY 730 FEET.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-

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

WHEREAS, the Chief of Police, the Town Health Officer, the Building & Plumbing Inspector and the Fire Chief have made an inspection of premises known as 44 Hedwig Street, being sub-division No. 92, as shown on map filed in the Erie County Clerks' Office, under Cover 577 and according to their reports the building located on 44 Hedwig Street is in such a run-down condition and bad state of repair that it creates an attractive nuisance, a fire hazard and because of being infested with rats and debris is a health menace and because of existing conditions it is necessary in the public interest to immediately have the house removed, and

WHEREAS, the Rev. Carl Kirschler of Buffalo, New York, has informed the Town Board that to the best of his knowledge, information and belief the owners of this property are Mrs. Rosa Ermonis, about 90 years old, address Buffalo State Hospital; Miss Anna Ermonis, her daughter, about 50 years old, address Buffalo State Hospital, Max Ermonis, son, address Buffalo State Hospital and Alfred E. Ermonis, son, address unknown, and

WHEREAS, the Rev. Carl Kirschler has been paying the taxes on this property for several years, but discontinued doing so because the house is uninhabitable and the cost of putting the building in a livable condition would far exceed its value and he does not know anyone in the family of the owners who would be interested in raising the money to pay for the repairs, and has stated in writing that tearing down the building is now a necessity, be it

RESOLVED, that the building on premises known as 44 Hedwig Street be hereby condemned as a public nuisance, a menace to health, a fire hazard and an attractive nuisance and should be immediately torn down, be it further

RESOLVED, that the Supervisor be and he is hereby authorized to enter into a contract for the tearing down and removing of said building from the premises, with any person, firm or corporation upon the following conditions:

1. The contractor must remove the building in its entirety and all parts thereof from the premises without cost to the Town of Cheektowaga.
2. He must agree to comply with all laws of the State of New York relative to compensation, insurance and other applicable provisions of the labor law.
3. He must agree to save the Town harmless from any claim of any kind or description which may arise from the manner in which the contract is performed by him.
4. He must proceed with the work immediately.

The contractor is not expected to fill in any excavation on the property; that work is to be done subject to the order and direction of the Supervisor.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-

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

I, HEREBY, submit and offer to remove the building in its entirety, and all parts thereof from the premises at 44 Hedwig Street without cost to the Town of Cheektowaga. I agree to comply with all laws of the State of New York relative to compensation insurance and all other provisions of the Labor Law.

I, FURTHER AGREE, to save the Town harmless from any claim of any kind or description which may arise from the manner in which I perform this contract and I agree to commence work and complete the same within two weeks. I will remove all property from the premises. It is understood the Town will fill in any excavation on the property, that is the record is not bound to do any of this work.

Dated: June 12th, 1954.

\_\_\_\_\_  
Contractor.

Accepted: \_\_\_\_\_, Supervisor

Town of Cheektowaga, New York.

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In the matter of the application of

SCHARELL CORPORATION

To zone from "Residence" District to  
"First Industrial" District with variances.

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The Scharell Corporation has made application to zone from "Residence" District to "First Industrial" District, with variances, the property located on the north side of New Walden Avenue extending northerly to the right-of-way of the West Shore Railroad, a short distance easterly from Harlem Avenue.

The Zoning Board of Appeals was advised by the petitioner that it had sold or was about to sell to the Ackley Holding Co., Inc. the easterly 300 feet of the premises described in the petition. The representatives of the Ackley Holding Co., Inc., appeared at the public hearing and requested that the application be amended so as to include that company as an applicant for rezoning, with variances, the portion of the premises described in the petition which it had contracted to purchase.

The Zoning Board of Appeals granted the request and in its decision, is considering the matter as if two applications have been filed, one by the Scharell Corporation and the other by the Ackley Holding Co., Inc. Its reason for doing so is that the parties who are to occupy and use the property were present at the public hearing and were interviewed as to the purposes for which the property would be used.

By adopting such proceedings, the Zoning Board of Appeals is dealing with the user of the property. In that way, there can be no misunderstanding as to the Board's decision.

The hearing was held before the Zoning Board of Appeals on the 17th day of May, 1954. Every Board member was present. The Town Clerk produced proof that the owners within 300 feet of the property sought to be zoned, with variances, received notice of the time and place of the public hearing. No one appeared and opposed the application.

SCHARELL CORPORATION

The representatives of the Scharell Corporation appeared at the public hearing and presented a drawing showing the location of the buildings it plans to construct on the portion of the premises it intends to retain. It has filed with the Town Engineer, definite plans and specifications for the construction of buildings.

It was brought out at the hearing that they intend to erect a building on the front portion of the premises which is to be used for the sale and display of its products and that the buildings in the rear are to be used for storage building, materials, machiner, equipment and finished metal products, and that it also intends to store in the building in the rear, motor vehicles used in the business conducted on the premises by the owner or occupant thereof.

The Scharell Corporation is a subsidiary of the Globe Plaster Co., an old established builders supply concern in the Buffalo area.

The Scharell Corporation requested permission to construct railroad sidings at the rear of the premises so as to connect the New York Central Railroad. It requested permission to do such manufacturing on said premises, as is permitted in a "First Industrial" District. It was specifically requested that such buildings located on its property for the sale and storage of its products and the products manufactured by the Globe Plaster Co. including building materials, machinery, equipment and finished metal products. It made no request for a variance to establish a lumber yard on the premises.

ACKLEY HOLDING CO., INC.

The representatives of this corporation appeared and explained that it was the intention of the corporation to erect on the premises, buildings which would be used for practically the same purposes as the Scharell Corporation. A plan of the buildings was filed with the Zoning Board and it was stated that additional buildings might be erected by it on the premises.

It was further stated that these buildings might be used for light manufacturing of the type permitted in a "First Industrial" District. It stated, however, that the main purpose of the corporation was to build buildings to meet tenant demands mostly for storage purposes.

This company also intends to construct a railroad siding at the rear of the property so as to connect with the New York Central Railroad Co. The Zoning Board of Appeals advised the representatives of both corporations that all buildings were to be set back from the street line a distance of 50 feet to comply with the Zoning Ordinances and that there was to be no permanent storage in the open of any goods, wares, merchandise, machinery or equipment within 100 feet of the highway.

Both corporations agreed to comply with these requirements. Before taking final action on the application for rezoning, with variances, this board made a thorough investigation of the application of the Scharell Corporation and the Ackley Holding Co., Inc. It also made a complete survey of all of the adjoining properties.

There are many industries already located along the north side of New Walden Avenue, south of the New York Central right-of-way between Harlem Avenue and the Thruway. Several these plants are engaged in light manufacturing of the type permitted in a "First Industrial" District. There are several warehouses located in the area which have been set aside for light manufacturing use. No property located within the area has been zoned to a "Second Industrial" District. The Zoning Board of Appeals, on March 19 1953, zoned property belonging to the Ernst Buffalo Corporation and granted variances which permitted it to fabricate structural steel and other materials and to store the same on its property.

The Ernst Buffalo Corporation and its operating companies are presently using the property in accordance with the variances allowed. No complaint has been received by any member of this Board as to the manner in which the Ernst properties are being used.

The application here under consideration should receive the same treatment as was extended to the Ernst Buffalo Corporation.

THE ZONING BOARD OF APPEALS, therefore, decides as follows:

1. The Zoning Board of Appeals recommends to the Town Board that the application to rezone the entire premises hereinafter described from "Residence" District to "First Industrial" District, with variances, be granted.

2. If the Town Board approves the recommendation of the Zoning Board of Appeals as to rezoning, the Zoning Board of Appeals, pursuant to Paragraph 10 of Section 29 of the Zoning Ordinances of the Town of Cheektowaga, to Scharell Corporation, Ackley Holding Co., Inc., Globe Plaster Company of Buffalo, and to their tenants, if any, the following variances:

(a) Permission is granted to use the premises for any purposes permitted in a "First Industrial" District.

(b) Permission is granted to use any buildings erected on the premises for the sale, display and storage builders supplies, goods, wares and merchandise of all types, including machinery and metal products.

(c) Permission is granted to use those portions of the premises which lie more than 100 feet northerly of Walden Avenue for the outside storage of any of the classifications mentioned in (b) above, except the permanent storage of junk and waste materials and lumber.

(d) Permission is granted to construct two or more railroad sidings to connect with the New York Central Railroad.

(e) Permission is granted for the storage of motor vehicles used in the business conducted on the premises by the owner or occupant thereof.

Dated, - June 12 1954.

Leo Kurnick

Chairman

Lawrence W. Jamszozak

Michael L. Henfling

C.G. Hanson

Joseph P. Kubera

DESCRIPTION  
ALL THAT CERTAIN

BEGINNING at the point formed by the intersection of the northerly line of that parcel of land appropriated by The People of the State of New York from New York State Realty and Terminal Company for purposes connected with the Thruway System as shown and described on a map prepared by New York State Department of Public Works and entitled, "Ontario Thruway—Erie County—Town of Cheektowaga—Dist. No. 5—Map No. 252 Par. No. 252" dated April 20, 1950 and filed in the

County of Erie in Liber 58 of Deeds at page 242, and easterly line of that parcel of land being also the easterly line of the parcel of land firstly described in deed by Fair Land Realty Company to New York State Realty and Terminal Company dated September 19, 1916, recorded in the office of the Clerk of said County of Erie in Liber 1360 of Deeds at page 246; and running thence northerly along said easterly line of the parcel of land firstly described in deed to New York State Realty and Terminal Company dated and recorded as aforesaid, 812.7 feet, more or less, to a point distant southeasterly 68.5 feet measured at right angles from the monumented line of the West Shore Railroad, said monumented line being 6.5 feet southeasterly of and parallel with the center line of the altered and changed route of the New York, West Shore and Buffalo Railway; thence southwesterly parallel with and distant southeasterly 68.5 feet measured at right angles from said monumented line, 625.3 feet, more or less, to a point in the southeasterly line of the parcel of land firstly described in deed by David C. Bennet to New York, West Shore and Buffalo Railway Company dated July 23, 1863, recorded in the office of the Clerk of said County of Erie in Liber 447 of Deeds at page 477; thence southwesterly along said southeasterly line of the parcel of land firstly described in deed to New York, West Shore and Buffalo Railway Company dated and recorded as aforesaid, 156.2 feet, more or less, to the westerly line of said parcel of land firstly described in deed to New York State Realty and Terminal Company; thence southerly along said westerly line of said parcel of land firstly described in deed to New York State Realty and Terminal Company dated and recorded as aforesaid, 439.5 feet, more or less, to the northeasterly corner of that parcel of land appropriated by The People of the State of New York from New York State Realty and Terminal Company for purposes connected with the Thruway System as shown and described on a map prepared by New York State Department of Public Works and entitled, "Ontario Thruway—Erie County—Town of Cheektowaga—Dist. No. 5—Map No. 254 Par. No. 254"; thence easterly 30 feet, more or less, to the northwesterly corner of said parcel of land appropriated as aforesaid and designated on Map No. 254 Par. No. 254; thence

more or less, to the point or place of beginning.  
ENCLOSURE, however, all those

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

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

a public newspaper at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the 17th day of June, 1954, 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*

all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 12th day of June, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to First Industrial (With Variances) District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 12th day of June, 1954

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residence District to First Industrial (With Variances) District, be and the same is hereby confirmed and approved.

NOW, THEREFORE, BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance" be and the same hereby is amended by changing the Zoning Map so as to change the following described property from that of "Residence District" to "First Industrial (With Variances) District."

DESCRIPTION

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

BEGINNING at the point formed by the intersection of the northerly line of that parcel of land appropriated by The People of the State of New York from New York State Realty and Terminal Company for purposes connected with the Thruway System as shown and described on a map prepared by New York State Department of Public Works and entitled, "Ontario Thruway - Erie County - Town of Cheektowaga - Dist. No. 5 - Map No. 252 Par. No. 252" dated April 20, 1950 and filed in the office of the Clerk of said County of Erie on November 28, 1950, with the easterly line of land conveyed by Farmers Loan and Trust Company to Elnathan Bennet by deed recorded in the office of the Clerk of said County of Erie in Liber 58 of Deeds at page 549, said easterly line being also the westerly line of the parcel of land described

in deed to New York State Realty and Terminal Company dated and recorded as aforesaid, 312.7 feet, more or less, to a point distant southeasterly 68.5 feet measured at right angles from the monumented line of the West Shore Railroad, said monumented line being 6.5 feet southeasterly of and parallel with the center line of the altered and changed route of the New York, West Shore and Buffalo Railway; thence southwesterly parallel with and distant southeasterly 68.5 feet measured at right angles from said monumented line, 625.3 feet, more or less, to a point in the southeasterly line of the parcel of land firstly described in deed by David C. Bennet to New York, West Shore and Buffalo Railway Company dated July 23, 1883, recorded in the office of the Clerk of said County of Erie in Liber 447 of Deeds at page 477; thence southwesterly along said southeasterly line of the parcel of land firstly described in deed to New York, West Shore and Buffalo Railway Company dated and recorded as aforesaid, 156.2 feet, more or less, to the westerly line of said parcel of land firstly described in deed to New York State Realty and Terminal Company; thence southerly along said westerly line of said parcel of land first described in deed to New York State Realty and Terminal Company dated and recorded as aforesaid, 439.5 feet, more or less, to the northeasterly corner of that parcel of land appropriated by The People of the State of New York from New York State Realty and Terminal Company for purposes connected with the Thruway System as shown and described on a map prepared by New York State Department of Public Works and entitled, "Ontario Thruway - Erie County - Town of Cheektowaga - Dist. No. 5 - Map No. 254 Par. No. 254"; thence easterly 30 feet, more or less, to the northwesterly corner of said parcel of land appropriated as aforesaid and designated on Map No. 252 as Par. No. 252; thence easterly along said northerly line of said parcel of land appropriated as aforesaid and designated on Map No. 252 as Par. No. 252, 641.6 feet, more or less, to the point or place of beginning.

all those

Posted as follows on the 2nd day of July, 1954;

1- Town Hall Bulletin Board.

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

STATE OF NEW YORK  
COUNTY OF ERIE

that a public hearing was held by the Zoning Board of the Town of Cheektowaga, New York, at the Town Hall in the said Town of Cheektowaga on the 19th day of May, 1954, at 7:30 o'clock P.M., of said day, for the purpose of considering the application of Michael G. Koepfel, for the rezoning from "Residential District" to "First Industrial District" (with variances), of the property hereinafter described and amending the Zoning Map and Ordinance accordingly.

DESCRIPTION

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

BEGINNING at the point formed by the intersection of the northerly line of that parcel of land appropriated by The People of the State of New York from New York State Realty and Terminal Company for purposes connected with the Thruway System as shown and described on a map prepared by New York State Department of Public Works and entitled, "Ontario Thruway-Erie County-Town of Cheektowaga-Dist. No. 5-Map No. 252 Par. No. 252" dated April 20, 1950 and filed in the office of the Clerk of said County of Erie on November 22, 1950, with

recorded in the office of the Clerk of said County of Erie in Liber 38 of Deeds at page 546, said easterly line being also the easterly line of the parcel of land firstly described in deed by Fair Land Realty Company to New York State Realty and Terminal Company dated September 19, 1916, recorded in the office of the Clerk of said County of Erie in Liber 1360 of Deeds at page 246; and running thence northerly along said easterly line of the parcel of land firstly described in deed to New York State Realty and Terminal Company dated and recorded as aforesaid, 812.7 feet, more or less, to a point distant southeasterly 68.5 feet measured at right angles from the monumented line of the West Shore Railroad, said monumented line being 6.5 feet southeasterly of and parallel with the center line of the altered and changed route of the New York, West Shore and Buffalo Railway; thence southwesterly parallel with and distant southeasterly 68.5 feet measured at right angles from said monumented line, 625.3 feet, more or less, to a point in the southeasterly line of the parcel of land firstly described in deed by David C. Bennet to New York, West Shore and Buffalo Railway Company dated July 23, 1883, recorded in the office of the Clerk of said County of Erie in Liber 447 of Deeds at page 477; thence southwesterly along said southeasterly line of the parcel of land firstly described in deed to New York, West Shore and Buffalo Railway Company dated and recorded as aforesaid, 156.2 feet, more or less, to the westerly line of said parcel of land firstly described in deed to New York State Realty and Terminal Company; thence southerly along said westerly line of said parcel of land first described in deed to New York State Realty and Terminal Company dated and recorded as aforesaid, 439.5 feet, more or less, to the northeasterly corner of that parcel of land appropriated by The People of the State of New York from New York State Realty and Terminal Company for purposes connected with the Thruway System as shown and described on a map prepared by New York State Department of Public Works and entitled, "Ontario Thruway-Erie County-Town of Cheektowaga-Dist. No. 5-Map No. 254 Par. No. 254"; thence easterly 30 feet, more or less, to the northwesterly corner of said parcel of land appropriated as aforesaid and designated on Map No. 252 as Par. No. 252; thence easterly along said northerly line of said parcel of land appropriated as aforesaid and designated on Map No. 252 as Par. No. 252, 441 feet, more or less, to the westerly line of said parcel of land firstly described in deed to New York State Realty and Terminal Company; and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 22nd day of June, 1954.  
ELIZABETH BENIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

more or less, to the point or place of beginning.

EXCEPTING, however, all those portions of the above described parcel of land which are parts of the premises excepted and reserved in deed from Fair Land Realty Company to New York State Realty and Terminal Company, and

NETT

says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 6th day of May, 1954, and the last insertion being on the 19th day of May, 1954, and that not more than six days intervened between any two publications thereof.

day of

1954

in and for Erie County.

*Richard G. Bennett*

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Cheektowaga  
**Herald and News**

a public newspaper at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 17th day of June, 1954, 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 .....

all parties interested in such opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 12th day of June, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to First Industrial (With Variances) District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 12th day of June, 1954

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residence District to First Industrial (With Variances) District, be and the same is hereby confirmed and approved.

NOW, THEREFORE, BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance" be and the same hereby is amended by changing the Zoning Map so as to change the following described property from that of "Residence District" to "First Industrial (With Variances) District."

DESCRIPTION

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

BEGINNING at the point formed by the intersection of the northerly line of that parcel of land appropriated by The People of the State of New York from New York State Realty and Terminal Company for purposes connected with the Thruway System as shown and described on a map prepared by New York State Department of Public Works and entitled, "Ontario Thruway - Erie County - Town of Cheektowaga - Dist. No. 5 - Map No. 252 Par. No. 252" dated April 20, 1950 and filed in the office of the Clerk of said County of Erie on November 28, 1950, with the easterly line of land conveyed by Farmers Loan and Trust Company to Elnathan Bennet by deed recorded in the office of the Clerk of said County of Erie in Liber 58 of Deeds at page 549, said easterly line being also the westerly line of the parcel of land firstly described in deed to New York State Realty and Terminal Company dated and recorded as aforesaid, 82.7 feet, more or less, to a point distant southeasterly 68.5 feet measured at right angles from the monumented line of the West Shore Railroad, said monumented line being 6.5 feet southeasterly of and parallel with the center line of the altered and changed route of the New York, West Shore and Buffalo Railway; thence southwesterly parallel with and distant southeasterly 68.5 feet measured at right angles from said monumented line, 625.3 feet, more or less, to a point in the southeasterly line of the parcel of land firstly described in deed by David C. Bennet to New York, West Shore and Buffalo Railway Company dated July 23, 1883, recorded in the office of the Clerk of said County of Erie in Liber 447 of Deeds at page 477; thence southeasterly along said southeasterly line of the parcel of land firstly described in deed to New York, West Shore and Buffalo Railway Company dated and recorded as aforesaid, 156.2 feet, more or less, to the westerly line of said parcel of land firstly described in deed to New York State Realty and Terminal Company; thence southerly along said westerly line of said parcel of land first described in deed to New York State Realty and Terminal Company dated and recorded as aforesaid, 439.5 feet, more or less, to the northeasterly corner of that parcel of land appropriated by The People of the State of New York from New York State Realty and Terminal Company for purposes connected with the Thruway System as shown and described on a map prepared by New York State Department of Public Works and entitled, "Ontario Thruway - Erie County - Town of Cheektowaga - Dist. No. 5 - Map No. 254 Par. No. 254"; thence easterly 30 feet, more or less, to the northwesterly corner of said parcel of land appropriated as aforesaid and designated on Map No. 252 as Par. No. 252; thence easterly along said northerly line of said parcel of land appropriated as aforesaid and designated on Map No. 252 as Par. No. 252, 641.6 feet, more or less, to the point or place of beginning.

..... day of .....

..... day of .....

..... day of .....

Town of Cheektowaga, N. Y.



With these beautiful scores Sah-  
 ten took high three-game total:  
 2219; high team single game: 838;  
 high game: Monica Miller, 268.  
 Monica Miller of that team bowled  
 a 268 game which is the highest  
 ever bowled in the St. Aloysius  
 Bowling League. Jean Dombrow-  
 ski also on the same team bowled  
 190, 167 and 160.  
 Tickets may be purchased in  
 either of the Cleveland Hill school  
 offices or in the high school phys-  
 cal education department office.  
 The proceeds will go to the Ath-  
 letic Council for use in the physi-  
 cal education department. The  
 public is cordially invited to at-  
 tend as this is expected to be a  
 rather unusual production.

ST. ALOYSIUS BOWLING  
 LEAGUE NEWS

Sahien Packing came through  
 with flying colors last Thursday.  
 Monica Miller of that team bowled  
 a 268 game which is the highest  
 ever bowled in the St. Aloysius  
 Bowling League. Jean Dombrow-  
 ski also on the same team bowled  
 190, 167 and 160.

ten took high three-game total:  
 2219; high team single game: 838;  
 high game: Monica Miller, 268.

follows on the 2nd day of July, 1954;  
 1 Bulletin Board.

ched is a copy of the notice published in the  
 ews;

to the point or place  
 however, all those  
 of the above described  
 of land which are parts of  
 the premises excepted and reserved  
 in deed from ~~State~~ Realty  
 Company of New York, Realty  
 and ~~State~~ Company, and  
 recorded as aforesaid.

NETT

says that he is the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
 towaga, Erie County, New York, that notice of which the  
 annexed printed slip taken from said newspaper, is a copy,  
 was inserted and published therein once a week for  
 ..... week, the first insertion being on the  
 6<sup>th</sup> day of May, 1954, and  
 the last insertion being on the ..... day of  
 ....., 19....., and that not  
 more than six days intervened between any two publi-  
 cations thereof.

*Richard G. Bennett*

Sworn to before me this ..... day of  
 MAY 24 1954, 19.....

*Henry J. [Signature]*  
 Notary Public in and for Erie County.

4452000

DECISION OF THE  
ZONING BOARD OF APPEALS

-----  
In the Matter of the Application of  
Westinghouse Buffalo Salaried Employees' Association  
To zone from "Residence District to "Business District".  
-----

The petitioners in this application seek to rezone the following described property from residence to business district:

"All that tract or parcel of land situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 17, Township 11, Range 7 of the Holland Land Company's Survey, and further distinguished as Subdivision Lot No. 5 as shown on map filed in Erie County Clerks' Office under Cover No. 962".

It is stated in the application that it is the purpose of the petitioners to use the property for meeting rooms and union office of the Westinghouse Buffalo Salaried Employees' Association. This Association is presently using property for the same purposes on Union Road a few doors away. Several residents in the immediate neighborhood appeared at the public hearing and questioned the advisability of zoning this property for use by the petitioners, because it might create a parking problem on Union Road.

The petitioners have furnished the Zoning Board with information that they have made arrangements with Mr. Ray Schieder and with Our Lady Help of Christians Church for off the street parking in the event a large group of people attend their meetings.

We are advised that there will be limited activities of the Association and no one has complained about the manner in which the present headquarters are operating.

We recommend that their request for rezoning from "Residence" to "Business District" be granted.

Dated: June 12, 1954.

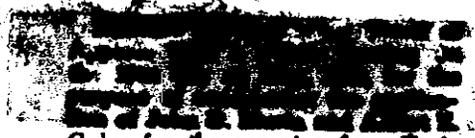
Leo H. Kurnick, Chairman

Lawrence M. Janaszczak

Michael L. Henfling

C.G. Hanson

Joseph P. Kubera.



Gulas for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 12th day of June, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 12th day of June, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residence District to Business District be and the same is hereby confirmed and approved.

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance," 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 situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 17, Township 11, Range 7 of the Holland Land Company's survey, and further distinguished as Subdivision Lot No. 5 as shown on map filed in Erie County Clerks' Office under Cover No. 962.

(4284 Union Road, west side)

LEGAL NOTICE

Posted as follows on the 25th day of June, 1954;

1- Town Hall Bulletin Board.

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

**LEGAL NOTICE  
REZONING GRANTED**

WHEREAS, the Zoning Board of Appeals held a public hearing on the 19th day of May, 1954, for the purpose of considering the application of John D. Murin and Albert E. Gulas for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 12th day of June, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 12th day of June, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residence District to Business District, be and the same is hereby confirmed and approved.

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance," 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 situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 17, Township 11, Range 7 of the Holland Land Company's survey, and further distinguished as Subdivision Lot No. 5 as shown on map filed in Erie County Clerk's Office under Cover No. 962.

(#4024 Union Road, west side)  
**KENNETH T. HANLEY,**  
Town Clerk,  
Town of Cheektowaga,  
New York.

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication JUN 17 1954; last publication JUN 17 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
day of JUN 17 1954, 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, 1955  
Registered No. 5029

DECISION OF  
ZONING BOARD OF APPEALS

-----  
In the Matter of the Application of  
B. G. King Building Corporation  
To zone from "Residence" District to  
"Business" District.  
-----

The Zoning Board of Appeals of the Town of Cheektowaga, New York, held a meeting and a hearing on this application on June 2, 1954. The petitioner did not appear at the hearing, nor was he represented. He seeks in his application for rezoning to use the present field office for a refreshment stand.

Notice was given to the property owners within a distance of 300 feet of the property of the applicant, described as follows:

BEING PART OF Lot 36, Township 11, Range 7,  
Town of Cheektowaga under Cover No. 1726, known as S.L. 10  
and 10 A, being 127.38' on south-westerly corner of  
Harlem Road and 100' deep on Mafalda Drive.

Many of the property owners appeared in person and voiced their objection, stating that the operation of a refreshment stand on the property would create a traffic hazard and become a health menace. There was also filed with the Zoning Board of Appeals a petition signed by one hundred and twenty-nine residents in the immediate area opposing the application for rezoning.

We do not believe this property should be zoned for business purposes in order to conduct thereon a refreshment stand. Therefore we recommend the application be denied.

Dated: June 12, 1954.

Leo H. Kurnick, Chairman  
Lawrence M. Januszczak  
Michael L. Henfling  
C.G. Hanson  
Joseph P. Kubera

Councilman Bystrak presented the following resolution and moved its adoption:  
RESOLVED, that the application of B.G. King Building Corporation to rezone premises known as Part of Lot No. 36, Township 11, Range 7, Town of Cheektowaga under Cover No. 1726 known as S.L. 10 and 10 A being 127.38 feet on south westerly corner of Harlem Road and 100 feet on Mafalda Drive be denied.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-

ITEM. no. #11. Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, all lots facing Freda Avenue, in the Town of Cheektowaga, are zoned "Residential" and under the ordinances of the Town of Cheektowaga can only be used for residential purposes, and

WHEREAS, the owner of the Bowling alley, or someone in his behalf, is making an excavation on the two lots adjoining the bowling alley on Freda Avenue, and the persons doing the work have been notified that this property cannot be used for a parking lot or any other business purpose, and the owner has been requested not to proceed with the excavation or any other work on said lots, but has refused to pay any attention to the advice given by members of the Police Department and the Building and Plumbing Inspector, and

WHEREAS, the work has not as yet proceeded to a point where the intention of the owner to use this as "Business" can be established, be it

RESOLVED, that in the event the owner of the property or any other person uses the property for business purposes in violation of the Ordinances of the Town of Cheektowaga, New York, the Town Attorney be, and he is hereby authorized to institute appropriate proceedings to enforce the Ordinances and to restrain the use of said property for business purposes, be it

RESOLVED, that a certified copy of this resolution be served upon any persons owning the property or engaged in any construction activities on the premises.

Seconded by Councilman Bystrak  
Unanimously carried.

Dated June 12, 1954.

ITEM #12. Resolution by Town Councilman Nagel and Seconded by Councilman Neibert.

WHEREAS the Town Superintendent of Highways did on the 7th day of June 1954 duly recommend the purchase of certain (machinery) (equipment) (tools) pursuant to the provisions of Section 142 of the Highway Law, and a notice of such recommendation has been duly published as provided in section 103 of the General Municipal Law.

NOW THEREFORE, BE IT RESOLVED that pursuant to Section 142 of the Highway Law the Town Superintendent of Highways is hereby authorized to purchase from Mernan Chevrolet, Inc. with the approval of the County Superintendent of Highways:

Two (2) 1954 Chevrolet Trucks Model #6103 HP Engine 8.25 x 10 Ply Tires 6.5 Wheels - 2 Qt Oil Filter - R. H. Mirror - Heater - Flasher Signals Coleman 4 x 4 Drive Change over dump body and change over Snow Plow- Replacement of worn out parts extra. Less trade-in on two 1948 Chev. C & Cab less dis. and Tax exemption certificate.

Ten Thousand Three Hundred Forty-Four & 14/100 Dollars (\$10,344.14) delivered at Cheektowaga New York and to be delivered on or about August 1, 1954.

The Town Superintendent of Highways is hereby authorized, subject to the approval of the County Superintendent of Highways, to surrender to the above named vendor two (2) 1948 Chev. C & Cab.

as part payment for the above (machinery) (equipment) (tools) to be purchased.

The terms of payment will be as follows:

Trade in allowance	\$1778.14
Check Drawn on Machinery Fund	428.30
Check from proceeds of obligations	8137.70
<b>Total</b>	<b>\$10,344.14</b>

A contract of purchase for the item(s) purchased shall be duly executed between the Town Superintendent of Highways and such vendor, and when duly approved by the County Superintendent of Highways, it shall become effective. When such contract has been duly executed and approved, the Supervisor is authorized to complete such purchase upon delivery of the item (s) purchased in accordance with the terms of such resolution and such contract, and to pay the above amount(s) specified to be paid by check of checks.

- (1) by a check drawn on the Machinery Fund (item 3) for \$428.30
- (2) by a check in the amount of \$8137.70, drawn on the account established from the proceeds of obligations to be used pursuant to the Local Finance Law to finance such purchase. Such obligations will be authorized to be issued by this Board by a separate resolution.

ITEM #13. Resolution by Councilman Nagel  
Seconded by Councilman Neibert

WHEREAS, the Town Superintendent of Highways did on the 7th day of June 1954, duly recommend the purchase of certain (machinery) (equipment) (tools) pursuant to the provisions of Section 142 of the Highway Law, and a notice of such recommendation has been duly published as provided in such section.

NOW, THEREFORE BE IT RESOLVED that pursuant to Section 103 of the General Municipal Law the Town Superintendent of Highways is hereby authorized to purchase from Reo Motors, Inc. with the approval of the County Superintendent of Highways One Reo F-22 RB-1 for a total price of Seven Thousand Five Hundred eight and 98/100 Dollars (\$7508.98), delivered at Cheektowaga New York and to be delivered on or about \_\_\_\_\_.

The Town Superintendent of Highways is hereby authorized, subject to approval of the County Superintendent of Highways, to surrender to the above named vendor one old truck 1940 Autocar, as part payment for the above (machinery) (equipment) (tools) to be purchased. the terms of payment will be as follows:

trade in allowance	\$1,079.65
Check drawn on Machinery Fund	321.47
Check from proceeds of obligations	6,107.86
Total	<u>\$7,508.98</u>

A contract of purchase for the item(s) purchased shall be duly executed between the Town Superintendent of Highways and such vendor, and when duly approved by the County Superintendent of Highways, it shall become effective. When such contract has been duly executed and approved, the Supervisor is authorized to complete such purchase upon delivery of the item(s) purchased in accordance with the terms of such resolution and such contract, and to pay the above mentioned amount(s) specified to be paid by check or checks

(1) by a check drawn on the Machinery Fund (Item 3) for \$321.47

(2) by a check in the amount of \$6,107.86, drawn on the account established from the proceeds of obligations to be issued pursuant to the Local Finance Law to finance such purchase. Such obligations will be authorized to be issued by this Board by a separate resolution.

If this Board subsequently decides to issue bonds to finance such purchase, the value of the above mentioned item(s) trade-in toward the purchase price shall be considered as (a down payment) (a part of the down payment) required by Section 107.00 of the Local Finance Law.

Vote of the Town Board

Benedict T. Holtz	voting aye
Henry J. Nagel	voting aye
Felix T. Wroblewski	voting aye
Joseph A. Neibert	voting aye
Stanley R. Bystrak	voting aye

State of New York  
County of Erie  
Town of Cheektowaga

I, Kenneth T. Hanley Town Clerk of the Town of Cheektowaga in the County of Erie, New York do hereby certify that I have compared the preceding copy of a resolution with the original thereof, duly adopted by the Town Board of such town at a (regular) special meeting of such board held on June 12, 1954, and that the same is a true and correct copy of such resolution and of the whole thereof.

In Testimony Whereof I have hereunto set my hand and affixed the seal of said Town this 12th day of June 1954.

TOWN SEAL

Kenneth T. Hanley  
Town Clerk of Town of Cheektowaga.

Item No. 14 Councilman Nagel moved, seconded by Councilman Neibert, that Matthew Frank be employed as a part time laborer in the Parks Department at a salary of \$1.80 per hour, effective on or about June 22, 1954. CARRIED: AYES: -5-. : 12

Item No. 15 BOND ANTICIPATION NOTE OF 1954 \$25,000.00

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
TOWN OF CHEEKTOWAGA

BOND ANTICIPATION NOTE OF 1954 \$25,000.00

Note No. 2.

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this note the sum of

-----Twenty Five Thousand Dollars-----\$25,000.00 ----

on the 1st day of October, 1954, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable October 1, 1954 and annually thereafter. Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This note is one of an authorized issue, the aggregate principal amount of which is One Hundred Twenty Thousand Dollars (\$120,000.00).

This note is issued pursuant to the provisions of a bond anticipation note resolution, dated February 19, 1954, authorizing the issuance of bond anticipation notes of the Town of Cheektowaga, New York in the amount of One Hundred Twenty Thousand Dollars (\$120,000.00) in anticipation of the sale of Serial Bonds authorized to finance improvements to the sewage and treatment plant and site of Sewer District No. 5 by the construction of about 40,000 square feet of sludge drying beds, construction of access roads to new sludge beds, necessary drainage facilities for roads, installation of piping from present sludge control building to new sludge beds, together with necessary pumps, in the Town of Cheektowaga, New York.

The faith and credit of such Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Statutes of the State of New York, to exist, to have happened and to have been performed precedent to and in the issuance of this note, exist, have happened and have been performed, and that this note, together with all other indebtedness of such Town of Cheektowaga is within every debt and other limit prescribed by the Constitution of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this note to be signed by its Supervisor, and its corporate seal to be hereunto affixed and attested by its Town Clerk and this note to be dated as of the 12th day of June, 1954.

TOWN OF CHEEKTOWAGA, ERIE COUNTY,  
NEW YORK.

BY: Benedict T. Holtz  
Supervisor

ATTEST:  
Kenneth T. Hanley  
Town Clerk.

Item No. 16 Councilman Nagel moved, seconded by Councilman Wroblewski, to adjourn.

SEAL.

Kenneth T. Hanley  
Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

Also present were: Deputy Town Clerk Elizabeth Biniass; Town Attorney Doyle; Chief of Police Mersmann; Building & Plumbing Inspector Rohem; Town Engineer Kamm; Chairman of the Zoning Board of Appeals Kurnick.

Item No. 2 The Town Clerk advised the Board that the minutes of the last meeting has been mailed to their respective homes.

Item No. 3 Application of the Buffalo Transit Company presented to the Board for consent to operate motor buses on and over the so-called Kensington Expressway when the same is opened for vehicle traffic. Ordered referred to Councilman Bystrak.

Item No. 4 Communication read from the Sloan Public Schools relating to the use of schools for election purposes. Ordered referred to the Town Attorney.

Item No. 5 Communication read from the Doyle Hose Company No. 2 inviting the Board to attend their annual field day to be held on July 4, 1954. Ordered received, filed and to attend.

Item No. 6 Communication read from Chief of Police Mersmann relating to Electrical Speed Timing Device. Ordered referred to the Town Board as a whole.

Item No. 7 Communication read from the Board of Fire Commissioners of U-Crest Fire District No. 4 relating the the removal of a fire hydrant in front of No. 229 Clover Place. Ordered referred to Councilman Bystrak.

Item No. 8 Communication read from the Town Highway Superintendent advising the Board that the highway known as Wilshire Road meets with Town specifications and requests that the Board accept same as a Town Highway. Ordered referred to the Town Attorney.

Item No. 9 This being the time and the place advertised for a public hearing for the purpose of determining the advisability of amending the Zoning Ordinances so as to add the following: (Copy of same hereto attached)

The construction of buildings in an Industrial District is not recommended, neither is it prohibited. In Industrial Districts, even though the equipment and apparatus is modern and up to date, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes.

"In both Industrial Districts a minimum setback line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

"It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high grade material so as to improve the appearance of the buildings.

"Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

"If property located in an Industrial District is used for residence purposes of any kind or description, then the setback of twenty-five (25) feet shall be established and all Ordinances relating to a Residence District shall apply, including Sections 9 to 13, inclusive, of the Zoning Ordinances."

A strict compliance of the afore-

mentioned Ordinance shall be required in all cases, except when the enforcement thereof creates an undue hardship, due to the fact that there is insufficient depth of the property located in an "Industrial" district.

If such a condition exists, then the Town Board may modify the foregoing provisions of this Ordinance subject to appropriate conditions and safeguards with due regard for the interest of the property owners in the immediate vicinity and no such modification shall be made except upon notice in writing, being given to the property owners within a distance of 300 feet from the nearest lot line of the property upon which a modification is sought, such notice to be served by mail properly addressed to the last known address of the owners of the property in the immediate vicinity at least ten days before the Town Board shall take action on the application for modification.

The Supervisor directed the Town Clerk to present proof of the publication of the Notice of Hearing.

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing, and no person appearing in opposition to the proposed amendment of the Ordinances:

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 21st day of June, 1954, at 7:30 o'clock P.M. Eastern Daylight Saving Time, there were:

PRESENT: Benedict T. Holtz, Supervisor; Henry J. Nagel, Councilman; Felix T. Wroblewski, Councilman; Joseph A. Neibert, Councilman; Stanley Bystrak, Councilman; Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting held in the Town Hall in the Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, adopted a resolution that the Town Board meet at the Town Hall corner Union Road and Broadway, Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20 (b) to provide as follows:

Section 20 (b) CONSTRUCTION OF BUILDINGS IN FIRST AND SECOND INDUSTRIAL DISTRICTS.

"The construction of residences in an Industrial District is not recommended, neither is it prohibited. In industrial Districts, even though the equipment and apparatus is modern and up to date, and in accordance with approved practices, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes."

In both Industrial Districts a minimum setback line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

If property located in an Industrial District is used for residence purposes of any kind or description, then the setback line of twenty-five (25) feet is established and all Ordinances as they relate to Residence District shall apply, including Sections 2 to 13, inclusive, of the Zoning Ordinances."

And notice of said public hearing was duly published and posted as required by law not less than ten (10) nor more than twenty (20) days prior to the date of the hearing as is shown by the duly verified affidavit 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, New York, did meet on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, at the Town Hall, in the Town of Cheektowaga, New York, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20 (b), 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 amend the Zoning Ordinances so as to add thereto Section 20 (b) and be it

RESOLVED, that Section 20 (b) of the Zoning Ordinances as hereinbefore set forth be added to read as follows:

Section 20 (b) CONSTRUCTION OF BUILDINGS IN FIRST AND SECOND INDUSTRIAL DISTRICTS.

"The construction of residences in an industrial District is not recommended, neither is it prohibited. In industrial Districts, even though the equipment and apparatus is modern and up to date, and in accordance with approved practices, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes."

In both Industrial Districts a minimum setback line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

If property is located in an Industrial District is used for residence purposes of any kind or description, then the setback line of twenty-five (25) feet is established and all Ordinances as they relate to a Residence District shall apply, including Sections 2 to 13, inclusive, of the Zoning Ordinances."

and be it further

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 CHEEKTOWAGA TIMES and the Depew Herald and Cheektowaga News, newspapers having general circulation in said Towns and being the official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavit of the publication and posting thereof shall be filed with the Town Clerk.

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

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

Supervisor Holtz, voting Aye. Councilman Nagel, voting Aye. Councilman Wroblewski, voting Aye. Councilman Neibert, voting Aye. Councilman Bystrak, voting Aye. AYES: 5 NOES:0 ABSENT: 0

STATE OF NEW YORK COUNTY OF ERIE OFFICE OF THE CLERK SS: OF THE TOWN OF CHEEKTOWAGA

This is to certify that I, Elizabeth Biniasz, Deputy Clerk of the Town of Cheektowaga, Erie County, New York, have compared the foregoing copy of the resolution with the original resolution now on file in this office, and which was passed by the

Town Board of the Town of Cheektowaga in Erie County of Erie, on the 21st day of June, 1954, and that the same is a correct and true transcription of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal in said Town this 22nd day of June, 1954.

ELIZABETH BINIASZ, Deputy Clerk of the Town Board, Town of Cheektowaga, N. Y.

Posted as follows on the 28th day of June, 1954;

1- Town Hall Bulletin Board.

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

**ORDINANCE AMENDED**

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 21st day of June, 1954, at 7:30 o'clock P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**  
Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Feix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

**WHEREAS**, this Town Board, at a regular meeting held in the Town Hall in the Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, adopted a resolution that the Town Board meet at the Town Hall corner Union Road and Broadway, Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time for the purpose of con-

was in the public interest to amend the Zoning Ordinances so as to add thereto Section 20 (b) and be it

**RESOLVED**, that Section 20 (b) of the Zoning Ordinances as hereinbefore set forth be added to read as follows:

**Section 20 (b)  
CONSTRUCTION OF BUILDINGS  
IN FIRST AND SECOND INDUSTRIAL DISTRICTS.**

"The construction of residences in an Industrial District is not recommended, neither is it prohibited. In industrial Districts, even though the equipment and apparatus is modern and up to date, and in accordance with approved practices, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes.

In both Industrial Districts a minimum set-back line of fifty (50) feet from the nearest highway is re-

Town Board of the Town of Cheektowaga in said County of Erie, on the 21st day of June, 1954, and that the same is a correct and true transcription of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal in said Town this 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

C. ALLIS, of the Town of Cheektowaga County of Erie, being duly sworn, says that he is the publisher of the Cheektowaga Times, a public newspaper published in said Town; that the notice, annexed printed slip, taken from said copy, was inserted and published once a week for one week on June 24, 1954 and June 24, 1955; more than six days intervened between the two insertions.

Willard C. Allis

Subscribed and sworn to before me this 1st

July, 1954  
W. J. Allis

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

EVE J. ALLIS  
Notary Public, STATE OF NEW YORK  
Qualified in Erie County  
Commission Expires March 30, 1955  
Registered No. 5029

Posted as follows on the 28th day of June, 1954;

1- Town Hall Bulletin Board.

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

**ORDINANCE AMENDED**

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 21st day of June, 1954, at 7:30 o'clock P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Feix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting held in the Town Hall in the Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, adopted a resolution that the Town Board meet at the Town Hall corner Union Road and Broadway, Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20 (b) to provide as follows:

**Section 20 (b)  
CONSTRUCTION OF BUILDINGS  
IN FIRST AND SECOND INDUSTRIAL DISTRICTS.**

"The construction of residences in an Industrial District is not recommended, neither is it prohibited. In Industrial Districts, even though the equipment and apparatus is modern and up to date, and in accordance with approved practices, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes.

In both Industrial Districts a minimum setback line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

If property located in an Industrial District is used for residence purposes of any kind or description, then the set-back line of twenty-five (25) feet is established and all Ordinances as they relate to Residence District shall apply, including Sections 2 to 13, inclusive, of the Zoning Ordinances."

And notice of said public hearing was duly published and posted as required by law not less than ten (10) nor more than twenty (20) days prior to the date of the hearing as is shown by the duly verified affidavit 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, New York, did meet on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, at the Town Hall, in the Town of Cheektowaga, New York, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20 (b), 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 amend the Zoning Ordinances so as to add thereto Section 20 (b) and be it

RESOLVED, that Section 20 (b) of the Zoning Ordinances as hereinbefore set forth be added to read as follows:

**Section 20 (b)  
CONSTRUCTION OF BUILDINGS  
IN FIRST AND SECOND INDUSTRIAL DISTRICTS.**

"The construction of residences in an Industrial District is not recommended, neither is it prohibited. In Industrial Districts, even though the equipment and apparatus is modern and up to date, and in accordance with approved practices, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes.

In both Industrial Districts a minimum set-back line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

If property is located in an Industrial District is used for residence purposes of any kind or description, then the setback line of twenty-five (25) feet is established and all Ordinances as they relate to a Residence District shall apply, including Sections 2 to 13, inclusive, of the Zoning Ordinances."

and be it further

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 CHEEKTOWAGA TIMES and the Depew Herald and Cheektowaga News, newspapers having general circulation in said Towns and being the official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavit of the publication and posting thereof shall be filed with the Town Clerk.

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

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

Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.

Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.  
AYES: 5 NOES:0 ABSENT: 0

**STATE OF NEW YORK  
COUNTY OF ERIE  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA**

This is to certify that I, Elizabeth Biniasz, Deputy Clerk of the Town of Cheektowaga, in said County of Erie, have compared the foregoing copy of the 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 21st day of June, 1954, and that the same is a correct and true transcription of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal in said Town this 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

C. ALLIS, of the Town of Cheektowaga, Erie County, being duly sworn, says that he is the publisher of the Cheektowaga Times, a public newspaper published in said Town; that the notice, of which a copy was inserted and published in said newspaper once a week for one week on June 24, 1954 and on June 24, 1954, more than six days intervened before the publication of the same.

Willard C. Allis

Subscribed and sworn to before me this 1st day of July, 1954

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  
Commission Expires March 30, 1955  
Registered No. 5029

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 June 24, 1954; last publication June 24, 1954; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 1st

day of July, 1954

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, 1955  
Registered No. 5029



ss.:

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 24 day of June, 1954, and the last insertion being on the 24 day of June, 1954, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

**JUN 26 1954**

*Kenneth J. Hanley*

Notary Public in and for Erie County.

no 52 000

This being the time and the place advertised for a public hearing on the following proposal:

" WHEREAS, Section 6, Paragraph A of the Zoning Ordinances of the Town of Cheektowaga, New York, regulates side yard requirements in residence districts and provides as follows:"

**DISTRICTS**  
(a) In a residence district for every dwelling erected there shall be two side yards, one along each side line of the lot; at least twenty percent (20%) of the width of an interior lot shall be devoted to side yards, but not more than seventeen and one-half (17½) feet need be so devoted. The least dimensions of a side yard shall be not less than four (4) feet.

and,  
WHEREAS, it is deemed in the public interest to make some changes in its provisions, which changes are as follows:

(a) In a residence district, there shall be two side yards, one along each side line of the lot. In lots having a width of fifty (50) feet, but less than sixty (60) feet, the least dimensions of a side yard shall not be less than three (3) feet providing that the other side yard is at least five (5) feet.

In lots having a width of sixty (60) feet, but less than seventy (70) feet, the least dimensions of a side yard shall be not less than four (4) feet, providing that the other side yard is at least six (6) feet.

In lots having a width of seventy (70) feet or more, the least dimensions of a side yard shall be not less than five (5) feet providing that the other side yard is at least seven (7) feet.

In old subdivisions where lots have been subdivided into widths of forty (40) feet or less, the least dimensions of a side yard shall be not less than two (2) feet on each side of said lot.

In lots having a width of forty-one (41) feet but less than fifty (50) feet, the least dimensions of a side yard shall be not less than three (3) feet on each side of said lot.

In irregular shaped lots, the Town Board may modify the above requirements by taking into account the width of the lot at its narrowest point and apply the provisions above mentioned on the same basis as if that were the width of the entire lot.

And notice of said public hearing was duly published and posted as required by law not less than ten (10) nor more than twenty (20) days prior to the date of the hearing as is shown by the duly verified affidavit 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, New York, did meet on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, at the

WHEREAS, an opportunity was afforded all persons interested in

the subject matter of the said public hearing, the Town Board Town Hall, in the Town of Cheektowaga, New York, for the purpose of considering the advisability of repealing Paragraph A of Section 6, of the existing zoning ordinances, and

decided that it was in the public interest that the Zoning Ordinances of the Town of Cheektowaga, New York be changed by repealing Paragraph A of Section 6 and be it RESOLVED, that paragraph A of Section 6 of the Zoning Ordinances as hereinbefore set forth be repealed as follows:

**SECTION 6  
SIDE YARDS IN RESIDENCE DISTRICTS**

(a) In a residence district for every dwelling erected there shall be two side yards, one along each side of the lot; at least twenty per cent (20) of the width of an interior lot shall be devoted to side yards, but not more than seventeen and one-half (17½) feet need be so devoted. The least dimensions of a side yard shall be not less than four (4) feet.

and, be it further  
RESOLVED, that in its place the following ordinances be adopted to be known as

**SECTION 6  
SIDE YARDS IN RESIDENCE DISTRICT**

(a) In a residence district, there shall be two side yards, one along each side line of the lot. In lots having a width of fifty (50) feet, but less than sixty (60) feet, the least dimensions of a side yard shall not be less than three (3) feet providing that the other side yard is at least five (5) feet.

In lots having a width of sixty (60) feet, but less than seventy (70) feet, the least dimensions of a side yard shall be not less than four (4) feet providing that the other side yard is at least six (6) feet.

In lots having a width of seventy (70) feet or more, the least dimensions of a side yard shall be not less than five (5) feet providing that the other side yard is at least seven (7) feet.

In old subdivisions where lots have been subdivided into widths of forty (40) feet or less, the least dimensions of a side yard shall be not less than two (2) feet on each side of said lot.

In lots having a width of forty-one (41) feet but less than fifty (50) feet, the least dimensions of a side yard shall be not less than three (3) feet on each side of said lot.

In irregular shaped lots, the Town Board may modify the above requirements by taking into account the width of the lot at its narrowest point and apply the provisions above mentioned on the same basis as if that were the width of the entire lot.

STATE OF NEW YORK  
COUNTY OF ERIE

ss:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

Town of Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York.

PRESENT:

Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman

Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting held at the Town Hall in the Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock, P.M. Eastern Daylight Saving Time, adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20 (b) so provide as follows:

SECTION 20 (b)  
CONSTRUCTION OF BUILDINGS IN FIRST AND SECOND INDUSTRIAL DISTRICTS.

"The construction of residences in an Industrial District is not recommended, neither is it prohibited in Industrial Districts, even though the equipment and apparatus is modern and up to date, and in accordance with approved practices, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason that the Town does not recommend the use of residential property for residence purposes.

In both Industrial Districts a minimum setback line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

If property located in an Industrial District is used for residence purposes of any kind or description, then the set-back line of twenty-five (25) feet is established and all Ordinances as they relate to a Residence District shall apply, including Sections 2 to 13, inclusive, of the Zoning Ordinances."

And notice of said public hearing was duly published and posted as required by law not less than ten (10) nor more than twenty (20) days prior to the date of the hearing as is shown by the duly verified affidavit 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, New York, did meet on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, at the Town Hall, in the Town of Cheektowaga, New York, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20 (b), 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 amend the Zoning Ordinances so as to add thereto Section 20 (b), and be it

RESOLVED, that Section 20 (b) of the Zoning Ordinances as hereinbefore set forth be added to read as follows:

SECTION 20 (b)  
CONSTRUCTION OF BUILDINGS IN FIRST AND SECOND INDUSTRIAL DISTRICTS.

"The construction of residences in an Industrial District is not

" WHEREAS, Section 6, Paragraph A of the Zoning Ordinances of the Town of Cheektowaga, New York, regulates side yard requirements in residence districts and provides as follows:"

(a) In a residence district for every dwelling erected there shall be two side yards, one along each side line of the lot; at least twenty percent (20%) of the width of an interior lot shall be devoted to side yards, but not more than seventeen and one-half (17½) feet need be so devoted. The least dimensions of a side yard shall be not less than four (4) feet.

and, WHEREAS, it is deemed in the public interest to make some changes in its provisions, which changes are as follows:

(a) In a residence district, there shall be two side yards, one along each side line of the lot. In lots having a width of fifty (50) feet, but less than sixty (60) feet, the least dimensions of a side yard shall not be less than three (3) feet providing that the other side yard is at least five (5) feet.

In lots having a width of sixty (60) feet, but less than seventy (70) feet, the least dimensions of a side yard shall be not less than four (4) feet, providing that the other side yard is at least six (6) feet.

In lots having a width of seventy (70) feet or more, the least dimensions of a side yard shall be not less than five (5) feet providing that the other side yard is at least seven (7) feet.

In old subdivisions where lots have been subdivided into widths of forty (40) feet or less, the least dimensions of a side yard shall be not less than two (2) feet on each side of said lot.

In lots having a width of forty-one (41) feet but less than fifty (50) feet, the least dimensions of a side yard shall be not less than three (3) feet on each side of said lot.

In irregular shaped lots, the Town Board may modify the above requirements by taking into account the width of the lot at its narrowest point and apply the provisions above mentioned on the same basis as if that were the width of the entire lot.

And notice of said public hearing was duly published and posted as required by law not less than ten (10) nor more than twenty (20) days prior to the date of the hearing as is shown by the duly verified affidavit 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, New York, did meet on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, at the

WHEREAS, an opportunity was afforded all persons interested in

public hearing, the Town Board Town Hall, in the Town of Cheektowaga, New York, for the purpose of considering the advisability of repealing Paragraph A of Section 6, of the existing zoning ordinances, and

decided that it was in the public interest that the Zoning Ordinances of the Town of Cheektowaga, New York be changed by repealing Paragraph A of Section 6 and be it

RESOLVED, that paragraph A of Section 6 of the Zoning Ordinances as hereinbefore set forth be repealed as follows:

SECTION 6 SIDE YARDS IN RESIDENCE DISTRICTS

(a) In a residence district for every dwelling erected there shall be two side yards, one along each side of the lot; at least twenty per cent (20) of the width of an interior lot shall be devoted to side yards, but not more than seventeen and one-half (17½) feet need be so devoted. The least dimensions of a side yard shall be not less than four (4) feet.

and, be it further RESOLVED, that in its place the following ordinances be adopted to be known as

SECTION 6 SIDE YARDS IN RESIDENCE DISTRICT

(a) In a residence district, there shall be two side yards, one along each side line of the lot. In lots having a width of fifty (50) feet, but less than sixty (60) feet, the least dimensions of a side yard shall not be less than three (3) feet providing that the other side yard is at least five (5) feet.

In lots having a width of sixty (60) feet, but less than seventy (70) feet, the least dimensions of a side yard shall be not less than four (4) feet providing that the other side yard is at least six (6) feet.

In lots having a width of seventy (70) feet or more, the least dimensions of a side yard shall be not less than five (5) feet providing that the other side yard is at least seven (7) feet.

In old subdivisions where lots have been subdivided into widths of forty (40) feet or less, the least dimensions of a side yard shall be not less than two (2) feet on each side of said lot.

In lots having a width of forty-one (41) feet but less than fifty (50) feet, the least dimensions of a side yard shall be not less than three (3) feet on each side of said lot.

In irregular shaped lots, the Town Board may modify the above requirements by taking into account the width of the lot at its narrowest point and apply the provisions above mentioned on the same basis as if that were the width of the entire lot.

STATE OF NEW YORK  
COUNTY OF ERIE

RICHARD G. BENNETT

of the Zoning Ordinances as here-  
before set forth be added to  
read as follows:

SECTION 20 (b)  
CONSTRUCTION OF BUILDINGS  
IN FIRST AND SECOND INDUS-  
TRIAL DISTRICTS.

being duly sworn, deposes and says that he is the

"The construction of residences  
in an Industrial District is not  
recommended, neither is it prohib-  
ited. In Industrial Districts, even  
though the equipment and appara-  
tus is modern and up to date, and  
in accordance with approved prac-  
tices, there is always some noise  
and fumes incidental to the opera-  
tion of businesses, plants and fac-  
tories which sometimes interfere  
with the peaceful and quiet en-  
joyment of residence properties. It  
is for that reason the Town does  
not recommend the use of indus-  
trial property for residence pur-  
poses.

In both Industrial Districts a  
minimum set-back line of fifty (50)  
feet from the nearest highway is  
required. No permanent storage in  
the open of any personal property  
is permitted within one hundred  
(100) feet of the nearest highway.

It is recommended that the area  
in front of buildings facing the  
highway be landscaped and build-  
ings constructed of high-grade ma-  
terial so as to improve the ap-  
pearance of the buildings.

Buildings to be constructed in  
Industrial Districts shall be constructed in  
accordance with the following and

Industrial Districts shall be constructed in  
accordance with the following and  
purposes of any such propo-  
sition, then the setback line of  
twenty-five (25) feet is established  
and all Ordinances as they relate  
to a Residence District shall ap-  
ply, including Sections 2 to 13, in-  
clusive, of the Zoning Ordinances."

RESOLVED, that a copy of this  
resolution, certified by the Town  
Clerk, shall be entered in the min-  
utes and published at least once  
in the CHEEKTOWAGA TIMES  
and the DEPEW HERALD AND  
CHEEKTOWAGA NEWS, news-  
papers having general circulation  
in said Towns and being the offi-  
cial newspapers thereof. That the  
Town Clerk post, or cause to be  
posted conspicuously on a sign-  
board maintained by him at the  
entrance of the Town Clerk's Of-  
fice a certified copy of this reso-  
lution and affidavit of the publi-  
cation and posting thereof shall  
be filed with the Town Clerk.

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

Seconded by Councilman Nagel  
and duly put to a vote, which re-  
sulted as follows:

Supervisor Hoftz, Voting Aye  
Councilman Nagel, Voting Aye  
Councilman Wroblewski,

Voting Aye  
Councilman Nebert, Voting Aye  
Councilman Bystrak, Voting Aye  
5 Ayes, None 0, Absent 0. Carried.

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

This is to certify that I, ELIZABETH BENIASZ, Deputy 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 21st day of June, 1964, and 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  
(seal) Town this 22nd day of  
June, 1964.  
ELIZABETH BENIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

The Supervisor directed the Town Clerk to present proof of publication of the Notice of the Hearing.

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing and no person appearing in opposition to the proposal.

**ORDINANCE**

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 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**

- Benedict T. Holtz, Supervisor
- Henry J. Nagel, Councilman
- Felix T. Wroblewski, Councilman
- Joseph A. Neibert, Councilman
- Stanley Bystrak, Councilman
- Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting held at the Town Hall in the Town of Cheektowaga, New York, on the 7th day of June, 1954 at 2:30 o'clock, P.M. Eastern Daylight Saving Time, adopted a resolution that the Town Board meet at the Town Hall corner Union Road and Broadway, Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock, P.M., for the purpose of considering the advisability of repealing Paragraph A of Section 6 of the Zoning Ordinances of the Town of Cheektowaga, which provides as follows:

**Section 6  
SIDE YARDS IN RESIDENCE  
DISTRICTS**

(a) In a residence district for every dwelling erected there shall be two side yards, one along each side line of the lot; at least twenty percent (20%) of the width of an interior lot shall be devoted to side yards, but not more than seventeen and one-half (17 1/2) feet need be so devoted. The least dimensions of a side yard shall be not less than four (4) feet.

**AND,**

WHEREAS, it is deemed in the public interest to make some changes in its provisions, which changes are as follows:

(a) In a residence district, there shall be two side yards, one along each side line of the lot. In lots having a width of fifty (50) feet, but less than sixty (60) feet, the least dimensions of a side yard shall not be less than three (3) feet providing that the other side yard is at least five (5) feet.

In lots having a width of sixty (60) feet, but less than seventy (70) feet, the least dimensions of a side yard shall be not less than four (4) feet, providing that the other side yard is at least six (6) feet.

In lots having a width of seventy (70) feet or more, the least dimensions of a side yard shall be not less than five (5) feet providing that the other side yard is at least seven (7) feet.

In old subdivisions where lots have been subdivided into widths of forty (40) feet or less, the least dimensions of a side yard shall be not less than two (2) feet on each side of said lot.

In lots having a width of forty-one (41) feet but less than fifty (50) feet, the least dimensions of a side yard shall be not less than three (3) feet on each side of said lot.

In irregular shaped lots, the Town Board may modify the above requirements by taking into account the width of the lot at its narrowest point and apply the provisions above mentioned on the same basis as if that were the width of the entire lot.

And notice of said public hearing was duly published and posted as required by law not less than ten (10) nor more than twenty (20) days prior to the date of the hearing as is shown by the duly verified affidavit 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, New York, did meet on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Sav-

ing Time, at the Town Hall, in the Town of Cheektowaga, New York, for the purpose of considering the advisability of repealing Paragraph A of Section 6, of the existing zoning ordinances, and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard, and at the conclusion of the said public hearing, the Town Board decided that it was in the public interest that the Zoning Ordinances of the Town of Cheektowaga, New York be changed by repealing Paragraph A of Section 6 and be it

RESOLVED, that paragraph A of Section 6 of the Zoning Ordinances as hereinbefore set forth be repealed.

**Section 6  
SIDES YARDS IN RESIDENCE  
DISTRICTS**

(a) In a residence district for every dwelling erected there shall be two side yards, one along each side line of the lot; at least twenty percent (20%) of the width of an interior lot shall be devoted to side yards, but not more than seventeen and one-half (17 1/2) feet need be so devoted. The least dimensions of a side yard shall be not less than four (4) feet.

RESOLVED, that in its place the following ordinances be adopted to be known as

**Section 6  
SIDE YARDS IN RESIDENCE  
DISTRICTS**

(a) In a residence district, there shall be two side yards, one along each side line of the lot. In lots having a width of fifty (50) feet, but less than sixty (60) feet, the least dimensions of a side yard shall not be less than three (3) feet providing that the other side yard is at least five (5) feet.

In lots having a width of sixty (60) feet, but less than seventy (70) feet, the least dimensions of a side yard shall be not less than four (4) feet providing that the other side yard is at least six (6) feet.

In lots having a width of seventy (70) feet or more, the least dimensions of a side yard shall be not less than five (5) feet providing that the other side yard is at least seven (7) feet.

In old subdivisions where lots have been subdivided into widths of forty (40) feet or less, the least dimensions of a side yard shall be not less than two (2) feet on each side of said lot.

In lots having a width of forty-one (41) feet but less than fifty (50) feet, the least dimensions of a side yard shall be not less than three (3) feet on each side of said lot.

In irregular shaped lots, the Town Board may modify the above requirements by taking into account the width of the lot at its narrowest point and apply the provisions above mentioned on the same basis as if that were the width of the entire lot.

**AND BE IT FURTHER**

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 CHEEKTOWAGA TIMES, a newspaper having general circulation, and the Depew Herald and Cheektowaga News, also a newspaper having general circulation in the said Town of Cheektowaga and being official newspapers thereof. 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 publication and posting thereon in the Town Clerk's Office.

This ordinance shall take effect ten (10) days after such publication and posting, but such ordinance shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the cor-

porate seal of the Town and showing the date of its passage and entry into the minutes.

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

Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.

Council Neibert, voting Aye.  
Councilman Bystrak, voting Aye.

**AYES: 5 NOES: 0 ABSENT: 0**  
**STATE OF NEW YORK**  
**COUNTY OF ERIE**  
**OFFICE OF THE CLERK SS:**  
**OF THE TOWN OF**  
**CHEEKTOWAGA**

This is to certify that I, Elizabeth Binasz, Deputy Clerk of the Town of Cheektowaga, in 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 21st day of June, 1954, 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 22nd day of June, 1954.

**ELIZABETH BINIASZ,**  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

Posted as follows on the 28th day of June, 1954;

1- Town Hall Bulletin Board.

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

**ORDINANCE AMENDED**

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 21st day of June, 1954, at 7:30 o'clock P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**  
Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Leix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

**WHEREAS**, this Town Board, at a regular meeting held in the Town Hall in the Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, adopted a resolution that the Town Board meet at the Town Hall corner Union Road and Broadway, Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20 (b) to provide as follows:

**Section 20 (b)  
CONSTRUCTION OF BUILDINGS  
IN FIRST AND SECOND INDUSTRIAL DISTRICTS.**

"The construction of residences in an Industrial District is not recommended, neither is it prohibited. In Industrial Districts, even though the equipment and apparatus is modern and up to date, and in accordance with approved practices, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes.

In both Industrial Districts a minimum setback line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

If property located in an Industrial District is used for residence purposes of any kind or description, then the set-back line of twenty-five (25) feet is established and all Ordinances as they relate to Residence District shall apply, including Sections 2 to 13, inclusive, of the Zoning Ordinances."

And notice of said public hearing was duly published and posted as required by law not less than ten (10) nor more than twenty (20) days prior to the date of the hearing as is shown by the duly verified affidavit 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, New York, did meet on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, at the Town Hall, in the Town of Cheektowaga, New York, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20 (b), 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 amend the Zoning Ordinances so as to add thereto Section 20 (b) and be it

**RESOLVED**, that Section 20 (b) of the Zoning Ordinances as hereinbefore set forth be added to read as follows:

**Section 20 (b)  
CONSTRUCTION OF BUILDINGS  
IN FIRST AND SECOND INDUSTRIAL DISTRICTS.**

"The construction of residences in an Industrial District is not recommended, neither is it prohibited. In Industrial Districts, even though the equipment and apparatus is modern and up to date, and in accordance with approved practices, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes.

In both Industrial Districts a minimum set-back line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

If property is located in an Industrial District is used for residence purposes of any kind or description, then the setback line of twenty-five (25) feet is established and all Ordinances as they relate to a Residence District shall apply, including Sections 2 to 13, inclusive, of the Zoning Ordinances."

**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 CHEEKTOWAGA TIMES and the Depew Herald and Cheektowaga News, newspapers having general circulation in said Towns and being the official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavit of the publication and posting thereof shall be filed with the Town Clerk.

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

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

Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.  
AYES: 5 NOES:0 ABSENT: 0

STATE OF NEW YORK  
COUNTY OF ERIE  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, Elizabeth Biniasz, Deputy Clerk of the Town of Cheektowaga, in said County of Erie, have compared the foregoing copy of the 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 21st day of June, 1954, and that the same is a correct and true transcription of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal in said Town this 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

County of Erie, being duly sworn,

that he is the publisher of the

times, a public newspaper pub-

lished in said Town; that the notice, of

the said printed slip, taken from said

copy, was inserted and published

once a week for...one week;

June 28, 1954

June 28, 1954

more than six days intervened be-

tween

Edward P. Allis

doe this 1st

1954

E. J. Allis  
and for Erie County, N. Y.

EVE J. ALLIS  
PUBLIC STATE OF NEW YORK  
Deputy Clerk in Erie County  
Commission Expires March 30, 19  
Registered No. 5029

The Supervisor directed the Town Clerk to present proof of publication of the Notice of the Hearing.

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing and no person appearing in opposition to the proposal.

**ORDINANCE**

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 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman  
Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting held at the Town Hall in the Town of Cheektowaga, New York, on the 7th day of June, 1954 at 2:30 o'clock, P.M. Eastern Daylight Saving Time, adopted a resolution that the Town Board meet at the Town Hall corner Union Road and Broadway, Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock, P.M., for the purpose of considering the advisability of repealing Paragraph A of Section 6 of the Zoning Ordinances of the Town of Cheektowaga, which provides as follows:

**Section 6  
SIDE YARDS IN RESIDENCE  
DISTRICTS**

(a) In a residence district for every dwelling erected there shall be two side yards, one along each side line of the lot; at least twenty percent (20%) of the width of an interior lot shall be devoted to side yards, but not more than seventeen and one-half (17½) feet need be so devoted. The least dimensions of a side yard shall be not less than four (4) feet.

AND,

WHEREAS, it is deemed in the public interest to make some changes in its provisions, which changes are as follows:

(a) In a residence district, there shall be two side yards, one along each side line of the lot. In lots having a width of fifty (50) feet, but less than sixty (60) feet, the least dimensions of a side yard shall not be less than three (3) feet providing that the other side yard is at least five (5) feet.

In lots having a width of sixty (60) feet, but less than seventy (70) feet, the least dimensions of a side yard shall be not less than four (4) feet, providing that the other side yard is at least six (6) feet.

In lots having a width of seventy (70) feet or more, the least dimensions of a side yard shall be not less than five (5) feet providing that the other side yard is at least seven (7) feet.

In old subdivisions where lots have been subdivided into widths of forty (40) feet or less, the least dimensions of a side yard shall be not less than two (2) feet on each side of said lot.

In lots having a width of forty-one (41) feet but less than fifty (50) feet, the least dimensions of a side yard shall be not less than three (3) feet on each side of said lot.

In irregular shaped lots, the Town Board may modify the above requirements by taking into account the width of the lot at its narrowest point and apply the provisions above mentioned on the same basis as if that were the width of the entire lot.

And notice of said public hearing was duly published and posted as required by law not less than ten (10) nor more than twenty (20) days prior to the date of the hearing as is shown by the duly verified affidavit 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, New York, did meet on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Sav-

ing Time, at the Town Hall, in the Town of Cheektowaga, New York, for the purpose of considering the advisability of repealing Paragraph A of Section 6, of the existing zoning ordinances, and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard, and at the conclusion of the said public hearing, the Town Board decided that it was in the public interest that the Zoning Ordinances of the Town of Cheektowaga, New York be changed by repealing Paragraph A of Section 6 and be it

RESOLVED, that paragraph A of Section 6 of the Zoning Ordinances as hereinbefore set forth be repealed.

**Section 6  
SIDES YARDS IN RESIDENCE  
DISTRICTS**

(a) In a residence district for every dwelling erected there shall be two side yards, one along each side line of the lot; at least twenty percent (20%) of the width of an interior lot shall be devoted to side yards, but not more than seventeen and one-half (17½) feet need be so devoted. The least dimensions of a side yard shall be not less than four (4) feet.

RESOLVED, that in its place the following ordinances be adopted to be known as

**Section 6  
SIDE YARDS IN RESIDENCE  
DISTRICTS**

(a) In a residence district, there shall be two side yards, one along each side line of the lot. In lots having a width of fifty (50) feet, but less than sixty (60) feet, the least dimensions of a side yard shall not be less than three (3) feet providing that the other side yard is at least five (5) feet.

In lots having a width of sixty (60) feet, but less than seventy (70) feet, the least dimensions of a side yard shall be not less than four (4) feet providing that the other side yard is at least six (6) feet.

In lots having a width of seventy (70) feet or more, the least dimensions of a side yard shall be not less than five (5) feet providing that the other side yard is at least seven (7) feet.

In old subdivisions where lots have been subdivided into widths of forty (40) feet or less, the least dimensions of a side yard shall be not less than two (2) feet on each side of said lot.

In lots having a width of forty-one (41) feet but less than fifty (50) feet, the least dimensions of a side yard shall be not less than three (3) feet on each side of said lot.

In irregular shaped lots, the Town Board may modify the above requirements by taking into account the width of the lot at its narrowest point and apply the provisions above mentioned on the same basis as if that were the width of the entire lot.

**AND BE IT FURTHER**

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 CHEEKTOWAGA TIMES, a newspaper having general circulation, and the Depew Herald and Cheektowaga News, also a newspaper having general circulation in the said Town of Cheektowaga and being official newspapers thereof. 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 to be filed in the Town Clerk's Office.

This ordinance shall take effect ten (10) days after such publication and posting, but such ordinance shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the cor-

porate seal of the Town and showing the date of its passage and entry into the minutes.

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

Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.

Council Neibert, voting Aye.  
Councilman Bystrak, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0

STATE OF NEW YORK  
COUNTY OF ERIE  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, Elizabeth Biniasz, Deputy Clerk of the Town of Cheektowaga, in 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 21st day of June, 1954, 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 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

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 June 28, 1954; last publication June 28, 1954; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 1st

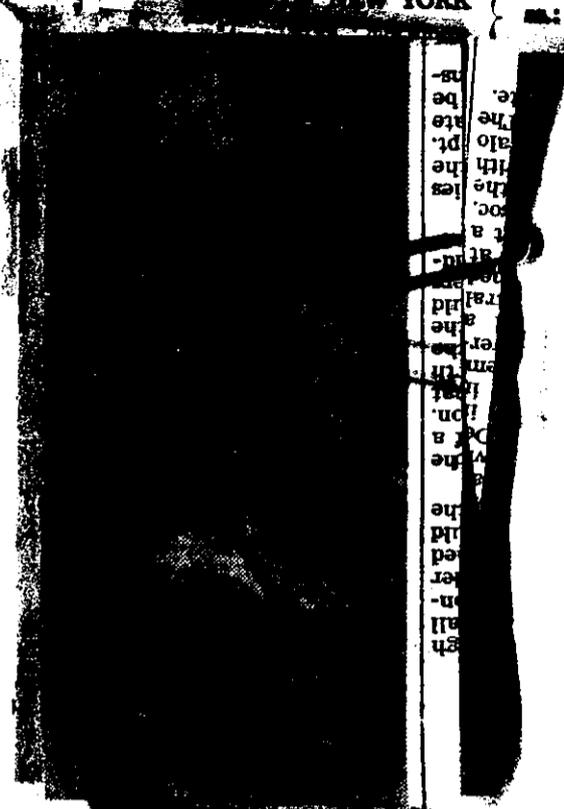
day of July 1954

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  
Registered No. 5029

STATE OF NEW YORK



RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the 24th day of June, 1954, 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 .....

JUN 26 1954

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

IN 52 6820

Item No. 11

Councilman Nagel presented the following resolution and moved its 117

adoption:

WHEREAS, the sewer on Maryvale Drive is in need of repairs and requires an emergency action on the part of the Town Engineer, be it

RESOLVED, that he be authorized to engage Straco, Inc., Sewer Contractors, to repair the sewer and that the reasonable cost thereof be charged against Sanitary Sewer District No. 5.

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

Supervisor	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Joseph A. Neibert	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanley Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 12

Councilman Wroblewski presented the following resolution and moved its

adoption:

WHEREAS, the sewer on the north and south side of Northcrest Avenue is in need of repairs and requires an emergency action on the part of the Town Engineer, be it

RESOLVED, that he be authorized to engage Straco, Inc., Sewer Contractors, to repair the sewer and that the reasonable cost thereof be charged against Sanitary Sewer District No. 5.

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

Supervisor	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Joseph A. Neibert	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanley Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 13

Councilman Bystrak presented the following resolution and moved its

adoption:

WHEREAS, the sewer on Beach Road is in need of repairs and requires an emergency action on the part of the Town Engineer, be it

RESOLVED, that he be authorized to engage Straco, Inc., Sewer Contractors, to repair the sewer and that the reasonable cost thereof be charged against Sanitary Sewer District No. 5.

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

Supervisor	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Joseph A. Neibert	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanley Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 14

Councilman Neibert presented the following resolution and moved its

adoption:

WHEREAS, it is deemed advisable and in the public interest to repeal Ordinance No. 3, which was adopted by the Town Board on the 4th day of June, 1934, which ordinance is known as "Soft Drink Ordinance", said Ordinance has now become ineffective and obsolete, be it

STATE OF NEW YORK  
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**



were:  
PRESENT:  
Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Felx T. Wroblewski, Councilman  
Joseph A. Neubert, Councilman  
Stanley Bystrak, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting held at the Town Hall in the Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock, P.M. Eastern Daylight Saving Time, adopted a resolution that the Town Board meet at the Town Hall corner Union Road and Broadway, Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of amending the Zoning Ordinance so as to add thereto Section 20 (b) to provide as follows:

SECTION 20 (b)  
CONSTRUCTION OF BUILDINGS  
IN FIRST AND SECOND INDUSTRIAL DISTRICTS.

The construction of residences in an Industrial District is not recommended, neither is it prohibited. In Industrial Districts, even though the equipment and apparatus is modern and up to date, and in accordance with approved practices, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. For that reason the Town does not recommend the use of industrial property for residence purposes.

In both Industrial Districts a minimum setback line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

If property located in an Industrial District is used for residence purposes of any kind or description, then the set-back line of twenty-five (25) feet is established and all Ordinances as they relate to a Residence District shall apply, including Sections 2 to 13, inclusive, of the Zoning Ordinances."

And notice of said public hearing was duly published and posted as required by law not less than ten (10) nor more than twenty (20) days prior to the date of the hearing as is shown by the duly verified affidavit 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, New York, did meet on the 21st day of June 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, at the Town Hall, in the Town of Cheektowaga, New York, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20 (b), 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 amend the Zoning Ordinances so as to add thereto Section 20 (b), and be it

RESOLVED, that Section 20 (b) of the Zoning Ordinances as hereinbefore set forth be added to read as follows:

SECTION 20 (b)

Item No. 11

Councilman Nagel presented the following resolution and moved its 117

adoption:

WHEREAS, the sewer on Maryvale Drive is in need of repairs and requires an emergency action on the part of the Town Engineer, be it

RESOLVED, that he be authorized to engage Straco, Inc., Sewer Contractors, to repair the sewer and that the reasonable cost thereof be charged against Sanitary Sewer District No. 5.

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

Supervisor	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Joseph A. Neibert	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanley Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 12

Councilman Wroblewski presented the following resolution and moved its

adoption:

WHEREAS, the sewer on the north and south side of Northcrest Avenue is in need of repairs and requires an emergency action on the part of the Town Engineer, be it

RESOLVED, that he be authorized to engage Straco, Inc., Sewer Contractors, to repair the sewer and that the reasonable cost thereof be charged against Sanitary Sewer District No. 5.

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

Supervisor	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Joseph A. Neibert	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanley Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 13

Councilman Bystrak presented the following resolution and moved its

adoption:

WHEREAS, the sewer on Beach Road is in need of repairs and requires an emergency action on the part of the Town Engineer, be it

RESOLVED, that he be authorized to engage Straco, Inc., Sewer Contractors, to repair the sewer and that the reasonable cost thereof be charged against Sanitary Sewer District No. 5.

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

Supervisor	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Joseph A. Neibert	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanley Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 14

Councilman Neibert presented the following resolution and moved its

adoption:

WHEREAS, it is deemed advisable and in the public interest to repeal Ordinance No. 3, which was adopted by the Town Board on the 4th day of June, 1934, which ordinance is known as "Soft Drink Ordinance", said Ordinance has now become ineffective and obsolete, be it

of the Zoning Ordinances as here-  
inbefore set forth be added to  
read as follows:

**SECTION 20 (b)  
CONSTRUCTION OF BUILDINGS  
IN FIRST AND SECOND INDUS-  
TRIAL DISTRICTS.**

"The construction of residences  
in an Industrial District is not  
recommended, neither is it prohib-  
ited. In Industrial Districts, even  
though the equipment and appara-  
tus is modern and up to date, and  
in accordance with approved prac-  
tices, there is always some noise  
and fumes incidental to the opera-  
tion of businesses, plants and fac-  
tories which sometimes interfere  
with the peaceful and quiet en-  
joyment of residence properties. It  
is for that reason the Town does  
not recommend the use of indus-  
trial property for residence pur-  
poses.

In both Industrial Districts a  
minimum set-back line of fifty (50)  
feet from the nearest highway is  
required. No permanent storage in  
the open of any personal property  
is permitted within one hundred  
(100) feet of the nearest highway.

It is recommended that the area  
in front of buildings facing the  
highway be landscaped and build-  
ings constructed of high-grade ma-  
terial so as to improve the ap-  
pearance of the buildings.

Parking lots for customers and  
employees should be constructed in  
the rear and side of premises and  
not in the area in front of the  
buildings.

If property is used for indus-  
trial District purposes, then the setback  
of twenty-five (25) feet is established  
and all Ordinances as they relate  
to a Residence District shall ap-  
ply, including Sections 2 to 13, in-  
clusive, of the Zoning Ordinances,"  
and be it further

**RESOLVED**, that a copy of this  
resolution, certified by the Town  
Clerk, shall be entered in the min-  
utes and published at least once  
in the CHEEKTOWAGA TIMES  
and the DEPEW HERALD AND  
CHEEKTOWAGA NEWS, news-  
papers having general circulation  
in said Towns and being the offi-  
cial newspapers thereof. That the  
Town Clerk post, or cause to be  
posted conspicuously on a sign-  
board maintained by him at the  
entrance of the Town Clerk's Of-  
fice a certified copy of this reso-  
lution and affidavit of the publi-  
cation and posting thereof shall  
be filed with the Town Clerk.

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

Seconded by Councilman Nagel  
and duly put to a vote, which re-  
sulted as follows:  
Supervisor Holtz, Voting Aye  
Councilman Nagel, Voting Aye  
Councilman Wroblewski,  
Voting Aye  
Councilman Neibert, Voting Aye  
Councilman Bystrak, Voting Aye  
5 Ayes, Noes 0, Absent 0. Carried.

State of New York )  
Erie County )  
Office of the Clerk of the ) ss:  
Town of Cheektowaga )  
This is to certify that I, ELIZA-  
BETH BINIASZ, Deputy Clerk of  
the Town of Cheektowaga, in the  
said County of Erie, have com-  
pared the foregoing copy of reso-  
lution with the original resolu-  
tion now on file at this office, and  
which was passed by the Town  
Board of the Town of Cheekto-  
waga in said County of Erie, on  
the 21st day of June, 1954, and  
the same is a correct and true  
transcript of such original resolu-  
tion and the whole thereof.

In Witness Whereof, I  
have hereunto set my hand  
and affixed the seal of said  
(seal) Town this 22nd day of  
June, 1954.  
ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
je24 Town of Cheektowaga, N. Y.

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga

**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the

annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for

..... week, the first insertion being on the  
..... day of June, 1954, and

the last insertion being on the ..... day of  
....., 19....., and that not

more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

..... day of .....

19.....  
*Hanley*

..... in and for Erie County.



Posted as follows on the 28th day of June, 1954;

1- Town Hall Bulletin Board.

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

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 the said Town of Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were:

PRESENT: Benedict T. Holtz, Supervisor Stanley Bystrak, Councilman Henry J Nagel, Councilman Joseph A. Neibert, Councilman Felix T. Wroblewski, Councilman Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisable and in the public interest to repeal Ordinance No. 3, which was adopted by the Town Board on the 4th day of June, 1934, which ordinance is known as "Soft Drink Ordinance," said Ordinance has now become inoperative and obsolete, be it

RESOLVED that the Town Board shall met on the 12th day of July, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time at the Town Hall, Union Road and Broadway, Cheektowaga, New York, for the purpose of considering the advisability of repealing Ordinance No 3 of the General Ordinances of the Town of Cheektowaga, New York, which provide as follows:

Ordinance No. 3 That no person shall sell, expose for sale, or give away soft drinks within the Town of Cheektowaga without first obtaining a soft drink license.

The issuance of such licenses shall be in the discretion of the Town Board, and shall only be issued to persons of good moral character. The Town Clerk is hereby empowered to provide the necessary application blanks for such licenses, which application blanks shall contain the name, address, occupation of the applicant, the location of the premises to be licensed, the name of the owner of such premises, and the name of the person, firm or corporation who is to carry on the soft drink business, and a general description of the business now carried on in said premises.

Such application shall further state whether the applicant had been convicted of any crime, and if so, a complete statement of the offense of which he was convicted, and penalty imposed. Such application shall be filed with the Town Clerk and the same may be acted upon at any regular or special meeting of the Town Board. The fee for such license shall be the sum of \$3.00 per year or fraction thereof, all licenses to end on May 1st of each year.

Any person who sells, offers for sale or gives away, soft drinks without first obtaining a license shall be liable to a fine of not less than \$25.00 nor more than \$100.00.

Carried—AYES, 5; NOES, 0. Adopted this 4th day of June, 1934 by order of the Town Board.

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of the resolution in the CHEEKTOWAGA TIMES and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post, or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

Seconded by Councilman Nagel and duly put to a vote, which resulted

as follows: Supervisor Holtz, voting Aye. Councilman Bystrak, voting Aye. Councilman Nagel, voting Aye. Councilman Neibert, voting Aye. Councilman Wroblewski, voting Aye. AYES: 5 NOES: 0 ABSENT: 0 STATE OF NEW YORK ERIE COUNTY OFFICE OF THE CLERK SS: OF THE TOWN OF CHEEKTOWAGA

NEW YORK ERIE CHEEKTOWAGA } ss.

This is to certify that I, Elizabeth Biniasz, Deputy 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 21st day of June, 1954, 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 22nd day of June, 1954.

ELIZABETH BINIASZ, Deputy Clerk of the Town Board, Town of Cheektowaga, N. Y.

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

June 24, 1954 last publication June 24, 1954 and that no more than six days intervened between publications.

Willard O. Allis

Sworn to before me this 1st day of July, 1954. 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, 1955 Registered No. 5029



It

1954;

118

lished in the

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 June 24, 1954; last publication June 24, 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 1st

day of July, 1954

*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, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

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Depew Cheektowaga  
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a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
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was inserted and published therein once a week for  
1 week, the first insertion being on the  
24th day of June, 1954, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

day of

19.....

*W. A. Kelly*  
Public in and for Erie County.

1954, at 7:00 P.M. Eastern Daylight Saving Time, there were:

PRESENT:

Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Henry J. Nagel, Councilman  
Joseph A. Neibert, Councilman  
Felix T. Wroblewski, Councilman

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisable and in the public interest to repeal Ordinance No. 3, which was adopted by the Town Board on the 24th day of June, 1954, which ordinance is known as "Soft Drink Ordinance", said Ordinance has now become ineffective and obsolete, be it

RESOLVED, that the Town Board shall meet on the 12th day of July, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time at the Town Hall, Union Road and Broadway, Cheektowaga, New York, for the purpose of considering the advisability of repealing Ordinance No. 3 of the General Ordinances of the Town of Cheektowaga, New York, which provide as follows:

ORDINANCE NO. 3

That no person shall sell, expose for sale, or give away, soft drinks within the Town of Cheektowaga without first obtaining a soft drink license.

The issuance of such licenses shall be in the discretion of the Town Board, and shall only be issued to persons of good moral character. The Town Clerk is hereby empowered to provide the necessary application blanks for such licenses, which application blanks shall contain the name, address, occupation of the applicant, the location of the premises to be licensed, the name of the owner of such premises, and the name of the person, firm or corporation who is to carry on the soft drink business, and a general description of the business now carried on in said premises.

Such application shall further state whether the applicant had been convicted of any crime, and if so, a complete statement of the offense of which he was convicted, and penalty imposed. Such application shall be filed with the Town Clerk and the same may be acted upon at any regular or special meeting of the Town Board. The fee for such license shall be the sum of \$3.00 per year or fraction thereof, all licenses to end on the 1st day of each year.

Any person who sells, offers for sale or gives away, soft drinks without first obtaining a license shall be liable to a fine of not less than \$25.00 nor more than \$100.00.

Carried. AYES 5, NOES 0.  
Adopted this 4th day of June, 1954 by order of the Town Board.

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the CHEEKTOWAGA HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said town and being official newspapers, not less than ten (10) days more than twenty (20) days prior to the date of the hearing.

That the Town Clerk be and he is hereby directed to publish a certified copy of this resolution.

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

Supervisor Holtz, Voting Aye  
Councilman Bystrak, Voting Aye  
Councilman Nagel, Voting Aye  
Councilman Neibert, Voting Aye  
Councilman Wroblewski, Voting Aye

5 Ayes, Noes 0, Absent 0. Carried.  
State of New York )  
Erie County )

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisable and in the public interest to amend the Zoning Ordinances of the Town of Cheektowaga, New York to fix the fees to be paid for all matters referred to or considered by the Zoning Board of Appeals, to in part reimburse the Town for the expenses incurred in matters referred to or considered by the Zoning Board of Appeals, be it

RESOLVED that the Town Board shall meet on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York for the purpose of considering the advisability of amending Section 29 of the Zoning Ordinances of the Town of Cheektowaga, New York so as to add thereto Paragraph 12, to provide as follows:

Fees to be paid by applicant to the Town Clerk for matters referred to or considered by the Zoning Board of Appeals Request for rezoning - - - Forty Dollars (\$40.00) Request for granting of variances, except as to modification of area of rear yards and side yards, - - Forty Dollars (\$40.00). Applications for permit by public utilities in residence and business district, under Section 17 of the Zoning Ordinances, - - - - - Forty Dollars - - - - - (\$40.00). Application for side yard and rear yard variances - - - - - Twenty Dollars - - - - - (\$20.00).

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

Supervisor Holtz,	Voting	<u>Aye</u>
Councilman Bystrak,	Voting	<u>Aye</u>
Councilman Nagel,	Voting	<u>Aye</u>
Councilman Neibert,	Voting	<u>Aye</u>
Councilman Wroblewski,	Voting	<u>Aye</u>

AYES: -5-

Posted as follows on the 28th day of June, 1954;

1- Town Hall Bulletin Board.

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

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 the said Town of Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were:

PRESENT: Benedict T. Holtz, Supervisor Stanley Bystrak, Councilman Henry Nagel, Councilman Joseph A. Neibert, Councilman Felix Wroblewski, Councilman Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisable and in the public interest to amend the Zoning Ordinances of the Town of Cheektowaga, New York to fix the fees to be paid for all matters referred to or considered by the Zoning Board of Appeals, to in part reimburse the Town for the expenses incurred in matters referred to or considered by the Zoning Board of Appeals, be it

RESOLVED that the Town Board shall meet on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, at the Town Hall, corner of Union and Broadway, Cheektowaga, New York for the purpose of considering the advisability of amending Section 29 of the Zoning Ordinances of the Town of Cheektowaga, New York so as to add thereto Paragraph 12, to provide as follows:

Fees to be paid by applicant to the Town Clerk for matters referred to or considered by the Zoning Board of Appeals.

Request for rezoning—Forty Dollars (\$40.00).

Request of granting of variances, except as to modification of area of rear yards and side yards - Forty Dollars (\$40.00).

Appeals to the Zoning Board of Appeals—Forty Dollars (\$40.00).

Applications for permit by public utilities in residence and business district, under Section 17 of the Zoning Ordinances—Forty (\$40.00) Dollars.

Application for side yard and rear yard variances - Twenty Dollars (\$20.00).

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks: first publication June 24, 1954; last publication June 24, 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 1st

day of July, 1954

*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, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 24th day of June, 1954, 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

19

*Therly*  
Public in and for Erie County.

1954, at 7:30 o'clock P.M. Eastern Daylight Saving Time, there were:

PRESENT:  
Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Henry J. Nagel, Councilman  
Joseph A. Neibert, Councilman  
Felix T. Wroblewski, Councilman

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisable and in the public interest to repeal Ordinance No. 3, which was adopted by the Town Board on the 4th day of June, 1934, which ordinance is known as "Soft Drink Ordinance", said Ordinance has now become ineffective and obsolete, be it

RESOLVED, that the Town Board shall meet on the 12th day of July, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time at the Town Hall, Union Road and Broadway, Cheektowaga, New York, for the purpose of considering the advisability of repealing Ordinance No. 3 of the General Ordinances of the Town of Cheektowaga, New York, which provide as follows:

ORDINANCE NO. 3

That no person shall sell, expose for sale, or give away soft drinks within the Town of Cheektowaga without first obtaining a soft drink license.

The issuance of such licenses shall be in the discretion of the Town Board, and shall only be issued to persons of good moral character. The Town Clerk is hereby empowered to provide the necessary application blanks for such licenses, which application blanks shall contain the name, address, occupation of the applicant, the location of the premises to be licensed, the name of the owner of such premises, and the name of the person, firm or corporation who is to carry on the soft drink business, and a general description of the business now carried on in said premises.

Such application shall further state whether the applicant had been convicted of any crime, and if so, a complete statement of the offense of which he was convicted and penalty imposed. Such application shall be filed with the Town Clerk and the same may be acted upon at any regular or special meeting of the Town Board. The fee for each license shall be \$2.00 per year or fraction thereof, all licenses to end on the 31st of each year.

Any person who sells, offers for sale or gives away soft drinks without first obtaining a license shall be liable to a fine of not less than \$25.00 nor more than \$50.00.

Carried: AYES 5, NOES 0.

Adopted this 4th day of June, 1954, by order of the Town Board.

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said town, and being official newspapers of the town, and pay therefor the sum of twenty (\$20) dollars out of the funds of the town.

Attest: \_\_\_\_\_  
Town Clerk

\_\_\_\_\_

\_\_\_\_\_

Secoded by Councilman Nagel and duly put to a vote, which resulted as follows:

Supervisor Holtz, Voting Aye  
Councilman Bystrak, Voting Aye  
Councilman Nagel, Voting Aye  
Councilman Neibert, Voting Aye  
Councilman Wroblewski, Voting Aye

5 Ayes, Noes 0, Absent 0. Carried.

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

This is to certify that I, ELIZABETH BINIASZ, Deputy 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 21st day of June 1954, 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 (seal) Town this 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

AYES: 5-

under Section 17 of the Zoning Ordinances, - - - - - Forty Dollars - - - - - (\$40.00).  
Application for side yard and rear yard variances - - - - - Twenty Dollars - - - - - (\$20.00).

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

Supervisor Holtz,	Voting	<u>Aye</u>
Councilman Bystrak,	Voting	<u>Aye</u>
Councilman Nagel,	Voting	<u>Aye</u>
Councilman Neibert,	Voting	<u>Aye</u>
Councilman Wroblewski,	Voting	<u>Aye</u>

AYES: -5-

Posted as follows on the 28th day of June, 1954;

1- Town Hall Bulletin Board.

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

**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 the said Town of Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**  
Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Henry Nagel, Councilman  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
Councilman Nagel presented the following resolution and moved its adoption:

**WHEREAS**, it is deemed advisable and in the public interest to amend the Zoning Ordinances of the Town of Cheektowaga, New York to fix the fees to be paid for all matters referred to or considered by the Zoning Board of Appeals, to in part reimburse the Town for the expenses incurred in matters referred to or considered by the Zoning Board of Appeals, be it

**RESOLVED** that the Town Board shall meet on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, at the Town Hall, corner of Union and Broadway, Cheektowaga, New York for the purpose of considering the advisability of amending Section 29 of the Zoning Ordinances of the Town of Cheektowaga, New York so as to add thereto Paragraph 12, to provide as follows:

Fees to be paid by applicant to the Town Clerk for matters referred to or considered by the Zoning Board of Appeals.

Request for rezoning—Forty Dollars (\$40.00).

Request of granting of variances, except as to modification of area of rear yards and side yards — Forty Dollars (\$40.00).

Appeals to the Zoning Board of Appeals—Forty Dollars (\$40.00).

Applications for permit by public utilities in residence and business district, under Section 17 of the Zoning Ordinances—Forty (\$40.00) Dollars.

Application for side yard and rear yard variances — Twenty Dollars (\$20.00).

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

Councilman Bystrak, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Wroblewski, voting Aye.

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, Elizabeth Biniasz, Deputy 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 21st day of June, 1954 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 22nd day of June, 1954.

ELIZABETH BINIASZ  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

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 June 24, 1954; last publication June 24, 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 1st

day of July, 1954

*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, 1955  
Registered No. 5029

STATE OF NEW YORK )  
COUNTY OF ERIE )

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 24 day of June, 1954, 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

19\_\_\_\_\_

*T. Harty*

Public in and for Erie County.

at \_\_\_\_\_, on \_\_\_\_\_, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were present:

PRESENT:  
Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Henry J. Nagel, Councilman  
Joseph A. Nelbert, Councilman  
Felix T. Wroblewski, Councilman

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisable and in the public interest to amend the Zoning Ordinances of the Town of Cheektowaga, New York to fix the fees to be paid for all matters referred to or considered by the Zoning Board of Appeals to in part reimburse the Board for the expenses incurred in matters referred to or considered by the Zoning Board of Appeals,

RESOLVED that the Town Board shall meet on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York for the purpose of considering the advisability of amending Section 29 of the Zoning Ordinances of the Town of Cheektowaga, New York so as to add thereto Paragraph 12, to provide as follows:

Fees to be paid by applicant to the Town Clerk for matters referred to or considered by the Zoning Board of Appeals Request for a hearing . . . Forty Dollars (\$40.00). Fees for granting of variances, except as to modification of area rear yards and side yards, . . . Forty Dollars (\$40.00). Appeals to Zoning Board of Appeals . . . Forty Dollars (\$40.00). Application for permit by public utility in residence and business district under Section 17 of the Zoning Ordinances, . . . Forty Dollars (\$40.00). Application for side yard and rear yard variances . . . Twenty Dollars (\$20.00).

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said town and being official newspapers thereof, not less than ten (10) days and more than twenty (20) days prior to the date of the hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

5 Ayes, Noes 0, Absent 0. Carried.  
State of New York )  
Erie County )  
Office of the Clerk of the ) ss:  
Town of Cheektowaga )

This is to certify that, I, ELIZABETH BINIASZ, Deputy 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 21st day of June, 1954, and 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 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
221 Town of Cheektowaga, N. Y.

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a written petition was filed with this Board for the improvement of that portion of Genesee Street extending from Awood Place, northeasterly to Beechwood Place, and Beechwood Place for its entire length from Genesee Street north to Greenwood Place, by the construction of a lateral sewer in said highways so as to serve both sides thereof, and

WHEREAS, it duly appears that such petition has been duly signed by owners of real estate fronting or abutting on both sides of said highways to be improved as aforesaid owning at least one-half of the frontage or bounds on both sides of the public highways to be improved and was signed by resident owners residing along said highways proposed to be improved, owning not less than one-half of the aggregate frontage owned by resident owners, 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 highways, as stated in the petition is the sum of \$4,000.00, and

WHEREAS, said highways to be improved are located in Sewer District No. 5 of the Town of Cheektowaga, New York and are entirely in said town.

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 Union Road and Broadway, in said Town, on the 12th day of July, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, of that day for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and be it

FURTHER RESOLVED AND ORDERED, that the Town Clerk be and he is hereby ORDERED AND DIRECTED to publish a certified copy of this resolution and order in the Cheektowaga Times, 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 the said portion of said highways to be improved.

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

Supervisor Holtz,	Voting <u>Aye</u>
Councilman Wroblewski,	Voting <u>Aye</u>
Councilman Nagel,	Voting <u>Aye</u>
Councilman Neibert,	Voting <u>Aye</u>
Councilman Bystrak,	Voting <u>Aye</u>

AYES: -5-

Posted as follows on the 1st day of July, 1954;

- 1- Telephone Pole No. 2915 on Genesee Street;
- 2- Telephone Pole No. 2918 on Genesee Street;
- 3- Post at the corner of Genesee Street and Beechwood Place;
- 4- Telephone Pole No. 2908 on Genesee Street;
- 5- Telephone Pole No. 2998 on Genesee Street;
- 6- Post in front of No. 22 Beechwood Place;
- 7- Post in front of No. 40 Beechwood Place;
- 8- Post in front of No. 45 Beechwood Place;
- 9- Post in front of No. 36 Beechwood Place;
- 10- Post on Beechwood Place, 50 feet south of House No. 45.

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



Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a written petition was filed with this Board for the improvement of that portion of Genesee Street extending from Awood Place, northeasterly to Beechwood Place, and Beechwood Place for its entire length from Genesee Street north to Greenwood Place, by the construction of a lateral sewer in said highways so as to serve both sides thereof, and

WHEREAS, it duly appears that such petition has been duly signed by owners of real estate fronting or abutting on both sides of said highways to be improved as aforesaid owning at least one-half of the frontage or bounds on both sides of the public highways to be improved and was signed by resident owners residing along said highways proposed to be improved, owning not less than one-half of the aggregate frontage owned by resident owners, 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 highways, as stated in the petition is the sum of \$4,000.00, and

WHEREAS, said highways to be improved are located in Sewer District No. 5 of the Town of Cheektowaga, New York and are entirely in said town.

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 Union Road and Broadway, in said Town, on the 12th day of July, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, of that day for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and be it

FURTHER RESOLVED AND ORDERED, that the Town Clerk be and he is hereby ORDERED AND DIRECTED to publish a certified copy of this resolution and order in the Cheektowaga Times, 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 the said portion of said highways to be improved.

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

Supervisor Holtz,	Voting	<u>Aye</u>
Councilman Wroblewski,	Voting	<u>Aye</u>
Councilman Nagel,	Voting	<u>Aye</u>
Councilman Neibert,	Voting	<u>Aye</u>
Councilman Bystrak,	Voting	<u>Aye</u>

AYES: -5-

Posted as follows on the 1st day of July, 1954;

- 1- Telephone Pole No. 2915 on Genesee Street;
- 2- Telephone Pole No. 2918 on Genesee Street;
- 3- Post at the corner of Genesee Street and Beechwood Place;
- 4- Telephone Pole No. 2908 on Genesee Street;
- 5- Telephone Pole No. 2998 on Genesee Street;
- 6- Post in front of No. 22 Beechwood Place;
- 7- Post in front of No. 40 Beechwood Place;
- 8- Post in front of No. 45 Beechwood Place;
- 9- Post in front of No. 36 Beechwood Place;
- 10- Post on Beechwood Place, 50 feet south of House No. 45.

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

**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 21st day of June, 1954, at 7:30 o'clock P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman  
Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a written petition was filed with this Board for the improvement of that portion of Genesee Street extending from Awood Place, northeasterly to Beechwood Place, and Beechwood Place for its entire length from Genesee Street north to Greenwood Place, by the construction of a lateral sewer in said highways so as to serve both sides thereof, and

WHEREAS, it duly appears that such petition has been duly signed by owners of real estate fronting or abutting on both sides of said highways to be improved as aforesaid owning at least one-half of the frontage or bounds on both sides of the public highways to be improved and was signed by resident owners residing along said highways proposed to be improved, owning not less than one-half of the aggregate frontage owned by resident owners, 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 highways, as stated in the petition is the sum of \$4,000.00, and

WHEREAS, said highways to be improved are located in Sewer District #5 of the Town of Cheektowaga, New York and are entirely in said town.

**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 Union Road and Broadway, in said Town, on the 12th day of July, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, of that day for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and be it

**FURTHER RESOLVED AND ORDERED,** that the Town Clerk be and he is hereby **ORDERED AND DIRECTED** to publish a certified copy of this resolution and order in the **CHEEKTOWAGA TIMES**, 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 the said portion of said highways to be improved.

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

Supervisor Holtz, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, Elizabeth Biniasz, Deputy 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 21st day of June, 1954, 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 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

NEW YORK  
OF ERIE } ss.  
CHEEKTOWAGA }

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

on or about *June 24, 1954*  
and on or about *June 24, 1954*;

more than six days intervened between said publications.

*Willard C. Allis*  
before me this *1st*

*July*, 19*54*  
*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*55*  
Registered No. 5029

( Depew Herald)

STATE OF NEW YORK }  
COUNTY OF ERLE }

Secounded by Councilman Bysrak and duly put to a vote, which resulted as follows:  
 Supervisor Holtz, Voting Aye  
 Councilman Wroblewski, Voting Aye  
 Councilman Nagel, Voting Aye  
 Councilman Neibert, Voting Aye  
 Councilman Bysrak, Voting Aye  
 5 Ayes, Noes 0. Carried.

State of New York )  
 Erie County ) ss:  
 Office of the )  
 Town of Cheektowaga, N. Y. )  
 I, ELIZABETH BINIASZ, Clerk of the Town of Cheektowaga, in the said County, do hereby certify that the foregoing is a true and correct copy of the resolution passed by the Town Board of Cheektowaga, New York, on the 21st day of June, 1954, and the same is a true and correct transcript of the original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for \_\_\_\_\_ week, the first insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 1954 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 26 1954

\_\_\_\_\_ 19\_\_\_\_\_  
*Kenneth J. Hanly*  
 Notary Public in and for Erie County.

IN 52 6800

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~~ *one* weeks; first publication *June 24, 1954*; last publication *June 24, 1954*; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this *1st*

day of *July*, 19 *54*

*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 *55*  
Registered No. 5029



Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisable and in the public interest to repeal Ordinance No. 12, which was adopted by the Town Board June 16, 1941, which Ordinance defines the "Removal of Unsafe Buildings", said Ordinance having become obsolete and no longer needed, be it

RESOLVED that the Town Board shall meet on the 12th day of July, 1954 at 2:30 o'clock, P.M. Eastern Daylight Saving Time at the Town Hall, Union Road And Broadway, Cheektowaga, New York, for the purpose of considering the advisability of repealing Ordinance No. 12 of the General Ordinances of the Town of Cheektowaga, New York, which provide as follows:

ORDINANCE NO. 12

"ORDINANCE FOR THE REMOVAL OF  
UNSAFE BUILDINGS"

Proposed Ordinance of the Town of Cheektowaga, Chapter 4,  
Section 1 Chapter 4 - Entitled "Unsafe Buildings, Collapsed Structures  
and Open Cellars",

1. The owner or other party having an interest in any building staging or other structure, or anything attached to or connected with any building or other structure or open cellar or excavation which shall be unsafe so far as to endanger life shall immediately, upon notice from the Town Clerk, cause the same to be made safe and secure or taken down, and where the public safety requires immediate action persons or corporations as may be directed to do so by a resolution of the Town Board may enter upon the premises with such assistance as may be had to secure or take down or to fill in an excavation without delay, and the passers by to be protected at the expense of such owner or party interested therein.

2. The Town Board, upon its own initiative or after receipt of a complaint complaining of the dangerous condition of any buildings or excavations, shall designate the Chief of Police or some other suitable person or official to immediately inspect the premises and to report in writing his findings as to the conditions thereof to the Town Board.

3. The Town Board after receiving a report of the inspection of the premise, shall determine from said report whether said building or premises is in a dangerous condition and if they so determined, shall direct the Town Clerk to serve a notice in writing upon the owner or some one of the owners, executors, legal representatives, agents lessees or ther person having a vested on contingent interest in the premises, said notice to contain a description of the premises, a statement of the particulars in which the building or structure or excavation is unsafe or dangerous and an order requiring same to be made safe and secure or removed and shall provide the time within which the person served with such notice may commence the securing or removal of the buildings or structures or the filling of the excavation and the time in which it shall be completed.

The notice shall be served by the Town Clerk in the following manner:

By posting a copy thereof on the bulletin board in the Town Hall; by posting a copy thereof upon the structure or excavation on the premises and by mailing a copy thereof to the owner or some one of the owners, executors, legal representatives, agents, lessees or any other person having a vested or contingent interst in same or by mailing a copy thereof to the owner as named on the latest assessment roll of the Town.

4. The aforesaid notice shall be served at least forty-eight hours (48) before the time designated for the commencement or the finishing of the securing or removal of the buildings or structures or the filling of said excavation. The inspector heretofore appointed by the Town Board shall again inspect the premises at the commencement and completion time as set forth in said notice and shall report to the Town Board whether or not the notice has not been complied with and in the event that the notice has not been complied the Town Board shall then appoint a Board of Surveyors consisting of an inspector and an architect and a practical builder, engineer or architect appointed by person notified as above and in the event of refusal or neglect of person so notified to appoint such surveyor, the two surveyors named shall make the survey and report to the Town Board.

The notice shall further state that in the event that the building or other structures shall be reported unsafe or dangerous under such survey that an application will be made at a Special Term of the Supreme Court in the judicial department in which the property is located for an order determining the building or other structure or excavation to be a public nuisance and directing that it shall be repaired and secured or taken down and removed or filled.

5. The surveyors shall be compensated by a fee not exceeding the sum of \$25.00 per day.

6. All costs and expenses incurred by the Town in connection with the proceedings to remove or secure, including the cost of actually removing said building or structure or filling said excavation shall be assessed against the land on which the said building or structure is located and collected in the same manner as other real estate taxes.

7. This ordinance shall take effect on the 15th day of July 1941 or as soon thereafter as it may become legally effective.

By order of the Town Board of the Town of Cheektowaga.

Dated: June 16, 1941.

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

Supervisor Holtz,	Voting <u>Aye</u>
Councilman Bystrak,	Voting <u>Aye</u>
Councilman Nagel,	Voting <u>Aye</u>
Councilman Neibert,	Voting <u>Aye</u>
Councilman Wroblewski,	Voting <u>Aye</u>

AYES: -5-

Posted as follows on the 28th day of June, 1954;

1- Town Hall Bulletin Board.

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

**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 the said Town of Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**  
Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Henry Nagel, Councilman  
Joseph A. Neibert, Councilman  
Felix T. Wroblewski, Councilman  
Councilman Bystrak presented the following resolution and moved its adoption:

**WHEREAS**, it is deemed advisable and in the public interest to repeal Ordinance #12, which was adopted by the Town Board June 16, 1941, which Ordinance defines the "Removal of Unsafe Buildings," said Ordinance having become obsolete and no longer needed, be it

**RESOLVED** that the Town Board shall meet on the 12th day of July, 1954 at 2:30 o'clock, P.M. Eastern Daylight Saving Time at the Town Hall, Union Road and Broadway, Cheektowaga, New York, for the purpose of considering the advisability of repealing Ordinance No. 12 of the General Ordinances of the Town of Cheektowaga, New York, which provide as follows:

**Ordinance No. 12  
"ORDINANCE FOR THE REMOVAL OF UNSAFE BUILDINGS"**

Proposed Ordinance of the Town of Cheektowaga, Chapter 4, Section 1 Chapter 4—Entitled "Unsafe Buildings, Collapsed Structures and Open Cellars."

1. The owner or other party having an interest in any building, staking or other structure, or anything attached to or connected with any building or other structure or open cellar or excavation which shall be unsafe so far as to endanger life shall immediately, upon notice from the Town Clerk, cause the same to be made safe and secure or taken down, and where the public safety requires immediate action persons or corporations as may be directed to do so by a resolution of the Town Board may enter upon the premises with such assistance as may be had to secure or take down or to fill in an excavation without delay, and the passers-by to be protected at the expense of such owner as is specified therein.

2. The Town Board, upon its own initiative or after receipt of a complaint complaining of the dangerous condition of any buildings or excavations, shall designate the Chief of Police or some other suitable person or official to immediately inspect the premises and to report in writing his findings as to the conditions thereof to the Town Board.

3. The Town Board after receiving a report of the inspection of the premises, shall determine from said report whether said building or premises is in a dangerous condition and if they so determined, shall direct the Town Clerk to serve a notice in writing upon the owner or some one of the owners, executors, legal representatives, agents, lessees or other person having a vested or contingent interest in the premises, said notice to contain a description of the premises, a statement of the particulars in which the building or structure or excavation is unsafe or dangerous and an order requiring same to be made safe and secure or removed and shall provide the time within which the person served with such notice may commence the securing or removal of the buildings or structures or the filling of the excavation and the time in which it shall be completed.

The notice shall be served by the Town Clerk in the following manner:

By posting a copy thereof on the bulletin board in the Town Hall; by posting a copy thereof upon the structure or excavation on the premises and by mailing a copy thereof to the owner or some one of the owners, executors, legal representatives, agents, lessees or any other person having a vested or contingent interest in same or by mailing a copy thereof to the owner as named on the latest assessment roll of the Town.

4. The aforesaid notice shall be served at least forty-eight (48) hours before the time designated for the commencement or the finishing of the securing or removal of the buildings or structures or the filling of said excavation. The inspector heretofore appointed by the Town Board shall again inspect the premises at the commencement and completion time as set forth in said notice and shall report to the Town Board whether or not the notice has not been complied with and in the event that the notice has not been complied

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 June 24, 1954; last publication June 24, 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 1st

day of July, 1954

*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, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

Public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the enclosed printed slip taken from said newspaper, is a copy, inserted and published therein once a week for \_\_\_\_\_ week, the first insertion being on the 24th day of June, 1954, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not

more than six days intervened between any two publications thereof.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

*Richard G. Bennett*

Notary Public

Notary Public for Erie County.

and at \_\_\_\_\_  
Town of \_\_\_\_\_  
York, on the 21st day of \_\_\_\_\_  
1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were present:

Joseph T. Heltz, Supervisor  
Joseph Bystrak, Councilman  
Henry J. Masel, Councilman  
Joseph A. Neibert, Councilman  
Felix T. Wroblewski, Councilman

Councilman Bystrak presented the following resolution and moved for its adoption:

WHEREAS, it is deemed advisable and in the public interest to repeal Ordinance No. 12, which was adopted by the Town Board on June 16, 1941, which Ordinance is entitled "Removal of Unsafe Buildings", said Ordinance having become obsolete and no longer in force and effect;

RESOLVED, that the Town Board shall meet on the 12th day of \_\_\_\_\_, 1954 at 2:30 o'clock, P.M. Eastern Daylight Saving Time at Town Hall, Union Road and \_\_\_\_\_, Cheektowaga, New York, for the purpose of considering the advisability of repealing said Ordinance.

ORDINANCE No. \_\_\_\_\_  
"ORDINANCE FOR THE REMOVAL OF UNSAFE BUILDINGS"

Proposed Ordinance of the Town of Cheektowaga, Chapter 4, Section 1 Chapter 4 - Entitled "Unsafe Buildings, Collapsed Structures and Open Cellars".

1. The owner or other party having an interest in any building, structure or other structure, or anything attached to or connected with any building or other structure or open cellar or excavation which shall be unsafe so far as to endanger life shall immediately, upon notice from the Town Clerk, cause the same to be made safe and secure or taken down, and where the public safety requires immediate action persons or corporations as may be directed to do so by a resolution of the Town Board may enter upon the premises with such assistance as may be had to secure or take down or to fill in an excavation without delay, and the passers by to be protected at the expense of such owner or party interested therein.

2. The Town Board, upon its own initiative or after receipt of a complaint complaining of the dangerous condition of any buildings or excavations, shall designate the Chief of Police or some other suitable person or official to immediately inspect the premises and to report in writing his findings as to the conditions thereof to the Town Board.

3. The Town Board after receiving a report of the inspection of the premise, shall determine from said report whether said building or premises is in a dangerous condition and if they so determined, shall direct the Town Clerk to serve a notice in writing upon the owner or some one of the owners, executors, legal representatives, agents, lessees or other person having a vested or contingent interest in the premises, said notice to contain a description of the premises, a statement of the particulars in which the building or structure or excavation is unsafe or dangerous and an order requiring same to be made safe and secure or removed and shall provide the time within which the person served with such notice may commence the securing or removal of the building or structures or the filling in of the excavation and the time within which the same shall be completed.

The notice shall be served by the Town Clerk in the following manner:

By posting a copy thereof on the bulletin board in the Town Hall; by posting a copy thereof upon the structure or excavation on the premises and by mailing a copy thereof to the owner or some one of the owners, executors, legal representatives, agents, lessees or any other person having a vested or contingent interest in same or by mailing a copy thereof to the owner as named on the latest assessment roll of the Town.

Item No. 17-Cont'd

4. The aforesaid notice shall be served at least forty-eight (48) hours before the time designated for the commencement or the finishing of the securing or removal of the buildings or structures or the filling of said excavation. The inspector heretofore appointed by the Town Board shall again inspect the premises at the commencement and completion time as set forth in said notice and shall report to the Town Board whether or not the notice has not been complied with and in the event that the notice has not been complied the Town Board shall then appoint a Board of Surveyors consisting of an inspector and an architect and a practical builder, engineer or architect appointed by person notified as above and in the event of refusal or neglect of person so notified to appoint such surveyor, the two surveyors named shall make the survey and report to the Town Board.

The notice shall further state that in the event that the building or other structures shall be reported unsafe or dangerous under such survey that an application will be made at a Special Term of the Supreme Court in the judicial department in which the property is located for an order determining the building or other structure or excavation to be a public nuisance and directing that it shall be repaired and secured or taken down and removed or filled.

5. The surveyors shall be compensated by a fee not exceeding the sum of \$25.00 per day.

6. All costs and expenses incurred by the Town in connection with the proceedings to remove or secure, including the cost of actually removing said building or structure or filling said excavation shall be assessed against the land on which the said building or structure is located and collected in the same manner as other real estate taxes.

7. This ordinance shall take effect on the 1st day of July, 1954, or soon thereafter as it may become legally effective.

By order of the Town Board of the Town of Cheektowaga.

Dated: June 16, 1954.

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

- Supervisor Holtz, voting Aye.
Councilman Bystrak, voting Aye.
Councilman Nagel, voting Aye.
Councilman Neibert, voting Aye.
Councilman Wroblewski, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0
STATE OF NEW YORK
ERIE COUNTY
OFFICE OF THE CLERK SS:
OF THE TOWN OF
CHEEKTOWAGA

This is to certify that I, Elizabeth Biniasz, Deputy Clerk of the Town of Cheektowaga, in the said County of Erie, having compared the foregoing copy of the 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 21st day of June, 1954 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 22nd day of June, 1954.

ELIZABETH BINIASZ,
Deputy Clerk of the Town Board,
Town of Cheektowaga, N. Y.

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 June 24, 1954; last publication June 24, 1954; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 1st

day of July, 1954

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, 1955
Registered No. 5029

By posting a copy thereof on the bulletin board in the Town Hall; by posting a copy thereof upon the structure or excavation on the premises and by mailing a copy thereof to the owner or some one of the owners, executors, legal representatives, agents, lessees or any other person having a vested or contingent interest in same or by mailing a copy thereof to the owner as named on the latest assessment roll of the Town.

4. The aforesaid notice shall be served at least forty-eight hours (48) before the time designated for the commencement or the finishing of the securing or removal of the buildings or structures or the filling of said excavation. The inspector heretofore appointed by the Town Board shall again inspect the premises at the commencement and completion time as set forth in said notice and shall report to the Town Board whether or not the notice has not been complied with and in the event that the notice has not been complied the Town Board shall then appoint a Board of Surveyors consisting of an inspector and an architect and a practical builder, engineer or architect appointed by person notified as above and in the event of refusal or neglect of person so notified to appoint such surveyor, the two surveyors named shall make the survey and report to the Town Board.

The notice shall further state that in the event that the building or other structures shall be reported unsafe or dangerous under such survey that an application will be made at a Special Term of the Supreme Court in the judicial department in which the property is located for an order determining the building or other structure or excavation to be a public nuisance and directing that it shall be repaired and secured or taken down and removed or filled.

5. The surveyors shall be compensated by a fee not exceeding the sum of \$25.00 per day.

6. All costs and expenses incurred by the Town in connection with the proceedings to remove or secure, including the cost of actually removing said building or structure or filling said excavation shall be assessed against the land on which the said building or structure is located and collected in the same manner as other real estate taxes.

7. This ordinance shall take effect on the 15th day of July 1941 or as soon thereafter as it may become legally effective.

By order of the Town Board of the Town of Cheektowaga.

Dated: June 16, 1941.

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

- Supervisor Holtz, Voting Aye
- Councilman Bystrak, Voting Aye
- Councilman Nagel, Voting Aye
- Councilman Neibert, Voting Aye
- Councilman Wroblewski, Voting Aye

5 Ayes, Noes 0, Absent 0, Carried.  
State of New York )  
Erie County )

Office of the Clerk of the ) ss:  
Town of Cheektowaga )

This is to certify that I, ELIZABETH BINIASZ, Deputy 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 21st day of June, 1954, 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 (seal) Town this 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
je24 Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

ing duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the

printed slip taken from said newspaper, is a copy, inserted and published therein once a week for

week, the first insertion being on the 1st day of June, 1954, and

insertion being on the day of 1954, and that not

more than six days intervened between any two publications

hereof  
*Richard G. Bennett*

for Erie County.

4. The aforesaid notice shall be served at least forty-eight (48) hours before the time designated for the commencement or the finishing of the securing or removal of the buildings or structures or the filling of said excavation. The inspector heretofore appointed by the Town Board shall again inspect the premises at the commencement and completion time as set forth in said notice and shall report to the Town Board whether or not the notice has not been complied with and in the event that the notice has not been complied the Town Board shall then appoint a Board of Surveyors consisting of an inspector and an architect and a practical builder, engineer or architect appointed by person notified as above and in the event of refusal or neglect of person so notified to appoint such surveyor, the two surveyors named shall make the survey and report to the Town Board.

The notice shall further state that in the event that the building or other structures shall be reported unsafe or dangerous under such survey that an application will be made at a Special Term of the Supreme Court in the judicial department in which the property is located for an order determining the building or other structure or excavation to be a public nuisance and directing that it shall be repaired and secured or taken down and removed or filled.

5. The surveyors shall be compensated by a fee not exceeding the sum of \$25.00 per day.

6. All costs and expenses incurred by the Town in connection with the proceedings to remove or secure, including the cost of actually removing said building or structure or filling said excavation shall be assessed against the land on which the said building or structure is located and collected in the same manner as other real estate taxes.

7. This ordinance shall take effect ~~on the 15th day of July, 1941~~ ~~on thereafter as it may lawfully~~ legally effective.

By order of the Town Board of the Town of Cheektowaga.

Dated: June 16, 1941.

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

- Supervisor Holtz, voting Aye.
- Councilman Bystrak, voting Aye.
- Councilman Nagel, voting Aye.
- Councilman Neibert, voting Aye.
- Councilman Wroblewski, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, Elizabeth Biniasz, Deputy Clerk of the Town of Cheektowaga, in the said County of Erie, having compared the foregoing copy of the 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 21st day of June, 1954 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 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

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 June 24, 1954; last publication June 24, 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 1st

day of July, 1954

*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, 1955  
Registered No. 5029

SEN. COOKE SPEAKS FOR BREAKFAST  
 Erie County Technical Institute  
 State Teachers College and  
 the University of Buffalo, will  
 of School Boards in conjunction  
 Hamburg Fair, in conjunction  
 School Boards will have at  
 display that the Erie County  
 the same meeting. He will direct  
 chairman of the fair committee  
 District School Board, was named  
 member of the Lancaster, and  
 of Buffalo professor, a Univer  
 Dr. Walter DeLacy, a Univer  
 the history of the school's syste  
 the first non-political election  
 School Board in May of '53  
 was re-elected president of the  
 Thursday evening at Buffalo  
 Doel's Restaurant in a me  
 Assoc. of School Boards in a me  
 ed treasurer of the Erie Cou  
 the Depew School Board in a me

RICHARD G. BENNETT

duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
 towaga, Erie County, New York, that notice of which the  
 annexed printed slip taken from said newspaper, is a copy,  
 was inserted and published therein once a week for  
 ..... week, the first insertion being on the  
 24th day of June, 1954, and  
 the last insertion being on the ..... day of  
 ....., 19....., and that not  
 more than six days intervened between any two publi-  
 cations thereof

*Richard G. Bennett*

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

JUN 26 1954

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

IN 52883

Item No. 18

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisable and in the public interest to repeal Ordinance No. 10, which ordinance was adopted by the Town Board July 1, 1940 to License Coin Control Amusement Devices, which Ordinance has become obsolete and no longer enforceable, be it

RESOLVED that the Town Board shall meet on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time at the Town Hall, Union Road and Broadway, Cheektowaga, New York, for the purpose of considering the advisability of repealing Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York, which provide as follows:

ORDINANCE NO. 10

"Ordinance to License Coin Control  
Amusement Devices not in Violation of  
State Law"

Section 1. Definitions. The term "person" wherever used in this section shall mean and include one or more individuals, a partnership, company, an association of persons and a corporation. The term "coin" controlled amusement device" shall mean and include any mechanical device used or designed to be operated for amusement, by the insertion of a coin, and shall include the type of mechanical devices commonly known as bagatelle, baseball, football and pinball amusement games.

The above enumeration shall not be deemed to be exclusive. Said definition, however, shall exclude any device, the possession or use of which is prohibited by law or for musical purposes only.

Section 2. Notwithstanding any other provision of this chapter, no person after this ordinance takes effect shall place or deliver for use, any coin-controlled amusement device on any premises in the Town of Cheektowaga, or permit the use thereof in any place under his control without a license so to do having first been obtained from the Town Clerk.

Section 3. The owner of any such coin-controlled amusement device, or his duly authorized agent acting in his behalf, who desires to distribute or place any such device for use, shall make application to the Town Clerk for such permission upon blanks to be furnished by him, giving the name and address of the applicant, the name and address of the manufacturer of the device, a detailed description of the mechanical features of the device, the method of its operation, the name and address of the person having responsible charge of the premises upon which the device is proposed to be located for use and the location of said premises by street and number.

The Town Clerk may require such further information as he may deem reasonable necessary. The application shall be verified.

Section 4. Said application shall be referred by the Town Clerk to the Chief of Police for his investigation and recommendation. Such investigation shall include an inquiry as to the reputation of the applicant and the person in responsible charge of the premises upon which the device is proposed to be located, and whether the possession and use of such device is forbidden by law, the Chief of Police shall return the application within a reasonable time to the Town Clerk, with his recommendation as to approval or disapproval.

Section 5. The Town Clerk upon receipt of any such application approved by the Chief of Police, may issue a license to the applicant to place and permit the use upon the premises designated in the application of the coin-controlled amusement device described therein and in the manner therein specified.

A license shall be procured for each device so placed. A metal tag, bearing same number as the license, shall be obtained from the Town Clerk and securely attached to the licensed device.

Section 6. The Town Clerk shall not issue any license hereunder until the sum of Fifteen (\$15.00) Dollars therefor for each licensed device and the sum of One(\$1.00) Dollar for each tag shall expire on the 30th day of June next succeeding the date of its issuance.

Section 7. No license or tag shall be transferable from one device to another, nor from one location to another, without permission in writing from the Town Clerk endorsed upon said license.

Section 8. The Town Clerk may revoke any license or tag issued hereunder in the manner prescribed by law.

Section 9. A person convicted of the violation of this section is punishable by imprisonment in the penitentiary or the County Jail for a term not to exceed ten days or by a fine of not less than Twenty-five (\$25.00) Dollars or not more than One Hundred (\$100.00) Dollars or both.

This ordinance shall take effect beginning with the 1st day of July, 1940.

Adopted by the Town Board of the Town of Cheektowaga, N.Y. May 20, 1940.

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 7th day of May, 1951 at 2:30 o'clock P.M. Eastern Daylight Saving Time, there were:

PRESENT:

Henry J. Nagel,	Councilman
Felix T. Wroblewski,	Councilman
Joseph A. Neibert,	Councilman

ABSENT:

Benedict T. Holtz,	Supervisor
Stanley Bystrak,	Councilman

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, the Town Board of the Town of Cheektowaga on May 20, 1940, adopted an Ordinances to license coin controlled amusement devices not in violation of the State Law; and

WHEREAS, said Ordinances was amended by the Town Board on the 18th day of July, 1949, and

WHEREAS, the licensing of pinball machines is illegal and in violation of the law,

BE IT RESOLVED, that the Ordinance to license coin controlled amusement devices not in violation of State Law, as amended, in so far as it provides for the licensing of pinball amusement games, be repealed; and

BE IT FURTHER RESOLVED, that no applications for the licensing of pinball amusement games be accepted by the Town Clerk now any action taken upon an application except to reject it; and

Con't

BE IT FURTHER RESOLVED, thall all other provisions of said Ordinances, as amended, remain in full force and effect, in so far as the same relates to the issuance of licenses for coin controlled amusement devices not in violation of State Law; and

BE IT FURTHER RESOLVED, that the licensing of gambling devices, by whatever name called, is hereby prohibited.

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

Supervisor Holtz,	Absent
Councilman Neibert,	Voting <u>Aye</u>
Councilman Nagel,	Voting <u>Aye</u>
Councilman Bystrak,	Absent
Councilman Wroblewski,	Voting <u>Aye</u>

AYES: -3-

NOES: -0-

ABSENT: -2-

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

Supervisor Holtz,	Voting <u>Aye</u>
Councilman Bystrak,	Voting <u>Aye</u>
Councilman Nagel,	Voting <u>Aye</u>
Councilman Neihert,	Voting <u>Aye</u>
Councilman Wroblewski,	Voting <u>Aye</u>

Posted as follows on the 28th day of June, 1954;

1- Town Hall Bulletin Board;

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

**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 the said Town of Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock, P.M., Eastern Daylight Saving Time, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Henry Nagel, Councilman  
Joseph A. Neibert, Councilman  
Felix T. Wroblewski, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

**WHEREAS**, it is deemed advisable and in the public interest to repeal Ordinance #10, which ordinance was adopted by the Town Board July 1, 1940 to License Coin Control Amusement Devices, which Ordinance has become obsolete and no longer enforceable, be it

**RESOLVED** that the Town Board shall meet on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time at the Town Hall, Union Road and Broadway, Cheektowaga, New York, for the purpose of considering the advisability of repealing Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York, which provide as follows:

**ORDINANCE No. 10**

"Ordinance to License Coin Control Amusement Devices not in Violation of State Law."

**Section 1. Definitions.** The term "person" wherever used in this section shall mean and include one or more individuals, partnership, company, an association of persons and a corporation. The term "coin" controlled amusement device" shall mean and include any mechanical device used or designed to be operated for amusement, by the insertion of a coin, and shall include the type of mechanical devices commonly known as bagatelle, baseball, football and pinball amusement games.

The above enumeration shall not be deemed to be exclusive. Said definition, however, shall exclude any device, the possession or use of which is prohibited by law or for musical purposes only.

**Section 2. Notwithstanding** any other provision of this chapter, no person after this ordinance takes effect shall place or deliver for use, any coin-controlled amusement device on any premises in the Town of Cheektowaga, or permit the use thereof in any place under his control without a license so to do having first been obtained from the Town Clerk.

**Section 3.** The owner of any such coin-controlled amusement device, or his duly authorized agent acting in his behalf, who desires to distribute or place any such device for use, shall make application to the Town Clerk for such permission upon blanks to be furnished by him, giving the name and address of the applicant, the name and address of the manufacturer of the device, a detailed description of the mechanical features of the device, the method of its operation, the name and address of the person having responsible charge of the premises upon which the device is proposed to be located for use and the location of said premises by street and number.

The Town Clerk may require such further information as he may deem reasonable necessary. The application shall be verified.

**Section 4.** Said application shall be referred by the Town Clerk to the Chief of Police for his investigation and recommendation. Such investigation shall include an inquiry as to the reputation of the applicant and the person in responsible charge of the premises upon which the device is proposed to be located, and whether

the possession and use of such device is forbidden by Law, the Chief of Police shall return the application Clerk, with his recommendation as to approval or disapproval.

**Section 5.** The Town Clerk upon receipt of any such application approved by the Chief of Police, may issue a license to the applicant to place and permit the use upon the premises designated in the application of the coin-controlled amusement device described therein and in the manner therein specified.

A license shall be procured for each device so placed. A metal tag, bearing same number as the license, shall be obtained from the Town Clerk and securely attached to the licensed device.

**Section 6.** The Town Clerk shall not issue any license hereunder until the sum of Fifteen (\$15.00) Dollars therefor for each licensed device and the sum of One (\$1.00) Dollar for each tag shall expire on the 30th day of June next succeeding the date of its issuance.

**Section 7.** No license or tag shall be transferable from one device to another, nor from one location to another, without permission in writing from the Town Clerk endorsed upon said license.

**Section 8.** The Town Clerk may revoke any license or tag issued hereunder in the manner prescribed by law.

**Section 9.** A person convicted of the violation of this section is punishable by imprisonment in the penitentiary or the County Jail for a term not to exceed ten days or by a fine of not less than Twenty-five (\$25.00) Dollars or not more than One Hundred (\$100.00) Dollars or both.

This ordinance shall take effect beginning with the 1st day of July, 1940.

Adopted by the Town Board of the Town of Cheektowaga, N. Y., May 20, 1940.

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 7th day of May, 1951 at 2:30 o'clock P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**

Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman

**ABSENT:**

Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Councilman Neibert presented the following resolution and moved its adoption:

**WHEREAS**, the Town Board of the Town of Cheektowaga on May 20, 1940, adopted an Ordinance to license coin controlled amusement devices not in violation of the State Law; and

**WHEREAS**, said Ordinances was amended by the Town Board on the 18th day of July, 1949, and

**WHEREAS**, the licensing of pinball machines is illegal and in violation of the law.

**BE IT RESOLVED**, that the Ordinance to license coin controlled amusement devices not in violation of State Law, as amended, in so far as it provides for the licensing of pinball amusement games, be repealed; and

**BE IT FURTHER RESOLVED**, that no applications for the licensing of pinball amusement games be accepted by the Town Clerk nor any action taken upon an application except to reject it; and

**BE IT FURTHER RESOLVED**, that all other provisions of said Ordinances, as amended, remain in full force and effect, in so far as the same relates to the issuance of licenses for coin controlled amusement devices not in violation of State Law; and

**BE IT FURTHER RESOLVED**, that the licensing of gambling devices, by

whatever name called, is hereby prohibited.

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

Supervisor Holtz, absent.  
Councilman Neibert, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Bystrak, absent.  
Councilman Wroblewski, voting Aye.

**AYES: 3 NOES: 0 ABSENT: 2**

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

**RESOLVED AND ORDERED**, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

Supervisor Holtz, voting Aye.  
Councilman Bystrak, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Wroblewski, voting Aye.

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, Elizabeth Biniasz Deputy Clerk of the Town of Cheektowaga, in 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 21st day of June, 1954, 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 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication June 24, 1954; last publication June 24, 1954; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 1st

day of July 1954

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, 1955  
Registered No. 5029

sires to distribute or place any such device for use, shall make application to the Town Clerk for such permission upon blanks to be furnished by him, giving the name and address of the applicant, the name and address of the manufacturer of the device, a detailed description of the mechanical features of the device, the method of its operation, the name and address of the person having responsible charge of the premises upon which the device is proposed to be located for use and the location of said premises by street and number.

The Town Clerk may require such further information as he may deem reasonably necessary. The application shall be verified.

Section 4. Said application shall be referred by the Town Clerk to the Chief of Police for his investigation and recommendation. Such

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 24th day of June, 1954, 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*

For Sale . . . . .  
Store Fixtures For Sale - 1 Hobart meat grinder; 1 Hobart coffee mill; 1 Hobart scale (meat); 1 Toledo scale (meat); 1 Dueroed scale (meat); 1 Dairy Case scale (Erbanks); 1 Dairy Case with 1/2 h.p. new compressor; 1 National cash register, electric; (item): 1 National cash register; Chevrolet Suburban; I sell responsible. Phone RE 3071.  
U. S. FLAGS - 3 x 5 ft., Brown stars and stripes. Each set complete with two poles, ground holder and window bracket. Call American Legion, RE 9897 after 6 p.m. Price per set \$10. MY20F  
Special home-made marshmallows, coconut covered and chocolate coated; also Charlie Chaplin bars for sale at Dworkin's Pharmacy, 81 Main St., Depew, RE 9898. J24JY1

JUN 26 1954

*Kenneth Stanley*  
Notary Public in and for Erie County.

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Item No. 19

Motion made by Councilman Nagel and moved its adoption:

RESOLVED that the bid of Gleasner Corporation to sell to the Town of Cheektowaga, New York, Air Compressor for Sewer Department for the sum of \$2274.00, be accepted, said bid being the lowest one submitted by a responsible bidder in conformity with written specifications furnished to bidders. Cost thereof to be charged to District #5 & #3 (Sewer).

126

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

AYES: -5- NOES: -0- CARRIED: -0-  
Absent: -0-

Item No. 20

Motion made by Councilman Wroblewski and moves its adoption:

RESOLVED that the bid of the Buffalo Tractor & Implement Co. to sell the Town of Cheektowaga one Ford Tractor with side mounted mower and dual action dozer blade for the sum of \$2537.75, less the trade in allowance on a Gobson Tractor and a Case Tractor of \$160.00 making the final total price of \$2377.75, be accepted it being the lowest bid submitted after public advertising and said company being the lowest responsible bidder. Cost charged to Garbage District, (General).

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

AYES: -5- NOES: -0- ABSENT: -0- CARRIED

Item No. 21

Motion made by Councilman Bystrak and moves its adoption:

RESOLVED that the Supervisor be authorized to purchase thru Westinghouse Electric Company 6 Y 20 Light Standards, the cost thereof to be charged to Oehman Boulevard Light district.

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

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

Item No. 22

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, ANTHONY SCAMURRA owner of the premises of Alpine and Avery Place, in the Town of Cheektowaga, has presented a map of said premises made by Nussbaumer, Clerke and Velzy, Incorporated, Civil Engineers, dated April 1954, being Job No. NC 14880 entitled Alpine Place and Avery Place Extension Number two, and

WHEREAS, said Subdivision Map was in good order,

RESOLVED, that said Subdivision Map is acceptable to the Town of Cheektowaga, and ANTHONY SCAMURRA is hereby authorized to file said Map in the Erie County Clerk's Office.

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

Supervisor:	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Joseph A. Neibert	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanley Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

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

Item No. 23

Councilman Wroblewski moved, seconded by Councilman Bystrak,

RESOLVED, that the Town Clerk be authorized and directed to issue Building Permits on applications processed by the Petitions Committee on June 12, 1954 and June 19, 1954, after same have been approved by the Building Inspector.

CARRIED: AYES: -5-

Item No. 24 Mr. Walter McLausland representing the Niagara Frontier Transit System was granted the floor and related the following to the Town Board;

"All we want is an extension of 900 feet and the people of Sloan are in favor of this. There were a number of people here at a previous meeting in regard to this matter. This route would help to facilitate traffic on a busy street. There is only a distance involved like from here to Harlem Avenue. We do not, and I think this Town Board does not want anything unforeseen to happen in the future in-so-far as an accident is concerned. We know the remedy is simple in this matter."



Item No. 19

Motion made by Councilman Nagel and moved its adoption:

RESOLVED that the bid of Gleasner Corporation to sell to the Town of Cheektowaga, New York, Air Compressor for Sewer Department for the sum of \$2274.00, be accepted, said bid being the lowest one submitted by a responsible bidder in conformity with written specifications furnished to bidders. Cost thereof to be charged to District #5 & #3 (Sewer).

126

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

AYES: -5-  
Absent: -0-

NOES: -0-

CARRIED: -0-

Item No. 20

Motion made by Councilman Wroblewski and moves its adoption:

RESOLVED that the bid of the Buffalo Tractor & Implement Co. to sell the Town of Cheektowaga one Ford Tractor with side mounted mower and dual action dozer blade for the sum of \$2537.75, less the trade in allowance on a Gobson Tractor and a Case Tractor of \$160.00 making the final total price of \$2377.75, be accepted it being the lowest bid submitted after public advertising and said company being the lowest responsible bidder. Cost charged to Garbage District, (General).

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

AYES: -5-

NOES: -0-

ABSENT: -0- CARRIED

Item No. 21

Motion made by Councilman Bystrak and moves its adoption:

RESOLVED that the Supervisor be authorized to purchase thru Westinghouse Electric Company 6 Y 20 Light Standards, the cost thereof to be charged to Oelman Boulevard Light district.

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

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 22

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, ANTHONY SCAMURRA owner of the premises of Alpine and Avery Place, in the Town of Cheektowaga, has presented a map of said premises made by Nussbaumer, Clerke and Velzy, Incorporated, Civil Engineers, dated April 1954, being Job No. NC 14880 entitled Alpine Place and Avery Place Extension Number two, and

WHEREAS, said Subdivision Map was in good order,

RESOLVED, that said Subdivision Map is acceptable to the Town of Cheektowaga, and ANTHONY SCAMURRA is hereby authorized to file said Map in the Erie County Clerk's Office.

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

Supervisor:  
Councilman  
Councilman  
Councilman  
Councilman

Benedict T. Holtz  
Joseph A. Neibert  
Felix Wroblewski  
Stanley Bystrak  
Henry Nagel

Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 23

Councilman Wroblewski moved, seconded by Councilman Bystrak,

RESOLVED, that the Town Clerk be authorized and directed to issue Building Permits on applications processed by the Petitions Committee on June 12, 1954 and June 19, 1954, after same have been approved by the Building Inspector.

CARRIED: AYES: -5-

Item No. 24 Mr. Walter McLausland representing the Niagara Frontier Transit System was granted the floor and related the following to the Town Board;

"All we want is an extension of 900 feet and the people of Sloan are in favor of this. There were a number of people here at a previous meeting in regard to this matter. This route would help to facilitate traffic on a busy street. There is only a distance involved like from here to Harlem Avenue. We do not, and I think this Town Board does not want anything unforeseen to happen in the future in-so-far as an accident is concerned. We know the remedy is simple in this matter."

Section 5. The Town Clerk upon receipt of any such application approved by the Chief of Police, may issue a license to the applicant to place and permit the use upon the premises designated in the application of the coin-controlled amusement device described therein and in the manner therein specified.

A license shall be procured for each device so placed. A metal tag, bearing same number as the license, shall be obtained from the Town Clerk and securely attached to the licensed device.

Section 6. The Town Clerk shall not issue any license hereunder until the sum of Fifteen (\$15.00) Dollars therefor for each licensed device and the sum of One (\$1.00) Dollar for each tag shall expire on the 30th day of June next succeeding the date of its issuance.

Section 7. No license or tag shall be transferable from one device to another, nor from one location to another, without permission in writing from the Town Clerk.

Section 8. Any person who violates any provision hereunder in the manner prescribed by law.

Section 9. A person convicted of the violation of this section is punishable by imprisonment in the penitentiary or the County Jail for a term not to exceed ten days or by a fine of not less than Twenty-five (\$25.00) Dollars or not more than One Hundred (\$100.00) Dollars or both.

This ordinance shall take effect beginning with the 1st day of July, 1940.

Adopted by the Town Board of the Town of Cheektowaga, N. Y. May 20, 1940.

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 7th day of May, 1951 at 2:30 o'clock P.M. Eastern Daylight Saving Time, there were:

PRESENT:  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman

ABSENT:  
Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Councilman Neibert; presented the following resolution and moved its adoption:

WHEREAS, the Town Board of the Town of Cheektowaga on May 20, 1940, adopted an Ordinance to license coin controlled amusement devices not in violation of the State Law; and

WHEREAS, said Ordinance was amended by the Town Board on the 18th day of July, 1949, and

WHEREAS, the licensing of pinball machines is illegal and in violation of the law.

BE IT RESOLVED, that the Ordinance to license coin controlled amusement devices not in violation of State Law, as amended, in so far as it provides for the licensing of pinball amusement games, be repealed; and

BE IT FURTHER RESOLVED, that no applications for the licensing of pinball amusement games be accepted by the Town Clerk nor any action taken upon an application except to reject it; and

BE IT FURTHER RESOLVED, that all other provisions of said Ordinances, as amended, remain in full force and effect, in so far as the same relates to the issuance of licenses for coin controlled amusement devices not in violation of the law.

BE IT FURTHER RESOLVED, that the licensing of gambling devices, by whatever name called, is hereby prohibited.

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

Supervisor Holtz, Absent  
Councilman Neibert, Voting Aye  
Councilman Nagel, Voting Aye  
Councilman Bystrak, Absent  
Councilman Wroblewski, Voting Aye

AYES 3; NOES: 0; ABSENT 2.

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to published a certified copy of this resolution in the CHEEKTOWAGA TIMES and the CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

Supervisor Holtz, Voting Aye  
Councilman Bystrak, Voting Aye  
Councilman Nagel, Voting Aye  
Councilman Neibert, Voting Aye  
Councilman Wroblewski, Voting Aye

5 Ayes, Noes 0, Absent 0, Carried.  
State of New York )  
Erie County )

Office of the Clerk of the ) ss:  
Town of Cheektowaga )  
This is to certify that, I, ELIZABETH BINIASZ, Deputy 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 21st day of June, 1954, and

WHOLE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 24th day of June, 1954, 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

19\_\_\_\_

*Stanley*  
public in and for Erie County.

Item No. 24-Cont'd Two delegates from Sloan wish to know what is holding up the situation. They stated that they have over 700 signatures in favor of this bus service and why the Town Board does not render a decision on this matter.

The Chairman advised the delegation that the Board cannot render any decision, just like that. There are many matters to be taken into consideration. It has to be on a Town wide basis. We will render a decision on the 28th day of June, at a regular Town Board meeting.

Item No. 25 Mr. Mazur was granted the floor and requested information relating to the installation of water lines on Hurd and Alaska Street. Ordered referred to the Town Attorney.

Item No. 26 Mr. Bechloff of No. was granted the floor and requested information in relation to the paving of the above mentioned highway. Ordered referred to the Town Attorney and the Supervisor.

Item No. 27 Councilman Nagel moved, seconded by Councilman Bystrak, that all clai,s presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. ( Warrant No. 1131 to Warrant No. 1214, inclusive, drawn on the Supervisor.)

Item No. 28 Councilman Nagel moved, seconded by Councilman Wroblewski, to adjourn.

Elizabeth Biniasz

Deputy Town Clerk.

SEAL

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 28th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

ABSENT: -0-

Also present were: Town Clerk Hanley; Town Attorney Doyle; General Foreman Eberl; Chief of Police Mersmann; Town Historian Julia B. Reinstein; Receiver of Taxes & Assessments Pfohl; Town Engineer Kamm; Highway Superintendent Zablotny; Chairman of the Zoning Board of Appeals Kurnick and Assistant Building Inspector Trafalski.

Item No. 2 The Town Clerk advised the Board that a copy of the minutes of the previous meeting has been mailed to their respective homes.

Item No. 3 Petition presented for the improvement of McNaughton Avenue from Tillotson Avenue to the end of the street by the installation of Y-20 Street Lighting Standards. Ordered referred to the Board of Assessors for a property check by the chairman.

Item No. 4 Petition presented for a proposed Fire Protection District to cover the South Line Fire Company Independent Fire District. Ordered referred to the Assessors for a property check by the chairman.

Item No. 5 Communication read from the Erie County Highway Superintendent, relative to the erection of NO PARKING signs on Cleveland Drive, between Century Road and Cayuga Road. Ordered referred to the Town Attorney and Councilman Wroblewski by the chairman.

Item No. 6 Communication read from the Doyle Hose Company No. 1 inviting the Board to participate in their parade to be held on July 11, 1954, at 2:15 P.M. Ordered received, filed and to attend by the chairman.

Item No. 7 Communication read from Allan C. Christman, Attorney at Law, enclosing the petition of Constance A. Hirsch for permission to dig top soil in the Town. Ordered referred to the Town Attorney by the chairman.

Item No. 8 Petition presented for the erection of Children at Play signs on Marilyn Drive. Ordered referred to Councilman Wroblewski by the chairman.

Item No. 9 Councilman Wroblewski moved, seconded by Councilman Bystrak, **RESOLVED**, that the Town Clerk be authorized and directed to issue Building Permits on applications processed by the Petitions Committee on June 26, 1954, after same have been approved by the Building Inspector. **CARRIED: AYES: -5-**

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

WHEREAS, the Niagara Frontier Transit Company has applied to the Town Board to locate a bus turn-around at the corner of Broadway and Michael Street in the Town of Cheektowaga, and

WHEREAS, such turn-around is necessary in order to promote safety on Broadway and Wagner Avenue, and

WHEREAS, the Town of Cheektowaga, New York, granted to the Buffalo Transit Company and its predecessor, a franchise to operate busses on Broadway in the Town of Cheektowaga and its busses provide service to residents in the Town of Cheektowaga, be it

**RESOLVED**, that the request of the Niagara Frontier Transit Company to locate a turn-around at Broadway and Michael Street, be granted, upon condition that it erects on the premises toilet facilities for its employees, and be it further

**RESOLVED**, that its application to extend its franchise from Wagner Avenue to Michael Street be denied.

Item No. 10- Cont'd  
resulted as follows:

Seconded by Councilman Neibert and duly put to a vote which

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE on every phase of the resolution except the last paragraph.
Supervisor Holtz	Voting AYE

CARRIED: AYES: -5-.

Item No. 11  
adoption:

Councilman Nagel presented the following resolution and moved its

WHEREAS, it is necessary for the Town Highway Superintendent to rent or hire machinery or equipment at a rate to be approved by the Town Board, which shall not exceed a dailey rate to be fixed and prescribed by the State of New York and the County Highway Superintendent, be it

RESOLVED, that the Town Superintendent of Highways be authorized to rent or hire machinery or equipment for use on town highways when required, and that the Town pay the cost thereof from Item #3 of the Highway Budget.

Seconded by Councilman Wroblewski. CARRIED: AYES: -5-.

Item No. 12  
adoption:

Councilman Nagel presented the following resolution and moved its

WHEREAS, the Town Highway Superintendent and the Town Engineer have certified that Willshire Road has been paved in accordance with highway department specifications and town regulations and recommends its acceptance as a Town Highway, be it

RESOLVED, that Willshire Road, commencing at Cleveland Drive and ending at Amherst, be accepted as a Town Highway to be maintained by the Town Highway Department.

Seconded by Councilman Wroblewski. CARRIED: AYES: -5-.

Item No. 13  
its adoption:

Councilman Bystrak presented the following resolution and moved

RESOLVED, that the New York State Gas & Electric Company be authorized and directed to make the following changes or installations;

- 1- Install 1 2500 lumen street lamp in front of No. 42 Colton Street;
- 2- On Union Road from Como Park Boulevard to French Road, change all street lights from 1000 to 2500 lumen.
- 3- On Brown Street Pole No. 2 and 6, change from 1000 to 2500

lumens.

- 4- On Bennett Road on Poles No. 5, 4 and 5 E and 10E change from 1000 to 2500 lumens;

- 5- Seven lights from 100 to 2500 lumens beginning at Ludwig Street to William Street to Cayuga Creek Road and William Street;

- 6- All street lights in the Clinton Garden section to be changed to new over-head standards, no charge to the Town.

- 7- On Groell Street on Pole No. 4 and No. 3 change from 1000 to 2500 lumens;

- 8- One additional light to be installed on Pole No. 5 on Groell Street;
9. on Harlem Road from Clinton Street to Broadway- change all lights to over-head standards, no charge to the Town.

Seconded by Councilman Wroblewski. CARRIED: AYES: -5-.

Item No. 14  
adoption:

Councilman Neibert presented the following resolutio and moved its

RESOLVED, that the Niagara Mohawk Power Corporation be authorized and directed to place a shield on light pole No. 447 on Malpeview Road in the Town of Cheektowaga, New York.

Seconded by Councilman Nagel. CARRIED: AYES: -5-.

Item No. 15  
adoption:

Councilman Neibert presented the following resolution and moved its

RESOLVED, that the request of School District No. 2 to borrow two voting machines to be used at the July 13, 1954 school district election, be granted, and BE IT FURTHER RESOLVED,

that the Town Highway Department be authorized and directed to move same machines in time for said election.

Seconded by Councilman Bystrak. CARRIED: AYES: -5-.

Item No. 16  
adoption:

Councilman Nagel presented the following resolution and moved its

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RESOLVED, that with the exception of the Police Department all offices in the Town Hall be closed from Friday at 4:30 P.M. July 2, 1954 to Tuesday A.M., July 6, 1954, and be it further

RESOLVED, that during the months of July and August all offices except for a skeleton force to be determined by the Supervisor on Saturday mornings.

Seconded by Councilman Neibert..

CARRIED: AYES: -5-

Item No. 17  
its adoption:

Councilman Wroblewski presented the following resolution and moved

RESOLVED, that to name a street built recently by the New York State Thruway Authority to be named as Veterans Place. This street runs from Helen Street to Henry Street, the following to be notified of the change: United States Post Office; Assessors; and Highway Department and the County Clerk of Erie County.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-

Item No. 18

Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that the Zoning Board of Appeals schedule meetings once a

month, said meetings to be held either the second or third Wednesday of the month.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-

Item No. 19  
its adoption:

Councilman Wroblewski presented the following resolution and moved

RESOLVED, that Edward Janiak, Recreational Director, be authorized to purchase 2 Sectional Garages according to attached specifications at a cost not to exceed the sum of \$1,105.00.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-

Item No. 20  
its adoption:

Councilman Wroblewski presented the following resolution and moved

RESOLVED, that the request of Doyle Volunteer Hose Company No. 2 to close Willowlawn Parkway at Dingen thru to Griswold Street and Griswold Street from Meadowbrook Parkway thru to Pleasant Parkway, on July 2, 3 and 4 be granted, and

BE IT FURTHER RESOLVED, that their request to use a loud speaker on the above mentioned dated be granted.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-

Item No. 21  
adoption:

Councilman Neibert presented the following resolution and moved its

**RESOLUTION DATED JUNE 28, 1954 AUTHORIZING THE ISSUANCE OF TWO CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, NEW YORK, IN THE AMOUNT OF \$4,068.85 EACH TO PAY PART OF THE COST OF TWO 1954 CHEVROLET TRUCKS MODEL 6103, 135 H.P. Engine.**

BE IT RESOLVED, this 28th day of June, 1954 by the Town Board of the Town of Cheektowaga, New York, as follows:

Sec. 1. The object and purpose for which the obligations herein authorized are to be issued, is to pay a portion of the cost of two 1954 Chevrolet Trucks, Model 6103, 135 HP engine.

Sec 2. The plan for financing such object or purpose consists of the issuance of two capital notes of said Town of Cheektowaga in the amount of \$4,068.85 each, and by payment of the balance of the cost out of an allowance of \$1,778.14 for two 1948 Chevrolet C and Cab and the sum of \$428.30 from the highway machinery fund.

Sec.3 The amount of the capital notes hereby authorized to be issued is the total amount of \$8,137.70, to be divided equally in half, both notes to be dated June 28, 1954, for the sum of \$4,068.85 each. Onenote to become due and payable April 1, 1955 and the other note to become due and payable April 1, 1956.

Sec. 4 Said notes are to be sold by the Supervisor at a private sale to the ~~Manufacturers~~ and Traders Trust Company of Buffalo, New York, at par and accrued interest, and shall be payable as to principal and interest in lawfully money of the United States of America at the office of the Manufacturers and Traders Trust Company of Buffalo, New York, 284 Main Street, Buffalo, New York, and shall bear interest at the rate of Two Per Cent (2%) per annum, and shall be in such form and contain such terms and contents, consistent herewith and with Local Finance Law of the State of New York as the Supervisor shall determine.

Item No. 21 Cont'd

Sec 5. The period of probable usefulness of such object or purpose is hereby determined to be five (5) years.

Sec. 6. This Resolution shall take effect immediately.  
Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

Item No. 21 Cont'd

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA

Note No. 1

\$4,068.85

CAPITAL NOTE of 1954

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this note the sum of -

-FOUR THOUSAND SIXTY EIGHT DOLLARS and EIGHTY FIVE CENTS (\$4,068.85)

on the 1st day of April, 1955, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable April 1, 1955 and annually thereafter.

Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This note is issued for the aggregate principal sum of \$4,068.85 being one half the full amount required to pay the balance of the purchase of two (2) 1954 Chevrolet Trucks, Model 6103, 135 HP Engine.

This note is issued pursuant to the provisions of a resolution entitled "Resolution", dated June 28, 1954, authorizing the issuance of two Capital Notes of the Town of Cheektowaga, New York, in the amount of \$4,068.85 to pay part of the cost of two 1954 Chevrolet Trucks, Model 6103 135 HP Engine," duly adopted by the Town Board of Cheektowaga, New York, on June 28, 1954.

The faith and credit of such Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Statutes of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this note, exist have happened and have been performed, and that this note, together with all other indebtedness of such Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this note to be signed by its Supervisor, and its corporate seal to be hereunto affixed and attested by its Town Clerk and this note to be dated as of the \_\_\_\_\_ day of June, 1954.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BY: \_\_\_\_\_

SUPERVISOR

ATTEST:

\_\_\_\_\_  
TOWN CLERK

SEAL

NOTE NO. 2

CAPITAL NOTE OF 1954

\$ 4,068.85

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this note the sum of-

-FOUR THOUSAND SIXTY EIGHT DOLLARS AND EIGHTY FIVE CENTS-

(\$4,068.85)

on the 1st day of April, 1956, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum payable April 1, 1956 and annually thereafter.

Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company Buffalo, New York.

This note is issued for the aggregate principal sum of \$4,068.85 being one half the full amount required to pay the balance of the purchase price of two 1954 Chevrolet Trucks, Model 6103, 135 HP Engine.

This note is issued pursuant to the provisions of a resolution entitled "Resolution dated June 28, 1954, authorizing the issuance of two capital notes of the Town of Cheektowaga, New York, in the amount of \$4,068.85 to pay part of the cost of two 1954 Chevrolet Trucks, Model 6103, 135 HP Engine," duly adopted by the Town Board of Cheektowaga, New York, on June 28, 1954.

The faith and credit of such Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this note according to its terms.

It is hereby certified and recited that all conditions acts and things required by the Constitution and Statutes of the State of New York, to exist, to have happened and to have been performed precedent to and in the issuance of this note, exist have happened and have been performed, and that this note, together with all other indebtedness of such Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this note to be signed by its Supervisor, and its corporate seal to be hereunto affixed and attested by its Town Clerk and this note to be dated as of the \_\_\_\_ day of June, 1954.

Town of Cheektowaga, Erie County, New York.

BY: \_\_\_\_\_  
Supervisor

Attest:

\_\_\_\_\_ Town Clerk

SEAL

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

RESOLUTION, DATED JUNE 28, 1954 AUTHORIZING THE  
ISSUANCE OF TWO CAPITAL NOTES OF THE TOWN OF  
CHEEKTOWAGA, NEW YORK, IN THE AMOUNT OF \$3,053.93  
EACH TO PAY PART OF THE COST OF ONE 1954 REO  
TRUCK F-22 RB-1.

Item No. 22 Cont'd BE IT RESOLVED, this 28th day of June, 1954, by the Town Board of the Town of Cheektowaga, New York, as follows:

Sec. 1. The object and purpose for which the obligations herein authorized are to be issued, is to pay a portion of the cost of one 1954 Reo Truck F-22 RB-1.

Sec. 2. The plan for financing such object or purpose consists of the issuance of two capital notes of said Town of Cheektowaga in the amount of \$3,053.93 each, and by payment of the balance of the cost out of an allowance of \$1,079.65 for one old truck and the sum of \$321.47 from the highway machinery fund.

Sec. 3. The amount of the capital notes hereby authorized to be issued is the total amount of \$6,107.86, to be divided equally in half; both notes to be dated June 28, 1954, for the sum of \$3,053.93 each. One note to become due and payable April 1, 1955 and the other note to become due and payable April 1, 1956.

Sec. 4. Said notes are to be sold by the Supervisor at a private sale to the Manufacturers and Traders Trust Company of Buffalo, New York, at par and accrued interest, and shall be payable as to principal and interest in lawful money of the United States of America at the office of the Manufacturers and Traders Trust Company of Buffalo, New York, 284 Main Street, Buffalo, New York, and shall bear interest at the rate of Two Per Cent (2%) per annum, and shall be in such form and contain such terms and contents, consistent herewith and with the Local Finance Law of the State as the Supervisor shall determine.

Sec. 5. The period of probable usefulness of such object or purpose is hereby determined to be five (5) years.

Sec. 6. This resolution shall take effect immediately.

Seconded by Councilman Nagel.

Carried: Ayes : -5-

UNITED STATES OF AMERICA

STATE OF NEW YORK

COUNTY OF ERIE

TOWN OF CHEEKTOWAGA

Note No. 1

CAPITAL NOTE OF 1954

\$3,053.93

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this note the sum of-

-THREE THOUSAND FIFTY THREE DOLLARS AND NINETY THREE CENTS-

(\$3,053.93)

on the 1st day of April, 1955, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable April 1, 1955, and annually thereafter.

Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This note is issued for the aggregate principal sum of \$3,053.93, being one-half the full amount required to pay the balance of the purchase price of one 1954 Reo Truck F-22 RB-1.

This note is issued pursuant to the provisions of a resolution entitled "Resolution, dated June 28, 1954, authorizing the issuance of two capital notes of the Town of Cheektowaga, New York, in the amount of \$3,053.93 each to pay part of the cost of one 1954 Reo Truck F-22 RB-1", duly adopted by the Town Board of Cheektowaga, New York, on June 28, 1954.

The faith and credit of such Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Statutes of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this note, exist have happened and have been performed, and that this note, together with all other indebtedness of such Town of Cheektowaga, is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this note to be signed by its Supervisor, and its corporate seal to be hereunto affixed and attested by its Town Clerk and this note to be dated as of the \_\_\_ day of June, 1954.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BY: \_\_\_\_\_

SUPERVISOR

ATTEST \_\_\_\_\_

TOWN CLERK.

SEAL

NOTE NO. 2

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
TOWN OF CHEEKTOWAGA  
CAPITAL NOTE OF 1954

\$3,053.93

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this note the sum of-

-THREE THOUSAND FIFTY THREE DOLLARS AND NINETY THREE CENTS-

(\$3,053.93)

on the 1st day of April, 1956, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable April 1, 1956 and annually thereafter.

Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This note is issued for the aggregate principal sum of \$3,053.93, being one-half the full amount required to pay the balance of the purchase price of one 1954 Reo Truck F-22 RB-1.

This note is issued pursuant to the provisions of a resolution entitled "Resolution, dated June 28, 1954, authorizing the issuance of two Capital Notes of the Town of Cheektowaga, New York, in the amount of \$3,053.93 each to pay part of the cost of one 1954 Reo Truck F-22 RB-1", duly adopted by the Town Board of Cheektowaga, New York, on June 28, 1954.

The faith and credit of such Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Statutes of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this note, exist have happened and have been performed, and that this note, together with all other indebtedness of such Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York has caused this note to be signed by its Supervisor, and its corporate seal to be hereunto affixed and attested by its Town Clerk and this note to be dated as of the \_\_\_ day of June, 1954.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BY: \_\_\_\_\_ Supervisor

Attest: \_\_\_\_\_ Town Clerk.

SEAL

Item No. 23 This being the time and the place advertised for a public hearing for the purpose of considering a map and general plan describing proposed improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, and an estimate of the cost thereof, and that the Town Board will, at said time and place, hear all persons interested in the subject of such hearings and will receive all evidence offered which will enable the Town Board to determine, pursuant to the provisions of the Town Law of New York, whether it is in the public interest to make the improvements described in said map and general plan and estimate, either in whole or in part, and whether the property located within the boundaries of said District will be benefitted by the making of such improvements.

The improvements hereinbefore referred to are, described in a map and general plan dated June 11, 1954, prepared at the request of the Town Board by Nussbaumer, Clarke, and Velzy, Consulting Engineers, now on file in the office of the Town Clerk of the Town of Cheektowaga.

The Supervisor directed the Town Clerk to present proof of publication of the Notice of the Hearing.

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing, and no person or persons appearing in opposition to the proposed improvements, the following order and resolution was offered by Mr. Nagel, who moved its adoption, seconded by Mr. Wroblewski, to wit:

WHEREAS, the Town Board of the Town of Cheektowaga, in the County of Erie, has determined it to be necessary for the proper maintenance and service of the existing trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, to increase, improve, or reconstruct the facilities of such trunk sewer system and the appurtenances thereto, and, at the request of the Town Board, Nussbaumer Clarke and Velzy, who are competent Civil Engineers duly licensed by the State of New York, have prepared a map and general plan for the improvement of such trunk sewer system and for the increase of the facilities thereof and also an estimate of the expense thereof, and said map and general plan and estimate are dated June 11, 1954, and have been presented to the Town Board and have been filed in the office of the Town Clerk, and

WHEREAS, the Town Board is satisfied that none of the improvements described in said map and general plan includes any lateral sewer main authorized to be constructed pursuant to Section 199 of the Town Law of New York, and

WHEREAS, the Town Board did, on the 12th day of June, 1954, duly adopt an order which provided that the Town Board should meet at the Town Hall, corner of Broadway and Union Road, in said Town on the 28th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, on that day, to consider said map and general plan and estimate and the improvements therein described and to hear all persons interested therein concerning the same, and to take such action on the part of said Town Board with relation to said improvements as may be authorized and required by law, and

WHEREAS, a notice of said public hearing in the form prescribed by said resolution was published on the 17th day of June, 1954, in the Cheektowaga Times and in the Depew Herald & Cheektowaga News, official newspapers published in said Town, and copies of said notice were posted conspicuously in five public places within said District on the 17th day of June, 1954, all as shown by affidavits submitted to the Town Board, and

WHEREAS, said Town Board has, at the time and place specified in said order, considered said map and general plan and estimate and the making of the improvements therein described, and has heard all persons interested who have desired to be heard concerning the same, and has considered all evidence submitted at said time and place which will enable said Town Board to make the determinations hereinafter made;

NOW, THEREFORE,

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

(1) It is hereby determined that (a) all the property and property owners within said Sewer District No. 5 will be benefitted by the construction of said improvements; (b) all the property and property owners benefitted by the construction of said improvements are included in said Sewer District No. 5; and (c) it is in the public interest to authorize the construction of the improvements described in said map and general plan as set forth in said map and general plan.

(2) The improvements described in said map and general plan shall be constructed in accordance with said map and general plan, at a cost of not exceeding Nine Hundred Fifty Thousand Dollars (\$950,000).

(3) The Town Clerk is hereby directed to record a certified copy of this order in the office of the Clerk of the County of Erie pursuant to and in accordance with Section 195 of the Town Law.

The resolution was duly adopted, the vote being as follows:

Supervisor Benedict T. Holtz  
Councilman Felix Wroblewski  
Councilman Stanley Bystrak  
Councilman Henry Nagel  
Councilman Joseph A. Neibert

Voting AYE  
Voting AYE  
Voting NAYE ( No)  
Voting AYE  
Voting AYE

Item No. 24 JOHN M. KONSEK JR. DECISION OF THE ZONING BOARD OF APPEALS

In the Matter of the Application of

JOHN M. KONSEK JR.

To zone from Residence to Business property located on the east side of Union Road, Cheektowaga, New York.

The petitioner operates on the property a golf driving range and miniature golf. The property described in the petition has a frontage of 400 feet and a depth of approximately 200 feet.

The petitioner has some doubt as to the validity of the permit granted him by the Town Board to use that portion of the property not now zoned "Business" for the golf driving range. This property is located in an area which is not desirable for residence purposes. Union Road has become a very busy thorough-fare with many businesses and light manufacturing permitted in the area.

We recommend that the application to rezone from Residence to Business for the entire tract of land be granted.

A public hearing on this matter was held by the Zoning Board of Appeals on the 9th day of June, 1954, and all property owners in the immediate vicinity were notified and notice of hearing was duly published and posted as required by law.

A description of the property recommended for rezoning is as follows:

Eleven (11), more or less (7) of The Holland Light Company's Survey bounded and described as follows:

RESERVING and RESERVING the westerly line of said Lot Number Eleven (11) about the distance of a chain and seven (7) links from the (1) chain wide on the east side of Lot Number Eleven (11) at the distance of seventeen (17) chains and twenty-three (23) links north from the northwest corner of said lot; running thence westerly parallel with the north line of said Lot Number Eleven (11) a distance of fifty (50) links to a white oak post; thence westerly parallel with the westerly line of Lot Number Eleven (11) ten (10) chains, fifty-two (52) links to a white oak post; thence westerly parallel with the westerly line of said Lot Number Eleven (11) fourteen (14) chains and fifty-one (51) links to a white oak post on said west line; thence north along said westerly line of said lot which is the east line of Union Road, ten (10) chains and forty-two (42) links to the place of beginning, containing more or less twelve hundredths (12/100) acres of land according to a map of survey made by Tobias Wither Surveyor, dated March 10, 1889, and filed in the Office of the Clerk of the County of Erie on May

in a partitioned by Davis against Jones and others, the premises hereby conveyed being described and designated on said map and survey as "Lot Number Eleven (11)", and being the same premises described in a deed dated the 1st day of February, 1889, recorded in the Office of the Clerk of the County of Erie, in the State of New York, on the 3rd day of February, 1889, in Liber 250 of Deeds at Page 48, from Paulus Wither and Catherine, his wife, to Arthur Wither.

RESERVING AND RESERVING from the premises above described that portion thereof described in a map and description of said map and survey made by Tobias Wither Surveyor, dated March 10, 1889, and filed in the Office of the Clerk of the County of Erie on May 10, 1889, as being a portion of the premises above described and 200 feet in depth to be reserved for business).

Dated: June 26, 1954.

Leo Kurnick, Chairman  
Michael L. Henfling  
Joseph P. Kubera  
Lawrence M. Januszczak  
C.G. Hanson.

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

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

and others; the premises hereby conveyed being described and designated on said map and survey as "Lot Number Five (5)", and being the same premises described in a deed dated the 1st day of February, 1869, recorded in the Office of the Clerk of the County of Erie, in the State of New York, on the 3rd day of February, 1869, in Liber 250 of Deeds, at Page 48, from Paulus Durringer and Catherine, his wife, to Christiana Wildy.

EXCEPTING AND RESERVING from the premises above described that portion thereof described in a map and description of said map and parcel recorded in Erie County Clerk's Office in Liber 3838 of Deeds at Page 38 on February 20, 1946, and also excepting lands described in deed recorded in Erie County Office in Liber 5061 of Deeds at Page 264. (400 feet frontage by 200 feet in depth to be rezoned for business purposes.)

KENNETH T. HANLEY,  
Town Clerk,  
Town of Cheektowaga, N. Y.  
Dated: June 28, 1954.

**Ed's Printing**  
Edward J. Daniels, Prop.

Notary Public in and for Erie County.  
No. 51880

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the ..... day of July, 1954, 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 26 1954

....., 19.....

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

No. 51880

X

Posted as follows on the 2nd day of July, 1954:

1- Town Hall Bulletin Board.

In the Matter of the Application of Charles J. and Jane M. Schubauer to zone from "Residence District" to "Business District".

The petitioners desire to erect on the premises located on the east side of Harlem Road between Loretto Drive and Homesgarth Avenue, Cheektowaga, New York, a professional office building, one story in height, 30 feet by 30 feet of brick veneer construction. They plan to construct the building entirely on subdivision lot 319, also they have included in their request for rezoning subdivision lot 318.

We recommend that the request for rezoning be granted,

A public hearing on this matter was held by the Zoning Board of Appeals on the 16th day of June, 1954, at 7:30 o'clock P.M., to consider this application.

DESCRIPTION

All those tracts or parcels of land situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Farm Lot 27, Township 11, Range 7 of the Holland Land Company's Survey, and according to a map of Roycroft Park Subdivision filed in the Erie County Clerk's Office under Map Cover 1359, are known and distinguished as Subdivision Lots Numbers three hundred eighteen (318) and three hundred nineteen (319).

Harlem Road, east side, between Loretto Drive and Homesgarth Ave. (90 feet frontage by 135 feet in depth.)

Dated: June 20, 1954.

Leo H. Kurnick, Chairman  
Michael L. Henfling  
Joseph P. Kubera  
Lawrence M. Januszczyk  
C.G. Hanson

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

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication July 1, 1954; last publication July 1, 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 2<sup>nd</sup>

day of July, 1954

*Eve J. Allis*

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

Dated: June 26, 1954.

Leo Kurnick, Chairman  
Michael L. Henfling  
Joseph P. Kubera  
Lawrence M. Januszczak  
C.G. Hanson.

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

STATE OF NEW YORK  
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the ..... day of July, 1954, and the last insertion being on the ..... day of ....., 19....., and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

this ..... day of

1954

19.....

*T. Hanley*

Notary Public in and for Erie County.

as follows on the 2nd day of July, 1954:

in Hall Bulletin Board.

purpose of considering the application of John M. Konsek, Jr., for rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 26th day of June, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 26th day of June, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residence District to Business District, be and the same is hereby confirmed and approved.

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

DESCRIPTION

All that Tract or Parcel of Land, situate in the Town of Cheektowaga, in the County of Erie and State of New York, being part of Lot Number Eleven (11), Township Eleven (11), Range Seven (7) of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the westerly line of said Lot Number Eleven (11), being the east line of a road, now known as Union Road, one (1) chain wide, on the west side of Lot Number Eleven (11), at the distance of seventeen (17) chains and twenty-three (23) links south from the northwest corner of said lot; running thence westerly parallel with the north line of said Lot Number Eleven (11), fourteen (14) chains, fifty-one (51) links, to a soft maple post; thence south, parallel with the westerly line of Lot Number Eleven (11), ten (10) chains, forty-two (42) links, to a white oak post; thence westerly parallel with the said northerly line of said Lot Number Eleven (11) fourteen (14) chains and fifty-one (51) links to a white oak post on said west line; thence north along said westerly line of said lot, which is the east line of said Union Road, ten (10) chains and forty-two (42) links to the place of beginning, containing fifteen and twelve hundredths (15.12) acres of land, according to a map or survey made by Tobias Witmer, Surveyor, dated March 10, 1853, and filed in the Office of the Clerk of the County of Erie on May 25, 1853, with a decree in a partition action brought by Peter Davis against Joseph Neyerling and others; the premises hereby conveyed being described and designated on said map and survey as "Lot Number Five (5)", and being the same premises described in a deed dated the 1st day of February, 1869, recorded in the Office of the Clerk of the County of Erie, in the State of New York, on the 3rd day of February, 1869, in Liber 250 of Deeds, at Page 48, from Paulus Durringer and Catherine, his wife, to Christiana Wildy.

EXCEPTING AND RESERVING from the premises above described that portion thereof described in a map and description of said map and parcel recorded in Erie County Clerk's Office in Liber 3838 of Deeds at Page 38 on February 20, 1946, and also excepting lands described in deed recorded in Erie County Office in Liber 5061 of Deeds at Page 264.

(400 feet frontage by 200 feet in depth to be rezoned for business purposes.)

KENNETH T. HANLEY,  
Town Clerk,  
Town of Cheektowaga, N. Y.  
Dated: June 28, 1954.

In the Matter of the Application of Charles J. and Jane M. Schubauer to zone from "Residence District" to "Business District".

The petitioners desire to erect on the premises located on the east side of Harlem Road between Loretto Drive and Homesgarth Avenue, Cheektowaga, New York, a professional office building, one story in height, 30 feet by 30 feet of brick veneer construction. They plan to construct the building entirely on subdivision lot 319, also they have included in their request for rezoning subdivision lot 318.

We recommend that the request for rezoning be granted,

A public hearing on this matter was held by the Zoning Board of Appeals on the 16th day of June, 1954, at 7:30 o'clock P.M., to consider this application.

**DESCRIPTION**

All those tracts or parcels of land situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Farm Lot 27, Township 11, Range 7 of the Holland Land Company's Survey, and according to a map of Roycroft Park Subdivision filed in the Erie County Clerk's Office under Map Cover 1359, are known and distinguished as Subdivision Lots Numbers three hundred eighteen (318) and three hundred nineteen (319).

Harlem Road, east side, between Loretto Drive and Homesgarth Ave. (90 feet frontage by 135 feet in depth.)

Dated: June 26, 1954.

Leo H. Kurnick, Chairman  
Michael L. Henfling  
Joseph P. Kubera  
Lawrence M. Januszczyk  
C.G. Hanson

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

3



... from Residence District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 26th day of June, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 28th day of June, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residence District to Business District, be and the same is hereby confirmed and approved.

NOW, THEREFORE, BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance," be and the same hereby is amended by changing the zoning map so as to change the following described property from that of "residence district" to "business district":

**DESCRIPTION**

All those tracts or parcels of land situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Farm Lot 27, Township 11, Range 7 of the Holland Land Company's Survey, and according to a map of Roycroft Park Subdivision filed in the Erie County Clerk's Office under Map Cover 1359, are known and distinguished as Subdivision Lots Numbers three hundred eighteen (318) and three hundred nineteen (319).

Harlem Road, east side, between Loretto Drive and Homesgarth Ave. (90 feet frontage by 135 feet in depth.)

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

Dated: June 28, 1954.

C

Posted as follows on the 2nd day of July, 1954;

1- Town Hall Bulletin Board.

**L.C.B. SERVICE CORPORATION RE-ZONING GRANTED.**

In the Matter of the Application of  
L.C.B. SERVICE CORPORATION

To zone from "Residence District" to "First Industrial District" property located on Union Road, Cheektowaga, New York.

The petitioner desires to erect on the premises on the west side of Union Road, north of the West Shore Railroad, food warehouse and offices. There are like industries located in this area. No buildings are to be erected on the premises within 50 feet of the west line of Union Road, nor is there to be any permanent open storage or any personal property within 100 feet of the west line of Union Road.

We recommend that the request for rezoning from Residence to First Industrial be granted subject to the aforementioned conditions.

A public hearing on this matter was held by the Zoning Board of Appeals on the 9th day of June, 1954, at 7:30 o'clock P.M., to consider this application. The following is a description of the property set forth in the application.

**ALL THAT TRACT OR PARCELS OF LAND, situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number 17, Township 11, Range 7 of the Holland Land Company's survey, further described as follows:**

**BEGINNING** at the point of intersection of the westerly line of Union Road (100 feet wide) and the northwesterly line of the New York Central Railroad (West Shore) right of way and running thence (1) northerly along the said west line of Union Road 180 feet to a point, thence (2) westerly along a line drawn at right angles to said westerly line of Union Road, 98; thence (3) northwesterly 28.28 feet to a point 113 feet west of the west line of Union Road and 20 feet northerly measured at right angles from an extension westerly of the last described course, thence (4) westerly 217 feet along a line drawn parallel to an extension westerly of the second described course and 20 feet northerly therefrom to a point on a line drawn parallel to the west line of Union Road and 330 feet westerly therefrom, thence (5) southerly 366.04 feet along said line drawn parallel to the west line of Union Road and 330 feet westerly therefrom to the southwest corner of the land now owned by Helen M. and Lucina C. Lutz, thence (6) easterly 54.76 feet along the southerly line of the land owned by Helen M. and Lucina C. Lutz to said northwest line of the New York Central Railroad (West Shore) right of way, thence (7) northeasterly 320 feet along said northwesterly line of the New York Central Railroad (West Shore) right of way to the point or place of beginning.

(Union Road, with side, north of the West Shore Trunks, approximately 2 acres.)

Dated: June 26, 1954

Leo H. Kurnick, Chairman  
Michael L. Henfling  
Joseph P. Kubera  
Lawrence M. Januszcak  
C.G. Hanson

Times;

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

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 July 1, 1954; last publication July 1, 1954; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 2<sup>nd</sup>

day of July, 1954

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, 1955  
Registered No. 5029

Posted as follows on the 2nd day of July, 1954;

1- Town Hall Bulletin Board.

Whereas the Zoning Board of Appeals held a public hearing on the 24th day of June, 1954, for the purpose of considering the application of L. C. B. Service Corporation for the rezoning from Residential District to First Industrial District of the property hereinafter described, and amending the Zoning Map and Ordinances accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS the Zoning Board of Appeals on the 26th day of June, 1954, having rendered its decision granting the application of petitioner to rezone from residence district to first industrial district the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon the 28th day of June, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone premises from Residence District to First Industrial District, be and the same is hereby confirmed and approved.

NOW, THEREFORE

BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942 and as now amended, entitled "Zoning Ordinance" be and the same hereby is amended by changing the zoning map so as to change the following described property from that of "Residence District" to "First Industrial District."

DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number 17, Township 11, Range 7 of the Holland Land Company's survey, further described as follows:

BEGINNING at the point of intersection of the westerly line of Union Road (100 feet wide) and the northwesterly line of the New York Central Railroad (West Shore) right of way and running thence (1) northerly along the said west line of Union Road 190 feet to a point, thence (2) westerly along a line drawn at right angles to said westerly line of Union Road, 93; thence (3) northwesterly 23.28 feet to a point 113 feet west of the west line of Union Road and 20 feet northerly measured at right angles from an extension westerly of the last described course, thence (4) westerly 217 feet along a line drawn parallel to an extension westerly of the second described course and 20 feet northerly therefrom to a point on a line drawn parallel to the west line of Union Road and 330 feet westerly therefrom, thence (5) southerly 365.04 feet along said line drawn parallel to the west line of Union Road and 330 feet westerly therefrom to a point on the west line of Union Road, thence (6) southerly 24.25 feet along the southerly line of the land owned by Helen M. and Lucina C. Lutz to said northwest line of the New York Central Railroad (West Shore) right of way, thence (7) northeasterly 320 feet along said northwesterly line of the New York Central Railroad (West Shore) right of way to the point or place of beginning.

(Union Road, west side, north of the West Shore Tracks, approximately 2 acres.)

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

Dated June 28, 1954.

Posted at \_\_\_\_\_ of July, 1954;  
1- Town \_\_\_\_\_

Item No. 27 Councilman Nagel moved, seconded by Councilman Neibert, that the names submitted by the Erie County Republican Chairman and the Erie County Democratic Chairman to act as Election Inspectors for the year 1954 be approved and that same list be placed on file in the Town Clerk's Office. Carried;AYES: -5-.

Item No. 28 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. (Warrant No. 1215 to 1232, inclusive, drawn on the Supervisor).

Item No. 29 Councilman Nagel moved, seconded by Councilman Wroblewski, to adjourn.

Kenneth T. Hanley

Town Clerk.

SEAL

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 12th day of July, 1954, at 2:30 o'clock P.M., Eastern Daylight Savings Time, there were:

PRESENT:	Benedict T. Holtz	Supervisor
	Henry J. Nagel	Councilman
	Felix T. Wroblewski	Councilman
	Joseph A. Neibert	Councilman
	Stanley R. Bystrak	Councilman

Also present were: Town Clerk Hanley; Town Attorney Doyle; Receiver of Taxes & Assessments Pfohl; Chief of Police Mersmann; General Foreman Eberl; Town Engineer Kamm; Chairman of the Board of Assessors Jerzewski; Assistant Building Inspector Trafalski and Dog Warden Kraska.

Item No. 2 The Town Clerk advised the Board that the minutes of the previous meeting have been placed on their respective desks in the Council Chamber.

Item No. 3 Petition presented for the installation of curbs, receiver and underground drains on Peoria Street. Ordered referred to the Board of Assessors for a property check by the Chairman.

Item No. 4 Communication read from Mr. Samuel R. Bennett, Supervising Principal of the Maryvale School System relating to cinder path and tile to be placed across the strip to the west of Union Road opposite the North Hill entrance. Ordered referred to Councilman Nagel by the Chairman.

Item No. 5 This being the time and the place advertised for a public hearing for the improvement of that portion of Genesee Street extending from Wood Place, northeasterly to Beechwood Place, and Beechwood Place for its entire length from Genesee Street north to Greenwood Place, by the construction of a lateral sewer in said highways so as to serve both sides thereof.

The Supervisor directed the Town Clerk to present proof of publication of the Notice of the Hearing. The Town Clerk presented proof that such notice has been duly published and posted and upon order of the Supervisor such proof was duly filed.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing, and no person or persons appearing in opposition thereof, the Chairman ordered the hearing closed and decision be reserved and that the matter be referred to the Town Attorney and the Town Engineer.

Item No. 6 Councilman Wroblewski moved, seconded by Councilman Bystrak, that the Town Clerk be authorized and directed to issue all building permits on applications processed by the Petitions Committee on June 26, 1954; July 10th, 1954 and July 12th, 1954, after same have been approved by the Building Inspector.

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

WHEREAS, the arch of fire brick in the Incinerators Plants Combustion Chambers collapsed and it was necessary to close down operations due to the fire escaping through this wall and an emergency exists and repairs must be made immediately in order to put the Incinerator back into operation again and,

WHEREAS, the K and L Refractory Company, 1025 Ash Street, Erie, Pennsylvania, a company experienced in this work has offered to make the necessary repairs and to furnish all materials and labor in connection therewith for the sum of \$3,279.50,

BE IT RESOLVED, that the Supervisor be authorized to enter into a contract with the said company, the K & L Refractory Company to make the repairs under the supervision of the Town Engineer at a cost not to exceed this \$3,279.50.

Seconded by Councilman Wroblewski. CARRIED: AYES: 5-.

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

WHEREAS, the Town Board has heretofore determined it to be in the public interest to authorize the construction of certain improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, New York, at a cost not exceeding Nine Hundred and Fifty Thousand Dollars, (\$950,000.00) more particularly set forth in a map and general plan and estimate prepared by Nussbaumer, Clarke and Velzy, Consulting Engineers, duly licensed by the State of New York, which said map and general plan and estimate are dated June 11, 1954, and

WHEREAS, SAID ENGINEERS HAVE PREPARED DEFINITE PLANS AND specifications for a portion of said improvement, together with a careful estimate of the expense thereof, and with the assistance of the Town Attorney a proposed contract for the execution of the work in accordance with the directions of this Town Board and the same have been filed with the Town Clerk,

NOW, THEREFORE,

BE IT RESOLVED, that such plans, specifications and contract are hereby approved and the estimate of the cost thereof in the amount of \$500,000.00 is hereby approved, and be it further

RESOLVED, that sealed proposals be invited for the furnishing of the labor and materials necessary for the doing of said work in accordance with said plans, specifications, estimate and proposed contract, by the publishing of a notice thereof on July 29th, 1954 and August 5th, 1954, in the Cheektowaga Times and the Depew Herald & Cheektowaga News, which are official newspapers of this Town and which notice shall provide that such person who shall offer to do the work shall file a sealed proposal of offer to do the work, with a certified check for a sum equal to five per centum (5%) of the amount of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga or a bond with sufficient sureties to be approved by the Town Attorney in a penal sum equal to five per centum (5%) of the amount of the bid, conditioned that if his proposal is accepted he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract, and be it further

RESOLVED, that the Town Board meet on the 16th day of August, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time, at the Town Hall in the Town of Cheektowaga, New York, to accept bids in accordance with a notice to contractors as hereinafter setforth, be it further

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

**NOTICE TO CONTRACTORS**  
**NOTICE IS HEREBY GIVEN**  
that pursuant to a resolution of the Town Board of the Town of Cheektowaga, County of Erie, State of New York, sealed proposals shall be received and considered by said Town Board on the 16 day of August, 1954, at 7:30 o'clock P.M. Eastern Daylight Time, in the Town Hall in the Town of Cheektowaga, Erie Coun-

ty, New York, for furnishing all materials and equipment, together with all labor for the construction of additions to and remodeling of the Sewage Treatment Plant to serve Sanitary Sewer District No. 5, in accordance with proposed contract documents, plans, specifications, and instructions to bidders, prepared by Newell L. Nussbaumer, Irving Clarke and Charles R. Velzy, Consulting Engineers, doing business as Nussbaumer, Clarke and Velzy, consulting engineers for the Town of Cheektowaga, New York, and approved by the Town Board of said Town, all of which are on file with the Town Clerk in his office in the Town Hall, where same may be examined during the usual business hours. Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be examined or secured at the office of the Consulting Engineers, Nussbaumer, Clarke & Velzy, 327 Franklin Street, Buffalo 2, New York. One copy of said documents may be obtained upon payment of \$50.00. Any bidder, upon returning such copy in good condition within thirty (30) days following the receipt of bids, will be refunded \$50.00, and any non-bidder upon so returning such copy will be refunded \$25.00.

Each proposal must be accompanied by a certified check or bid bond in the amount of five (5) per cent of the amount of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Additions to and Remodelling Sewage Treatment Plant serving Sanitary Sewer District No. 5."

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities in, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

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

Dated: July 12, 1954  
KENNETH T. HADLEY,  
Town Clerk

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting <b>NAYE</b>
Supervisor Holtz	Voting AYE

Carried: Ayes: -4-

Nayes: -1-

Hereto attached are copies of the notice published in the Cheektowaga Times and the Depew Herald & Cheektowaga News:

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

*Willard C. Allis*, of the  
~~Town of Cheektowaga~~, in said County of Erie, be-  
 ing duly sworn, deposes and says that *he* is  
*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 news-  
 paper is a copy, was inserted and published in  
 said paper once a week for *two* weeks; first  
 publication *JUL 29 1954*;  
 last publication *AUG 5 1954*;  
 and that no more than six days intervened be-  
 tween publications.

*Willard C. Allis*

Sworn to before me this .....  
 day of *AUG 5 1954*, 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, 1956  
 Registered No. 5029

WHEREAS, SAID ENGINEERS HAVE PREPARED DEFINITE PL specifications for a portion of said improvement, together with a care of the expense thereof, and with the assistance of the Town Attorney a contract for the execution of the work in accordance with the directio Town Board and the same have been filed with the Town Clerk,

NOW, THEREFORE,

BE IT RESOLVED, that such plans, specifications a are hereby approved and the estimate of the cost thereof in the amount \$500,000.00 is hereby approved, and be it further

RESOLVED, that sealed proposals be invited for tl of the labor and materials necessary for the doing of said work in acco said plans, specifications, estimate and proposed contract, by the publi of a notice thereof on July 29th, 1954 and August 5th, 1954, in the Che Times and the Depew Herald & Cheektowaga News, which are official news of this Town and which notice shall provide that such person who shall the work shall file a sealed proposal of offer to do the work, with a c check for a sum equal to five per centum (5%) of the amount of the bid, to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowag with sufficient sureties to be approved by the Town Attorney in a penal five per centum (5%) of the amount of the bid, conditioned that if his accepted he will enter into a contract for the same and that he will ex security as may be required for the faithful performance of the contrac

RESOLVED, that the Town Board meet on the 16th day at 7:30 o'clock P.M., Eastern Daylight Saving Time, at the Town Hall in Cheektowaga, New York, to accept bids in accordance with a notice to co hereinafter setforth, be it further

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

**NOTICE TO CONTRACTORS**  
**NOTICE IS HEREBY GIVEN**  
 Pursuant to a resolution of the Town Board of the Town of Cheektowaga, County of Erie, State of New York, sealed proposals shall be received and considered by said Town Board on the 16 day of August, 1954, at 7:30 o'clock P.M. Eastern Daylight Time, in the Town Hall in the Town of Cheektowaga, Erie County, New York, for furnishing all materials and equipment, together with all labor for the construction of additions to and remodeling of the Sewage Treatment Plant to serve Sanitary Sewer District No. 5, in accordance with proposed contract documents, plans, specifications, and instructions to bidders, prepared by Newell L. Nussbaumer, Irving Clarke and Charles R. Velzy, Consulting Engineers, doing business as Nussbaumer, Clarke and Velzy, consulting engineers for the Town of Cheektowaga, New York, and approved by the Town Board of said Town, all of which are on file with the Town Clerk in his office in the Town Hall, where same may be examined during the usual business hours. Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be examined or secured at the office of the Consulting Engineers, Nussbaumer, Clarke & Velzy, 327 Franklin Street, Buffalo 2, New York. One copy of said documents may be obtained upon payment of \$50.00. Any bidder, upon returning such copy in good condition within thirty (30) days following the receipt of bids, will be refunded \$50.00, and any non-bidder upon so returning such copy will be refunded \$25.00.

Each proposal must be accompanied by a certified check or bid bond in the amount of five (5) per cent of the amount of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bid shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Additions to and Remodelling Sewage Treatment Plant serving Sanitary Sewer District No. 5."

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities in, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York  
 Dated: July 12, 1954  
 KENNETH T. HANLEY,  
 Town Clerk

#### Sewer System Improvements

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 12th day of July, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, there were:

#### PRESENT:

Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman

#### ABSENT: None.

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board has heretofore determined it to be in the public interest to authorize the construction of certain improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, New York, at a cost not exceeding Nine Hundred and Fifty Thousand Dollars (\$950,000.00) more particularly set forth in a map and general plan and estimate prepared by Nussbaumer, Clarke and Velzy, Consulting Engineers, duly licensed by the State of New York, which said map and general plan and estimate are dated June 11, 1954, and

WHEREAS, said engineers have prepared definite plans and specifications for a portion of said improvements, together with a careful estimate of the expense thereof, and with the assistance of the Town Attorney a proposed contract for the execution of the work in accordance with the directions of this Town Board and the same have been filed with the Town Clerk.

#### NOW, THEREFORE,

BE IT RESOLVED, that such plans, specifications and contract are hereby approved and the estimate of the cost thereof in the amount of \$500,000.00 is hereby approved, and be it further,

RESOLVED, that sealed proposals be invited for the furnishing of the labor and materials necessary for the doing of said work in accordance with said plans, specifications, estimate and proposed contract, by the publishing of a notice thereof on July 20th and August 5th, 1954 in the CHEEKTOWAGA TIMES and the "Depew Herald and Cheektowaga News" which are official newspapers of this Town and which notice shall provide that such person who shall offer to do the work shall file a sealed proposal of offer to do the work, with a certified check for a sum equal to five per centum (5%) of the amount of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney in a penal sum equal to five per centum (5%) of the amount of the bid, conditioned that if his proposal is accepted he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract, and be it further

RESOLVED, that the Town Board meet on the 16th day of August, 1954 at 7:30 o'clock P.M. Eastern Daylight Saving Time, at the Town Hall in the Town of Cheektowaga, New York to accept bids in accordance with a notice to contractors as hereinafter set forth. Be it further

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

#### NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, County of Erie, State of New York, sealed proposals shall be received and considered by said Town Board on the 16th day of August, 1954, at 7:30 o'clock P.M. Eastern Daylight Saving Time, in the Town Hall in the Town of Cheektowaga, Erie County, New York, for furnishing all materials and equipment, together with all labor for the construction of additions to and remodeling of the Sewage Treatment Plant to serve Sanitary Sewer District No. 5, in accordance with proposed contract documents, plans, specifications, and instructions to bidders, prepared by Newell L. Nussbaumer, Irving Clarke and Charles R. Velzy, Consulting Engineers, doing business as Nussbaumer, Clarke & Velzy, consulting engineers for the Town of Cheektowaga, New York, and approved by the Town Board of said Town, all of which are on file with the Town Clerk in his office in the Town Hall, where same may be examined during the usual business hours. Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be examined or secured at the office of the Consulting Engineers, Nussbaumer, Clarke & Velzy, 327 Franklin Street, Buffalo 2, New York. One copy of said documents may be obtained upon payment of \$50.00. Any bidder, upon returning such copy in good condition

and any non-bidder upon so returning such copy will be refunded \$25.00.

Each proposal must be accompanied by a certified check or bid bond in the amount of five (5) per cent of the amount of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Additions to and Remodeling Sewage Treatment Plant serving Sanitary Sewer District #5."

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance

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

Councilman Nagel	Voting AYE
Councilman wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting <del>NA</del> YE
Supervisor Holtz	Voting AYE

Carried: Ayes: -4-

Nayes: -1-

Hereto attached are copies of the notice published in the Cheektowaga Times and the Depew Herald & Cheektowaga News:

... a check or bid bond in the amount of five (5) per cent of the amount of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Additions to and Remodelling Sewage Treatment Plant serving Sanitary Sewer District #5."

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities in, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

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

KENNETH T. HANLEY  
Town Clerk

Dated: July 12, 1954

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

Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting

Aye.

Councilman Neibert, voting Aye.

Councilman Bystrak, voting No.

AYES: 4 NOES: 1 ABSENT: 0

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 12th day of July 1954, 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 12th day of July, 1954.

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

STATE OF NEW YORK

Councilman Neibert, Voting Aye, AYES: 4; NOES: 1; ABSENT: 0. State of New York Erie County Office of the Clerk of the ) ss: Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 12th day of July, 1954, 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 12th day of July, 1954. KENNETH T. HANLEY, Clerk of the Town Board, Town of Cheektowaga, N.Y.

Was charged with the duties sworn to before me this ... day of ... Led by the booming bat of Carol Kwitkowski, St. Aug. out-slugged the Bownessville Girls by a score of 23-12 at the Central diamond. Carol banged out four singles and a homerun for the winners. Carol Conard hit a circuit for the losers. Pat Kozel was the winning hurler and Jacke Moore the loser. League standings: Kicks 0, N. Side B. 1, Depew Merchants 2, Depew BC 2, SSSP 1, Colonial Bakery 0, Ed's Plumbing 4, Depew BC 4, SSSP 2.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ... week, the first insertion being on the 29th day of July, 1954, 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

AUG 16 1954, 19...

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

1452000

Item No. 9 This being the time and the place advertised for a public hearing for the purpose of amending the Zoning Ordinances of the Town of Cheektowaga, New York, to fix fees to be paid for all matters referred to or considered by the Zoning Board of Appeals, to in part reimburse the Town for expenses incurred in matters referred to or considered by the Zoning Board of Appeals.

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing and no person appearing in opposition to the proposed amendments, Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board at a regular meeting on the 21st day of June, 1954, adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on the 12th day of July, 1954, at 2:30 o'clock P.M., E.D.S.T., for the purpose of considering the advisability to amend the Zoning Ordinances of the Town of Cheektowaga, New York, to fix the fees to be paid for all matters referred to or considered by the Zoning Board of Appeals, to in part reimburse the Town for the expenses incurred in matters referred to or considered by the Zoning Board of Appeals, 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 amend Section 29, of the Zoning Ordinance of the Town of Cheektowaga, New York, so as to add thereto Paragraph 12, be it

RESOLVED, that Section 29 of the Zoning Ordinances of the Town of Cheektowaga, New York, be amended so as to add thereto Paragraph 12 to provide as follows:

FEES

Fees to be paid by applicant to the Town clerk for matters referred to or considered by the Zoning Board of Appeals.

Request for rezoning.....\$40.00

Request for granting of variances, except as to modification of area of rear yards and side yards..... 40.00

Appeals to the Zoning Board of Appeals..... 40.00

Applications for permit by public utilities in residence and business district, under Section 17 of the Zoning Ordinances..... 40.00

Application for side yard and rear yard variances 20.00

BE IT FURTHER 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 Cheektowaga Times and the Depew Herald & Cheektowaga News, newspapers having general circulation in said Town and being official newspapers thereof. That the Town Clerk post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerks' Office a certified copy of this resolution and affidavits of the publication and posting thereof shall be filed with the Town Clerk.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -0-

Posted as follows on the 17th day of July, 1954:

1- Town Hall Bulletin Board.

Hereto attached are copies of the notice published in the Cheektowaga Times and the Depew Herald & Cheektowaga News.

... Town Hall ...  
... P.M. ...  
... Time, there were:

PRESENT:  
Benjamin T. Holtz, Supervisor  
Henry J. Nagel, Councilman,  
Felix T. Wroblewski,  
Councilman  
Joseph A. Nelbert, Councilman,  
Stanley R. Bystrak, Councilman

ABSENT: 0.  
Councilman Nelbert presented the following resolution and moved its adoption:

WHEREAS, the Town Board has heretofore determined it to be in the public interest to authorize the construction of certain improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, New York, at a cost not exceeding Nine Hundred and Fifty Thousand Dollars, (\$950,000.00) more particularly set forth in a map and general plan and estimate prepared by Nussbaumer, Clarke and Velzy, Consulting Engineers, duly licensed by the State of New York, which said map and general plan and estimate are dated June 11, 1954, and

WHEREAS, said engineers have prepared definite plans and specifications for a portion of said improvements, together with a careful estimate of the expense thereof, and with the assistance of the Town Attorney a proposed contract for the execution of the work in accordance with the directions of this Town Board and the same have been filed with the Clerk.

NOW, THEREFORE,  
BE IT RESOLVED, that such plans, specifications and contract are hereby approved and the estimate of the cost thereof in the amount of \$500,000.00 is hereby approved, and be it further

RESOLVED, that sealed proposals be invited for the furnishing of the labor and materials necessary for the doing of said work in accordance with said plans, specifications, estimate and proposed contract, by the publishing of a notice to that effect on the 29th day of August, 1954, in the Cheektowaga Herald and News.

... to be approved by the Town Attorney in a penal sum equal to five per centum (5%) of the amount of the bid, conditioned that if his proposal is accepted he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract, and be it further

RESOLVED, that the Town Board meet on the 16th day of August, 1954 at 7:30 o'clock P.M. Eastern Daylight Saving Time, at the Town Hall in the Town of Cheektowaga, New York to accept bids in accordance with a notice to contracts as hereinafter set forth. Be it further

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

NOTICE TO CONTRACTORS  
NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, County of Erie, State of New York, sealed proposals shall be received and considered by said Town Board on the 16 day of August, 1954, at 7:30 o'clock P.M. Eastern Daylight Time, in the Town Hall in the Town of Cheektowaga, Erie County, New York, for furnishing all materials and equipment, together with all labor for the construction of additions to and remodeling of

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the 29th day of July, 1954, 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

19.....

and for Erie County.

Item No. 9 This being the time and the place advertised for a public hearing for the purpose of amending the Zoning Ordinances of the Town of Cheektowaga, New York, to fix fees to be paid for all matters referred to or considered by the Zoning board of Appeals, to in part reimburse the Town for expenses incurred in matters referred to or considered by the Zoning Board of Appeals.

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing and no person appearing in opposition to the proposed amendments, Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board at a regular meeting on the 21st day of June, 1954, adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on the 12th day of July, 1954, at 2:30 o'clock P.M., E.D.S.T., for the purpose of considering the advisability to amend the Zoning Ordinances of the Town of Cheektowaga, New York, to fix the fees to be paid for all matters referred to or considered by the Zoning Board of Appeals, to in part reimburse the Town for the expenses incurred in matters referred to or considered by the Zoning Board of Appeals, 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 amend Section 29, of the Zoning Ordinance of the Town of Cheektowaga, New York, so as to add thereto Paragraph 12, be it

RESOLVED, that Section 29 of the Zoning Ordinances of the Town of Cheektowaga, New York, be amended so as to add thereto Paragraph 12 to provide as follows:

FEEES

Fees to be paid by applicant to the Town clerk for matters referred to or considered by the Zoning Board of Appeals.

Request for rezoning.....\$40.00

Request for granting of variances, except as to modification of area of rear yards and side yards..... 40.00

Appeals to the Zoning Board of Appeals..... 40.00

Applications for permit by public utilities in residence and business district, under Section 17 of the Zoning Ordinances..... 40.00

Application for side yard and rear yard variances 20.00

BE IT FURTHER 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 Cheektowaga Times and the Depew Herald & Cheektowaga News, newspapers having general circulation in said Town and being official newspapers thereof. That the Town Clerk post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerks' Office a certified copy of this resolution and affidavits of the publication and posting thereof shall be filed with the Town Clerk.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -0-

Posted as follows on the 17th day of July, 1954:

1- Town Hall Bulletin Board.

Hereto attached are copies of the notice published in the Cheektowaga Times and the Depew Herald & Cheektowaga News.

forth. Be it further  
RESOLVED, that said Notice to  
Contractors be in substantially the  
following form, to wit:

**NOTICE TO CONTRACTORS**  
NOTICE IS HEREBY GIVEN  
that pursuant to a resolution of  
the Town Board of the Town of  
Cheektowaga, County of Erie,  
State of New York, sealed propo-  
sals shall be received and consid-  
ered by said Town Board on the  
16 day of August, 1954, at 7:30  
o'clock P.M. Eastern Daylight  
Time, in the Town Hall in the  
Town of Cheektowaga, Erie Coun-  
ty, New York, for furnishing all  
materials and equipment, together  
with all labor for the construc-  
tion of additions to and remodel-  
ing of the Sewage Treatment  
Plant to serve Sanitary Sewer  
District No. 5, in accordance with  
proposed contract documents,  
plans, specifications, and instruc-  
tions to bidders, prepared by  
Nugell L. Nussbaumer, Irving Clarke  
and Charles R. Velzy, Consulting  
Engineers, doing business as Nuss-  
baumer, Clarke and Velzy, con-  
sulting engineers for the Town of  
Cheektowaga, New York, and ap-  
proved by the Town Board of  
said Town, all of which are on  
file with the Town Clerk in his  
office in the Town Hall, where  
same may be examined during the  
usual business hours. Copies of  
the proposed contract documents,  
plans, specifications, and instruc-  
tions to bidders may be examined  
or secured at the office of the  
Consulting Engineers, Nussbaumer,  
Clarke & Velzy, 327 Franklin  
Street, Buffalo 2, New York. One  
copy of said documents may be  
obtained upon payment of \$50.00.  
Any bidder, upon returning such  
copy in good condition within  
thirty (30) days following the re-  
ceipt of bids, will be refunded  
\$50.00, and any non-bidder upon so  
returning such copy will be re-  
funded \$25.00.

Each proposal must be accom-  
panied by a certified check or bid  
bond in the amount of five (5)  
per cent of the amount of the bid,  
payable to the order of Benedict  
T. Holtz, Supervisor of the Town  
of Cheektowaga. The bond shall  
be approved by the Town Attor-  
ney.

Proposals shall be submitted in  
sealed envelopes, plainly marked  
on the outside "Additions to and  
Remodelling Sewage Treatment  
Plant serving Sanitary Sewer Dis-  
trict No. 5."

No bidder may withdraw his bid  
within sixty (60) days after the  
actual date of the opening there-  
of.

A surety bond by a company  
satisfactory to the Town Board  
and in an amount not less than  
100% of the contract price will be  
required of the successful bidder.

The Town Board reserves the  
right to consider informal any bid  
not prepared and submitted in ac-  
cordance with the provisions of  
the specifications and contract  
documents, and may waive any  
informalities in, make an award to  
other than the low bidder, should  
it be in the best interests of the  
Town, or reject any and all bids.

By order of the Town Board of  
the Town of Cheektowaga, Erie  
County, New York.  
Dated: July 12, 1954

KENNETH T. HANLEY,  
Town Clerk

Seconded by Councilman Wro-  
blewski and duly put to a vote  
which resulted as follows:  
Supervisor Holtz, Voting Aye,  
Councilman Bystrak, Voting No,  
Councilman Nagel, Voting Aye,  
Councilman Wroblewski,

Councilman Nelbert, Voting Aye,  
AYES: 4; NOES: 1; ABSENT: 0.  
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 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 12th day of  
July, 1954, and that the same is a  
correct and true transcript of such  
original resolution and the whole  
thereof.

In Witness Whereof, I  
have hereunto set my  
(seal) hand and affixed the seal  
of said Town this 12th day  
of July, 1954.

KENNETH T. HANLEY,  
Clerk of the Town Board,  
July 29 Town of Cheektowaga, N.Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

public newspaper published at Depew, Town of Cheek-  
owaga, Erie County, New York, that notice of which the

indexed printed slip taken from said newspaper, is a copy,

is inserted and published therein once a week for

week, the first insertion being on the

29<sup>th</sup> day of July, 1954, and

the last insertion being on the day of

19, and that not

more than six days intervened between any two publi-  
cations thereof.

Richard G. Bennett

day of

19

in and for Erie County.

**ORDINANCE AMENDMENT**  
(Zoning Board Fees)

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 12th day of July, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Henry J. Nagel, Councilman  
Joseph A. Neibert, Councilman  
Felix T. Wroblewski, Councilman  
Councilman Neibert presented the following resolution and moved its adoption:

**WHEREAS**, this Town Board, at a regular meeting on the 21st day of June, 1954, adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on the 12th day of July, 1954, at 2:30 o'clock, P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability to amend the Zoning Ordinances of the Town of Cheektowaga, New York to fix the fees to be paid for all matters referred to or considered by the Zoning Board of Appeals, to in part reimburse the Town for the expenses incurred in matters referred to or considered by the Zoning Board of Appeals, 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 amend Section 29, of the Zoning Ordinances of the Town of Cheektowaga, New York, so as to add thereto Paragraph 12, be it

**RESOLVED**, that Section 29 of the Zoning Ordinances of the Town of Cheektowaga, New York, be amended so as to add thereto Paragraph 12 to provide as follows:

**FEES**

Fees to be paid by applicant to the Town Clerk for matters referred to or considered by the Zoning Board of Appeals.

Request for rezoning—\$40.00.  
Request for granting of variances, except as to modification of area of rear yards and side yards—\$40.00.  
Appeals to the Zoning Board of Appeals—\$40.00.

Applications for permit by public utilities in residence and business district, under Section 17 of the Zoning Ordinances—\$40.00.  
Application for side yard and rear yard variances—\$20.00.

**BE IT FURTHER**

**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 **CHEEKTOWAGA TIMES**, and the Depew Herald and Cheektowaga News, newspapers having general circulation in said Town and being official newspapers thereof. 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 affidavits of the publication and posting thereof shall be filed with the Town Clerk.

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

Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.  
**AYES: 5 NOES: 0 ABSENT: 0**

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 12th day of July 1954, 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 12th day of July, 1954.

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

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 JUL 15 1954; last publication JUL 15 1954; and that no more than six days intervened between publications.

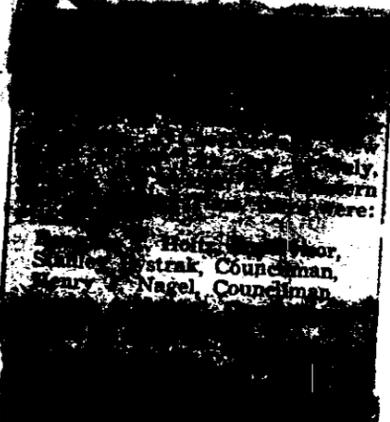
*Willard C. Allis*

Sworn to before me this.....  
day of JUL 19 1954, 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, 1955  
Registered No. 5029

STATE OF NEW YORK )  
COUNTY OF ERIE )



RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER of the

Depew Cheektowaga  
**Herald and News**

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

*Richard G. Bennett*

regular meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 1954, adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on the 12th day of July, 1954, at 2:30 o'clock, P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability to amend the Zoning Ordinances of the Town of Cheektowaga, New York to fix the fees to be paid for all matters referred to or considered by the Zoning Board of Appeals, to in part reimburse the Town for the expenses incurred in matters referred to or considered by the Zoning Board of Appeals, 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 amend Section 29, of the Zoning Ordinances of the Town of Cheektowaga, New York, so as to add thereto Paragraph 12, be it

RESOLVED, that Section 29 of the Zoning Ordinances of the Town of Cheektowaga, New York, be amended so as to add thereto Paragraph 12 to provide as follows:

- FEES**
- Fees to be paid by applicant to the Town Clerk for matters referred to or considered by the Zoning Board of Appeals.
  - Request for rezoning ..... \$40.00
  - Request for granting of variances, except as to modification of area of rear yards and side yards. .... \$40.00
  - Appeals to the Zoning Board of Appeals. .... \$40.00
  - Applications for permit by public utilities in residence and business district, under Section 17 of the Zoning Ordinances. .... \$40.00
  - Application for side yard and rear yard variances. ... \$20.00

Be it further 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 CHEEKTOWAGA TIMES and the DEPEW HERALD and CHEEKTOWAGA NEWS, newspapers having general circulation in said Town and being official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavits of the publication and posting thereof shall be filed with the Town Clerk.

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

Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Bystrak, Voting Aye,  
AYES: 5; NOES: 0; ABSENT: 0  
State of New York )  
Erie County )  
Office of the Clerk of the ) ss:  
Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 12th day of July, 1954, 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 12th day of July, 1954.  
KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga, N.Y.

\_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_  
*Hanley*  
Clerk in and for Erie County.

**ORDINANCE AMENDMENTS**  
(Zoning Board Fees)

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 12th day of July, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**

- Benedict T. Holtz, Supervisor
- Stanley Bystrak, Councilman
- Henry J. Nagel, Councilman
- Joseph A. Neibert, Councilman

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for *one* weeks: first publication ..... JUL 15 1954 .....; last publication ..... JUL 15 1954 .....; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of JUL 19 1954, 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, 1955  
Registered No. 5029

Women to care for 18-month old boy; do laundry, starting Sept. 7th through June. Hours 8:15 to 3:45. Call PL 9182 or 1493 Cleveland Drive.  
 Waitress wanted at Blue Sun Dinner, Broadway, Lancaster. Good wages. Apply in person. J244t  
 Woman wanted to take over established territory in Depew. Write Avon District Manager, Townline Rd. N. Y. Tonawanda, N. Y. JY15  
 Women to work part-time. Housewives preferred. Does not interfere with home duties. Write Avon District Manager, Townline Rd. N. Y. Tonawanda, N. Y. JY15

**Female Help Wanted**

to be  
 delay  
 protect  
 owner  
 party  
 interest  
 there

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

**Depew Cheektowaga  
Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the ..... day of ..... July, 19...54, 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 26 1954

19.....

*Kenneth T. Hawley*

Notary Public in and for Erie County.

no 52000

STATE OF NEW YORK  
COUNTY OF ERIE

said Town of Cheektowaga,  
York, on the 12th day of July,  
1954, at 2:30 o'clock.

Joseph A. Nagel, Councilman  
Felix T. Wroblewski, Councilman

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting on the 21st day of June, 1954 adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of repealing Ordinance 3 of the General Ordinances of the Town of Cheektowaga, New York, 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 repeal the aforementioned ordinance in its entirety, be it

RESOLVED, that Ordinance 3 of the General Ordinances of the Town of Cheektowaga, New York be repealed, that said Ordinance to be repealed provide as follows:

ORDINANCE NO. 3

That no person shall sell, expose for sale, or give away soft drinks within the Town of Cheektowaga without first obtaining a soft drink license.

The issuance of such licenses shall be in the discretion of the Town Board, and shall only be issued to persons of good moral character. The Town Clerk is hereby empowered to provide the necessary application blanks for such licenses, which application blanks shall contain the name, address, occupation of the applicant, the location of the premises to be licensed, the name of the owner of such premises, and the name of the person, firm or corporation who is to carry on the soft drink business, and a general description of the business now carried on in said premises.

Such application shall further state whether the applicant had been convicted of any crime, and if so, a complete statement of the offense of which he was convicted, and penalty imposed. Such application shall be acted upon at any regular or special meeting of the Town Board. The fee for such license shall be the sum of \$3.00 per year or fraction thereof, all licenses to end on May 1st of each year.

Any person who sells, offers for sale or gives away, soft drinks without first obtaining a license shall be liable to a fine of not less than \$25.00 nor more than \$100.00.

Carried, AYES 5; NOES 0.  
Adopted this 4th day of June, 1954 by order of the Town Board.

Be it further 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 CHEEKTOWAGA TIMES, and the DEPEW HERALD and CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavits of the publication and posting thereof shall be filed with the Town Clerk.

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

5 Ayes, Noes 0, Absent 0. Carried.  
State of New York )  
Erie County )  
Office of the Clerk of the ss:  
Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 12th day of July, 1954, 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 12th day of July, 1954.  
KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for week, the first insertion being on the 15th day of July, 1954, and the last insertion being on the day of 1954, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

day of July, 1954, in and for Erie County.

Item No. 11 This being the time and the place advertised for a public hearing 109  
to repeal Ordinance No. 10, which ordinance was adopted by the Town Board July 1, 1940,  
to License Coin Controlled Amusement Devices.

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. No person appeared in opposition to the proposed repealing of Ordinance No. 10, and no person appeared in favor thereof,

The Town Clerk may require such further information as he may deem reasonable necessary. The application shall be verified.

Section 4. Said application shall be referred by the Town Clerk to the Chief of Police for his investigation and recommendation. Such investigation shall include an inquiry as to the reputation of the applicant and the person in responsible charge of the premises upon which the device is proposed to be located, and whether the possession and use of such device is forbidden by Law, the Chief of Police shall return the application to Clerk, with his recommendation as to approval or disapproval.

Section 5. The Town Clerk upon receipt of any such application approved by the Chief of Police, may issue a license to the applicant to place and permit the use upon the premises designated in the application of the coin-controlled amusement device described therein and in the manner therein specified.

A license shall be procured for each device so placed. A metal tag, bearing same number as the license, shall be obtained from the Town Clerk and securely attached to the licensed device.

Section 6. The Town Clerk shall not issue any license hereunder until the sum of Fifteen (\$15.00) Dollars therefor for each licensed device and the sum of One (\$1.00) Dollar for each tag shall expire on the 30th day of June next succeeding the date of its issuance.

Section 7. No license or tag shall be transferable from one device to another, nor from one location to another, without permission in writing from the Town Clerk endorsed upon said license.

Section 8. The Town Clerk may revoke any license or tag issued hereunder in the manner prescribed by law.

Section 9. A person convicted of the violation of this section is punishable by imprisonment in the penitentiary or the County Jail for a term not to exceed ten days or by a fine of not less than Twenty-five (\$25.00) Dollars or not more than One Hundred (\$100.00) Dollars or both.

This ordinance shall take effect beginning with the 1st day of July, 1940.

Adopted by the Town Board of the Town of Cheektowaga, N. Y., May 20, 1940.

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 7th day of May, 1951 at 2:30 o'clock P.M. Eastern Daylight Saving Time, there were:

PRESENT:

Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman

ABSENT:

Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, the Town Board of the Town of Cheektowaga on May 20, 1940 adopted an Ordinance to license coin-controlled amusement devices not in violation of the State Law; and

WHEREAS, said Ordinance was amended by the Town Board on the 18th day of July, 1949, and

WHEREAS, the licensing of pinball machines is illegal and in violation of the law.

BE IT RESOLVED, that the Ordinance to license coin controlled amusement devices not in violation of State Law, as amended, in so far as it provides for the licensing of

pinball amusement games, be repealed; and

BE IT FURTHER RESOLVED, that no applications for the licensing of pinball amusement games be accepted by the Town Clerk nor any action taken upon an application except to reject it; and

BE IT FURTHER RESOLVED, that all other provisions of said Ordinances as amended, remain in full force and effect, in so far as the same relates to the issuance of licenses for coin controlled amusement devices not in violation of State Law; and

BE IT FURTHER RESOLVED, that the licensing of gambling devices, by whatever name called, is hereby prohibited.

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

Supervisor Holtz, absent.

Councilman Neibert, voting Aye.

Councilman Nagel, voting Aye.

Councilman Bystrak, absent.

Councilman Wroblewski, voting

Aye.

AYES: 3 NOES: 0 ABSENT: 2

BE IT FURTHER

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 CHEEKTOWAGA TIMES, and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof. 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 affidavits of the publication and posting thereof shall be filed with the Town Clerk.

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

Supervisor Holtz, voting Aye.

Councilman Nagel, voting Aye.

Councilman Wroblewski, voting

Aye.

Councilman Neibert, voting Aye.

Councilman Bystrak, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting on the 21st day of June, 1954 adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of repealing Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York, and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard at the conclusion of said public hearing the Town Board decided that it was in the public interest to repeal the aforementioned ordinance in its entirety, be it

RESOLVED, that Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York be repealed, that said Ordinance to be repealed provide as follows:

Ordinance No. 10

"Ordinance to License Coin Control Amusement Devices not in Violation of State Law."

Section 1. Definitions. The term "person" wherever used in this section shall mean and include one or more individuals, partnership, company, an association of persons and a corporation. The term "coin-controlled amusement device" shall mean and include any mechanical device used or designed to be operated for amusement, by the insertion of a coin, and shall include the type of mechanical devices commonly known as bagatelle, baseball, football and pinball amusement games.

The above enumeration shall not be deemed to be exclusive. Said definition, however, shall exclude any device, the possession or use of which is prohibited by law or for musical purposes only.

Section 2. Notwithstanding any other provision of this chapter, no person after this ordinance takes effect shall place or deliver for use, any coin-controlled amusement device on any premises in the Town of Cheektowaga, or permit the use thereof in any place under his control without a license so to do having first been obtained from the Town Clerk.

Section 3. The owner of any such coin-controlled amusement device, or his duly authorized agent acting in his behalf, who desires to distribute or place any such device for use, shall make application to the Town Clerk for such permission upon blanks to be furnished by him, giving the name and address of the applicant, the name and address of the manufacturer of the device, a detailed description of the mechanical features of the device, the method of its operation, the name and address of the person having responsible charge of the premises upon which the device is proposed to be located, for use and the location of said premises by street and number.



Item No. 11 This being the time and the place advertised for a public hearing to repeal Ordinance No. 10, which ordinance was adopted by the Town Board July 1, 1940, to License Coin Controlled Amusement Devices. 129

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. No person appeared in opposition to the proposed repealing of Ordinance No. 10, and no person appeared in favor thereof,

The Town Clerk may require such further information as he may deem reasonable necessary. The application shall be verified.

Section 4. Said application shall be referred by the Town Clerk to the Chief of Police for his investigation and recommendation. Such investigation shall include an inquiry as to the reputation of the applicant and the person in responsible charge of the premises upon which the device is proposed to be located, and whether the possession and use of such device is forbidden by Law, the Chief of Police shall return the application to Clerk, with his recommendation as to approval or disapproval.

Section 5. The Town Clerk upon receipt of any such application approved by the Chief of Police, may issue a license to the applicant to place and permit the use upon the premises designated in the application of the coin-controlled amusement device described therein and in the manner therein specified.

A license shall be procured for each device so placed. A metal tag, bearing same number as the license, shall be obtained from the Town Clerk and securely attached to the licensed device.

Section 6. The Town Clerk shall not issue any license hereunder until the sum of Fifteen (\$15.00) Dollars therefor for each licensed device and the sum of One (\$1.00) Dollar for each tag shall expire on the 30th day of June next succeeding the date of its issuance.

Section 7. No license or tag shall be transferable from one device to another, nor from one location to another, without permission in writing from the Town Clerk endorsed upon said license.

Section 8. The Town Clerk may revoke any license or tag issued hereunder in the manner prescribed by law.

Section 9. A person convicted of the violation of this section is punishable by imprisonment in the penitentiary or the County Jail for a term not to exceed ten days or by a fine of not less than Twenty-five (\$25.00) Dollars or not more than One Hundred (\$100.00) Dollars or both.

This ordinance shall take effect beginning with the 1st day of July, 1940.

Adopted by the Town Board of the Town of Cheektowaga, N. Y., May 20, 1940.

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 7th day of May, 1951 at 2:30 o'clock P.M. Eastern Daylight Saving Time, there were:

PRESENT:  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman

ABSENT:  
Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, the Town Board of the Town of Cheektowaga on May 20, 1940 adopted an Ordinance to license coin-controlled amusement devices not in violation of the State Law; and

WHEREAS, said Ordinance was amended by the Town Board on the 18th day of July, 1949, and

WHEREAS, the licensing of pinball machines is illegal and in violation of the law.

BE IT RESOLVED, that the Ordinance to license coin-controlled amusement devices not in violation of State Law, as amended, in so far as it provides for the licensing of

pinball amusement games, be repealed; and

BE IT FURTHER RESOLVED, that no applications for the licensing of pinball amusement games be accepted by the Town Clerk nor any action taken upon an application except to reject it; and

BE IT FURTHER RESOLVED, that all other provisions of said Ordinances as amended, remain in full force and effect, in so far as the same relates to the issuance of licenses for coin controlled amusement devices not in violation of State Law; and

BE IT FURTHER RESOLVED, that the licensing of gambling devices, by whatever name called, is hereby prohibited.

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

Supervisor Holtz, absent.  
Councilman Neibert, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Bystrak, absent.  
Councilman Wroblewski, voting

Aye.  
AYES: 3 NOES: 0 ABSENT: 2  
BE IT FURTHER

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 CHEEKTOWAGA TIMES, and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavits of the publication and posting thereof shall be filed with the Town Clerk.

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

Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting on the 21st day of June, 1954 adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of repealing Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York, and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard at the conclusion of said public hearing the Town Board decided that it was in the public interest to repeal the aforementioned ordinance in its entirety, be it

RESOLVED, that Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York be repealed, that said Ordinance to be repealed provide as follows:

**Ordinance No. 10**

"Ordinance to License Coin Control Amusement Devices not in Violation of State Law."

Section 1. Definitions. The term "person" wherever used in this section shall mean and include one or more individuals, partnership, company, an association of persons and a corporation. The term "coin-controlled amusement device" shall mean and include any mechanical device used or designed to be operated for amusement, by the insertion of a coin, and shall include the type of mechanical devices commonly known as bagatelle, baseball, football and pinball amusement games.

The above enumeration shall not be deemed to be exclusive. Said definition, however, shall exclude any device, the possession or use of which is prohibited by law or for musical purposes only.

Section 2. Notwithstanding any other provision of this chapter, no person after this ordinance takes effect shall place or deliver for use, any coin-controlled amusement device on any premises in the Town of Cheektowaga, or permit the use thereof in any place under his control without a license so to do having first been obtained from the Town Clerk.

Section 3. The owner of any such coin-controlled amusement device, or his duly authorized agent acting in his behalf, who desires to distribute or place any such device for use, shall make application to the Town Clerk for such permission upon blanks to be furnished by him, giving the name and address of the applicant, the name and address of the manufacturer of the device, a detailed description of the mechanical features of the device, the method of its operation, the name and address of the person having responsible charge of the premises upon which the device is proposed to be located, for use and the location of said premises by street and number.

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N. Y.

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... week, the first insertion being on the  
..... day of July, 1954 and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

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

**JUL 26 1954**

....., 19.....

*Kenneth J. Hanley*

Notary Public in and for Erie County.

hn 52800

Posted as follows on the 17th day of July, 1954:

1- Town Hall Bulletin Board.

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

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

*Willard C. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that ... *he* is  
... *published* ... of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ... *one* weeks; first  
publication ... **JUL 15 1954** ...;  
last publication ... **JUL 15 1954** ...;  
and that no more than six days intervened be-  
tween publications.

*Willard C. Allis*

Sworn to before me this .....

day of ... **JUL 19 1954** ... 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, 1955  
Registered No. 5029

STATE OF NEW YORK

Cheektowaga, Erie County, New York held at the Town Hall in the said Town of Cheektowaga, New York, on the 12th day of July, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, there

Present: T. Holtz, Supervisor Stanley Bystrak, Councilman Henry J. Nagel, Councilman Joseph A. Neibert, Councilman Felix T. Wroblewski, Councilman

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting on the 21st day of June, 1954 adopted a resolution that the Town Board meet at the Town Hall, corner Broadway and Broadway, Cheektowaga, New York on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of repealing Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York;

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 repeal the aforementioned ordinance in its entirety, be it

RESOLVED, that Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York be repealed, that said Ordinance to be repealed provide as follows:

ORDINANCE No. 10 "Ordinance to License Coin Control Amusement Devices not in Violation of State Law."

Section 1. Definitions. The term "person" wherever used in this section shall mean and include one or more individuals, partnership, company, an association of persons and a corporation. The term "coin controlled amusement device" shall mean and include any mechanical device used or designed to be operated for amusement, by the insertion of a coin, and shall include the type of mechanical devices commonly known as bagatelle, baseball, football and pin-ball amusement games.

The above enumeration shall not be deemed to be exclusive. This definition, however, shall exclude any device, the possession or use of which is prohibited by law for the musical purposes only.

Section 2. Notwithstanding any other provision of this chapter, no person after this ordinance takes effect shall place or deliver for use any coin-controlled amusement device on any premises in the Town of Cheektowaga, or permit the use thereof in any place under his control without a license to do having first been obtained from the Town Clerk.

Section 3. The owner of any coin-controlled amusement device on his premises shall be responsible for the same.

and address of the applicant, the name and address of the manufacturer of the device, a detailed description of the mechanical features of the device, the method of its operation, the name and address of the person having responsible charge of the premises upon which the device is proposed to be located for use and the location of said premises by street and number.

The Town Clerk may require such further information as he may deem reasonably necessary. The application shall be verified.

Section 4. Said application shall be referred by the Town Clerk to the Chief of Police for his investigation and recommendation. Such investigation shall include an inquiry as to the reputation of the applicant and the person in responsible charge of the premises upon which the device is proposed to be located, and whether the possession and use of such device is forbidden by law, the Chief of Police shall return the application within a reasonable time to the Town Clerk, with his recommendation as to approval or disapproval.

Section 5. The Town Clerk upon receipt of any such application approved by the Chief of Police, may issue a license to the applicant to place and permit the use upon the premises designated in the application of the coin-controlled amusement device described therein and in the manner therein specified.

A license shall be procured for each device so placed. A metal tag, bearing same number as the license, shall be obtained from the Town Clerk and securely attached to the licensed device.

Section 6. The Town Clerk shall not issue any license hereunder until the sum of Fifteen (\$15.00) Dollars therefor for each licensed device and the sum of One (\$1.00) Dollar for each tag shall expire on the 30th day of June next succeeding the date of its issuance.

Section 7. No license or tag shall

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER of the

Depew Cheektowaga Herald and News

public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, inserted and published therein once a week for one week, the first insertion being on the 15th day of July, 1954, and the last insertion being on the 21st day of July, 1954, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

for Erie County.

Item No. 12 This being the time and the place advertised for a public hearing for the purpose of repealing Ordinance No. 12, which was adopted by the Town Board June 16, 1941, which Ordinance defines the Removal of Unsafe Buildings.

The Supervisor directed the Town Clerk to present proof of publication of the Notice of the Hearing. The Town Clerk presented proof that such notice has been duly published and posted and upon order of the Supervisor such proof was duly filed.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. No person appeared in opposition to the proposed repealing of Ordinance No. 12, and no person appeared in favor thereof,

Consent of the Town Board to the following resolution and ordinance adoption:

WHEREAS, this Town Board, at a regular meeting on the 21st day of June, 1954 adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of repealing Ordinance No. 12 of the General Ordinances of the Town of Cheektowaga, New York, 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 repeal the aforementioned ordinance in its entirety, be it

RESOLVED, that Ordinance No. 12 of the General Ordinances of the Town of Cheektowaga, New York be repealed, that said Ordinance to be repealed provide as follows:

Ordinance No. 12  
"ORDINANCE FOR THE REMOVAL OF UNSAFE BUILDINGS"

Proposed Ordinance of the Town of Cheektowaga, Chapter 4, Section 1

1. The owner of any building or other structure, or any part thereof, attached to or connected with any building or other structure or excavation which shall be unsafe so far as to endanger life shall immediately, upon notice from the Town Clerk, cause the same to be made safe and secure or taken down, and where the public safety requires immediate action persons or corporations as may be directed to do so by a resolution of the Town Board may enter upon the premises with such assistance as may be had to secure or take down or to fill in an excavation without delay, and the passers-by to be protected at the expense of such owner or party interested therein.

2. The Town Board, upon its own initiative or after receipt of a complaint complaining of the dangerous condition of any buildings or excavations, shall designate the Chief of Police or some other suitable person or official to immediately inspect the premises and to report in writing his findings as to the conditions thereof to the Town Board.

3. The Town Board after receiving a report of the inspection of the premises, shall determine from said report whether said buildings or premises is in a dangerous condition and if they so determined, shall direct the Town Clerk to serve a notice in writing upon the owner or some one of the owners, executors, legal representatives, agents, lessees or other person having a vested or contingent interest in the premises, said notice to contain a description of the premises, a statement of the particulars in which the building or structure or excavation is unsafe or dangerous and an order requiring same to be made safe and secure or removed. The person served with such notice shall provide the time within which the person served with such notice shall secure the building or structure, or the filling of the excavation, at the time in which

posting a copy thereof upon the structure or excavation on the premises and by mailing a copy thereof to the owner or some one of the owners, executors, legal representatives, agents, lessees or any other person having a vested or contingent interest in same or by mailing a copy thereof to the owner as named on the latest assessment roll of the Town.

4. The aforesaid notice shall be served at least forty-eight (48) hours before the time designated for the commencement or the finishing of the securing or removal of the buildings or structures or the filling of said excavation. The inspector heretofore appointed by the Town Board shall again inspect the premises at the commencement and completion time as set forth in said notice and shall report to the Town Board whether or not the notice has not been complied with and in the event that the notice has not been complied the Town Board shall then appoint a Board of Surveyors consisting of an inspector and an architect and a practical builder, engineer or architect appointed by person notified as above and in the event of refusal or absence of person so notified to appoint such surveyor, the two surveyors named shall make the survey

Special Term of the Supreme Court in the judicial department in which the property is located for an order determining the building or other structure or excavation to be a public nuisance and directing that it shall be repaired and secured or taken down and removed or filled.

5. The surveyors shall be compensated by a fee not exceeding the sum of \$25.00 per day.

6. All costs and expenses incurred by the Town in connection with the proceedings to remove or secure, including the cost of actually removing said building or structure or filling said excavation shall be assessed against the land on which the said building or structure is located and collected in the same manner as other real estate taxes.

7. This ordinance shall take effect on the 15th day of July, 1951 or as soon thereafter as it may become legally effective.

By order of the Town Board of the Town of Cheektowaga.

Dated: June 16, 1951.

BE IT FURTHER

RESOLVED that a copy of this resolution, certified by the Town and published at least once in the CHEEKTOWAGA TIMES, and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavits of the publication and posting thereof shall be made by the Town Clerk.

- Supervisor Holtz, voting Aye.
- Councilman Nagel, voting Aye.
- Councilman Wroblewski, voting Aye.
- Councilman Neibert, voting Aye.
- Councilman Bystrak, voting Aye.

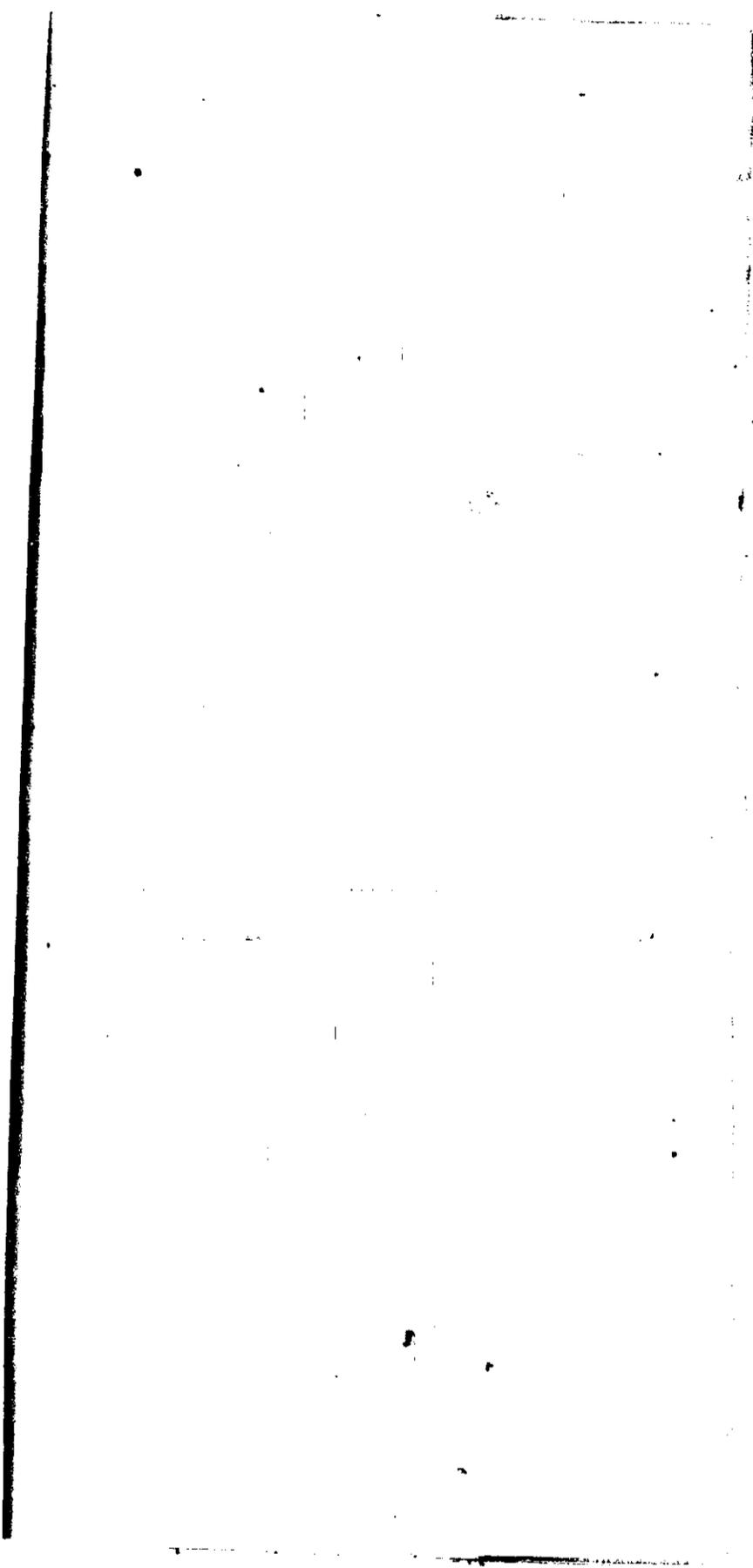
AYES: 5 NOES: 0 ABSENT: 0

Item No. 12- Cont'd, Posted as follows on the 17th day of July, 1954:

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1- Town Hall Bulletin Board.

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



Item No. 12 This being the time and the place advertised for a public hearing for the purpose of repealing Ordinance No. 12, which was adopted by the Town Board June 16, 1954, which Ordinance defines the Removal of Unsafe Buildings.

The Supervisor directed the Town Clerk to present proof of publication of the Notice of the Hearing. The Town Clerk presented proof that such notice has been duly published and posted and upon order of the Supervisor such proof was duly filed.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. No person appeared in opposition to the proposed repealing of Ordinance No. 12, and no person appeared in favor thereof.

**Ordinance No. 12**  
WHEREAS, this Town Board, at a regular meeting on the 21st day of June, 1954 adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of repealing Ordinance No. 12 of the General Ordinances of the Town of Cheektowaga, New York, 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 repeal the aforementioned ordinance in its entirety, be it

RESOLVED, that Ordinance No. 12 of the General Ordinances of the Town of Cheektowaga, New York be repealed, that said Ordinance to be repealed provide as follows:  
**Ordinance No. 12**  
**"ORDINANCE FOR THE REMOVAL OF UNSAFE BUILDINGS"**

Proposed Ordinance of the Town of Cheektowaga, Chapter 4, Section 1, Chapter 4 - Entitled "Unsafe Buildings, Collapsed Structures and Open Cellars."

The owner or other party having an interest in any building, structure or other structure, or anything attached to or connected with any building or other structure or open cellar or excavation which shall be unsafe so far as to endanger life shall immediately, upon notice from the Town Clerk, cause the same to be made safe and secure or taken down, and where the public safety requires immediate action persons or corporations as may be directed to do so by a resolution of the Town Board may enter upon the premises with such assistance as may be had to secure or take down or to fill in an excavation without delay, and the passers-by to be protected at the expense of such owner or party interested therein.

2. The Town Board, upon its own initiative or after receipt of a complaint complaining of the dangerous condition of any buildings or excavations, shall designate the Chief of Police or some other suitable person or official to immediately inspect the premises and to report in writing his findings as to the conditions thereof to the Town Board.

3. The Town Board after receiving a report of the inspection of the premises, shall determine from said report whether said buildings or premises is in a dangerous condition and if they so determined, shall direct the Town Clerk to serve a notice in writing upon the owner or some one of the owners, executors, legal representatives, agents, lessees or other person having a vested or contingent interest in the premises, said notice to contain a description of the premises, a statement of the particulars in which the building or structure or excavation is unsafe or dangerous and an order requiring same to be made safe and secure or removed and shall provide the time within which the person served with such notice shall commence the securing or removal of the building or structure or the filling of the excavation and the time in which

posting a copy thereof upon the structure or excavation on the premises and by mailing a copy thereof to the owner or some one of the owners, executors, legal representatives, agents, lessees or any other person having a vested or contingent interest in same or by mailing a copy thereof to the owner as named on the latest assessment roll of the Town.

4. The aforesaid notice shall be served at least forty-eight (48) hours before the time designated for the commencement or the finishing of the securing or removal of the buildings or structures or the filling of said excavation. The inspector heretofore appointed by the Town Board shall again inspect the premises at the commencement and completion time as set forth in said notice and shall report to the Town Board whether or not the notice has not been complied with and in the event that the notice has not been complied the Town Board shall then appoint a Board of Surveyors consisting of an inspector and an architect and a practical builder, engineer or architect appointed by person notified as above and in the event of refusal or neglect of person so notified to appoint such surveyor, the two surveyors named shall make the survey

Special Term of the Supreme Court in the judicial reportment in which the property is located for an order determining the building or other structure or excavation to be a public nuisance and directing that it shall be repaired and secured or taken down and removed or filled.

5. The surveyors shall be compensated by a fee not exceeding the sum of \$25.00 per day.

6. All costs and expenses incurred by the Town in connection with the proceedings to remove or secure, including the cost of actually removing said building or structure or filling said excavation shall be assessed against the land on which the said building or structure is located and collected in the same manner as other real estate taxes.

7. This ordinance shall take effect on the 15th day of July, 1951 or as soon thereafter as it may become legally effective.

By order of the Town Board of the Town of Cheektowaga.  
Dated: June 16, 1954.

BE IT FURTHER

RESOLVED that a copy of this resolution, certified by the Town and published at least once in the CHEEKTOWAGA TIMES, and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavits of the publication and posting thereof shall be made by the Town Clerk.

Witness my hand and seal of the Town of Cheektowaga, New York, this 16th day of June, 1954.

Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.  
AYES: 5 NOES: 0 ABSENT: 0  
(7-15)

**Ordinance No. 12**  
**"ORDINANCE FOR THE REMOVAL OF UNSAFE BUILDINGS"**

Proposed Ordinance of the Town of Cheektowaga, Chapter 4, Section 1, Chapter 4 - Entitled "Unsafe Buildings, Collapsed Structures and Open Cellars."

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 12th day of July, 1954 at 2:30 o'clock, P.M. Eastern Daylight Saving Time, there were:

PRESENT:

Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Henry J. Nagel, Councilman  
Joseph A. Neibert, Councilman  
Felix T. Wroblewski, Councilman  
Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting on the 21st day of June, 1954 adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of repealing Ordinance No. 12 of the General Ordinances of the Town of Cheektowaga, New York, 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 repeal the aforementioned ordinance in its entirety, be it

RESOLVED, that Ordinance No. 12 of the General Ordinances of the Town of Cheektowaga, New York be repealed, that said Ordinance to be repealed provide as follows:

**Ordinance No. 12**  
**"ORDINANCE FOR THE REMOVAL OF UNSAFE BUILDINGS"**

Proposed Ordinance of the Town of Cheektowaga, Chapter 4, Section 1, Chapter 4 - Entitled "Unsafe Buildings, Collapsed Structures and Open Cellars."

The owner or other party having an interest in any building, structure or other structure, or anything attached to or connected with any building or other structure or open cellar or excavation which shall be unsafe so far as to endanger life shall immediately, upon notice from the Town Clerk, cause the same to be made safe and secure or taken down, and where the public safety requires immediate action persons or corporations as may be directed to do so by a resolution of the Town Board may enter upon the premises with such assistance as may be had to secure or take down or to fill in an excavation without delay, and the passers-by to be protected at the expense of such owner or party interested therein.

2. The Town Board, upon its own initiative or after receipt of a complaint complaining of the dangerous condition of any buildings or excavations, shall designate the Chief of Police or some other suitable person or official to immediately inspect the premises and to report in writing his findings as to the conditions thereof to the Town Board.

3. The Town Board after receiving a report of the inspection of the premises, shall determine from said report whether said buildings or premises is in a dangerous condition and if they so determined, shall direct the Town Clerk to serve a notice in writing upon the owner or some one of the owners, executors, legal representatives, agents, lessees or other person having a vested or contingent interest in the premises, said notice to contain a description of the premises, a statement of the particulars in which the building or structure or excavation is unsafe or dangerous and an order requiring same to be made safe and secure or removed and shall provide the time within which the person served with such notice may commence the securing or removal of the buildings or structures or the filling of the excavation and the time in which the notice shall be served by the Town Clerk in the following manner:

By posting a copy thereof on the bulletin board in the Town Hall; by posting a copy thereof upon the structure or excavation on the premises and by mailing a copy thereof to the owner or some one of the owners, executors, legal representatives, agents, lessees or any other person having a vested or contingent interest in same or by mailing a copy thereof to the owner as named on the latest assessment roll of the Town.

4. The aforesaid notice shall be served at least forty-eight (48) hours before the time designated for the

Item No. 12- Cont'd . Posted as follows on the 17th day of July, 1954:

1- Town Hall Bulletin Board.

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

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 ~~two~~ weeks:

first publication ..... JUL 15 1954 .....  
last publication ..... JUL 15 1954 .....

and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of JUL 19 1954, 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, 1958  
Registered No. 5029

Item No. 12 This being the time and the place advertised for a public hearing for the purpose of repealing Ordinance No. 12, which was adopted by the Town Board June 16, 1941, which Ordinance defines the Removal of Unsafe Buildings.

The Supervisor directed the Town Clerk to present proof of publication of the Notice of the Hearing. The Town Clerk presented proof that such notice has been duly published and posted and upon order of the Supervisor such proof was duly filed.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. No person appeared in opposition to the proposed repealing of Ordinance No. 12, and no person appeared in its

WHEREAS, this Town Board, at a regular meeting on the 21st day of June, 1954 adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of repealing Ordinance No. 12 of the General Ordinances of the Town of Cheektowaga, New York, 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 repeal the aforementioned ordinance in its entirety, be it

RESOLVED, that Ordinance No. 12 of the General Ordinances of the Town of Cheektowaga, New York be repealed, that said Ordinance be repealed provide as follows:

Ordinance No. 12  
"ORDINANCE FOR THE REMOVAL OF UNSAFE BUILDINGS"

Proposed Ordinance of the Town of Cheektowaga, Chapter 4, Section 1

Section 1. The owner of any building or other structure, or excavation attached to or connected with any building or other structure or excavation which shall be unsafe so far as to endanger the public safety, shall immediately, upon notice from the Town Clerk, cause the same to be made safe and secure or taken down, and where the public safety requires immediate action persons or corporations as may be directed to do so by a resolution of the Town Board may enter upon the premises with such assistance as may be had to secure or take down or to fill in an excavation without delay, and the passers-by to be protected at the expense of such owner or party interested therein.

2. The Town Board, upon its own initiative or after receipt of a complaint complaining of the dangerous condition of any buildings or excavations, shall designate the Chief of Police or some other suitable person or official to immediately inspect the premises and to report in writing his findings as to the conditions thereof to the Town Board.

3. The Town Board after receiving a report of the inspection of the premises, shall determine from said report whether said buildings or premises is in a dangerous condition and if they so determined, shall direct the Town Clerk to serve a notice in writing upon the owner or some one of the owners, executors, legal representatives, agents, lessees or other person having a vested or contingent interest in the premises, said notice to contain a description of the premises; a statement of the particulars in which the building or structure or excavation is unsafe or dangerous and an order requiring same to be made safe and secure or removed. The Town Board shall provide the time within which the person served with such notice shall cause the securing or removal of the buildings or structures or the filling of the excavation and the time in which

posting a copy thereof upon the structure or excavation on the premises and by mailing a copy thereof to the owner or some one of the owners, executors, legal representatives, agents, lessees or any other person having a vested or contingent interest in same or by mailing a copy thereof to the owner as named on the latest assessment roll of the Town.

4. The aforesaid notice shall be served at least forty-eight (48) hours before the time designated for the commencement or the finishing of the securing or removal of the buildings or structures or the filling of said excavation. The inspector heretofore appointed by the Town Board shall again inspect the premises at the commencement and completion time as set forth in said notice and shall report to the Town Board whether or not the notice has not been complied with and in the event that the notice has not been complied the Town Board shall then appoint a Board of Surveyors consisting of an inspector and an architect and a practical builder, engineer or architect appointed by person notified as above and in the event of refusal or neglect of person so notified to appoint such surveyor, the two surveyors named shall make the survey

or dangerous under such survey that an application will be made at a Special Term of the Supreme Court in the judicial department in which the property is located for an order determining the building or other structure or excavation to be a public nuisance and directing that it shall be repaired and secured or taken down and removed or filled.

5. The surveyors shall be compensated by a fee not exceeding the sum of \$25.00 per day.

6. All costs and expenses incurred by the Town in connection with the proceedings to remove or secure, including the cost of actually removing said building or structure or filling said excavation shall be assessed against the land on which the said building or structure is located and collected in the same manner as other real estate taxes.

7. This ordinance shall take effect on the 15th day of July, 1951 or as soon thereafter as it may become legally effective.

By order of the Town Board of the Town of Cheektowaga.  
Dated: June 16, 1951.  
BE IT FURTHER

RESOLVED that a copy of this resolution, certified by the Town and published at least once in the CHEEKTOWAGA TIMES, and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavits of the publication and posting thereof shall be filed with the Town Clerk.

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

Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.

Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0  
(7-15)

posting a copy thereof upon the structure or excavation on the premises and by mailing a copy thereof to the owner or some one of the owners, executors, legal representatives, agents, lessees or any other person having a vested or contingent interest in same or by mailing a copy thereof to the owner as named on the latest assessment roll of the Town.

4. The aforesaid notice shall be served at least forty-eight (48) hours before the time designated for the commencement or the finishing of the securing or removal of the buildings or structures or the filling of said excavation. The inspector heretofore appointed by the Town Board shall again inspect the premises at the commencement and completion time as set forth in said notice and shall report to the Town Board whether or not the notice has not been complied with and in the event that the notice has not been complied the Town Board shall then appoint a Board of Surveyors consisting of an inspector and an architect and a practical builder, engineer or architect appointed by person notified as above and in the event of refusal or neglect of person so notified to appoint such surveyor, the two surveyors named shall make the survey

or dangerous under such survey that an application will be made at a Special Term of the Supreme Court in the judicial department in which the property is located for an order determining the building or other structure or excavation to be a public nuisance and directing that it shall be repaired and secured or taken down and removed or filled.

5. The surveyors shall be compensated by a fee not exceeding the sum of \$25.00 per day.

6. All costs and expenses incurred by the Town in connection with the proceedings to remove or secure, including the cost of actually removing said building or structure or filling said excavation shall be assessed against the land on which the said building or structure is located and collected in the same manner as other real estate taxes.

7. This ordinance shall take effect on the 15th day of July, 1951 or as soon thereafter as it may become legally effective.

By order of the Town Board of the Town of Cheektowaga.  
Dated: June 16, 1951.  
BE IT FURTHER

RESOLVED that a copy of this resolution, certified by the Town and published at least once in the CHEEKTOWAGA TIMES, and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavits of the publication and posting thereof shall be filed with the Town Clerk.

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

Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.

Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0  
(7-15)

...waga in said County of Erie, on  
the 12th day of July, 1954, and  
the same is a correct and true  
transcript of such original resolu-  
tion and the whole thereof.  
In Witness Whereof, I  
have hereunto set my hand  
and affixed the seal of said  
Town this 12th day of  
July, 1954.  
KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

...which you are engaged  
3. NO metal or hard or sharp  
spikes allowed in Junior Age  
groups, just rubber or soft com-  
position soles. Spikes optional in  
Intermediates and Seniors.  
VILLAGE PROGRAM  
BASEBALL SCHEDULES  
Middletown — 10:30 a.m.  
Thurs., July 15: Colonial Ba-  
kery vs N. Side at N. Junior.  
Thurs., July 15: Depew Mer-  
chants vs DBC\* at Central.  
Thurs., July 20: SPP vs Colon-  
ial Bakery\* at North Junior.  
Tues., July 20: Depew Merch-  
ants vs Kicks at Central.  
Thurs., July 22: DBC vs N. Side  
at North Junior.  
Thurs., July 22: SPP vs De-  
pew Merchants at Central.  
Juniors — 10:30 a.m.  
Mon., July 19: Teenagers vs  
... at North Junior.

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

..... of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... week, the first insertion being on the  
..... day of July, 1954, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

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

JUL 26 1954 19.....

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

no 52000

Item No. 13 Councilman Bystrak presented the following resolution and moved its adoption: 142

RESOLVED, that the Town Clerk be and he is hereby authorized and ordered to direct the New York State Gas & Electric Company to install 2500 lumen lights on Poles 5 and 15 situated on Grunner Road in the Town of Cheektowga, and be it further

RESOLVED, that the New York State Gas & Electric Company be directed to remove the 1000 lumen lights and replace with 2500 lumen lights at town expense from the following poles all situated on William Street;

Poles 126;129;132;157-1; 159  $\frac{1}{4}$  and 162

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

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

WHEREAS immediate repairs were required on elevator at the Incinerator and Campbell Elevator Company, Inc., made the necessary repairs and the cost thereof amounted to \$122.99, be it

RESOLVED, that said sum of \$122.99 be paid to Campbell Elevator Company, Inc.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

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

RESOLVED, that the request of Chief Henfling of the U-Crest Hose Company to have Evergreen Street closed to traffic from in front of the Fire House to a point approximately 500 feet west from Friday evening at 6 P.M. to Monday evening at 6 P.M., be granted, and

BE IT FURTHER RESOLVED, that the Supervisor issue to the U-Crest Hose Company a permit to operate a sound car in connection with their Annual Picnic to be held on August 7th and 8th, 1954.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

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

RESOLVED, that the request of Cheektowaga Post No. 2429 to operate a carnival on its grounds on August 7th and 8th, 1954, be granted, and

BE IT FURTHER RESOLVED, that the Supervisor be authorized and directed to issue a permit to the Post for the use of a Sound Car on the above mentioned dates.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

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

RESOLVED, that the Town of Cheektowaga install the following signs:

Children at Play signs 1 at each end of Kendale Road;

2 Children at Play signs on Westchester Street;

1 Children at Play sign on Wagner Avenue;

2 Children at Play signs on Maryilyn Drive;

1 Boulevard Stop Sign at Glenwood and Fernwood Street, traffic to stop for Glenwood Street;

2 Boulevard Stop signs at Ravenswood and Manlon Terrace, traffic to stop for Manlon Terrace.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

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

RESOLVED, that the request of the Fire Commissioners of the Cleveland Hill Fire District No. 6 for hydrants to be installed in front of premises known as:

1- In front of No. 62 Susan Lane;

2- At the corner of Huth Road and Susan Lane;

3- In front of No. 14 Elaine Court;

be granted and that the Erie County Water Authority be requested to install the hydrants and that certified copies of this resolution be forwarded to the Cleveland Hill Fire District and to the Erie County Water Authority.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

STATE OF NEW YORK  
COUNTY OF ERIE

At a regular meeting of the Town Board of Cheektowaga, New York, on the 21st day of June, 1954, at 2:30 o'clock, P.M., Eastern Daylight Saving Time, the following persons were present:

- PRESENT:
- Benedict T. Holtz, Supervisor
  - Stanley Bystrak, Councilman
  - Henry J. Nagel, Councilman
  - Joseph A. Neibert, Councilman
  - Felix T. Wroblewski, Councilman

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting on the 21st day of June, 1954, adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of repealing Ordinance No. 12 of the General Ordinances of the Town of Cheektowaga, New York, 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 repeal the aforementioned ordinance in its entirety, be it

RESOLVED, that Ordinance No. 12 of the General Ordinances of the Town of Cheektowaga, New York be repealed, that said Ordinance to be repealed provide as follows:

ORDINANCE No. 12  
"Ordinance For The Removal of Unsafe Buildings"

Proposed Ordinance of the Town of Cheektowaga, Chapter 4, Section 1 Chapter 4 - Entitled "Unsafe Buildings, Collapsed Structures and Open Cellars".

1. The owner or other party having an interest in any building, structure or other structure, or anything attached to or connected with any building or other structure or open cellar or excavation which shall be unsafe so far as to endanger life shall immediately, upon notice from the Town Clerk, cause the same to be made safe and secure or taken down, and where the public safety requires immediate action persons or corporations as may be directed to do so by a resolution of the Town Board may enter upon the premises with such assistance as may be had to secure or take down or to fill in an excavation without delay, and the passers by to be protected at the expense of such owner or party interested, there-

The Town Board, upon its initiative or after receipt of complaint complaining of the unsafe condition of any build-

ing suitable person or official to immediately inspect the premises and to report in writing his findings as to the conditions thereof to the Town Board.

3. The Town Board after receiving a report of the inspection of the premise, shall determine from said report whether said building or premises is in a dangerous condition and if they so determined, shall direct the Town Clerk to serve a notice in writing upon the owner or some one of the owners, executors, legal representatives, agents lessees or other person having a vested or contingent interest in the premises, said notice to contain a description of the premises, a statement of the particulars in which the building or structure or excavation is unsafe or dangerous and an order requiring same to be made safe and secure or removed and shall provide the time within which the person served with such notice may commence the securing or removal of the buildings or structures or the filling of the excavation and the time in which it shall be completed.

The notice shall be served by the Town Clerk in the following manner:

By posting a copy thereof on the bulletin board in the Town Hall; by posting a copy thereof upon the structure or excavation on the premises and by

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for \_\_\_\_\_ week, the first insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 1954, 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 \_\_\_\_\_

19\_\_\_\_

*Stanley Bystrak*  
Public in and for Erie County.

Item No. 13 Councilman Bystrak presented the following resolution and moved its adoption: 1 2

RESOLVED, that the Town Clerk be and he is hereby authorized and ordered to direct the New York State Gas & Electric Company to install 2500 lumen lights on Poles 5 and 15 situated on Grunner Road in the Town of Cheektowga, and be it further

RESOLVED, that the New York State Gas & Electric Company be directed to remove the 1000 lumen lights and replace with 2500 lumen lights at town expense from the following poles all situated on William Street;

Poles 126;129;132;157-1; 159  $\frac{1}{4}$  and 162

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

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

WHEREAS immediate repairs were required on elevator at the Incinerator and Campbell Elevator Company, Inc., made the necessary repairs and the cost thereof amounted to \$122.99, be it

RESOLVED, that said sum of \$122.99 be paid to Campbell Elevator Company, Inc.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

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

RESOLVED, that the request of Chief Henfling of the U-Crest Hose Company to have Evergreen Street closed to traffic from in front of the Fire House to a point approximately 500 feet west from Friday evening at 6 P.M. to Monday evening at 6 P.M., be granted, and

BE IT FURTHER RESOLVED, that the Supervisor issue to the U-Crest Hose Company a permit to operate a sound car in connection with their Annual Picnic to be held on August 7th and 8th, 1954.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

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

RESOLVED, that the request of Cheektowaga Post No. 2429 to operate a carnival on its grounds on August 7th and 8th, 1954, be granted, and

BE IT FURTHER RESOLVED, that the Supervisor be authorized and directed to issue a permit to the Post for the use of a Sound Car on the above mentioned dates.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

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

RESOLVED, that the Town of Cheektowaga install the following signs:

- Children at Play signs 1 at each end of Kendale Road;
- 2 Children at Play signs on Westchester Street;
- 1 Children at Play sign on Wagner Avenue;
- 2 Children at Play signs on Maryilyn Drive;
- 1 Boulevard Stop Sign at Glenwood and Fernwood Street, traffic to stop for Glenwood Street;
- 2 Boulevard Stop signs at Ravenswood and Manlon Terrace, traffic to stop for Manlon Terrace.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

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

RESOLVED, that the request of the Fire Commissioners of the Cleveland Hill Fire District No. 6 for hydrants to be installed in front of premises known as:

- 1- In front of No. 62 Susan Lane;
- 2- At the corner of Huth Road and Susan Lane;
- 3- In front of No. 14 Elaine Court;

be granted and that the Erie County Water Authority be requested to install the hydrants and that certified copies of this resolution be forwarded to the Cleveland Hill Fire District and to the Erie County Water Authority.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

posting a copy thereof on the bulletin board in the Town Hall; by posting a copy thereof upon the structure or excavation on the premises and by mailing a copy thereof to the owner or some one of the owners, executors, legal representatives, agents, lessees or any other person having a vested or contingent interest in same or by mailing a copy thereof to the owner as named on the latest assessment roll of the Town.

4. The aforesaid notice shall be served at least forty-eight hours (48) before the time designated for the commencement or the finishing of the securing or removal of the buildings or structures or the filling of said excavation. The inspector heretofore appointed by the Town Board shall again inspect the premises at the commencement and completion time as set forth in said notice and shall report to the Town Board whether or not the notice has not been complied with and in the event that the notice has not been complied the Town Board shall then appoint a Board of Surveyors consisting of an inspector and an architect and a practical builder, engineer or architect appointed by person notified as above and in the event of refusal or neglect of person so notified to appoint such surveyor, the two surveyors named shall make the survey and report to the Town Board.

The notice shall further state that in the event that the building or other structures shall be reported unsafe or dangerous under such survey that an application will be made at a Special Term of the Supreme Court in the judicial department in which the property is located for an order determining the building or other structure or excavation to be a public nuisance and directing that it shall be repaired and secured or taken down and removed or filled.

5. The surveyors shall be compensated by a fee not exceeding the sum of \$25.00 per day.

6. All costs and expenses incurred by the Town in connection with the proceedings to remove or secure, including the cost of actually removing said building or structure or filling said excavation shall be assessed against the land on which the said building or structure is located and collected in the same manner as other real estate taxes.

7. This ordinance shall take effect on the 15th day of July 1954 or as soon thereafter as it may become legally effective.

By order of the Town Board of the Town of Cheektowaga.  
Dated: June 12, 1954.

Be it further  
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 CHEEKTOWAGA TIMES, and the DEPEW HERALD and CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavits of the publication and posting thereof shall be filed with the Town Clerk.

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

Supervisor Holtz, Voting Aye  
Councilman Nagel, Voting Aye  
Councilman Wroblewski, Voting Aye

Councilman Nelbert, Voting Aye  
Councilman Bystrak, Voting Aye  
Ayes, Noes 0, Absent 0, Carried.

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 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 12th day of July, 1954, and 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 12th day of July, 1954.

(seal) KENNETH T. HANLEY,  
Clerk of the Town Board,  
July 15 Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for week, the first insertion being on the 15th day of July, 1954, and the last insertion being on the day of 1954, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

day of

19

Kenneth T. Hanley  
Public in and for Erie County.

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

RESOLVED, that the request of the Fire Commissioners of U-Crest Fire District No. 4 for hydrants to be installed as follows:

Hydrant at south west corner of Lot No. 42 on Geo. Urban Boulevard;

Hydrant on south west corner of Lot No. 74 on Geo. Urban Blvd.;

Hydrant in the center of Lot No. 10 and the center of lot No. 83 on Miami Parkway;

be granted, and that the Erie County Water Authority be requested to install the hydrants and that certified copies of this resolution be forwarded to the U-Crest Fire District No. 4 and to the Erie County Water Authority.

Seconded by Councilman Nagel.

CARRIED: AYES: -5--.

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

RESOLVED, that the amended Subdivision Map of Tri-Abbott Subdivision dated February 27, 1954, prepared by Herthe and Sonnenberger, Licensed Engineers, be approved and ordered filed in the Assessors Office.

Seconded by Councilman Neibert.

CARRIED: AYES: -5--.

Item No. 21 RESOLVING AN ORDER TO IMPROVE WOODLAND TERRACE STREET LIGHTING EQUIPMENT

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

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 15th day of March, 1954.

PUBLIC HIGHWAYS TO BE IMPROVED

Woodland Terrace—From Huth Road to End of Street.

TYPE OF STREET LIGHTING INSTALLATION

Y-20 Standards—Underground Conduit.

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

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 2nd day of August, 1954, at 2:30 P.M. Eastern Daylight Saving Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

Seconded by Councilman Nagel and duly put to a vote which was

as follows:  
Councilman Nagel, Voting Aye,  
Councilman Wroblewski,

Councilman Neibert, Voting Aye,

Councilman Bystrak, Voting Aye,

Supervisor Moltz, Voting Aye.

AYES: 5; NOES: 0; ABSENT: 0

Item No. 21- Cont'd

Posted as follows on the 22nd day of July, 1954;

- 1- Post at the corner of Woodland Terrace and Huth Road; 143
- 2- Post in front of No. 86 Woodland Terrace;
- 3- Tree in front of No. 70 Woodland Terrace;
- 4- Tree in front of No. 54 Woodland Terrace;
- 5- Tree in front of No. 21 Woodland Terrace.

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



**WHEREAS**, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 28th day of June, 1954.

**PUBLIC HIGHWAYS TO BE IMPROVED**  
 McNaughton Avenue— From Tillotson Avenue, to End of Street.  
**TYPE OF STREET LIGHTING INSTALLATION**  
 Y-20 Standards — Underground Conduit.

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

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

**NOW, THEREFORE, IT IS HEREBY ORDERED** that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 2nd day of August, 1954, at 2:30 P.M. Eastern Daylight Saving Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

Councilman Nagel, Voting Aye.  
 Councilman Wroblewski, Voting Aye.  
 Councilman Neibert, Voting Aye.  
 Councilman Bystrak, Voting Aye.  
 Supervisor Foltz, Voting Aye.  
**AYES: 5; NOES: 0; ABSENT: 0**

Hooked as follows on the 22nd day of July, 1954;

- 1- Post at the corner of McNaughton Avenue and Tillotson Avenue;
- 2- Telephone Pole No. 15 on McNaughton Avenue;
- 3- Telephone Pole No. 16 on McNaughton Avenue;
- 4- Post in front of No. 124 McNaughton Avenue;
- 5- Post in front of No. 120 McNaughton Avenue.

STATE OF NEW YORK  
COUNTY OF ERIE

Cheektowaga  
York, on  
clock, P.M., Eastern  
Time, there were:  
Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman,  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman,  
Stanley R. Bystrak, Councilman  
ABSENT: 0.

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

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 15th day of March, 1954.

**PUBLIC HIGHWAYS TO BE IMPROVED**  
Woodland Terrace—From Huth Road to End of Street.  
**TYPE OF STREET LIGHTING INSTALLATION**  
Y-20 Standards—Underground Conduit.

WHEREAS, Edward B. Jerzewski, Eugene A. Rudzinski and Andrew H. Schwenk, Assessors of said Town of Cheektowaga have certified in writing to this board that the above petition is duly signed and acknowledged in the name of 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 2nd day of August, 1954, at 8:00 P.M. Eastern Daylight Saving Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published once in the Depew Herald and Cheektowaga News, and Cheektowaga Times, the official newspapers of the Town, not less than ten (10) nor more than twenty (20) days before the date herein for the hearing aforesaid and that copies of this order be posted conspicuously in five 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.

Recorded by Councilman Nagel  
duly put to a vote which resulted as follows:

Councilman Nagel, Voting Aye,  
Councilman Wroblewski, Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Bystrak, Voting Aye,  
Councilman Holtz, Voting Aye,  
5; NOES: 0; ABSENT: 0  
York )

Clerk of the Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 12th day of July, 1954, 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 12th day of July, 1954.  
KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the

annexed printed slip taken from said newspaper, is a copy,

was inserted and published therein once a week for

week, the first insertion being on the

15th day of July, 1954, 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

19

public in and for Erie County.

(seal)

ly15

NOTICE OF HEARING MCNAUGHTON AVENUE FROM TILLOTSON AVENUE TO END OF STREET \* STREET LIGHTING EQUIPMENT

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 28th day of June, 1954.

PUBLIC HIGHWAYS TO BE IMPROVED  
McNaughton Avenue— From Tillotson Avenue, to End of Street.  
TYPE OF STREET LIGHTING INSTALLATION  
Y-20 Standards — Underground Conduit.

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

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 2nd day of August, 1954, at 2:30 P.M. Eastern Daylight Saving Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

Councilman Nagel, Voting Aye,  
Councilman Wroblewski, Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Byrns, Voting Aye,  
Supervisor Foltz, Voting Aye.

AYES: 5; NOES: 0; ABSENT: 0

- Posted as follows on the 22nd day of July, 1954;
- 1- Post at the corner of McNaughton Avenue and Tillotson Avenue;
  - 2- Telephone Pole No. 15 on McNaughton Avenue;
  - 3- Telephone Pole No. 16 on McNaughton Avenue;
  - 4- Post in front of No. 124 McNaughton Avenue;
  - 5- Post in front of No. 120 McNaughton Avenue.

HEARING  
Petition  
of the Town  
of Cheektowaga,  
New York, held at the  
Town of Cheek-  
towaga on July, 1954,  
Eastern Daylight  
were:  
  
Supervisor  
Councilman  
[Name], Councilman  
Councilman  
Councilman

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

WILLARD C. ALLIS, of the Town of Cheekto-  
waga, in said County of Erie, being duly sworn,  
deposes and says that he is the publisher of the  
Cheektowaga Times, a public newspaper pub-  
lished 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~~ one week;  
first publication ..... JUL 15 1954 .....  
last publication ..... JUL 15 1954 .....  
and that no more than six days intervened be-  
tween publications.

*Willard C. Allis*

Sworn to before me this.....  
day of JUL 19 1954, 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, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

Bystrak, Voting Ave,  
Holt, Voting Ave,  
New York

Eastern  
e were:

Advisor  
man,

KEN-  
man,  
cilman,  
man,  
an,

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 12th day of  
July, 1954, 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 12th day  
of July, 1954.

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

at the  
of the  
hearing the Town Board  
that it was in the public interest  
to repeal the aforementioned or-  
dinance in its entirety, be it  
RESOLVED, that Ordinance N  
of the General Ordinances of the  
Town of Cheektowaga, New York,  
be repealed and that Ordinance  
to be repealed be as follows:

ON REPEALING  
Ordinance N. 10  
of the General Ordinances of  
the Town of Cheektowaga, New York,  
and amending the Charter of the  
Town of Cheektowaga, New York,  
in that regard.

JUL 26 1954

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... week, the first insertion being on the  
..... day of July, 1954, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

day of

....., 19.....  
*Kenneth Hanley*

Notary Public in and for Erie County.

no 52 0020

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 17th day of May, 1954.

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 17th day of May, 1954.

**PUBLIC HIGHWAYS TO BE IMPROVED**

Oehman Blvd— From Huth Road, to End of Street.

**TYPE OF STREET LIGHTING INSTALLATION**

Y-20 Standards — Underground Conduit.

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

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 2nd day of August, 1954, at 2:30 P.M. Eastern Daylight Saving Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

Councilman Nagel, Voting Aye,  
Councilman Wroblewski,

Voting Aye,

Councilman Nebert, Voting Aye,  
Councilman Bystrik, Voting Aye,  
Supervisor Holtz, Voting Aye.

AYES: 5; NOES: 0; ABSENT: 0

Posted as follows on the 22nd day of July, 1954;

- 1- Telephone No. 256 on Oehman Blvd.;
- 2- Post at the corner of Oehman Blvd. and Huth Road;
- 3- Tree in front of No. 35 Oehman Blvd.;
- 4- Tree in front of No. 28 Oehman Blvd.;
- 5- Post in front of No. 15 Oehman Blvd.;

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



Art Young & Down  
Pulling Contest 3  
SUNDAY  
NORTH of  
SUN JULY 17  
Annual  
N-STEEL  
East

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the ..... day of July, 1954, 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 26 1954

19.....

Kenneth T. Hanley

Notary Public in and for Erie County.

IN 52 8800

Hon. Town Board  
Town Hall  
Cheektowaga, N. Y.

Gentlemen:

This is to advise you that I have inspected the Highways as follows--

Farmingdale Rd. running from Fairhaven Dr. to Greenway Blvd. Glendale Lane running from Farmingdale Rd. to Greenway Blvd. Fairhaven Dr. running from Farmingdale Rd. to Cleveland Dr. and Greenway Blvd. running from Princeton Ct. to Fairhaven Dr.

I wish to state that they all meet with the specifications set forth by the Town. Therefore: I ask your Hon. Body to accept these Highways as above described, after which, will be maintained by the Highway Department of the Town of Cheektowaga.

hoping you will apply your attention to this matter, I am.

Respectfully yours

John J. Zablotny

Sup't of Highways  
Town of Cheektowaga

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, the Town Highway Superintendent has notified the Town Board that Farmingdale Road, commencing at its intersection with Fairhaven Drive and extending in a generally easterly direction to Greenway Blvd; also Glendale Lane commencing at Farmingdale Road and extending in a generally northerly direction to Greenway Blvd; also Fairhaven Drive commencing at Farmingdale Road and extending in a northeasterly direction to Cleveland Drive, have been paved in accordance with the minimum specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, and has recommended the acceptance of said highways as town highways, be it

RESOLVED, that Farmingdale Road, commencing at its intersections with Fairhaven Drive and extending in a generally easterly direction to Greenway Blvd; also Glendale Lane, commencing at Farmingdale Road and extending in a generally northerly direction to Greenway Blvd.; also Fairhaven Drive, commencing at Farmingdale Road and extending in a northeasterly direction to Cleveland Drive be accepted as town highways, subject to the jurisdiction of the Town Highway Superintendent, and that the Town Attorney be authorized to record in the Erie County Clerk's Office a deed to said highways.

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

Supervisor Holtz,	Voting <u>Aye</u>
Councilman Nagel,	Voting <u>Aye</u>
Councilman Wroblewski,	Voting <u>Aye</u>
Councilman Neibert,	Voting <u>Aye</u>
Councilman Bystrak,	Voting <u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 25

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, the Personnel Officer of Erie County has certified to the Town Board that Walter H. Lucas, V. N. Lichtenthal and Henry R. Gabryszak, Sloan, New York, successfully passed a civil service examination for the position of Telephone Operator and Police Dispatcher and are eligible for appointment, and

WHEREAS, there is now need that two be appointed,

STATE OF NEW YORK  
COUNTY OF ERIE

York, and at the Town Hall, in  
said Town of Cheektowaga, New  
York, on the 12th day of July,  
1954, at 2:30 P.M. Eastern  
Daylight Saving Time, were:

PRESENT:  
Benedict  
Henry J.  
Felix T.

Councilman  
Joseph A.  
Stanley

ABSENT:  
Mr. Bystrak

WHEREAS, resolution for the  
improvement of both sides of the  
public highways owned by the  
Consolidated Light & Power  
of the Town of Cheektowaga, here-  
inafter referred to as "the  
equipment," particularly  
described and mentioned in this  
Town Board resolution of the 17th day of  
May, 1954, to be

**PUBLIC**  
Huth  
15  
**TYPES OF STREET LIGHTING  
INSTALLATION**  
Underground

Underground

front-  
of said highways to be im-  
proved, as aforesaid, and

WHEREAS, the portions of said  
highways to be improved are sit-  
uated entirely in said Town out-  
side of any incorporated village  
or city therein,

NOW, THEREFORE, IT IS  
HEREBY ORDERED that the  
Town Board of the Town of  
Cheektowaga meet at the Town  
Hall in said Town of Cheektowaga  
on the 2nd day of August,  
1954, at 2:30 P.M. Eastern Day-  
light Saving Time to consider the  
said petition and to hear all per-  
sons interested in the subject  
thereof concerning the same, and  
IT IS FURTHER ORDERED  
that a copy of this order, certified  
by the Town Clerk, be published  
at least once in the Depew Herald  
and Cheektowaga News, and the  
Cheektowaga Times, the official  
newspapers of the Town, not less  
than ten (10) nor more than  
twenty (20) days before the date  
set herein for the hearing afore-  
said 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 twen-  
ty (20) days before the day des-  
ignated for the hearing as afore-  
said.

Seconded by Councilman Nagel  
and duly put to a vote which re-  
sulted as follows:  
Councilman Nagel, Voting Aye.  
Councilman Wroblewski,

Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Bystrak, Voting Aye,  
Supervisor Holtz, Voting Aye,  
AYES: 5; NOES: 0; ABSENT: 0

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 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 12th day of  
July, 1954, 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 12th day  
of July, 1954.  
KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
anhexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... week, the first insertion being on the  
..... day of ..... 1954, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

Richard G. Bennett

..... day of

1954, 19.....

Hanley  
Public in and for Erie County.

July 12, 1954

Hon. Town Board  
Town Hall  
Cheektowaga, N. Y.

Gentlemen:

This is to advise you that I have inspected the Highways as follows--

Farmingdale Rd. running from Fairhaven Dr. to Greenway Blvd. Glendale Lane running from Farmingdale Rd. to Greenway Blvd. Fairhaven Dr. running from Farmingdale Rd. to Cleveland Dr. and Greenway Blvd. running from Princeton Ct. to Fairhaven Dr.

I wish to state that they all meet with the specifications set forth by the Town. Therefore: I ask your Hon. Body to accept these Highways as above described, after which, they will be maintained by the Highway Department of the Town of Cheektowaga.

Hoping you will apply your attention to this matter, I am.

Respectfully yours

John J. Zablotny

Sup't of Highways  
Town of Cheektowaga

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, the Town Highway Superintendent has notified the Town Board that Farmingdale Road, commencing at its intersection with Fairhaven Drive and extending in a generally easterly direction to Greenway Blvd; also Glendale Lane commencing at Farmingdale Road and extending in a generally northerly direction to Greenway Blvd; also Fairhaven Drive commencing at Farmingdale Road and extending in a northeasterly direction to Cleveland Drive, have been paved in accordance with the minimum specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, and has recommended the acceptance of said highways as town highways, be it

RESOLVED, that Farmingdale Road, commencing at its intersections with Fairhaven Drive and extending in a generally easterly direction to Greenway Blvd; also Glendale Lane, commencing at Farmingdale Road and extending in a generally northerly direction to Greenway Blvd.; also Fairhaven Drive, commencing at Farmingdale Road and extending in a northeasterly direction to Cleveland Drive be accepted as town highways, subject to the jurisdiction of the Town Highway Superintendent, and that the Town Attorney be authorized to record in the Erie County Clerk's Office a deed to said highways.

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

Supervisor Holtz,	Voting	<u>Aye</u>
Councilman Nagel,	Voting	<u>Aye</u>
Councilman Wroblewski,	Voting	<u>Aye</u>
Councilman Neibert,	Voting	<u>Aye</u>
Councilman Bystrak,	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 25

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, the Personnel Officer of Erie County has certified to the Town Board that Walter H. Lucas, V. N. Lichtenthal and Henry R. Gabryszak, Sloan, New York, successfully passed a civil service examination for the position of Telephone Operator and Police Dispatcher and are eligible for appointment, and

WHEREAS, there is now need that two be appointed,

BE IT RESOLVED. that Walter H. Lucas No. and Henry R. Gabryszak No. , Sloan, New York, be appointed Telephone Operators and Police Dispatchers for the Town of Cheektowaga, New York, at a annual salary of \$3,400 payable in semi-monthly installments. Seconded by Councilman Neibert.

CARRIED: Ayes: -5-

Item No. 26

Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that the request of the Niagara Frontier Transit Company to locate a turn-around at Broadway and Michael Street and to operate its buses from Wagner Avenue to a point approximately 75 feet east of Michael Street, be granted, upon condition that it erect on the premises toilet facilities for its employees. No passengers are to be carried from Wagner Avenue and Michael Street.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Excused from voting
Supervisor Holtz	Voting AYE

Carried: Ayes: -4-  
Excused: -1-

Item No. 27

DECISION OF  
ZONING BOARD OF APPEALS

In the Matter of the Application of

PHILIP LIPPA

To Rezone From "Residence" to "Business" Property on Union Road, opposite Clearvale Drive.

There is filed with the Town Board a letter from Herbert S. Coe, M.D., dated June 24, 1954, addressed to Fred M. Fijas, 4431 Union Road, Cheektowaga, New York, from which it would appear that Dr. Coe will occupy the property, and that the office building will not exceed one (1) cellar floor and one (1) floor above the ground.

The Zoning Board is paying no attention to the stipulation relative to the driveway or the setback from the street for the reason both of those matters are regulated by Town Ordinances.

There are many homes built on Union Road in this immediate vicinity and business zoning should be confined to the type businesses which do not seriously affect a residential area. We believe that a doctors office in this location is desirable, providing it is build to conform more or less with home construction.

It is noted that this property has a frontage of fifty feet and a depth of approximately 871.30 feet. We believe the rezoning should be confined to a depth of 250 feet.

We therefore, recommend that the premises described in the petition be rezoned from "Residence" to "Business" so that the same can be used for a professional office building, but only to the depth of 250 feet.

Dated: July 6, 1954.

Leo Kurnick  
Chairman

Michael L. Henfling

Joseph F. Kubera

Lawrence M. Januszczak

**LEGAL NOTICE**  
**Rezoning Granted**

WHEREAS, the Zoning Board of Appeals held a public hearing on the 23rd day of June 1954, for the purpose of considering the application of Philip Lipka for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and,

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 6th day of July 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 12th day of July, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone premises from Residence District to Business District, be and the same is hereby confirmed and approved.

NOW, THEREFORE, BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance" be and the same hereby is amended by changing the zoning map so as to change the following described property from that of "Residence District" to Business District."

**DESCRIPTION**

Part of Lot No. 13, Township 11, Range 7, of the Holland Land Company's Survey, being located on the east side of Union Road, commencing 640.66 feet south of the north line of Lot No. 13 and being 50 feet front and rear at approximately 871.36 feet in depth.

(Union Road, east side, opposite Clearvale Drive)

(50 feet frontage and 250 feet in depth to be rezoned for business purposes.)

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

Dated: July 12, 1954 (7-15)

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 ..... JUL 15 1954 .....  
last publication ..... JUL 15 1954 .....  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
JUL 19 1954  
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, 1955  
Registered No. 5029

July, 1954:

The above notice was posted as follows on the 19th day of  
1- Town Hall Bulletin Board.

Item No. 28 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. ( Warrant No. 1233 to No. 1365, inculsive, drawn on the Supervisor).

Item No. 29 Councilman Nagel moved, seconded by Councilman Neibert, to adjourn.

SEAL.

Kenneth T. Hanley, Town Clerk.



Item No. #6 Councilman Wroblewski presents the following resolution and moves its adoption:

RESOLVED to request the Erie County Highway Superintendent Mr. Harry Crafts for a permit to install a "Stop and Go" red blinker traffic light at the dangerous intersection of Cayuga Creek Road and William Street.

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

as follows:

AYES 5

CARRIED

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

RESOLVED, that the expired term of Charles Hanson as a member of the Zoning Board of Appeals be extended to July 19, 1955.

Seconded by Councilman Neibert

AYES 5

CARRIED

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

RESOLVED, that the expired term of Leo H. Kurnich as a member of Zoning Board of Appeals be extended to July 19, 1958.

Seconded by Councilman Neibert

AYES 5

CARRIED

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

WHEREAS, a petition for the creation of a Fire Protection District in the Town of Cheektowaga, New York, pursuant to the Town Law was presented to this Town Board on the 28th day of June, 1954, and,

WHEREAS, it appears to this Town Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property situated in the proposed Fire Protection District, and is also signed by non-resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property owned by non-resident owners situated in the territory of the proposed Fire Protection District, and

WHEREAS, the petition is accompanied by a map showing the boundaries of the proposed Fire Protection District, its metes and bounds, description being 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 of the Holland Land Company's survey.

And

WHEREAS, the territory hereinbefore described is situated entirely in said Township outside of any incorporated village or city therein,

NOW THEREFORE,

IT IS ORDERED THAT the Town Board of the Town of Cheektowaga meet at the Town Hall, corner Broadway and Union Road in said Township on the 2nd day of August, 1954, at 2.30 o'clock P.M. Eastern Daylight Saving Time to consider said petition and to hear all persons interested in the subject thereof concerning the same, and it is

FURTHER ORDERED that a copy of this order certified by the Town Clerk be published at least once in the Cheektowaga Times and the Depew Herald and Cheektowaga News the official newspapers of the Town of Cheektowaga, New York, not less than ten nor more than twenty days before the date set herein for the hearing and that copies of this order be posted conspicuously in five public places within the proposed Fire Protection District not less than ten nor more than twenty days before said day designated for the hearing.

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

AYES 5

CARRIED

Posted as follows on the 23rd day of July, 11954;

- 1- Telephone Pole No. 240 on French Road;
- 2- Telephone Pole at the corner of Borden Road and French Road;
- 3- Telephone Pole at the corner of Borden Road and Losson Road;
- 4- Bulletin Board - South Line Fire House on French Road;
- 5- Telephone Pole No. 65 on French Road.

150

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

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

*Willard C. Allis* of the  
 Town of Cheektowaga, in said County of Erie, be-  
 ing duly sworn, deposes and says that *he* is  
*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 news-  
 paper is a copy, was inserted and published in  
 said paper once a week for *one* weeks, first  
 publication *JUL 22 1954*;  
 last publication *JUL 22 1954*;  
 and that no more than six days intervened be-  
 tween publications.

*Willard C. Allis*

Sworn to before me this *JUL 22 1954*  
 day of *JUL 22 1954*, 19*54*

*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*56*  
 Registered No. 5029

Item No. #6 Councilman Wroblewski presents the following resolution and moves its adoption:

RESOLVED to request the Erie County Highway Superintendent Mr. Harry Crafts for a permit to install a "Stop and Go" red blinker traffic light at the dangerous intersection of Cayuga Creek Road and William Street.

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

as follows:  
AYES 5

CARRIED

Item No. 7 Councilman Nagel presented the following resolution:

RESOLVED, that the expired term of Charles H. the Zoning Board of Appeals be extended to July 19, 1955.

Seconded by Councilman Neibert

AYES 5

Item No 8 Councilman Nagel presented the following resolution:  
Its adoption:

RESOLVED, that the expired term of Leo H. Kurn Zoning Board of Appeals be extended to July 19, 1958.

Seconded by Councilman Neibert

AYES 5

Item No. 9 Councilman Nagel offered the following resolution:  
adoption:

WHEREAS, a petition for the creation of a Fire District in the Town of Cheektowaga, New York, pursuant to the Town Law, this Town Board on the 28th day of June, 1954, and,

WHEREAS, it appears to this Town Board that a petition is duly signed and acknowledged in the same manner as a deed by resident taxpayers owning taxable real property aggregating one-half of the assessed valuation of all the taxable real property in the proposed Fire Protection District, and is also signed by non-resident owning taxable real property aggregating more than one-half of the valuation of all the taxable real property owned by non-residents in the territory of the proposed Fire Protection District, and

WHEREAS, the petition is accompanied by a map and a series of the proposed Fire Protection District, its metes and bounds being 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 of the Hollaender Land Company's survey.

And

WHEREAS, the territory hereinbefore described is wholly in said Township outside of any incorporated village or city,

NOW THEREFORE,

IT IS ORDERED THAT the Town Board of the Town of Cheektowaga meet at the Town Hall, corner Broadway and Union Road in said Town on the 2nd day of August, 1954, at 2.30 o'clock P.M. Eastern Daylight Time to consider said petition and to hear all persons interested in the same of concerning the same, and it is

FURTHER ORDERED that a copy of this order of the Town Board be published at least once in the Cheektowaga Times Herald and Cheektowaga News the official newspapers of the Town of Cheektowaga, New York, not less than ten nor more than twenty days before the hearing and that copies of this order be posted conspicuously in public places within the proposed Fire Protection District not less than ten nor more than twenty days before said day designated for the hearing.

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

AYES 5

CARRIED

Posted as follows on the 23rd day of July, 1954;

- 1- Telephone Pole No. 240 on French Road;
- 2- Telephone Pole at the corner of Borden Road and French Road;
- 3- Telephone Pole at the corner of Borden Road and Losson Road;
- 4- Bulletin Board - South Line Fire House on French Road;
- 5- Telephone Pole No. 65 on French Road.

150

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

**Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga, on the 19th day of July, 1954 at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were:**

**PRESENT:**  
 Benedict T. Holtz, Supervisor  
 Henry J. Nagel, Councilman  
 Joseph A. Neibert, Councilman  
 Felix T. Wroblewski, Councilman  
 Stanley Bystrak, Councilman

**ABSENT:** None

Councilman Nagel offered the following resolution and moved its adoption:

**WHEREAS,** a petition for the creation of a Fire Protection District in the Town of Cheektowaga, New York, pursuant to the Town Law was presented to this Town Board on the 25th day of June, 1954 and,

**WHEREAS,** it appears to this Town Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property situated in the proposed Fire Protection District, and is also signed by non-resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property owned by non-resident owners situated in the territory of the proposed Fire Protection District, and

**WHEREAS,** the petition is accompanied by a map showing the boundaries of the proposed Fire Protection District, its meters and bounds, description being 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 of the Holland Land Company's survey.

**AND**

**WHEREAS,** the territory hereinbefore described is situated entirely in said Township outside of any incorporated village or city therein,

**IT IS ORDERED** that the Town Board of the Town of Cheektowaga, Erie County, New York, do hereby order that a hearing be held at the Town Hall, Cheektowaga, New York, on the 2nd day of August, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time to consider said petition and to hear all persons interested in the subject thereof concerning the same, and it is

**FURTHER ORDERED** that a copy of this order certified by the Town Clerk be published at least once in the **CHEEKTOWAGA TIMES** and the **Depew Herald and Cheektowaga News**, the official newspapers of the Town of Cheektowaga, New York, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing and that copies of this order be posted conspicuously in five public places within the proposed Fire Protection District not less than ten nor more than twenty days before said day designated for the hearing.

Seconded by Councilman Wroblewski, duly put to a vote which resulted as follows:  
 Supervisor Holtz, voting Aye.  
 Councilman Nagel, voting Aye.  
 Councilman Bystrak, voting Aye.  
 Councilman Neibert, voting Aye.  
 Councilman Wroblewski, voting Aye.

**AYES: 5 NOES: 0 ABSENT: 0**

**STATE OF NEW YORK**  
**ERIE COUNTY**  
**OFFICE OF THE CLERK SS:**  
**OF THE TOWN OF**  
**CHEEKTOWAGA**

This is to certify that I, **KENNETH T. HANLEY**, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga, in said County of Erie, on the 19th day of July, 1954 and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 19th day of July, 1954.

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

(7-22)

WANT ADS  
ARE SURE!

Anchor Inn vs Arm. Mach. & Fou  
dry at Town, Hah 3.

"A" SCHEDULE

Gunners at Geo. Urban 4  
N.Y.S. Gas & Electric vs Pine H  
Geo. Urban 2  
Cornell Lab. vs Check Sports  
ler at Geo. Urban 1  
Sprudels AC vs Postmanur-Clof  
Theo. Roosevelt  
Imperial AC vs Zolo's Rest.

Muny Schedules  
"AA" SCHEDULE

Monday, July 26 - 8:30 pm

camp for...  
In Japan he attended...  
turned to his outfit, the 175  
Armoured Field Artillery. The  
he attended five weeks of lead  
ship training at the 24th Div  
Non-commissioned Officers Acc  
emy. By the time he return

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
one week, the first insertion being on the  
22nd day of July, 1954, and  
the last insertion being on the day of  
19, and that not  
more than six days intervened between any two publi-  
cations thereof.

Richard G. Bennett

Sworn to before me this day of  
JULY 20 1954  
19

Notary Public in and for Erie County.

lm-49 5803

Item No. 10 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved, and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. ( Warrant No. 1366 to No. 1402, inclusive, drawn on the Supervisor.) :51

Item No. 11 Councilman Nagel moved, seconded by Councilman Wroblewski, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk.

STATE OF NEW YORK

1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were present:

**PRESENT:**  
 Benedict T. Holtz, Supervisor  
 Henry J. Nagel, Councilman  
 Joseph A. Neibert, Councilman  
 Felix T. Wroblewski, Councilman  
 Stanley Bystrak, Councilman

**ABSENT:** 0

Councilman Nagel offered the following resolution and moved its adoption:

**WHEREAS**, a petition for the creation of a Fire Protection District in the Town of Cheektowaga, New York, pursuant to the Town Law was presented to this Town Board on the 28th day of June, 1954, and

**WHEREAS**, it appears to this Town Board that the above petition is duly signed and acknowledged in the name of the owners of the real property situated in the territory of the proposed Fire Protection District, and is also signed by non-resident taxpayers owning real property aggregating more than one-half of the assessed valuation of all the taxable real property situated in the proposed Fire Protection District, and

**WHEREAS**, the petition is accompanied by a map showing the boundaries of the proposed Fire Protection District, its metes and bounds, description being as follows:

**ALL THAT TRACT OR PARCELS 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 of the Holland Land Company's survey.

**WHEREAS**, the territory hereinafter described is situated entirely in Township outside of any incorporated village or city.

**WHEREFORE**, it is **ORDERED** that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner Broadway and Union Road in Cheektowaga Township on the 2nd day of August, 1954, at 8:30 o'clock P.M., Eastern Daylight Saving Time to receive and petition and to hear and determine interested in the subject hereof concerning the same.

**IT IS FURTHER ORDERED** that a copy of this order certified by the Town Clerk be published at least once in the Cheektowaga Times and the Depew Herald and Cheektowaga News, the official newspapers of the Town of Cheektowaga, New York, not less than ten nor more than twenty days before the date set herein for the hearing and that copies of this order be conspicuously in five public places within the proposed Fire Protection District not less than ten nor more than twenty days before said day designated for the hearing.

Resolved by Councilman Wroblewski and duly put to a vote, which resulted as follows:  
 Supervisor Holtz, Voting Aye  
 Councilman Nagel, Voting Aye  
 Councilman Wroblewski, Voting Aye  
 Councilman Neibert, Voting Aye  
 Councilman Bystrak, Voting Aye  
 Ayes, Noes 0, Absent 0. Carried.

State of New York )  
 Erie County )  
 Office of the Clerk of the ) as:  
 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 now on file in this office, and which was signed by the Town Board of the Town of Cheektowaga, Erie County, New York, on the 19th day of July, 1954, and the same to be true and correct and true transcript thereof, and the resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 19th day of July, 1954.

KENNETH T. HANLEY,  
 Clerk of the Town Board,  
 1722 Town of Cheektowaga, N.Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 22nd day of July, 1954, 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

July 19 1954

\_\_\_\_\_ 19\_\_\_\_\_

\_\_\_\_\_ public in and for Erie County.

Item No. 10 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved, and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. ( Warrant No. 1366 to No. 1402, inclusive, drawn on the Supervisor.)

151

Item No. 11 Councilman Nagel moved, seconded by Councilman Wroblewski, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk.

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Special Meeting No. 20 September 7, 1954</u>		
2	Appointment of Matthew Frank, Viola Maciejewski, Sophie Wesolowski, Larry Budny, Mrs. C. Hauser, Bertha Kreinheder, Leona Kosmala, and Lucille Stravano as School Guards	189
3	Authorization of Town Superintendent's trip to annual meeting of NYS Association of Towns Superintendents of Highways	189
4	Erection of "Stop Then Go" signs on Cayuga and William St. intersection lights by Reynders Electric Co.	189
5	Installation of globe type lights, three on Floral Place and one on Beach Rd., one on Schlenker Ave.	189
6	Easement authorizing Erie County Water Authority to install Aurora Dr. water mains	189
7	Notice of Public Hearing - Mansion St. curbing and drainage	190-191
8	Polling Places	192
9	Renewal of bond anticipation notes held by Manufacturers and Traders Trust Co. dated from June 12, 1954, October 1, 1953, September 16, 1953, September 16, 1953, June 12, 1954, and February 19, 1954	193
10	Budget Estimates for Special Districts 1955	194-197

Special Meeting No. 34 September 27, 1954

3	Building permits dated September 25, 1954	220
4	Completion of Colden Ct. by Steinmiller Construction Co. and acceptance of Colden Ct. as Town Highway	220
6	Acceptance of bid from George Roetzer for Homesgarth Ave. paving	220
7	Acceptance of bid from Pitt Construction Co. for Geo. Urban Blvd. Pump Station project	220-221
8	Acceptance of bid from C.E. Knowles Co. for paving and fence construction, revision of contract	221
9	Conveyance of Dick Rd. town property to Erie County for highway purposes	221
9A	Election Notice	222
10	Budget Estimates of Expenses and Revenue, 1955	223-226
11	Approval of claims (Warrant No. 1886-1929)	226

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Special Meeting No. 44 November 29, 1954</u>		
2	Bid Summary - water mains and appurtenances, New Walden Ave.	276
3	Communication from Buffalo Transit Co. - request to operate bus route on Union Rd. section, parts of Maryvale Dr, Rosary Blvd, Danbury Dr, and Heather Rd.	276
4	Acceptance of Hillside Ave., Delray Dr, Miami Pkwy, part of Cherokee Dr, Dania Dr, N. Pleasant Pkwy, N. Meadowbrook Bkwy, Aurora Dr, and Ontario Dr. as Town Highways	276
5	Communication from Highway Superintendent relating to Town Highways affected by NYS Thruway	276
6	Installation of street lights on Norine Dr, Peoria St, and Harlem Ave.	276
7	Notice of Public Hearing - Yorktown St. paving	277-278
8	Notice of Public Hearing - Yorktown St. lateral sewer construction	278-279
10	Notice of Public Hearing - adoption of Ordinance No. 10 (construction of fences, height of shrubbery at street corners)	280-281
11	Notice of Public Hearing - construction of permanent paving on Lena Ave. and Vincent Ave.	281-283
12	Approval of claims (Warrant No. 2488-2539)	283
13	Building Permits dated December 20 and 27, 1954	283

\*\*\*Note: No number 9 was stated in this meeting.\*\*\*

NO.

ITEM

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Special Meeting No. 48 December 31, 1954

2	Approval of additional appropriations and transfers to 1954 Budget	309-310
3	Amendment - transfer of \$2,000 from Highway Fund to Miscellaneous Fund	310
4	Annual Report of Supervisor, 1954	311-318

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 26 August 2, 1954</u>		
3	Notice of Hearings before Public Service Commission re Cheektowaga bus routes - referred to Town Attorney	152
4	Petition for street light installation of Flora Rd.- referred to Councilman Bystrak	152
5	Petition protesting smoke, etc. from Louis St. greenhouse - referred to Building Inspector & Town Board	152
6	Authorization of John Carr, Joseph Huber and A. Klaja to attend NYS Police Conference in Syracuse	152
7	Pine Hill Fire Co. request to close Normandy Ave. for Annual Field Day	152
8	Transfer of cash from construction and improvement fund accounts to Special District Funds	152
9	Replacement of damaged street lamp standard on Concord Ave.	152
10	Acceptance of Greenway Blvd. as Town Highway	152
11	Resolution - no sick leave granted without Town Health Dept. report	152
12	Purchase of traffic signal for Union Rd. in front of North Hill Elementary School	152
13	Public Hearing - Light installation on McNaughton Ave. from Tillotson Ave. to end of Street	152-153
14	Public Hearing - Light installation on Woodland Terrace from Huth Rd. to end of street	153-154
15	Public Hearing - Light installation on Oehman Blvd. from Huth Rd. to south end of street	154
16	Installation of lumen light at Oriole and Andres St. by Niagara Mohawk Power Corp.	154
17	Appointment of Florian Jablonski as janitor	155
18	Approval of Maroone Motor Co. to store new and used autos on property on Harlem Rd. until permanent location is found	155
19	Public Hearing - creation of Fire Protection District 3	156
20	Bond Resolution - \$6,000 Serial Bonds for Woodridge Ave. sidewalk construction, \$6000 bond anticipation notes	157-159
21	Authorization of Town Clerk to issue building permits from July 24 and July 31, 1954 applications	159
22	Legal proceedings re Town Clerk petition against public burial ground conditions and upkeep	159-160
23	Zoning application approved - Buffalo Realty Corp.	160-161
24	Rezoning approved - Anna Liebert	162
25	Rezoning denied - Theodore Demblewski & Stephen Bartell	163
26	Closing off Clover Place for U-Crest Hose Co. Annual Field DAY	163
27	Request of Theodore Demblewski about Freda Place driveway - referred to Building Inspector; permission to remove dirt on his Fred Place property granted	163

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Continued</u>		
28	Communication from Ervin Zepp, Director of Ohio State Archeological & Histroical Society - request for Cheektowaga map	163
29	Communication from Julia Reinstein reporting on Cooperstown "The Seminars on American Culture" (Office of the Town Historian)	163
30	Approval of claims (Warrnt No. 1403-1524)	163

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 27 August 16, 1954</u>		
4	Petition - Union Rd. sidewalk installation - referred to Assessors	164
5	Summary of bids - trunk sewer improvement in Sewer District No. 5	164-165
6	Building Permits - August 7, 1954 and August 14, 1954	166
7	Installation of "Stop then Go" blinker signal at Cayuga Creek Rd. and William St. intersection by Reynders Electric Co.	166
8	McLain Construction Co. permit cancelled re dirt removal	166
9	Dominic Cerrone and Depew Paving Co. permit cancelled	166
10	Lester Baker and Depew Paving Co. permit cancelled	166
11	Installation of globe type lumen lights on Flora Ct., Town Park, and Wilshire Rd. by Niagara Mohawk Power Corp.	166
12	Installation of lumen lights at Mapleview Rd. by NYS Gas & Electric Corp.	166
13	Purchase of lighting standards from Union Metal Manufacturing Co. and installation on S. Huth Rd. by NYS Gas & Electric Corp.	166
14	Purchase and installation of lighting standards on Woodland Terrace by Niagara Mohawk Power Corp.	166
15	Purchase and installation of lighting standards on Oehman Blvd., by Niagara Mohawk Power Corp.	166
16	Installation of 8 fire hydrants in Walden Fire District No. 2, by Erie County Water Authority	167
17	Inspection of Irving Ryersee's property on 470 Darwin dr. for possible violation of ground level ordinance	167
18	Easement agreement granted by Norman and Dorothy Greenauer for sewer Construction	167
19	Replacement of sidewalk by Brunner Paving Co. and hedge trimming by Town Highway Superintendent, in Cleveland Dr.-Kensington section	167
20	Repair of sidewalk by No. 4 Manlon Terrace by Castricone Construction Co.	167
21	Bond Resolution - \$7,600 Serial bonds for lateral sewer construction in Mapleview Ave. and \$7,600 bond anticipation notes	167-169
22	Capital Note Resolution - \$4,000 capital notes for installation of lights on Chesterfield Dr., Verdun Place, Carol Dr, and Mafalda Dr.	169-171
23	Notice of Public Hearing- regulations of Airport District	172-173
24	Notice of Public Hearing - Enactment of Ordinance No. 3 (authorization of excavation on public property)	173-174
25	Notice of Public Hearing - improvement of Peoria St. (curbs, underground drains)	175-176

NO.

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Continued

26	Notice of Public Hearing - curbing and drainage of Chesterfield Dr.	176-177
27	Notice of Public Hearing - Western NY Motor Lines bus route	178
28	Notice of Public Hearing - creation of Water District No. 10	179-180
29	Approval of claims (Warrant No. 1525-1637)	180

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 28 August 30, 1954</u>		
3	Petition - installation of curbs and receivers on Mansion St. - referred to Assessors	181
4	Petition - lights on Furlong Rd. - referred to Assessors	181
5	Communication - Erie County Highway Superintendent - re signal at Walden and Reo St. intersection	181
6	Building Permits - from August 21, 1954 and August 28, 1954	181
7	Acceptance of bid from C.E. Knowles for improvements to Sewer Treatment Plant No. 5	181
8	Installation of four globe type overhead standard lights in Town Park, moving of one light on Rosewood Terrace by Niagara Mohawk Power Corp.	181
9	Rezoning granted - Robert, Elizabeth and George Sahl	181-182
10	Notice to Bidders - three police cars	183-184
11	Notice to Contractors - paving of Homesgarth Ave.	184-185
12	Notice to Contractors - construction of Geo. Urban Blvd. Pumping Station serving Sewer District No. 5	186-187
13	Approval of Claims (Warrant No. 1638-1689)	187

NO.

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Meeting No. 29 September 3, 1954

The Supervisor announced that the meeting scheduled for this day has been cancelled.

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 31 September 13, 1954</u>		
3	Summary of Bids - three police cars	198
4	Public Hearing - creation of Water District No. 10	198
5	Public Hearing - Chesterfield Dr. curbs and drainage	198-199
6	Public Hearing - WNY Motor Lines, Inc. bus route	199
7	Public Hearing - repeal of Section 20A (Airport District) of Zoning Ordinances	199
8	Public Hearing - Peoria St. curbs and drainage	199
9	Public Hearing - adoption of Ordinance No. 3	199
10	Building Permits - Sept. 11, 1954	200
11	Resolution - no Town Highway accepted without Highway Committee acceptance	200
12	Installation of fence at Roycroft Pumping Station by Smith Fence Co.	200
13	Resurfacing of Broadway by NYS Dept. of Public Works	200
14	Acceptance of Crescent Ct. and Princeton Ct. as Town Highways	200
15	Reduction of speed limit and erection of "Stop and Go" blinkers on Cayuga Creek Rd., installation of blinker system at corner of Rossler and Dingens St.	200
16	Water easement for Erie County Water Authority for Lyman Ave.	200
17	Installation of hydrants on Alpine Place and corner of Park Edge and Kaufman Rd. by Erie County Water Authority; conference about unfilled hydrants requests	200
18	Installation of traffic signal at Walden and Reo intersection	201
19	Erection of stop signs at Oriole Place and Geo. Urban Blvd. intersection by County Superintendent of Highways	201
20	Erection of "No Parking" signs on Cleveland Dr. by Chief of Police	201
21	Acceptance of Lyman Ave. as Town Highway	201
22	Approval of claims (Warrant No. 1690-1793)	201

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 32 September 20, 1954</u>		
3	Authorization of Dr. Vendetti's attendance of U.S. Health Conference	202
4	Petition - paving of Aura Dr. - referred to Assessors	202
5	Summary of bids - improvements in Sewer District No. 5	202-203
6	Summary of bids - Homesgarth Ave. pavement construction	203
7	Bond Resolution - \$35,000 Serial bonds for trunk sewer construction in Sewer District No. 5; \$35,000 bond anticipation notes	203-205
8	Bond Resolution - \$60,000 Serial bonds and \$60,000 bond anticipation notes for sanitary sewer system construction in extension of Sewer District No. 5	204-207
9	Notice of Public Hearing - Cedar Rd. light installation	207-208
10	Adoption of Town of Cheektowaga Ordinance No. 3	209-210
11	Public Hearing - Mansion St. curbs and drainage	210
12	Public Hearing - Special Districts Budget and Assessment Roll 1955	210-211
13	Notice of Public Hearing - fire protection for Fire Protection District No. 3 by South Line Volunteer Fire Co.	211-213
14	Rezoning granted - Carl Fassell	213-214
15	Rezoning denied - Anthony Kajdasz	215
16	REzoning denied - Chester Walczak	215
17	Variance - Cresbury Clothes, Inc. New Walden Ave. building	215
18	Subdivision Map of Thruway Court from Nussbaumer, Clarke and Velzy approved and filed in Assessors office	216
19	Subdivision Map of Cherokee Park Part 3 from Herthe & Sonnenberger approved and filed in Assessors office	216
20	Installation of "No Parking from Here to Corner" sign on Straley Ave. near Harlem Ave.	216
21	Purchase of four ornamental standards for McNaughton Ave. Special Lighting District from Westinghouse Electric Co.	216
22	Hiring of Michael A. Wagner and Sons, Inc. to paint and tile Civilian Defence Lookout Post	216
23	Hiring of Nussbaumer, Clarke and Velzy to survey and estimate Peoria St. for curbs and receivers & underground drains	216-217
24	Permission granted for Fireworks Display given by Mrs. Janet Zimmerman	217

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Continued</u>	
25	Appointment of Stanley Senko in Laboratory Dept. for Disposal Plants No. 3 and 5	217
26	Acceptance of Amherst Memorial Co.'s proposal to reinter graves from old public cemetery to Bowmansville Perpetual Cemetery	217
27	Building Permits dated September 18, 1954	217
28	Approval of claims (Warrant No. 1794-1885)	217

NO.

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Meeting No. 33 September 23, 1954

2	Adoption and Approval of Special Districts Budget, 1955	218-219
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Meeting No. 47 December 23, 1954

Due to lack of quorum the meeting for this date was cancelled.

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 August, 1954, at 2:30 o'clock P.M., E.D.S.T., there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

Also present were: Town Clerk Hanley; Town Attorney Doyle; Chief of Police Mersmann; Tax Collector Pfohl and Town Historian Julia B. Reinstein.

Item No. 2 The Town Clerk advised the Board that the minutes of the previous meeting have been placed on their desks in the Council Chamber.

Item No. 3 Notice of Hearings before the Public Service Commission in relation to bus routes in the Town of Cheektowaga ordered referred to the Town Attorney.

Item No. 4 Petition for the installation of Street Lights ( Wooden Poles ) on Flora Road from Cleveland Drive to Mapleview Road ordered referred to Councilman Bystrak.

Item No. 5 Petition protesting smoke, fumes and dirt emanating from a greenhouse located on Louis Street ordered referred to the Building Inspector and the Town Board.

Item No. 6 Councilman Nagel moved, seconded by Councilman Neibert, that John Carr, Joseph Huber and A. Klaja be authorized to attend the New York State Police Conference at Syracuse, New York, from August 23, 1954 to August 26, 1954.

Item No. 7 Councilman Neibert moved, seconded by Councilman Nagel, that the request of the Pine Hill Fire Company to close Normandy Avenue on August 13th, 14th, 15th and 16th, 1954, in connection with their Annual Field Day be granted.

Item No. 8 Councilman Neibert moved, seconded by Councilman Wroblewski; that the following cash on deposit in the various construction and improvement fund accounts be transferred to their respective Special District Funds as the jobs are completed:

Sewer District No. 5:	
Walden Thruway Extension.....	\$6,859.41
Sewer District No. 5	
Trunk Extension.....	3,317.70
Darwin Drive Paving.....	1,016.26
Sugnet Road Paving.....	412.37
Walton Drive Paving.....	415.73
Cresthaven Drive Paving.....	337.59
Floral Place Lateral Sewer.....	138.71

Carried: Ayes: -5-

Item No. 9 Councilman Bystrak moved, seconded by Councilman Neibert, that the street lamp standard damaged recently on Concord Drive, west side, near the corner of Kensington Avenue, be replaced and that the charge for same be a General Fund Item.

Carried: Ayes: -5-

Item No. 10 Councilman Nagel moved, seconded by Councilman Wroblewski; WHEREAS, the Town Highway Superintendent has recommended that Greenway Boulevard be accepted as a Town Highway the same having been paved in accordance with the minimum specifications of the Town Highway Superintendent and the regulations of the Town of Cheektowaga, New York, be it

RESOLVED, that Greenway Boulevard be accepted as a Town Highway subject to the jurisdiction of the highway superintendent and subject to the approval of the Town Engineer.

Carried: Ayes: -5-



NAMES OF HIGHWAYS

McNaughton Avenue

Tillotson Avenue

End of Street

TYPE OF STREET LIGHTING INSTALLATION

Y-20 Standards Underground Conduit.

and near all persons interested in the subject thereof.

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

(a) that such petition is signed and acknowledged as required by law and is otherwise sufficient, and

(b) that it is in the public interest to grant in whole the relief sought,

by the installation of street lighting equipment hereinabove particularly described along said streets, and

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

<u>Councilman Nagel</u>	VOTING <u>Aye</u>
<u>Councilman Wroblewski</u>	VOTING <u>Aye</u>
<u>Councilman Neibert</u>	VOTING <u>Aye</u>
<u>Councilman Bystrak</u>	VOTING <u>Aye</u>
<u>Supervisor Holtz</u>	VOTING <u>Aye</u>

AYES: 5

NOES: 0

ABSENT: 0

STATE OF NEW YORK )  
COUNTY OF ERIE ) SS.

I, Kenneth T. Hanley, Town Clerk of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town held on the 2nd day of August 1954, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof; and that the resolutions and orders duly adopted by the said Town Board are on file in my office.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

I FURTHER CERTIFY that a certified copy of such resolution and order was caused by me to be recorded in the Office of the Clerk of Erie County, New York, on the 10 day of August 1954.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 10 day of August 1954.

Kenneth T. Hanley  
Town Clerk

(SEAL)

ITEM No. 14

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
Woodland Terrace	Huth Road	End of Street.

TYPE OF STREET LIGHTING INSTALLATION

Y-20 Standards- Underground 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
Woodland Terrace	Huth Road	End of Street

TYPE OF STREET LIGHTING INSTALLATION

Y-20 Standards- Underground 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 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. Nagel and duly put to a vote which resulted as follows:

<u>Councilman Nagel</u>	VOTING <u>Aye</u>
<u>Councilman Wroblewski</u>	VOTING <u>Aye</u>
<u>Councilman Neibert</u>	VOTING <u>Aye</u>
<u>Councilman Bystrak</u>	VOTING <u>Aye</u>
<u>Supervisor Holtz</u>	VOTING <u>Aye</u>

AYES: 5

NOES: 0

ABSENT: 0

STATE OF NEW YORK )  
COUNTY OF ERIE ) SS.

I, Kenneth T. Hanley, Town Clerk of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town on the 2nd day of August 19 54, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof; and that the resolutions and orders duly adopted by the said Town Board are on file in my office.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

I FURTHER CERTIFY that a certified copy of such resolution and order was caused by me to be recorded in the Office of the Clerk of Erie County, New York, on the 10 day of August 19 54.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 10 day of August 19 54.

Kenneth T. Hanley  
Town Clerk

SEAL:

Item No. 15

This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof was duly filed.

PUBLIC HIGHWAYS TO BE IMPROVED		
NAMES OF HIGHWAYS	FROM	TO
Oehman Blvd.	Huth Road	South to end of street
TYPE OF STREET LIGHTING INSTALLATION		
Y-20 Standards- Underground 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
Oehman Blvd.	Huth Road	South to end of street
TYPE OF STREET LIGHTING INSTALLATION		
Y-20 Standards- Underground 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 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 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 Yor, within ten days after the adoption hereof, in conformity with Section 195 of the Town Law.

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

<u>Councilman Wroblewski</u>	VOTING <u>Aye</u>
<u>Councilman Nagel</u>	VOTING <u>Aye</u>
<u>Councilman Neibert</u>	VOTING <u>Aye</u>
<u>Councilman Bystrak</u>	VOTING <u>Aye</u>
<u>Supervisor Holtz</u>	VOTING <u>Aye</u>

AYES: 5

NOES: 0

ABSENT: 0

STATE OF NEW YORK )  
COUNTY OF ERIE ) SS.

I, Kenneth T. Hanley, Town Clerk of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town on the 2nd day of August 19 54, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof; and that the resolutions and orders duly adopted by the said Town Board are on file in my office.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

I FURTHER CERTIFY that a certified copy of such resolution and order was caused by me to be recorded in the Office of the Clerk of Erie County, New York, on the 10 day of August 19 54.

Kenneth T. Hanley  
Town Clerk

SEAL

Item No. 16

Councilman Bystrak presented the following resolution and moved its adoption:

BE IT RESOLVED, that the Niagara Mohawk Power Corp. be authorized to make a light installation of 2500 lumens at Oriole and Andres Streets.

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

Supervisor	Benedict T. Holtz	Voting <u>Aye</u>
Councilman	Joseph A. Neibert	Voting <u>Aye</u>
Councilman	Felix Wroblewski	Voting <u>Aye</u>
Councilman	Stanley Bystrak	Voting <u>Aye</u>
Councilman	Henry Nagel	Voting <u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, FLORIAN F. JABLONSKI sucessfully passed a Civil Service examination for JANITOR in the Town of Cheektowaga, New York, and is eligible for a permanent appointment

BE IT RESOLVED that Florian F. Jablonski be, and he is hereby appointed Janitor of the Town of Cheektowaga, New York, at an annual salary of Three Thousand Four Hundred Dollars (\$3,400.00) payable in semi-monthly installments.

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

Supervisor Holtz,	Voting	<u>AYE</u>
Councilman Nagel,	Voting	<u>AYE</u>
Councilman Wroblewski,	Voting	<u>AYE</u>
Councilman Neibert,	Voting	<u>AYE</u>
Councilman Bystrak,	Voting	<u>AYE</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 18

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Maroone Motor Company has applied to the Town Board for a permit to conduct a business on vacant land located in the Town of Cheektowaga, New York pursuant to provisions of Section 14-A of the Zoning Ordinances of the Town of Cheektowaga, New York, and

WHEREAS, it appears in the application for the permit that the Maroone Motor Company holds a franchise for the sale of new Ford automobiles and has opened temporary headquarters at 2409 Harlem Road, Cheektowaga, New York until it can obtain property upon which to erect buildings required for such Ford agency, That it is making a diligent effort to obtain a permanent location in the Town of Cheektowaga, and

WHEREAS, there are permanent structures on the property located at 2409 Harlem Road which are used in connection with the business of the agency and there is room to store more cars outside than in the permanent building. That it is their intention to remain at the present location temporarily, that it intends to move as soon as it has obtained a location for the establishment of permanent headquarters, and this Town Board having investigated the location and use of the property at 2409 Harlem Road, it is of the opinion that the application should be granted. Be it,

RESOLVED, that pursuant to provisions of Section 14-A of the Zoning Ordinances of the Town of Cheektowaga, New York permission is hereby granted to the Maroone Motor Company, to use the entire premises at 2409 Harlem Road to store new and used automobiles, until such time as it obtains a permanent location for its agency. This permit may be transferred to such new location, provided the Maroone Motor Company applies for obtains a building permit to construct a building on said permanent location, to be used as a permanent headquarters for its agency. This permit shall expire June 30, 1955. Be it

RESOLVED that the Town Clerk mail to Maroone Motor Company, 2409 Harlem Road, Buffalo 25, New York, a certified copy of this resolution, which will operate as a permit, under the provisions of aforementioned Zoning Ordinances. The Maroone Motor Company has paid the sum of One Hundred Dollars (\$100.00) fee required for the issuance of such permit.

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

Sypervisor Holtz,	Voting	<u>AYE</u>
Councilman Neibert,	Voting	<u>AYE</u>
Councilman Bystrak,	Voting	<u>AYE</u>
Councilman Wroblewski,	Voting	<u>AYE</u>
Councilman Nagel,	Voting	<u>AYE</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 19 This being the time and the place advertised for a public hearing for the creation of Fire Protection District No. 3 ( Notice hereto attached)

156

**WHEREAS, a petition for the creation of a Fire Protection District in the Town of Cheektowaga, New York, pursuant to the Town Law was presented to this Town Board on the 28th day of June, 1954 and,**

WHEREAS, it appears to this Town Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property situated in the proposed Fire Protection District, and is also signed by non-resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property owned by non-resident owners situated in the territory of the proposed Fire Protection District, and

WHEREAS, the petition is accompanied by a map showing the boundaries of the proposed Fire Protection District, its metes and bounds, description being 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 of the Holland Land Company's survey,

and

WHEREAS, the territory hereinbefore described is situated entirely in said Township outside of any incorporated village or city therein,

Item No. 19 Cont'd The Supervisor directed the Town Clerk to present proof of publication of the Notice of Hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon order of the Supervisor such proof was duly filed.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing, and no person or persons appearing in opposition thereof,

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, there has been presented to this Board a verified petition in due form, with necessary map, for the creation of a fire protection district, to be known as Fire Protection District No. 3 in the Town of Cheektowaga, New York and the resolution and order of the Town Board reciting the filing of the petition and specifying the time when, and the place where the Town Board would meet to consider said petition and to hear all persons interested in the subject thereof concerning the same, be published and posted as required by law, and the hearing having taken place at the Town Hall, corner Broadway and Union Rd. Cheektowaga, New York on the 2nd day of August, 1954, at 2.30 o'clock P.M. Eastern Daylight Saving Time, at which hearing all persons interested in the subject matter were given an opportunity to be heard, and the Town Board having given due consideration thereon; and

WHEREAS, said petition for the creation of said Fire Protection Dist. #3 of the Town of Cheektowaga, New York is signed, approved and acknowledged as required by law, and is otherwise sufficient, and there is attached to said petition a map showing the boundaries of the proposed fire protection district, and

WHEREAS, it is not required that the Town shall finance the cost of the creation of said fire protection district by the issuance of bonds, notes, certificates or other evidence of indebtedness of the Town therefor;

NOW, THEREFORE, after due deliberation, it is RESOLVED AND ORDERED:

First: That the petition is signed and acknowledged and approved as required by law, and is otherwise sufficient.

Second: That it is in the public interest to grant the relief sought.

Third: That all the property and property owners included within the proposed fire protection district benefitted thereby.

Fourth: That all the property and property owners benefitted are included therein, and that no property or property owners or persons benefitted thereby have been excluded therefrom; and

BE IT FURTHER RESOLVED, that the petition for the creation of Fire Protection District No. 3 be and the same is hereby granted. That Said Fire Protection District No. 3 is embraced by the following described territory.

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 50 56 inclusive, farm lots 89 to 97 inclusive and farm lots Nos. 105 to 113 inclusive of Township 10, Range 7 of the Holland Land Company's survey.

AND BE IT FURTHER RESOLVED, that the Town Clerk be and he is hereby authorized and directed to file with the Clerk of the County of Erie, New York, a certified copy of this resolution, within ten (10) days after its adoption and that he also cause a certified copy of this resolution to be filed in the State Department of Audit and Control, at Albany, N.Y. within ten (10) days of its adoption.

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

Supervisor Holtz	Voting aye
Councilman Nagel	Voting aye
Councilman Wroblewski	voting aye
Councilman Neibert	Voting aye
Councilman Bystrak	Voting aye

EYES 5

NOES 0

ABSENT 0

The following order and resolution was offered by Mr. Nagel who moved its adoption, seconded by Mr. Neibert to wit:

BOND RESOLUTION DATED AUGUST 2, 1954, AUTHORIZING THE ISSUANCE OF \$6,000.00 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF SIDEWALKS.

WHEREAS, the Town Board has undertaken the specific object or purpose hereinafter described, and such specific object or purpose is a special improvement authorized by Article 12 of the Town Law of New York; NOW, THEREFORE,

BE IT RESOLVED by the Town Board of the Town of Cheektowaga as follows:

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$6,000.00 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose" to be financed pursuant to this resolution is the construction of concrete sidewalks four (4) feet in width on both sides of Woodridge Avenue, for its entire length commencing at the south line of Huth Road, to the north line of Maryvale Drive, in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga, New York September 21, 1953.

Section 3. The expenses of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board is \$7840.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, except the sum of \$1840.00 raised by tax and now available to be applied thereto, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, except for the sum of \$1840.00 now available therefor, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 24 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. This resolution shall be published in full by the Town Clerk of Said Town, together with a notice in substantially the form prescribed by Section 81.00 of said local Finance Law, and such publication shall be in the "Depew Herald and Cheektowaga News" and "Cheektowaga Times", the official newspapers of the Town of Cheektowaga, 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 (20) days after the date of such publication or if such obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall take effect immediately upon its adoption.

Resolution was duly adopted, the vote being as follows:

Supervisor	Benedict T. Holtz	voting aye
Councilman	Felix T. Wroblewski	voting aye
Councilman	Stanley Bystrak	voting aye
Councilman	Henry Nagel	voting aye
Councilman	Joseph A. Neibert	voting aye

CARRIED

Cheektowaga Times:

Hereto attached is a copy of the notice published in the

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

*Harriet M. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *she* is  
*secretary* of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks; first  
publication **AUG 12 1954**;  
last publication **AUG 12 1954**;  
and that no more than six days intervened be-  
tween publications.

*Harriet M. Allis*

Sworn to before me this  
day of **AUG 12 1954**, 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, 1955  
Registered No. 5029

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

**LEGAL NOTICE**

**BOND RESOLUTION DATED AUGUST 2, 1954, AUTHORIZING THE ISSUANCE OF \$6,000.00 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF SIDEWALKS.**

WHEREAS, the Town Board has undertaken the specific object or purpose hereinafter described, and such specific object or purpose is a special improvement authorized by Article 12 of the Town Law of New York; NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$6,000.00 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of concrete sidewalks four (4) feet in width on both sides of Woodridge Avenue, for its entire length commencing at the south line of Huth Road, to the north line of Maryvale Drive, in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga, New York on September 21, 1953.

Section 3. The expenses of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$7,840.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, except the sum of \$1,840.00 raised by tax and now available to be applied thereto, and (c) the Town Board plans to finance the cost

Bonds, except for the sum of \$1,840.00 now available therefor, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 24 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. This resolution shall be published in full by the Town Clerk of said Town together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in "The Depew Herald and Cheektowaga News" and "Cheektowaga Times," the official newspapers of the Town of Cheektowaga, published and having a general circulation in said Town. The validity of said Serial Bonds or any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication or if such obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been duly adopted on August 2, 1954 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, State of New York, 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 (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

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

STATE OF NEW YORK  
COUNTY OF ERIE

Section 7. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in "The Depew Herald and Cheektowaga News" and "Cheektowaga Times", the official newspapers of the Town of Cheektowaga, 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 (20) days after the date of such publication or if such obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall take effect immediately upon adoption.

ROSEWALD and MASONRY  
INK  
WHITE  
PINT

**R. BENNETT**  
being duly sworn, ~~deposes~~ and says that he is the

**PUBLISHER**

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 12<sup>th</sup> day of AUGUST, 1954, 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 \_\_\_\_\_, 1954.

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



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

STATE OF NEW YORK  
COUNTY OF ERIE

**WAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF SIDEWALKS.**

WHEREAS, the Town Board has undertaken the specific object or purpose hereinafter described, and such specific object or purpose is a special improvement authorized by Article 12 of the Town Law of New York; NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$8,000.00, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed by this resolution is the construction of concrete sidewalks four (4) feet in width on both sides of Woodridge Avenue, for its entire length commencing at the south line of Ruth Road, to the north line of Maryvale Drive, in accordance with a resolution adopted by the Town Board of Cheektowaga, New York, on September 21, 1953.

Section 3. The expenses of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. The amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board is \$7840.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, except the sum of \$1840.00 raised by tax and now available to be applied thereto, and (c) the Town Board plans to finance the cost of said purpose entirely from funds rais-

and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 24 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in "The Depew Herald and Cheektowaga News" and "Cheektowaga Times", the official newspapers of the Town of Cheektowaga, 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 if 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 (20) days after the date of such publication or if such obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been duly adopted on August 2, 1954 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, State of New York, is not authorized to expend money, or if the provision of the 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 (20) 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

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

STATE OF NEW YORK  
COUNTY OF ERIE

**WAGA, IN THE COUNTY OF  
ERIE, PURSUANT TO THE LO-  
CAL FINANCE LAW, TO FI-  
NANCE THE CONSTRUCTION  
OF SIDEWALKS.**

WHEREAS, the Town Board has undertaken the specific object or purpose hereinafter described, and such specific object or purpose is a special improvement authorized by Article 12 of the Town Law of New York; NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$8,000.00, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of concrete sidewalks four (4) feet in width on both sides of Woodridge Avenue, for its entire length commencing at the south line of Huth Road, to the north line of Maryvale Drive, in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga, New York on September 21, 1953.

Section 3. The expenses of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. The amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board is \$7840.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, except the sum of \$1840.00 raised by tax and now available to be applied thereto, and (c) the Town Board plans to finance the cost of said purpose entirely from funds rais-

\$1840.00 now available therefor, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 24 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in "The Depew Herald and Cheektowaga News" and "Cheektowaga Times", the official newspapers of the Town of Cheektowaga, 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 (20) days after the date of such publication or if such obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been duly adopted on August 2, 1954 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, State of New York, is not authorized to expend money, or if the provision of the 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 (20) 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

IN WITNESS WHEREOF, The Town of Cheektowaga, New York has caused this note to be signed by its Supervisor, and its corporate seal to be hereunto affixed and attested by its Town Clerk and this note to be dated as of the 2nd day of August, 1954.  
TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

ATTEST

BY: Benedict T. Holtz  
Supervisor

Kenneth T. Hanley  
Town Clerk

Item No. 21. Councilman Wroblewski moved, seconded by Councilman Neibert that the Town Clerk be authorized and directed to issue building permits on applications presented by the petitions committee on July 24th and 31st 1954, after same have been approved by the Building Inspector.

CARRIED AYES 5

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

WHEREAS, the Town of Cheektowaga, New York is the owner of a cemetery in which no burials have been made to the knowledge of the Town Board within the last fifty years and the Town Board believe it is to the best interests of the Town of Cheektowaga that said cemetery be abandoned, be it

RESOLVED, that the Supervisor and the Town Attorney be authorized to institute legal proceedings, pursuant to Section 296 of the Town Law to abandon said cemetery. That a complete description of said cemetery is contained in the annexed duly verified petition of Benedict T. Holtz, Supervisor, a copy of which is hereto annexed. That the information set forth in said petition is true to the knowledge, information and belief of the members of the Town Board, be it further

RESOLVED that the Supervisor be and he is hereby authorized to execute said petition on behalf of the Town of Cheektowaga, New York.

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

AYES 5                      NOES 0                      ABSENT 0

STATE OF NEW YORK

SUPREME COURT COUNTY OF ERIE

\*\*\*\*\*

In the matter

- of -

TO THE SUPREME COURT OF THE COUNTY OF ERIE:

The petition of Benedict T. Holtz, respectfully shows that your petitioner resides at 48 Ridge Park Avenue, Cheektowaga, New York and is the duly elected Supervisor of the Town of Cheektowaga, Erie County, New York.

That on the 16th day of February, 1854, Kavira Batt executed and delivered to Elijah C. Adams, Martin Browner and Amos Ray, Committee appointed to locate and purchase land for a public burying ground for the Town of Cheektowaga, New York a warranty deed, which deed was duly recorded March 20, 1854, in the Erie County Clerk's Office in Liber 152 of Deeds page 94, of the following premises.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being a part of Lot No. 13, Township 11, Range 7 of the Holland Company's Survey, described as follows:

Beginning at a point on the west side of Lot no. 13 near the south center part of the section road in Township 11, Range 7, thirty two (32) links northeast from a wild cherry tree standing in said section road near opposite of Louis Sugnet's house; thence southerly along the east line of said road three (3) chains sixteen (16) links to a stake and stones; thence easterly at right angles with the east line of said road (3) chains seventeen (17) links to a stake and stones; thence northerly and parallel with the east line of said road three (3) chains sixteen links to a stake and stones; thence westerly three chains seventeen (17) links to the place of beginning, containing one (1) acre more or less.

Upon information and belief thereafter several deceased persons were buried in said cemetery, the exact number being unknown to your petitioner. That your petitioner has inspected the premises and that it

appears there are seven markers mentioned and described in Exhibit "A" attached to the affidavit of Edgar Krauch.

That petitioner further sets forth that in his opinion other persons are buried in said cemetery, but there is no way of ascertaining their names, or the names of any of their relatives, or the number. That there are no records in the Town of Cheektowaga showing the names or the number of persons buried.

That your petitioner has made a diligent inquiry of various old residents of the Town of Cheektowaga, but has been unable to obtain any information other than what appears on the inscription found on the markers in the cemetery.

Your petitioner discussed the matter with John C. Stiglmeier, former Supervisor of the Town of Cheektowaga, who was elected to that office in 1919 and held the office until 1931. That he was informed by Mr. Stiglmeier that no burials were made in the cemetery during the period of time he was Supervisor. That he was informed by Mr. Stiglmeier that no burials were made in the cemetery during the period of time he was Supervisor. That he is also informed by various town officials that no burials were made in said cemetery from 1931 to the present time. That the predecessors in the office of Supervisor to Mr. Stiglmeier are deceased. That from information your petitioner has obtained from old residents of the Town no one has been buried in the cemetery in upwards of fifty years.

Your petitioner further sets forth that the cemetery is not kept up or maintained by any of the relatives or persons buried therein and the same has been abandoned for many years by the Town of Cheektowaga and the relatives of persons buried therein. That the only maintenance of said cemetery has been done by The Town of Cheektowaga, pursuant to Section 291 of the Town Law.

That your petitioner and members of the Town Board have caused an investigation to be made and can find no person, group or association who has taken charge of said cemetery, and to your petitioner's knowledge said cemetery has been abandoned and left to disintegrate by the Town of Cheektowaga and relatives of deceased persons buried therein.

That your petitioner obtained a title search of the premises and there does not appear there on a deed of conveyance of any portion of the cemetery to any person. That the only record your petitioner has of persons buried in the cemetery is the one copied from the monuments and markers as shown on Exhibit "A" attached to the affidavit of Edgar Krauch.

Your petitioner further sets forth that the Amherst Memorial Co of which Edgar Krauch is proprietor has agreed in writing with the Town of Cheektowaga to dig approximately thirty (30) graves, furnish plain wooden roughboxes for re-interment, transport the remains, furnish a Quincy Granite finished monument appropriately lettered with sandblast letters and eight markers of granite lettered with sandblast letters and eight markers of granite lettered to conform with inscriptions shown on old stones now at the cemetery, with foundations of cement for all stones. This company further agrees to provide Public Liability Insurance and a suitable bond required.

The Amherst Memorial Co further agrees to obtain necessary space for new graves at Bowmansville Perpetual Care Cemetery and provide all work necessarily involved to re-inter the bodies in said cemetery.

The Amherst Memorial Co. further agrees that all this work would be done and new graves purchased for the sum of Twenty Two Hundred and Thirty Dollars (\$2230.00) and that if more than thirty graves are to be opened there will be an additional cost of Thirty Dollars (\$30.00) per grave. The above mentioned cost to cover the removal of all memorial work from said cemetery, furnish new markers at the Bowmansville Cemetery and the interment of all bodies therein, place the remains found in standard pine boxes, identify them as to name and transport them to the Bowmansville Perpetual Care Cemetery in accordance with specifications filed by the Amherst Memorial Co. with the Town of Cheektowaga, New York.

That no previous application has been made for the relief herein asked.

WHEREFORE, your petitioner request an Order of this Court directed to the New York Cemetery Board, the Commissioner of Health of State of New York, the attorney General of the State of New York and to the heirs at law, next of kin and decedents of the persons whose names appear on the monuments, tombstones and markers, which names are set forth in Exhibit "A" attached to the affidavit of Edgar Krauch to show cause why the remains of all bodies interred in the Cheektowaga Town Cemetery located on the east side of Union Road, a short distance north of Genesee Street and more particularly set forth in the above description of said cemetery and why all other necessary proceedings to complete said disinterment and reinterment should not be had and taken pursuant to Section 296 of the Town Law of the State of New York and for such other and further relief as to this Court may seem just and proper that said cemetery be declared abandoned.

Benedict T. Hütz

STATE OF NEW YORK  
COUNTY OF ERIE            25  
TOWN OF CHEEKTOWAGA

BENEDICT. T. HOLTZ, Supervisor of the Town of Cheektowaga, being duly sworn deposes and says that he is the petitioner in this action; that he has read the foregoing petition and knows the contents thereof; that the same is true to the knowledge of the petitioner, except as to the matters therein stated to be alleged on information and belief, and that as to those matters he believes it to be true.

Benedict. T. Holtz

Subscribed and sworn to before  
me this 2 day of August, 1954.  
Leo. B. Doyle  
Notary Public

Item No. 23

DECISION OF  
ZONING BOARD OF APPEALS.

---

In the Matter of the Application of  
BUEFALO REALTY CORPORATION  
For a variance or use permit for premises  
located on Broadway near Union Road,  
Cheektowaga, New York.

---

The petitioner is the owner of property located on the south side of Broadway, east of the Town Hall. This property has a frontage of approximately 692.28 feet on Broadway, and a depth to the right of way of the D. L. & W Railroad Company of approximately 1752.78 feet on the west line and 1558.01 feet on the east line.

When the zoning map was prepared several years ago the front portion of the property to a depth of 300 feet was placed in a First Industrial District, and the property in the rear thereof was placed in a Second Industrial District. This application is confined to the area zoned First Industrial District. It is upon this land that the petitioner and or the American Freightway Company intends to erect an office building, warehouse and terminal for trucks.

Representatives of both Companies appeared before the Zoning Board at the public hearing, held July 7, 1954, and it was explained that buildings of a similar type will be constructed on the remaining property zoned First Industrial District, as well as on the property zoned Second Industrial District.

It was developed at the hearing that a great portion of the property located in the Second Industrial District may be used to erect buildings for the storage of goods, wares and merchandise, warehousing and as a freight terminal. At this time it is contemplated that all of these buildings will be used for the same general purposes.

The question arose as to whether or not a variance was required in order for the petitioner and or the American Freightway Company to use the front portion of the property for warehouse buildings and as a truck or freight terminal, and it was to eliminate any question of doubt that this application was made for the variance.

Section 19 of the Zoning Ordinances defines the use and regulations in a First Industrial District. It permits the use of property located in a First Industrial District for a warehouse for the storage of all type of materials.

There is no doubt that the premises hereinafter described may be used for all the purposes mentioned in the petitioner's application, except possibly a freight terminal which is one of the uses permitted in a Second Industrial District.

Neither the petitioner nor the American Freightway Company has asked to have the front portion of the property rezoned to a Second Industrial District, nor do they intend to do any manufacturing of any kind or description on the front portion of the property for any of the uses permitted in a Second Industrial District.

To eliminate any doubt as to whether or not the premises hereinafter described may be used for the erection thereon of offices and a warehouse for the storage of goods, wares and merchandise, and as a truck or freight terminal, the Zoning Board of Appeals is granting the following variances. 101

Permission is hereby granted to the petitioner and the American Freightway Company, their successors and assigns, and they are hereby given the right and privilege to erect on the front portion of the premises hereinafter described buildings to house offices, a warehouse for the storage of goods, wares and merchandise, and as a truck and freight terminal, and to use said premises for each or all of the above purposes.

The property is to remain in a First Industrial District, subject to the variances herein above granted.

The property upon which the variance is granted is described as follows: ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 10, Township 11, Range 7, of the Holland Land Company's Survey and more particularly bounded and described as follows:

BEGINNING at a point in the southerly line of Broadway distant six hundred sixty-five and three hundredths (665.03) feet easterly from the point of intersection of the southerly line of Broadway with the westerly line of said Lot No. 10; running thence southerly at an interior angle of  $91^{\circ} 08' 30''$  three hundred (300) feet; thence easterly parallel with the southerly line of Broadway six hundred ninety two and twenty-eight hundredths (692.28) feet; thence northerly at an exterior angle of  $92^{\circ}$  with the southerly line of Broadway three hundred (300) feet to the southerly line of Broadway; thence westerly along said line of Broadway six hundred ninety-two and twenty eight hundredths (692.28) feet to the point of beginning

Dated July 21, 1954

Leo Kurnick  
Chairman  
C. B. Hanson  
Michael L. Henfling  
Joseph P. Kubera  
Lawrence M. Januszczak

Item No. 24  
its adoption:

Councilman Nagel presented the following resolution and moved

102

**WHEREAS, the Zoning Board of Appeals held a public hearing on the 7th day of July, 1954, for the purpose of considering the application of Anna Liebert for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and**

**WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and**

**WHEREAS, the Zoning Board of Appeals on the 22nd day of July, 1954, having rendered its decision granting the application of petitioner to rezone from Residential District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 2nd day of August, 1954,**

**BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone premises from Residential District to Business District, be and the same is hereby confirmed and approved.**

**NOW, THEREFORE,**

**BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended entitled "Zoning Ordinance" 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**

Part of Lot No. 75, Township 11, Range 7, Transit Road, west side, approximately one-half mile south of Genesee Street.

(200 foot frontage by 200 foot in depth.)

Dated: August 2, 1954.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

The above notice was published on the Town Hall Bulletin Board on the 16th day of August, 1954.

Item No. 21 Hereto attached is a copy of the notice published in the Depew Herald-Cheektowaga News:

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

BENNETT

the 7th day of August, 1954, for the purpose of considering the application of Anna Liebert for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 22nd day of July, 1954, having rendered its decision granting the application of petitioner to rezone from Residential District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 2nd day of August, 1954,

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone premises

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ONE week, the first insertion being on the 12th day of AUGUST, 1954, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard S. Bennett*

ENSEYRES  
BE SATURDAYS

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

AUG 16 1954

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

*Kenneth T. Hanley*

Notary Public in and for Erie County.

IN 52000

Item No. 25 Councilman Nagel moved, seconded by Councilman, that the application of Theodore Demblewski & Stephen Bartall, to rezone the following described premises from Residential District, to Business District, be denied. 103

Carries: Ayes; 5-

OF LAND, County of Erie and State of New York, being part of Farm Lot 24, Township 11, Range 7, of the Holland Land Company's Survey and further distinguished as Subdivision Lots Nos. 35 and 36, shown on Map of Harlem Park, subdivision filed under Cover No. 1210, together being seventy (70) feet front and rear by one hundred seven (107) feet in depth, situate on the north side of Freda Avenue, commencing one hundred forty (140) feet east of Harlem Road.

Item No. 26 Councilman Nagel moved, seconded by Councilman Neibert, that the request of the U-Crest Hose Company to close off Clover Place on August 6th and 7th, 1954, in connection with their Annual Field Day, be granted.

Item No. 27 Theodore Demblewski was granted the floor and requested information relating to the construction of a driveway on Freda Place. Ordered referred to the Building Inspector.

Mr. Demblewski requested permission to remove dirt from premises owned by him on Lot No. 35 and 36 on Fred Place. Councilman Wroblewski suggested that the request be granted.

Item No. 28 Communication read from Erwin C. Zepp, Director of the Ohio State Archaeological & Historical Society requesting a copy of a Town of Cheektowaga Atlas.

Item No. 29 The Town Clerk proceeded to read the following communication:

( OFFICE OF THE TOWN HISTORIAN )

July 31, 1954.

The Honorable Town Board  
Town Hall  
Cheektowaga 25, New York

Gentlemen:

My trip to Cooperstown, New York, July 6-13, 1954 to participate as a member of the faculty of The Seminars on American Culture, proved very interesting and valuable to me. I was proud to represent Cheektowaga among the 350 people from 17 states and Canada.

As you already know, the Seminars are set up with a set of morning and afternoon sessions and general evening groups. College credit is given to those who enroll thru Syracuse University. The Seminars attract persons from all walks of life, who are interested in some phase of American history and development.

The section in which I was one of the faculty "experts" was entitled "Using Local History". Those who headed the section along with me were three state historians, a county historian and another local historian from Connecticut. 70 persons signed up for the section, but in-as-much as attendance in any of the groups is on the "honor system". I am happy and proud to report that in the two days I had charge of the session, several from other groups attended my lectures.

Among the persons who were in my section were local, county, and state historians, professional writers and newspaper men, librarians, museum directors, business men, teachers and students.

The first three days of the session was devoted to Celebrations, (1) Why, What, How to start a Celebration; (2) Organization and Planning a Celebration; (3) The Program and Record of the Celebration; were the 3 days programs. I got a great deal of very practical information on the actual progress of setting up and administering a celebration, whether on a small or large range scale. This I shall assemble and file, against the time I am asked to help on some sort of celebration here in the Town of Cheektowaga.

Saturday, July 10th, was Cheektowaga Day in the session of "Using Local History". Dr. Corey had asked me to go into detail about the development of the map collection and its exhibition, as well as the creation of the Historical Atlas. It gave me a chance to plug my town, and prove how "up and coming" it is. I told the people of the original idea of the map exhibit, and how it has grown into the Atlas for local use.

Item No. 21 Hereto attached is a copy of the notice published in the Depew Herald-Cheektowaga News:

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ONE week, the first insertion being on the 12th day of AUGUST, 1954, and the last insertion being on the ..... day of ....., 19....., and that not more than six days intervened between any two publications thereof.

*Richard S. Bennett*

the 7th day of ..... the purpose of considering the petition of Anna Liebert for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 22nd day of July, 1954, having rendered its decision granting the application of petitioner to rezone from Residential District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 2nd day of August, 1954,

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone premises from Residential District to Business District, be and the same is hereby confirmed and approved.

NOW, THEREFORE, BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended entitled "Zoning Ordinance" 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

Part of Lot No. 75, Township 11, Range 7, Transit Road, west side, approximately one-half mile south of Genesee Street.

(200 foot frontage by 200 foot in depth.)

Dated: August 2, 1954.

KENNETH T. HANLEY,  
Town Clerk

Town of Cheektowaga, N. Y. Public in and for Erie County.

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

*Hanley*

I explained how the Atlas is continuing to grow and will now contain material which will be of use all over Erie County, as background for further study on the part of school children and persons interested in their local history.

To illustrate my lectures, I took with me eight old Atlases and books, 40 sheets of maps, either original or reproduced, to explain how and why I did my work. In addition I had two copies of the Town of Cheektowaga Historical Atlas and my work copy there for people to see. Because of the interest and the number of questions put to me, I had not nearly completed my part of the program on the first day. Dr Corey asked me to continue on the following Monday.

I feel that I did a good job, for the response to the lectures was fine. The others on the panel told me, before the group, and privately that here was a very necessary job being done, that in their estimation had never been done before in this part of the country. In other words I was pioneering in the field of local history and its relation maps. The Town Board has received requests for copies of the Atlas, to be used as a sample and standard for research in 9 middle western States, and in the State Library at Albany and in the New York Public Library, New York City.

Even though I was on the faculty, that did not excuse me from participation as a student in one of the afternoon sessions, where I got a great deal of information and numberless ideas from the course "American Myths".

I came back from Cooperstown with a deep sense of responsibility towards my job as a town official and Town Historian. I have a fourfold program that I shall attempt to start this next twelve months, knowing full well that I shall not be able to accomplish everything.

First I wish to finish the present work on the Atlas and get it distributed. Second I want to start active collection of public records, deeds, letters, and such, including pictures which pertain to the history and preserve or reproduce them for use in the future. Third I want to work more closely with the schools and other groups in the township in order to acquaint them with the services to be rendered by the Town Historian. Fourth I want to put my services more completely at the disposal of the members of the Town Board and the Departments of the Town.

I am grateful to the members of the Town Board for making this trip possible. I hope I have warranted the confidence of it, and that I can be of further value to the town as one of its officials.

Julia Boyer Reinstein.

Item No. 30 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved, and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. (Warrant No. 1403 to No. 1524, inclusive, drawn on the Supervisor.)

Item No. 31 Councilman Nagel moved, seconded by Councilman Bystrak, to adjourn.

Kenneth T. Hanley, Town Clerk

SEAL

At a regular meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga on the 16th day of August, 1954, at 7:30 P.M., E.D.S.T., there were:

PRESENT: Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

ABSENT: Benedict T. Holtz      Supervisor

Also present were: Town Clerk Hanley; Town Attorney Doyle; Building & Plumbing Inspector Roehm; Town Engineer Kamm and Chief of Police Mersmann.

Item No. 2      The Town Clerk advised the Board that the minutes of the previous meeting have been placed on their desks in the Council Chamber.

Item No. 3      Due to the absence of Supervisor Holtz, Councilman Wroblewski moved, seconded by Councilman Neibert that Councilman Nagel be designated to act as chairman for this meeting.

Item No. 4      Petition presented for the installation of side-walks, Union Road, east side, north of Maryvale Drive. Ordered referred to the Assessors for a property check by the Chairman.

Item No. 5      This being the time and the place advertised for the receiving of sealed bids for the construction of certain improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, at a cost not exceeding Nine Hundred and Fifty Thousand Dollars (\$950,000.00), more particularly set forth in a map and general plan and estimate prepared by Nussbaumer, Clarke and Velzy, Engineers, duly licensed by the State of New York, which map and general plan and estimate are dated June 11, 1954.

Councilman Neibert moved, seconded by Councilman Wroblewski that the time for the receiving of said sealed bids be closed.

Councilman Neibert moved, seconded by Councilman Wroblewski, that the Town Clerk be authorized and directed to open the sealed bids received.

Hereto attached is a Summary of the Bids received:

**NUSSBAUMER, CLARKE & VELZY**  
Engineers

August 19, 1954

B U F F A L O

RE: Sewer District No. 5  
Cheektowaga, New York

Mr. Benedict Holts  
Supervisor  
Town of Cheektowaga  
Town Hall  
Broadway & Union Rd.  
Buffalo 25, New York

Dear Sir:

We are submitting a copy of the complete tabulation of the bids received last Monday. You will notice that the bid of G. E. Knowles Company, Getzville, New York, is low. They are the contractor who have just completed the work for District No. 3.

We propose to write you prior to the next meeting a letter recommending an award to them, but before writing that letter, we will make a review of the estimated cost of Contract 3 which pertains to secondary treatment, present the same to the County Health Department and also the State Health Department, so that we may be fairly sure that the basis of estimate for Contract 3 is going to be approved by those departments.

We will then be sure that an award to Knowles will come within the funds available.

There is an alternate under Bid Item 9 and 9a with regard to the type of sludge control building to be built. We will also make recommendations with regard to that Bid Item at that time.

Very truly yours,

NUSSBAUMER, CLARKE & VELZY

Howell L. Nussbaumer

HLN:DF  
Enclosure

cc: Hanley



# SUMMARY OF BIDS

TOWN OF CHEEKTOWAGA, N.Y.  
 SANITARY SEWER DISTRICT NO. 5  
 CONSTRUCTION OF ADDITIONS TO SEWAGE TREATMENT PLANT  
 BIDS TAKEN 7:30 P.M., E.D.T., AUGUST 16, 1954

ITEM NO.	DESCRIPTION	BRUSH & ASPHALT CO.		C.B. KNOWLES & CO.		PITT CONSTRUCTION CO.	
		UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
1	ALTERATIONS TO PUMPING STATION		12,402		10,150		9,400
2	GRIT CHAMBERS		35,822		24,250		26,400
3	PRIMARY SETTLING TANK		94,115		70,380		95,500
4	SLUDGE TANK & CONTROL CHAMBER		87,728		67,890		98,100
5	30 INCH FORCE MAIN		26,340		26,880		24,250
6	54 INCH FORCE MAIN		23,607		24,150		21,250
7	PIPING		12,216		11,470		38,250
8	VALVES & GATES		14,060		16,750		13,000
9	SLUDGE CONTROL BUILDING-WITHOUT BASEMENT		30,260		33,600		23,750
10	SLUDGE CONTROL BUILDING-WITH BASEMENT		41,362		38,300		50,570
	ADD. FOR PIPING UNDER ITEM NO. 7		4,680		3,500		3,900
	ADDITION FOR HEATING VENTILATING & PLUMBING UNDER ITEM NO. 32		2,509		2,000		1,420
	ADDITION FOR ELECTRIC WORK UNDER ITEM NO. 34		1,200		1,000		1,100
	TOTAL FOR BUILDING COMPLETE		50,151		44,800		36,850
10	GRADING & ROADWAYS		7,000		8,410		7,500
11	5200 CU. YDS. DRIVEWAY TOP COURSE	1.25	6,710	2.00	10,400	2.10	10,920
12	400 LIN. FT. EXISTING CHAIN LINK FENCE	1.25	500	3.30	1,400	2.20	880
	980 " " NEW " " "	2.25	2,205	5.50	5,390	3.75	3,675
	NEW CHAIN LINK GATE		125		450		330
	TOTAL FOR FENCE CONSTRUCTION		2,828		7,240		4,885
13	MISCELLANEOUS		9,750		8,350		7,400
14	MAINTENANCE & PLANT OPERATION		5,000		5,125		4,000
21	SCREENING EQUIPMENT		5,742		6,170		6,150
22	GRIT COLLECTION EQUIPMENT		30,637		18,650		22,300
23	MOVE & OVERHAUL EXISTING GRIT EQUIPMENT		5,287		4,650		4,200
24	SLUDGE & SCUM MECHANISM-PRIMARY TANK		13,460		13,320		14,750
25	SLUDGE TANK COVER & ACCESSORIES		38,730		36,530		50,650
26	SEWAGE PUMPING EQUIPMENT		13,428		12,560		16,000
27	PLUNGER SLUDGE PUMP		2,338		2,180		2,200
28	SLUDGE HEATER		4,673		3,860		3,960
29	GAS CONTROL EQUIPMENT		375		320		540
30	METERS & THERMOMETERS		11,325		9,080		10,510
	DUCT FOR SLUDGE METER		1,500		1,450		350
31	WEIRS		5,385		4,940		5,600
32	HEATING, VENTILATING & PLUMBING		9,640		10,020		8,850
33	BOILER		5,230		5,750		4,900
34	ELECTRICAL WORK		16,519		16,700		16,000

TOTAL FOR CONTROL BUILDING WITHOUT BASEMENT	\$ 546,973.00	\$ 497,955.00	\$ 540,575.00
TOTAL FOR CONTROL BUILDING WITH BASEMENT	\$ 569,202.00	\$ 513,265.00	\$ 565,625.00

BID CHECK OR BOND	NEW AMSTERDAM CASUALTY CO.	AMERICAN EMPLOYERS INS. AND ACC. CO.	UNITED STATES FIDELITY & CAS. CO.
			NUSSBAUMER, CLARKE, & VELZY-ENGINEERS BUFFALO, N.Y. B-354

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

WHEREAS, the sidewalk in front of No. 4 Manlon Terrace, has been raised due to the roots of the trees and there is danger someone may be hurt unless the sidewalks is immediately repaired, be it

RESOLVED, that Castricone Construction Company be employed to repair said sidewalk in front of No. 4 Manlon Terrace and make such replacements as may be necessary, that sufficient money be transferred from the General Fund to pay the cost thereof, this being an emergency matter.

Seconded by Councilman Wroblewski.

Carried: Ayes: -4-  
Absent: -1-

Item No. 21 The following order and resolution was offered by Mr. Wroblewski who moved its adoption, seconded by Mr. Bystrak, to wit:

BOND RESOLUTION DATED AUGUST 16, 1954,  
AUTHORIZING THE ISSUANCE OF \$7,600 SERIAL BONDS  
OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE  
PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE  
CONSTRUCTION OF A LATERAL SEWER.

**TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF A LATERAL SEWER.**

Section 1. Sewer District No. 5, hereinafter referred to, is a sewer district of the Town of Cheektowaga, in the County of Erie, State of New York, established by the Town Board of said Town pursuant to and in accordance with the provisions of the Town Law of New York and said Sewer District has constructed and now maintains a trunk system of sewers in said District in accordance with Article 12 of the Town Law of New York, and the lateral sewer hereinafter described is to be connected with said trunk system of sewers and will be entirely within said District for the purpose, hereinafter described, is a special improvement authorized by said Article 12:

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

Section 2. In order to finance the construction of the lateral sewer...

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a lateral sewer in Maplevue, commencing in the center of the intersection of Maplevue Avenue and Kirkdale Road and extending on Maplevue Avenue a distance of 680 feet, so as to serve both sides of said highway, in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga on the 15th day of February, 1954.

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefited by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and levied upon the several lots and parcels of land especially benefited by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the

applied to the payment of the cost of said purpose; and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds; and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 4 of paragraph A of Section 11.06 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 not be in excess of five years.

Section 7. The validity of said Serial Bonds or of any bond anticipation note issued by 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 by the Local Finance Law which should be complied with as of the date of the publication of this notice and are not authorized by the Local Finance Law, or if the provisions of the law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an

authorized in violation of the provisions of the Local Finance Law...

shall be in the "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," newspapers published in and having a general circulation.

Section 8. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been duly adopted August 16, 1954, 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, State of New York, is not authorized to expend money, or if the provisions of the law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an

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

.....  
*Harriet M. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *she* is  
..... *secretary* ..... of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks; first  
publication ..... *Aug. 26, 1954* .....;  
last publication ... *Aug. 26, 1954* .....;  
and that no more than six days intervened be-  
tween publications.

..... *Harriet M. Allis* .....

Sworn to before me this *2<sup>nd</sup>* .....

day of *September* ....., 19*54* .....

..... *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*55*  
Registered No. 5029

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

WHEREAS, the sidewalk in front of No. 4 Manlon Terrace, has been to the roots of the trees and there is danger someone may be hurt unless the sidewalk is immediately repaired, be it

RESOLVED, that Castricone Construction Company be employed to re-said sidewalk in front of No. 4 Manlon Terrace and make such replacements as may be necessary, that sufficient money be transferred from the General Fund to pay the cost thereof, this being an emergency matter.

Seconded by Councilman Wroblewski.

Carried: Ayes:  
Absent: -1-

Item No. 21 The following order and resolution was offered by Mr. Wroblewski its adoption, seconded by Mr. Bystrak, to wit:

BOND RESOLUTION DATED AUGUST 16, 1954,  
AUTHORIZING THE ISSUANCE OF \$7,600 SERIAL BONDS  
OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE  
PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE  
CONSTRUCTION OF A LATERAL SEWER.

**BOND RESOLUTION DATED AUGUST 16, 1954,  
AUTHORIZING THE ISSUANCE OF \$7,600 SERIAL BONDS  
OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE  
PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE  
CONSTRUCTION OF A LATERAL SEWER.**

WHEREAS, Sewer District No. 5, hereinafter referred to, is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, pursuant to and in accordance with the provisions of the Town Law of New York, and said Sewer District has constructed and now maintains a trunk system of sewers in said District, in accordance with Article 12 of the Town Law of New York, and the lateral sewer hereinafter described is to be connected with said trunk system of sewers and will be entirely within said District, and the purpose, hereinafter described, is a special improvement authorized by said Article 12:

**NOW, THEREFORE,**

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

Section 1. In order to finance the cost of the construction of the lateral sewer described in Section 2, the Town Board hereby authorizes the issuance of Serial Bonds in the amount of \$7,600, to be used for the purpose of financing the cost of the construction of the lateral sewer described in Section 2.

Section 2. The specific object of the bonds (hereinafter referred to as "the bonds") to be financed pursuant to this resolution is the construction of a lateral sewer in Mapleview Avenue commencing in the center of the intersection of Mapleview Avenue and Birkdale Road and extending easterly on Mapleview Avenue a distance of 600 feet, so as to serve both sides of said highway, in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga on the 15th day of February, 1954.

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefited by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and levied upon the several lots and parcels of land especially benefited by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the

applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds; and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

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

Section 7. The validity of said Serial Bonds or of any bond anticipation certificates 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 as of the date of the issuance of such bonds are not complied with, and an action contesting the validity of such obligations shall be commenced within the time specified in the provisions of the Constitution of New York.

Section 8. This resolution shall take effect immediately upon its adoption.

The bond resolution published herewith has been duly adopted August 16, 1954, 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, State of New York, is not authorized to expend money, or if the provisions of the law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action contesting the validity of such obligations shall be commenced within the time specified in the provisions of the Constitution of New York.

AUGUST 16, 1954, TO FINANCE THE ISSUANCE OF \$7,600.00 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF A LATERAL SEWER.

WHEREAS, Sewer District No. 5, hereinafter referred to, is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, pursuant to and in accordance with the provisions of the Town Law of New York, and Said Sewer District has constructed and now maintains a trunk system of sewers in said District, in accordance with Article 12 of the Town Law of New York, and the lateral sewer hereinafter described is to be connected with said trunk system of sewers and will be entirely within said District, and the purpose, hereinafter described, is a special improvement authorized by said Article 12:

NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga, in the County of Erie, shall

authorize the issuance of Serial Bonds of the Town of Cheektowaga, in the County of Erie, in accordance with the provisions of the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a lateral sewer in Mapleview Avenue commencing in the center of the intersection of Mapleview Avenue and Birkdale Road and extending easterly on Mapleview Avenue a distance of 660 feet, so as to serve both sides of said highway, in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga on the 15th day of February, 1954.

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$7,600.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

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

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to 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 8. This resolution shall be published in full by the Town Clerk

in the "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," newspapers published in and having a general circulation.

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

The bond resolution published herewith has been duly adopted August 16, 1954, 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, State of New York, is not authorized to expend money, or if the provisions of the 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 (20) 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

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

...of said...  
...from funds raised by the  
...of said Serial Bonds and  
(d) all of such cost is to be paid  
by assessments upon benefitted  
real property in an area less than  
the area of said Town.  
Section 5. It is hereby determin-  
ed that said purpose is an object  
or purpose described in Subdivis-  
...  
...of the purchase  
...the purchaser will be required to  
...be accepted. At the time of  
...ter is made, the original order  
...be auctioned, and if no higher  
...time the following properties  
...Village owned real estate at  
...new offers, for the purchase  
...which have been made, as well as  
...to consider  
...on September 7, 1954, at  
...bers, Village Hall, Depew, N.Y.  
...will meet in the Council  
...mittee of the Village of Depew  
...given that the Land and Tax Com-  
...ed Real Estate, Notice is hereby  
...Improved Property, Village  
...notice: PUBLIC AUCTION of  
...newspaper and post the follow-  
...have published in the  
...skl, the Clerk was directed to  
...deposed by Trustee Lewandowski  
...On motion of Trustee Ruzhmet-  
...red.  
...Terrace near Transit Road, Off-  
...men to 4000 lumen on Alton  
...change one (1) lamp from 2500 to  
...end of Alton Terrace  
...install two (2) lights at the  
...ter, New York, was authorized  
...Corp., 177 Central Avenue, Lakewood  
...New York State Building & Con-  
...by Trustee Ruzhmetowski

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... week, the first insertion being on the  
..... day of August, 1954, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

Sworn to before me this 2nd day of  
September, 1954

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

ln 52 8800

Item No. 21- Cont'd The following order and resolution was offered by Mr. Wroblewski, who moved its adoption, seconded by Mr. Bystrak, to wit:

BOND ANTICIPATION NOTE RESOLUTION DATED AUGUST 16, 1954, AUTHORIZING THE ISSUANCE OF \$7,600 BOND ANTICIPATION NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF A LATERAL SEWER.

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BE IT RESOLVED, by the Town Board as follows:

Section 1. The Town of Cheektowaga shall issue its Bond Anticipation Notes of the aggregate principal amount of \$7,600, pursuant to the Local Finance Law of New York, in order to finance the specific object or purpose hereinafter described, in anticipation for the issuance of \$7,600 Serial Bonds authorized by the Bond Resolution entitled "Bond Resolution Dated August 16, 1954, authorizing the issuance of \$7,600 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the construction of a lateral sewer", adopted by the Town Board on August 16, 1954.

Section 2. The specific object or purpose (Hereinafter referred to as "purpose" to be financed by the issuance of said notes is the construction of a lateral sewer in Maplevue Avenue commencing in the center of the intersection of Maplevue Avenue and Birkdale Road and extending easterly on Maplevue Avenue a distance of 660 feet, so as to serve both sides of said highway .

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. The power to prescribe the terms, form and contents of said Bond Anticipation Notes, subject to the provisions of this resolution, and to sell and deliver such bond anticipation notes, is hereby delegated to the Supervisor, the Supervisor and the Town Clerk are hereby directed to sign any Bond Anticipation Notes issued pursuant to this resolution and the Town Clerk is hereby directed to affix to such notes the corporate seal of the Town.

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

The resolution was duly adopted, the vote being as follows:

Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Neibert	Voting AYE
Councilman Nagel	Voting AYE

Carried: Ayes: -4-

Absent: -1-

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
TOWN OF CHEEKTOWAGA

BOND ANTICIPATION NOTE OF 1954 \$7,600

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this note the sum of

SEVENTY SIX HUNDRED DOLLARS-----\$7,600

on the 1st day of February, 1955, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum payable February 1, 1955, and annually thereafter. Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

STATE OF NEW YORK )  
COUNTY OF ERIE )

ss:

**RESOLUTION AUTHORIZING THE TOWN OF CHEEKTOWAGA TO ISSUE SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE CONSTRUCTION OF A LATERAL SEWER.**

WHEREAS, Sewer District No. 5, hereinafter referred to, is a sewer district of the Town of Cheektowaga in the County of Erie, duly established by the Town Board of said Town, pursuant to and in accordance with the provisions of the Town Law of New York, and said Sewer District has constructed and now maintains a trunk system of sewers in said District in accordance with Article 12 of the Town Law of New York, and the lateral sewer hereinafter described is to be connected with said trunk system of sewers and will be entirely within said District, and the purpose, hereinafter described is a special improvement authorized by said Article 12;

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$7600.00 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a lateral sewer in Mapleview Avenue commencing in the center of the intersection of Mapleview Avenue and Birkdale Road and extending easterly on Mapleview Avenue a distance of 600 feet, so as to serve both sides of said highway, in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga on the 16th day of February, 1954.

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon

**Done at MA**

land which the Town Board shall determine to be especially benefited by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due shall be annually apportioned and assessed upon the several lots and parcels of land especially benefited by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

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Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$7,600.00, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

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

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to 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 8. This resolution shall be published in the Town of Cheektowaga, together with the form substantially the form described by Section 81.00 of said Local Finance Law and such publication shall be in the "Cheektowaga Times" and the "Depew Herald and Cheektowaga News" newspapers published and having a general circulation in said Town.

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

The bond resolution published herewith has been duly adopted on August 16, 1954, 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, State of New York, is not authorized to expend money, or if the provisions of the 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 (20) 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

Item No. 21-Cont'd This note is one of an authorized issue, the aggregate principal amount of which is Seventy Six Hundred Dollars (\$7,600).

This note is issued pursuant to the provisions of a bond anticipation note resolution dated August 16, 1954, authorizing the issuance of bond anticipation notes of the Town of Cheektowaga in the amount of Seventy Six Hundred Dollars (\$7,600), in anticipation of the sale of Serial Bonds authorized to finance the construction of a lateral sewer in Mapleview Avenue, commencing in the center of the intersection of Mapleview Avenue and Birkdale Road and extending easterly on Mapleview Avenue, a distance of 660 feet, so as to serve both sides of said highway, in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga on the 3rd day of May, 1954.

The faith and credit of such Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this note according to its terms.

It is hereby certified and recited that all conditions acts and things required by the Constitution and Statutes of the State of New York, to exist to have happened and to have been performed precedent to and in the issuance of this note, exist, have happened and have been performed, and that this note, together with all other indebtedness of such Town of Cheektowaga, is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this note to be signed by its Supervisor and its corporate seal to be hereunto affixed and attested by its Town Clerk and this note to be dated as of the \_\_\_\_ day of August, 1954.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BY:\*\*\*

\_\_\_\_\_  
SUPERVISOR

ATTEST: \_\_\_\_\_

TOWN CLERK.

Item No. 22

The following resolution was offered by Mr. Wroblewski, who moved its adoption, seconded by Mr. Bystrak, to wit:

CAPITAL NOTE RESOLUTION DATED AUGUST 16, 1954  
authorizing the issuance of \$4,000 LIGHTING  
DISTRICT CAPITAL NOTES of the Town of  
Cheektowaga, in the County of Erie, pursuant  
to the Local Finance Law.

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...shall  
...in the  
...of the  
...of the  
...as the  
...shall  
...determined  
...and apportioned  
...by the  
...Town Board,  
...and the  
...Town Board  
...desires to  
...issue capital  
...notes to  
...finance the  
...cost of such  
...improvements  
...and to annually  
...apportion and  
...assess upon  
...the several  
...lots and  
...parcels of  
...lands especially  
...benefitted by  
...such improvements  
...in proportion  
...to the amount  
...of benefit which  
...the improvements  
...shall confer  
...upon the same  
...an amount sufficient  
...to pay the principal  
...of and interest  
...of the capital  
...notes issued  
...for such improvements  
...as the same  
...shall become  
...due and payable,  
...all of which  
...shall be done  
...in accordance  
...with the provisions  
...of Subdivision  
...of Chapter 531  
...of the Local  
...Finance Law,  
...as amended by  
...Chapter 100  
...of the Laws  
...of 1946.

NOW, THEREFORE  
BE IT RESOLVED

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

Section 1. In order to finance the  
specific object or purpose hereinafter  
described, the Town of Cheektowaga,  
in the County of Erie, shall issue its  
capital notes of the aggregate principal  
amount of \$4,000.00, pursuant to  
the Local Finance Law of New York.

Section 2. The specific object or  
purpose hereinafter referred to as  
purpose to be financed pursuant  
to this resolution is the purchase and  
installation of street lighting equip-  
ment pursuant to Section 138 of the  
Town Law of New York, along the  
highways hereinafter set forth, to  
serve property on both sides of said  
highway, to wit:

- (a) Chesterfield Drive, from Burke  
Drive to Treshaven Drive.
- (b) Verbum Place, from Genesee  
Street to end of street.
- (c) Carol Drive, from East Delavan  
Avenue to Rowan Road.
- (d) Mafalda Drive, from Harlow  
Road to Nina Place.

Section 3. It is hereby stated that:

- (a) The maximum cost of said  
purpose as estimated by the Town  
Board is \$4,000.00.
- (b) No money has heretofore been  
applied to the payment of the cost  
of said purpose.
- (c) The Town Board plans to fi-  
nance the cost of said purpose from  
funds raised by the issuance of said  
capital notes.
- (d) All of such cost is to be paid  
by assessments upon benefited real  
property in an area less than the  
area of said Town.

Section 4. For the purpose of pay-  
ing the cost of such purpose, there  
are hereby authorized to be issued  
pursuant to the Local Finance Law,  
\$4,000.00 capital notes of the Town of  
Cheektowaga, to be designated sub-  
stantially Lighting District Capital  
Notes Series C of 1954, which shall  
bear a date not earlier than August  
16, 1954, to be fixed by the Super-  
visor in the following denominations  
and to be numbered as follows, and  
maturing as follows, to wit:

- 1. In the amount of \$2,000.00 ma-  
turing on April 1, 1955, and
  - 2. In the amount of \$2,000.00 ma-  
turing on April 1, 1956.
- each of such notes to bear interest  
at a rate not exceeding 5% per an-  
num, payable semi-monthly on April  
1 and October 1 of each year, to be  
paid to the holder of such notes.  
The same shall be registered in the  
registry of the County of Erie.

of validity clause provided for in  
Section 52.00 of the Local Finance  
Law, and shall otherwise be in such  
form and contain such recitals in ad-  
dition to those required by Section  
52.00 of the Local Finance Law as the  
Supervisor shall determine.

Section 5. The faith and credit of  
the Town of Cheektowaga are hereby  
irrevocably pledged to the payment  
of the principal of and interest on  
such capital notes as the same re-  
spectively becomes due and payable.  
An annual appropriation shall be  
made in each year sufficient to pay  
the principal of and interest on  
such capital note becoming due and  
payable in such year. There shall an-  
nually be apportioned and assessed  
upon the several lots and parcels of  
land especially benefitted by the  
aforesaid improvements in proportion

AS THE SAME SHALL BE NECESSARY AND  
CONVENIENT.

Section 7. Such capital notes shall  
be sold at public sale by the Super-  
visor at a price not less than the  
value of and accrued interest thereon,  
and the proceeds of such sale shall  
be applied solely for the purpose  
aforesaid, but the receipt of the Su-  
pervisor shall be a full acquittance to  
the purchaser of such capital notes,  
who shall not be obliged to see to the  
application of the purchase money.

Section 8. It is hereby determined  
that said purpose is an object or  
purpose described in Subsection 35  
of paragraph (a) of Section 52.00 of  
the Local Finance Law, and the  
period of probable continuance of said  
purpose is 5 years.

Section 9. It is hereby determined  
that the proposed maturity of the  
obligations authorized by this resolu-  
tion is not in violation of the  
provisions of the Constitution of  
New York.  
Section 10. The validity of said  
obligations authorized for  
which said Town is authorized to expend  
money or the provisions of law which  
should be complied with at the time  
of the publication of this resolution  
are not substantially complied with,  
and an action, suit or proceeding  
contesting such validity is com-  
menced within 20 days after the date  
of such publication; or if said obli-  
gations are authorized in violation of  
the provisions of the Constitution of  
New York.

Section 11. This resolution shall be  
published in full by the Town Clerk  
in said Town together with a notice  
substantially the same as prescribed  
by Section 52.00 of the Local Fi-  
nance Law, and such publication  
shall be in the CHEEKTOWAGA  
NEWS and in the CHEEKTOWAGA  
NEWS, newspapers published in said Town,  
and which newspapers are the offi-  
cial papers of this Town.

Section 12. This resolution shall  
take effect immediately upon its  
adoption.

This capital note resolution pub-  
lished herewith has been adopted on  
the 16th day of August, 1954, and the  
validity of the obligations authorized  
by such capital note resolution may  
be annulled, contested, or 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 at 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 are au-  
thorized in violation of the provisions

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

*Harriet M. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *she* is  
*secretary* of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks; first  
publication **AUG 19 1954**;  
last publication **AUG 19 1954**;  
and that no more than six days intervened be-  
tween publications.

*Harriet M. Allis*

Sworn to before me this .....  
day of **AUG 23 1954**, 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 *55*  
Registered No. 5029

**CAPITAL NOTE RESOLUTION  
DATED AUGUST 16, 1954, AU-  
THORIZING THE ISSUANCE OF  
\$4,000.00 LIGHTING DISTRICT  
CAPITAL NOTES OF THE TOWN  
OF CHEEKTOWAGA IN THE  
COUNTY OF ERIE PURSUANT  
TO THE LOCAL FINANCE LAW.**

WHEREAS, the expense of making the improvements hereinafter described must be borne by local assessments upon the several lots and parcels of land within the districts in proportion to the amount of benefit which the improvements shall confer upon the same and in the manner provided in Section 202-a of the Town Law for the assessment of the cost of maintenance in a sewer district as the same shall be annually determined and apportioned by the Town Board, and the Town Board desires to issue capital notes to finance the cost of said improvements and to annually apportion and assess upon the several lots and parcels of lands especially benefitted by such improvements in proportion to the amount of benefit which the improvements shall confer upon the same an amount sufficient to pay the principal of and interest on the capital notes issued for such improvements as the same shall become due and payable, all of which shall be done in accordance with the provisions of Subdivision 6 of Section 198 of Chapter 634 of the Laws of 1932 as amended by Chapter 325 of the Laws of 1946.

**NOW, THEREFORE,**

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its capital notes of the aggregate principal amount of \$4,000.00, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the purchase and installation of street lighting equipment pursuant to Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve properties on both sides of said highway, to wit:

- (a) Chesterfield Drive, from Burke Drive to Treehaven Drive.
- (b) Verdun Place, from Genesee Street to end of street.
- (c) Carol Drive, from East Delavan Avenue to Rowan Road.
- (d) Mafalda Drive, from Harlem Road to Nina Place.

Section 3. It is hereby stated that:

- (a) The maximum cost of said purpose as estimated by the Town Board is \$4,000.00.
- (b) No money has heretofore been applied to the payment of the cost of said purpose.
- (c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.
- (d) All of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued pursuant to the Local Finance Law, \$4,000.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series C of 1954, which shall bear a date not earlier than August 16, 1954, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and maturing as follows, to wit:

- 1. In the amount of \$2,000.00 maturing on April 1, 1955, and
  - 2. In the amount of \$2,000.00 maturing on April 1, 1956.
- each of such notes to bear interest at a rate not exceeding 5% per annum, payable semi-monthly on April 1 and October 1. Such Capital Notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

Section 5. All other matters, except as provided herein, relating to such capital note shall be determined by the Supervisor. Such Capital Note shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law as the Supervisor shall determine.

Section 6. The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such capital notes as the same respectively becomes due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such capital note becoming due and payable in such year. There shall annually be apportioned and assessed upon the several lots and parcels of land especially benefitted by the aforesaid improvements in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in

Section 202-a of the Town Law, an amount sufficient to pay the principal of and interest on such capital notes as the same become due and payable.

Section 7. Such capital note shall be sold at private sale by the Supervisor at a price of not less than par value of and accrued interest, if any, and the proceeds of such sale shall be applied solely for the purpose aforesaid, but the receipt of the Supervisor shall be a full acquittance to the purchaser of such capital notes who shall not be obliged to see to the application of the purchase money.

Section 8. It is hereby determined that said purpose is an object or purpose described in Subdivision 35 of paragraph (a) of Section 11.00 of the Local Finance Law and that the period of probable usefulness of said purpose is 5 years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of 3 years.

Section 10. 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 the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 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 11. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the CHEEKTOWAGA TIMES and in the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers published and having a general circulation in said Town, and which newspapers are the official papers of this Town.

Section 12. This resolution shall take effect immediately upon its adoption.

The capital note resolution published herewith has been adopted on the 16th day of August, 1954, and the validity of the obligations authorized by such capital note resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

Item No. 22-Cont'd Hereto attached is a copy of the notice published in the Depew Herald-Cheektowaga News:

*Mini Copy*

STATE OF NEW YORK  
COUNTY OF ERIE

ISSUANCE OF  
LIGHTING DISTRICT  
CAPITAL NOTES OF THE TOWN  
OF CHEEKTOWAGA, IN THE  
COUNTY OF ERIE, PURSUANT  
TO THE LOCAL FINANCE LAW.  
WHEREAS, the expense of making the improvements hereinafter described must be borne by local assessment upon the several lots and parcels of land within the districts in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law for the assessment of the cost of maintenance in a sewer district as the same shall be annually determined and apportioned by the Town Board, and the Town Board desires to issue capital notes to finance the cost of said improvements and to annually assess and assess upon the several lots and parcels of land especially benefitted by such improvements in proportion to the amount of benefit which the improvements shall confer upon the same, an amount sufficient to pay the principal of and interest on the capital notes issued for such improvements as the same shall become due and payable, all of which shall be done in accordance with the provisions of Subdivision 6 of Section 198 of Chapter 634 of the Laws of 1932 as amended by Chapter 325 of the Law of 1946.

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its capital notes of the aggregate principal amount of \$4,000.00, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the purchase and installation of street lighting equipment pursuant to Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve properties, on both sides of said highways, to wit:

- a) Chesterfield Drive, from Burke Drive to Treehaven Drive.
- b) Verdun Place, from Genesee Street to end of street.
- c) Carol Drive, from East Delavan Avenue to Rowan Road.
- d) Mafalda Drive, from Harlem Road to Nina Place.

Section 3. It is hereby stated that:

- a) The maximum cost of said purpose as estimated by the Town Board is \$4,000.00.
- b) No money has heretofore been applied to the payment of the cost of said purpose.
- c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.
- d) All of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued, pursuant to the Local Finance Law, \$4,000.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series C of 1954, which shall bear a date not earlier than August 16, 1954, to be fixed by the

Supervisor in the following denominations and to be numbered as follows, and maturing as follows, to wit:

- 1. In the amount of \$2,000.00 maturing on April 1, 1955, and
  - 2. In the amount of \$2,000.00 maturing on April 1, 1956,
- each of such notes to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such Capital Notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

Section 5. All other matters, except as provided herein, relating to such capital notes, shall be determined by the Supervisor. Said capital notes shall contain substantially the recital of value clause provided for in Section 32.00 of the Local Finance Law and shall otherwise be in such

RICHARD G. BENNETT

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

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 19th day of August, 1954, 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  
19 54  
1954  
and for Erie County.

ANTHONY J. KRIEGLER  
Notary Public in and for Erie County, New York  
My Commission Expires Mar. 30, 1956  
Reg. No. 2706

adoption: Councilman Bystrak presented the following resolution and moved its

...the construction of buildings and other structures and regulates the height thereof and its rules and regulation adequately protect the interests of the Town of Cheektowaga, New York, and

WHEREAS, Section 20-A entitled "Airport District" contains provisions which conflict with the rules and regulations of the Civil Aeronautic Administration and there is no apparent need for an ordinance to be adopted regulating construction of buildings and structures near the Buffalo Municipal Airport in view of the aforementioned rules and regulations, be it

RESOLVED, that the Town Board meet on the 13th day of September, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time for the purpose of repealing Section 20-A entitled "Airport District" of the Zoning Ordinances of the Town of Cheektowaga, New York, which ordinance provides as follows:

SECTION 20-A AIRPORT DISTRICT

In a district set out according to the specifications hereinafter set forth, in and about the property in the Town of Cheektowaga now or hereafter owned by the City of Buffalo and used for the Buffalo Municipal Airport, there shall be erected or structurally altered no building, tower, tank, derrick, smoke stack, pole, wire, power line, signboard or other structure of a permanent or temporary nature for any purpose whatsoever, which extends above the level of the land;

(1) 10 feet in height within a distance of 200 feet from any boundary of the airport;

(2) 20 feet in height within the area from 200 feet to 500 feet from any boundary of the airport;

(3) 50 feet in height within the area from 500 feet to 1000 feet from any boundary of the airport;

(4) 100 feet in height within the area from 1000 feet to 1500 feet from any boundary of the airport.

The restrictions and regulations of this Section 20-A shall not prohibit the City of Buffalo, or its agents or servants from erecting or maintaining such buildings, towers, or other structures, which it deems necessary, convenient or desirable on the airport in the use of its lands in the Town of Cheektowaga as an airport.

The restrictions and regulations of this Section 20-A shall not render unlawful or in violation here of any building or structure now in existence or now being constructed which may exceed in height the height provisions of this section; but no such building or

...the original plans of any such building or structure indicated a height greater than the existing height; nor may any existing building or structure not now violating the provisions of this section, be increased in height so as to violate the provisions of this section.

The restrictions and regulations of this Section 20-A shall apply to all uses of the land within the scope of this section, no matter what other use districts designated by these zoning ordinances may also be within the scope of the lands affected by this section.

The other provisions of these ordinances, not inconsistent with the provisions of this Section 20-A shall apply to the lands within the Airport District.

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearings, and that on or before said date he post, or cause to, be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

Councilman Nagel, Voting Aye, Councilman Wroblewski,

Councilman Nelbert, Voting Aye, Councilman Bystrak, Voting Aye.

AYES: 4; NOES: 0; ABSENT: 1.

2. In the amount of \$2,000.00 maturing on April 1, 1956, each of such notes to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such Capital Notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

Section 5. All other matters, except as provided herein, relating to such capital notes, shall be determined by the Supervisor. Such capital notes shall contain substantially the recital of valid clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law as the Supervisor shall determine.

Section 6. The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such capital notes and the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such capital note becoming due and payable in such year. There shall annually be apportioned and assessed upon the several lots and parcels of land especially benefitted by the aforesaid improvements in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law, an amount sufficient to pay the principal of and interest on such capital notes as the same become due and payable.

Section 7. Such capital notes shall be sold at private sale by the Supervisor at a price of not less than par value of and accrued interest, if any, and the proceeds of such sale shall be applied solely for the purpose aforesaid, but the receipt of the Supervisor shall be a full acquittance to the purchaser of such capital notes who shall not be obliged to see to the application of the purchase money.

Section 8. It is hereby determined that said purpose is an object or purpose described in Subdivision 35 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 5 years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of 3 years.

Section 10. 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 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 11. This resolution shall be published in full by the Town of said Town, together with copies in substantially the form prescribed by Section 81.00 of the Local Finance Law, and such publication shall be in the CHEEKTOWAGA TIMES and in the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers published and having a general circulation in said Town, and which newspapers are the official papers of this Town.

Section 12. This resolution shall take effect immediately upon its adoption.

The capital note resolution published herewith has been adopted on the 16th day of August, 1954, and the validity of the obligations authorized by such capital note resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

... is a copy of the notice published in the

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the

annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for

1 week, the first insertion being on the 19th day of August, 1954, 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

54

1954

and for Erie County.

ANTHONY J. KRIGER  
Notary Public in and for Erie County, New York  
My Commission Expires Mar. 30, 1956  
Reg. No. 2704

Item N  
Depew

NOW \$3.75  
values  
values  
values  
values

THESE REDUCTIONS!  
Ordinary Straw Hats, but nation-  
ally famous, when imported,  
and Adam Brockwood,  
Panama, Dark Tan, Straw - Odd Sizes.CHAMP and ADAM quality.

of STRAWS

is a copy of the notice published in the

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... week, the first insertion being on the  
..... day of August, 1954, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

Sworn to before me this 23rd day of

Aug. 1954

*Anthony J. Krieger*

Notary Public in and for Erie County.

hs 52 8820

ANTHONY J. KRIEGER  
Notary Public in and for Erie County, New York  
My Commission Expires Mar. 30, 1956  
Reg. No. 2706

adoption: Councilman Bystrak presented the following resolution and moved its

WHEREAS, Section 20-A entitled "Airport District" contains provisions which conflict with the rules and regulations of the Civil Aeronautic Administration and there is no apparent need for an ordinance to be adopted regulating construction of buildings and structures near the Buffalo Municipal Airport in view of the aforementioned rules and regulations, be it

RESOLVED, that the Town Board meet on the 13th day of September, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time for the purpose of repealing Section 20-A entitled "Airport District" of the Zoning Ordinances of the Town of Cheektowaga, New York, which ordinance provides as follows:

SECTION 20-A AIRPORT DISTRICT

In a district set out according to the specifications hereinafter set forth, in and about the property in the Town of Cheektowaga now or hereafter owned by the City of Buffalo and used for the Buffalo Municipal Airport, there shall be erected or structurally altered no building, tower, tank, derrick, smoke stack, pole, wire, power line, signboard or other structure of a permanent or temporary nature for any purpose whatsoever, which extends above the level of the land;

- (1) 10 feet in height within a distance of 200 feet from any boundary of the airport;
(2) 20 feet in height within the area from 200 feet to 500 feet from any boundary of the airport;
(3) 50 feet in height within the area from 500 feet to 1000 feet from any boundary of the airport;
(4) 100 feet in height within the area from 1000 feet to 1500 feet from any boundary of the airport.

The restrictions and regulations of this Section 20-A shall not prohibit the City of Buffalo, or its agents or servants from erecting or maintaining such buildings, towers, or other structures, which it deems necessary, convenient or desirable on the airport in the use of its lands in the Town of Cheektowaga as an airport.

The restrictions and regulations of this Section 20-A shall not render unlawful or in violation here of any building or structure now in existence or now being constructed which may exceed in height the height provisions of this section; but no such building or

structure shall be erected or constructed in height over that shown in the original plans of any such building or structure indicated a height greater than the existing height; nor may any existing building or structure not now violating the provisions of this section, be increased in height so as to violate the provisions of this section.

The restrictions and regulations of this Section 20-A shall apply to all uses of the land within the scope of this section, no matter what other use districts designated by these zoning ordinances may also be within the scope of the lands affected by this section.

The other provisions of these ordinances, not inconsistent with the provisions of this Section 20-A shall apply to the lands within the Airport District.

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearings, and that on or before said date he post, or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

Seconded by Councilman Nelbert and duly put to a vote, which resulted as follows: Councilman Nagel, Voting Aye, Councilman Wroblewski, Voting Aye, Councilman Nelbert, Voting Aye, Councilman Bystrak, Voting Aye. AYES: 4; NOES: 0; ABSENT: 1

1- Town Hall Bulletin Board.

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

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

... *Harriet M. Allis* ..., of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *she* is  
... *secretary* ... of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* ... weeks; first  
publication ... *AUG 26 1954* ...;  
last publication ... *AUG 26 1954* ...;  
and that no more than six days intervened be-  
tween publications.

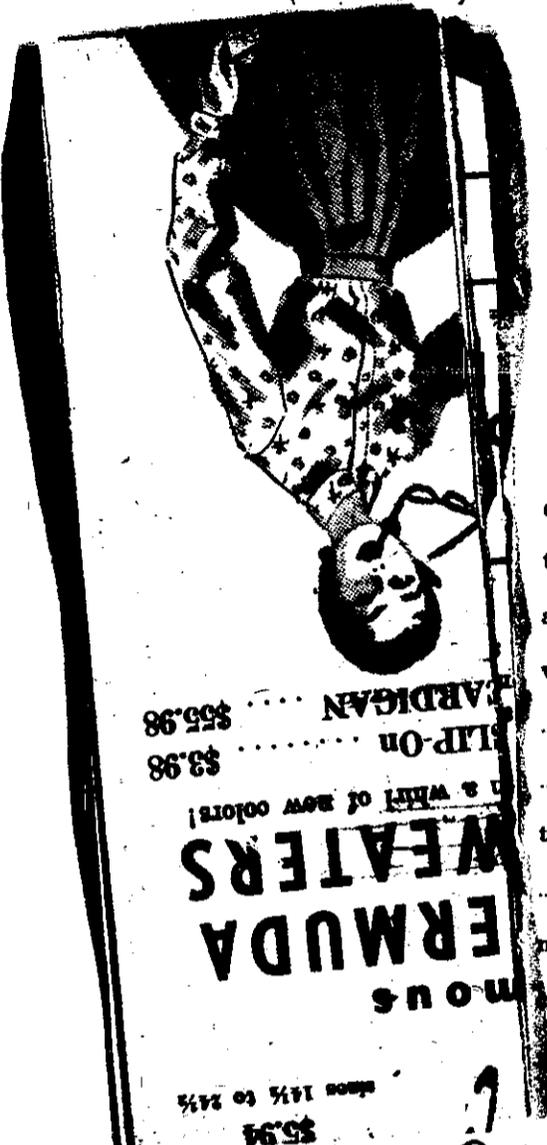
... *Harriet M. Allis* ...

Sworn to before me this ...  
day of ... *AUG 30 1954* ..., 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, 1955  
Registered No. 5029

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



**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... week, the first insertion being on the  
..... day of August, 1954, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

Sworn to before me this 2 day of

September, 1954

*Wm. T. H. [Signature]*  
Notary Public in and for Erie County.

hn 52 8600

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 16th day of August, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**  
Stanley Bystrak, Councilman  
Henry J. Nagel, Councilman  
Joseph A. Neibert, Councilman  
Felix T. Wroblewski, Councilman

**ABSENT:** One  
Benedict T. Holtz, Supervisor  
Councilman Bystrak presented the following resolution and moved its adoption:

**WHEREAS**, the Civil Aeronautic Administration regulates the construction of buildings and other structures and regulates the height thereof and its rules and regulations adequately protect the interests of the Town of Cheektowaga, New York, and

**WHEREAS**, Section 20-A entitled "Airport District" contain provisions which conflict with the rules and regulations of the Civil Aeronautic Administration and there is no apparent need for an ordinance to be adopted regulating construction of buildings and structures near the Buffalo Municipal Airport in view of the aforementioned rules and regulations, be it

**RESOLVED**, that the Town Board meet on the 13th day of September, 1954, at 2:30 o'clock, P.M. Eastern Daylight Saving Time for the purpose of repealing Section 20-A entitled "Airport District" of the Zoning Ordinances of the Town of Cheektowaga, New York, which ordinance provides as follows:

**SECTION 20-A.  
AIRPORT DISTRICT**

In a district set out according to the specifications hereinafter set forth, in and about the property in the Town of Cheektowaga now or hereafter owned by the City of Buffalo and used for the Buffalo Municipal Airport, there shall be erected or structurally altered no building, tower, tank, derrick, smoke stack, pole, wire, power line, signboard or other structure of a permanent or temporary nature for any purpose whatsoever, which extends above the level of the land:

(1) 15 feet in height within a distance of 200 feet from any boundary of the airport;

(2) 20 feet in height within the area from 200 to 500 feet from any boundary of the airport;

(3) 30 feet in height within the area from 500 feet to 1,000 feet from any boundary of the airport;

(4) 40 feet in height within the area from 1,000 feet to 2,000 feet from any boundary of the airport.

The restrictions and regulations of this Section 20-A shall not prohibit the City of Buffalo, or its agents or servants from erecting or maintaining such buildings, towers, or other structures, which it deems necessary, convenient or desirable on the airport in the use of its lands in the Town of Cheektowaga as an airport.

The restrictions and regulations of this Section 20-A shall not render unlawful or in violation hereof any building or structure now in existence or now being constructed which may exceed in height the height provisions of this section; but no such building or structure now in existence or now under construction shall, after its completion, be increased in height even though the original plans of any such building or structure indicated a height greater than the existing height; nor may any existing building or structure not now violating the provisions of this section, be increased in height so as to violate the provisions of this section.

The restrictions and regulations of this Section 20-A shall apply to all uses of the land within the scope of this section, no matter what other use districts designated by these zoning ordinances may also be within the scope of the lands affected by this section.

The other provisions of these ordinances, not inconsistent with the provisions of this Section 20-A shall apply to the lands within the Airport District.

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

**RESOLVED AND ORDERED**, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post, or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

Councilman Bystrak voting Aye.  
Councilman Nagel voting Aye.  
Councilman Neibert voting Aye.  
Councilman Wroblewski voting Aye.  
**AYES: 4 NOES: 0 ABSENT: 1**

**STATE OF NEW YORK  
COUNTY OF ERIE  
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 said County of Erie, have compared the foregoing copy of the 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 16th day of August, 1954, 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 16th day of August, 1954.

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

(SEAL) (8-36)



WHEREAS, it is deemed advisable and in the public interest to regulate the excavation of ditches, sidewalks, streets, highways and other areas located upon Town property, or within the public right of way on Town streets and highways, be it

RESOLVED, that the Town Board shall meet on the 13th day of September, 1954, at 2:30 o'clock, P. M. Eastern Daylight Saving Time at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York for the purpose of considering the advisability of enacting the following general ordinance to be known as Ordinance No. 3, of the Town of Cheektowaga, New York, to provide as follows:

ORDINANCE NO. 3

No person, firm or corporation shall enter upon any Town property, or any portion of the right of way of a Town Highway, for the purpose of making an excavation for any purpose unless authorized to do so in writing, by the Building and Plumbing Inspector, as well as by the Town Highway Superintendent.

Applications for such permit must be made in writing and shall set forth the name of the owner, or owners of the abutting property where the excavation is intended to be made; the exact location of the excavation, its width and depth and the reason therefor and what arrangements have been made to fill in the excavation, the method of guarding the same and such other information as may be requested by the Building and Plumbing Inspector and the Town Highway Superintendent to protect the public using the Town property or said highway.

The fee for the issuance of such permit shall be \$50.00. In addition to such fee the applicant shall execute and file with his application a surety bond in the sum of \$1000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after the permit is issued.

"A" Any person, firm or corporation may file a surety bond in the sum of \$20,000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after permit is issued, in which event no further bond shall be required for additional permits. Same must be renewed on the first day of January of each year.

In addition thereto the applicant must agree to properly barricade the excavation so as to prevent any person from suffering injury to person or property by reason of such excavation.

The applicant must further agree in writing to protect

the Town of Cheektowaga from any claim of damage being made for injury to person or property by reason of such excavation and to save the Town harmless from any such claim or demand.

The applicant must agree that if the Town of Cheektowaga is obliged to pay any claim for damage caused by such excavation that the Town be promptly reimbursed by him for the amount thereof, whether such amount is reached by way of a compromise of the claim or demand or by a judgment of a Court of competent jurisdiction.

Nothing herein contained is intended to in anywise repeal any existing provision of the Plumbing and Draining Ordinances or the Building Code of the Town of Cheektowaga.

Any person, firm or corporation whether he be owner, contractor, sub-contractor or employee of the owner, contractor or sub-contractor violating the provisions of this Ordinance shall be punished by a fine not to exceed \$50.00 or by imprisonment for a term not exceeding six months.

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

Councilman Nagel, Voting Aye

Councilman [Name obscured]

Councilman [Name obscured]

Councilman [Name obscured]

AYES: 4; NOES: 0; ABSENT: 1

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

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

*Harriet M. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *she* is  
*secretary* of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks; first  
publication .....;  
last publication .....;  
and that no more than six days intervened be-  
tween publications.

*Harriet M. Allis*

Sworn to before me this .....  
day of *AUG 30 1954*, 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 *65*  
Registered No. 5029

WHEREAS, it is deemed advisable and in the public interest to regulate the excavation of ditches, sidewalks, streets, highways and other areas located upon Town property, or within the public right of way on Town streets and highways, be it

RESOLVED, that the Town Board shall meet on the 13th day of September, 1954, at 2:30 o'clock, P. M. Eastern Daylight Saving Time at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York for the purpose of considering the advisability of enacting the following general ordinance to be known as Ordinance No. 3, of the Town of Cheektowaga, New York, to provide as follows:

ORDINANCE NO. 3

No person, firm or corporation shall enter upon any Town property, or any portion of the right of way of a Town Highway, for the purpose of making an excavation for any purpose unless authorized to do so in writing, by the Building and Plumbing Inspector, as well as by the Town Highway Superintendent.

Applications for such permit must be made in writing and shall set forth the name of the owner, or owners of the abutting property where the excavation is intended to be made; the exact location of the excavation, its width and depth and the reason therefor and what arrangements have been made to fill in the excavation, the method of guarding the same and such other information as may be requested by the Building and Plumbing Inspector and the Town Highway Superintendent to protect the public using the Town property or said highway.

The fee for the issuance of such permit shall be \$50.00. In addition to such fee the applicant shall execute and file with his application a surety bond in the sum of \$1000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after the permit is issued.

"A" Any person, firm or corporation may file a surety bond in the sum of \$20,000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after permit is issued, in which event no further bond shall be required for additional permits. Same must be renewed on the first day of January of each year.

In addition thereto the applicant must agree to properly barricade the excavation so as to prevent any person from suffering injury to person or property by reason of such excavation.

The applicant must further agree in writing to protect

from any claim of damage being made for injury to person or property by reason of such excavation and to save the Town harmless from any such claim or demand.

The applicant must agree that if the Town of Cheektowaga is obliged to pay any claim for damage caused by such excavation that the Town be promptly reimbursed by him for the amount thereof, whether such amount is reached by way of a compromise of the claim or demand or by a judgment of a Court of competent jurisdiction.

Nothing herein contained is intended to in anywise repeal any existing provision of the Plumbing and Draining Ordinances or the Building Code of the Town of Cheektowaga.

Any person, firm or corporation whether he be owner, contractor, sub-contractor or employee of the owner, contractor or sub-contractor violating the provisions of this Ordinance shall be punished by a fine not to exceed \$50.00 or by imprisonment for a term not exceeding six months.

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

Councilman Nagel, Voting Aye  
Councilman Neibert, Voting Aye

Councilman [Name], Voting Aye  
Councilman [Name], Voting Aye  
AYES: 4, NOES: 2, ABSENT: 1

**Enactment of Ordinance**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, corner Union Road and Broadway, Cheektowaga, Erie County, New York, on the 16th day of August, 1964, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman

**ABSENT:** One  
Benedict T. Holtz, Supervisor

Councilman Wroblewski presented the following resolution and moved its adoption:

**WHEREAS**, it is deemed advisable and in the public interest to regulate the excavation of ditches, sidewalks, streets, highways and other areas located upon Town property, or within the public right of way on Town streets and highways, be it

**RESOLVED**, that the Town Board shall meet on the 13th day of September, 1964, at 2:30 o'clock, P.M. Eastern Daylight Saving Time at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York for the purpose of considering the advisability of enacting the following general ordinance to be known as Ordinance No. 3, of the Town of Cheektowaga, New York, to provide as follows:

**ORDINANCE #3**

No person, firm or corporation shall enter upon any Town property, or any portion of the right of way of a Town Highway, for the purpose of making an excavation for any purpose unless authorized to do so in writing, by the Building and Plumbing Inspector, as well as by the Town Highway Superintendent.

Applications for such permit must be made in writing and shall set forth the name of the owner, or owners of the abutting property where the excavation is intended to be made; the exact location of the excavation, its width and depth and the reason therefor and what arrangements have been made to fill in the excavation, the method of guarding the same and such other information as may be requested by the Building and Plumbing Inspector and the Town Highway Superintendent to protect the public using the Town property or said highway.

The fee for the issuance of such permit shall be \$50.00. In addition to such fee the applicant shall execute and file with his application a surety bond in the sum of \$1,000.00 conditioned that the applicant will receive the property to the same condition as it was before the excavation was made within thirty days after the

excavation is made, in which event no further bond shall be required for additional permits. Same must be renewed on the first day of January of each year.

In addition thereto the applicant must agree to properly barricade the excavation so as to prevent any person from suffering injury to person or property by reason of such excavation.

The applicant must further agree in writing to protect the Town of Cheektowaga, from any claim of damage being made for injury to person or property by reason of such excavation and to save the Town harmless from any such claim or demand.

The applicant must agree that if the Town of Cheektowaga is obliged to pay any claim for damage caused by such excavation that the Town be promptly reimbursed by him for the amount thereof, whether such amount is reached by way of a compromise of the claim or demand or by a judgment of a Court of competent jurisdiction.

Nothing herein contained is intended to in anywise amend any existing provision of the Plumbing and Drainage Ordinances or the Building Code of the Town of Cheektowaga.

Any person, firm or corporation whether he be owner, contractor, sub-contractor or employee of the owner, contractor or sub-contractor violating the provisions of this Ordinance shall be punished by a fine not to exceed \$50.00 or by imprisonment for a term not exceeding six months.

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

Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Nagel, voting Aye.  
**AYES: 4 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 16th day of August, 1964, 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 16th day of August, 1964.

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

They are really stunning  
change of style now.

**FALL**

**DRESSES**

to DRESS

to \$8.98

Come in and get a look  
for fall. You'll find  
styles to start the new

**TERRIFIC**

**All Cotton**

**NOW 1/2**

sizes 8 to 14

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... week, the first insertion being on the  
..... day of August, 1954, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

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

SEP 2 1954

....., 19.....

*Kenneth D. ...*

Notary Public in and for Erie County.

hn 528800

**Councilman Wroblewski**  
of the following resolution and  
moved its adoption:

**WHEREAS**, a written petition was duly filed with this Board for the improvement of both sides of Peoria Street, commencing at William Street and extending to Stradtman Street, a distance of approximately 2620 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains. (Said highway is now paved for its entire length), and

**WHEREAS**, it duly appears that such petition has been signed by owners of real property fronting and abutting on both sides of said public highway to be improved situate between the points aforesaid owning at least one-half of the entire frontage or bounds on both sides of the highway to be improved as aforesaid and was signed by resident owners owning not less than one-half of the frontage owned by resident owners residing along said highways 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 Forteen Thousand Dollars, (\$14,000.00),

**NOW THEREFORE,**

**BE IT RESOLVED**, 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 Union Road and Broadway, in said Town, on the 13th day of September, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and

**BE IT FURTHER RESOLVED**, that the Town Clerk be and he is hereby Ordered and Directed to publish a certified copy of this resolution and order in the Cheektowaga "Times" and the "Depew Herald and Cheektowaga News", the official newspapers of 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 Order in five (5) public places along the portion of said highway to be improved not less than ten (10) nor more than twenty (20) days prior to the date of the hearing and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this Order and Resolution.

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

Councilman Nagel, Voting Aye,  
Councilman Wroblewski,

**Councilman Nagel, Voting Aye,  
Councilman Bystrak, Voting Aye,  
AYES: 4; NOES: 0; ABSENT: 1.**

STATE OF NEW YORK  
COUNTY OF ERIE

Cheektowaga, Erie County, New York, held at the Town Hall, corner Union Road and Broadway, Cheektowaga, Erie County, New York, on the 16th day of August, 1954 at 7:30 o'clock, P.M. Eastern Daylight Saving Time there were:

**PRESENT:**  
Henry Nagel, Councilman,  
Felix T. Wroblewski, Councilman,  
Joseph A. Neibert, Councilman,  
Stanley Bystrak, Councilman,

**ABSENT:**  
Benedict T. Holtz, Supervisor,  
Councilman Wroblewski presented and following resolution and moved its adoption:

Resolved, it is deemed advisable in the public interest to regulate the excavation of ditches, sidewalks, streets, highways and other areas located upon Town property, or within the public right of way on Town streets and highways, be it

**RESOLVED**, that the Town Board shall meet on the 13th day of September, 1954, at 2:30 o'clock, P. M. Eastern Daylight Saving Time at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York for the purpose of considering the advisability of

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enacting the following general ordinance to be known as Ordinance No. 3, of the Town of Cheektowaga, New York, to provide as follows:

ORDINANCE NO. 3

No person, firm or corporation shall enter upon any Town property, or any portion of the right of way of a Town Highway, for the purpose of making an excavation for any purpose unless authorized to do so in writing, by the Building and Plumbing Inspector, as well as by the Town Highway Superintendent.

Applications for such permit must be made in writing and shall set forth the name of the owner, or owners of the abutting property where the excavation is intended to be made; the exact location of the excavation, its width and depth and the reason therefor and what arrangements have been made to fill in the excavation, the method of guarding the same and such other information as may be requested by the Building and Plumbing Inspector and the Town Highway Superintendent to protect the public using the Town property or said highway.

The fee for the issuance of such permit shall be \$50.00. In addition to such fee the applicant shall execute and file with his application a surety bond in the sum of \$1000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after the permit is issued.

"A" Any person, firm or corporation may file a surety bond in the sum of \$20,000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after permit is issued, in which case no further bond shall be required for additional periods. Same must be renewed on the first day of January of each year.

In addition thereto the applicant must agree to properly barricade the excavation so as to prevent any person from suffering injury to person or property by reason of such excavation.

The applicant must further agree to protect the Town of Cheektowaga, from the claim of damage being made for injury to person or property by reason of such excavation and to save the Town harmless from any such claim or demand.

The applicant must agree that if the Town of Cheektowaga is obliged to pay any claim for damage caused by such excavation that the Town be promptly reimbursed by him for the amount thereof, whether such amount is received by way of a compromise of the claim or demand or by a judgment of a Court of competent jurisdiction.

Nothing herein contained is intended to in anywise repeal any existing provision of the Plumbing and Draining Ordinances or the Building Code of the Town of Cheektowaga.

Any person, firm or corporation whether he be owner, contractor, sub-contractor or employee of the owner, contractor or sub-contractor violating the provisions of this Ordinance shall be punished by a fine not to exceed \$50.00 or by imprisonment for a term not exceeding six months.

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

Councilman Nagel, Voting Aye,  
Councilman Wroblewski, Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Bystrak, Voting Aye,  
YES: 4; NOES: 0; ABSENT: 1.

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 16th day of August, 1954, and that the same is a correct and true transcript of the original resolution and the vote thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 16th day of August, 1954.  
KENNETH T. HANLEY,  
Clerk of the Town Board  
Town of Cheektowaga, N. Y.

Sworn to before me this ..... day of  
SEP 2 1954  
19.....  
Kenneth T. Hanley  
Notary Public in and for Erie  
no 528600

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

**WHEREAS,** a written petition was duly filed with this Board for the improvement of both sides of Peoria Street, commencing at William Street and extending to Stradtman Street, a distance of approximately 2620 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains. (Said highway is now paved for its entire-length), and

**WHEREAS,** it duly appears that such petition has been signed by owners of real property fronting and abutting on both sides of said public highway to be improved situate between the points aforesaid owning at least one-half of the entire frontage or bounds on both sides of the highway to be improved as aforesaid and was signed by resident owners owning not less than one-half of the frontage owned by resident owners residing along said highways 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 Forteen Thousand Dollars, (\$14,000.00),

**NOW THEREFORE,**

**BE IT RESOLVED,** 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 Union Road and Broadway, in said Town, on the 13th day of September, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and

**BE IT FURTHER RESOLVED,** that the Town Clerk he and he is hereby Ordered and Directed to publish a certified copy of this resolution and order in the Cheektowaga "Times" and the "Depew Herald and Cheektowaga News", the official newspapers of 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 Order in five (5) public places along the portion of said highway to be improved not less than ten (10) nor more than twenty (20) days prior to the date of the hearing and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this Order and Resolution.

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

Councilman Nagel, Voting Aye,  
Councilman Wroblewski,

**AYES: 4; NAYS: 0; ABSENT: 1.**

Item No. 25-Cont'd Posted as follows on the 1st day of September, 1954:

- 1- Town Hall Bulletin Board;
- 2- Telephone Pole at the corner of Peoria and William Street;
- 3- Telephone Pole No. 3 on Peoria Street;
- 4- Telephone Pole in front of No. 74 Peoria Street;
- 5- Telephone Pole in front of No. 98 Peoria Street;
- 6- Post at the corner of Peoria Street and Stradtman Road.

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

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

*Harriet M. Allis*, of the  
 Town of Cheektowaga, in said County of Erie, be-  
 ing duly sworn, deposes and says that *she is*  
*secretary* of the  
 Cheektowaga Times, a public newspaper published  
 weekly in said Town; that the notice, of which  
 the annexed printed slip, taken from said news-  
 paper is a copy, was inserted and published in  
 said paper once a week for *five* weeks; first  
 publication *AUG 26 1954*;  
 last publication *AUG 26 1954*;  
 and that no more than six days intervened be-  
 tween publications.

*Harriet M. Allis*  
 Sworn to before me this  
 day of *AUG 30 1954*, 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, 1955  
 Registered No. 5029

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

Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, on the 16th day of August, 1954 at 7:30 o'clock, P.M. Eastern Daylight Saving Time there were:

PRESENT:  
Henry Nagel, Councilman  
Edgar T. Wroblewski, Councilman  
A. Neibert, Councilman  
Stanley A. Bystrak, Councilman,

ABSENT:  
Benedict T. Holtz, Supervisor.  
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Peoria Street, commencing at William Street and extending to Stradtman Street, a distance of approximately 2620 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains. (Said highway is now paved for its entire length), and

WHEREAS, it duly appears that such petition has been signed by owners of real property fronting and abutting on both sides of said public highway to be improved situated between the points aforesaid owning at least one-half of the entire frontage or bounds on both sides of the highway to be improved as aforesaid and was signed by resident owners owning not less than one-half of the frontage owned by resident owners residing along said highways 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 Fourteen Thousand Dollars, (\$14,000.00),

NOW THEREFORE,

BE IT RESOLVED, 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 Union Road and Broadway, in said Town, on the 13th day of September, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and

BE IT FURTHER RESOLVED, that the Town Clerk be and he is hereby Ordered and Directed to publish a certified copy of this resolution and order in the Cheektowaga "Times" and the "Depew Herald and Cheektowaga News", the official newspapers of 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 Order in five (5) public places along the portion of said highway to be improved not less than ten (10) nor more than twenty (20) days prior to the date of the hearing and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this Order and Resolution.

Witness my hand and seal this 16th day of August, 1954.

Councilman Nagel, Voting Aye,  
Councilman Wroblewski,

Councilman Neibert, Voting Aye,  
Councilman Bystrak, Voting Aye,  
AYES: 4; NOES: 0; ABSENT: 1.

State of New York )  
Erie County ) ss.:

Office of the Clerk of the )  
Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 16th day of August, 1954, 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 16th day of August, 1954.

KENNETH T. HANLEY,  
Clerk of the Town Board  
au26 Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for week, the first insertion being on the 26th day of August, 1954, and the last insertion being on the day of 1954, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

day of

1954

and for Erie County.

Item No. 25-Cont'd Posted as follows on the 1st day of September, 1954:

- 1- Town Hall Bulletin Board;
- 2- Telephone Pole at the corner of Peoria and William Street;
- 3- Telephone Pole No. 3 on Peoria Street;
- 4- Telephone Pole in front of No. 74 Peoria Street;
- 5- Telephone Pole in front of No. 98 Peoria Street;
- 6- Post at the corner of Peoria Street and Stradtman Road.

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

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 16th day of August, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman

**ABSENT:** One  
Benedict T. Holtz, Supervisor  
Councilman Wroblewski presented the following resolution and moved its adoption:

**WHEREAS,** a written petition was duly filed with this Board for the improvement of both sides of Peoria Street, commencing at William Street and extending to Stradtman Street, a distance of approximately 2,620 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains. (Said highway is now paved for its entire length), and

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

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

**WHEREAS,** the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of Fourteen Thousand Dollars (\$14,000.00).

**NOW, THEREFORE,**  
**BE IT RESOLVED,** pursuant to the provisions of Section 280 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

at 7:30 P.M. Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing of persons interested in the subject concerning the same, and

**BE IT FURTHER RESOLVED,** that the Town Clerk be and he is hereby Ordered and Directed to publish a certified copy of this resolution and order in the "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," the official newspapers of 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 Order in five (5) public places along the portion of said highway to be improved not less than ten (10) nor more than twenty (20) days prior to the date of the hearing and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this Order and Resolution.

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

Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.  
**AYES: 4 NOES: 0 ABSENT: 1**

**STATE OF NEW YORK  
COUNTY OF ERIE  
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 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 16th day of August, 1954, 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 16th day of August, 1954.

KENNETH T. HANLEY  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.  
(SEAL) (8-26)

Item

Summary of the advertisement in the official newspaper, a public auction was held on the following described property: Subdivision Lots Nos. 390, 391 and the north-erly 15 feet of lot 392, Map Cover 890, east side of Bigelow Place, Subdivision Lots Nos. 331, 332 and 333, Map Cover 890, east side of Ruthertford Place. Bidding was opened by Village Attorney Harold P. Kelly, and the following bids were received: Sub-division Lots Nos. 390, 391 and the north-erly 15 feet of lot 392, Map Cover 890, east side of Bigelow Place, the sum of \$700.00 by John J. Jacobs. Subdivision Lots Nos. 331, 332 and 333, Map Cover 890, east side of Ruthertford Place, the sum of \$450.00 by Michael Nagy, Jr. Trustee Rusinek offered the fol- lowing resolution and moved for its adoption:

That the bid sum of \$700.00 for the following described property be accepted by the Village of De- pew, New York, and the Mayor hereby authorized to execute and deliver to John J. Jacobs and Mar- garet J. Jacobs, his wife, 285 Ter- race Blvd., Depew, N. Y., a con- veyance of the balance of the pur- chase price therefor. Subdivision Lots Nos. 390, 391 and the north-erly 15 feet of lot 392, Map Cover 890, situated on the east side of Bigelow Place. These lots are be- ing sold with the understanding that there are no improvements thereon and the purchaser will be responsible for all improvements on said street.

That the bid sum of \$450.00 for the following described property be accepted by the Village of De- pew, New York, and the Mayor hereby authorized to execute and deliver to Michael Nagy, Jr., a con- veyance of the balance of the pur- chase price therefor. Subdivis- ion Lots Nos. 331, 332 and 333, Map Cover 890, east side of Ruthertford Place, the sum of \$450.00 by Michael Nagy, Jr. Trustee Rusinek offered the fol- lowing resolution and moved for its adoption:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

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

*Richard G. Bennett*

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

*September*, 19.....

*Walter T. Haley*

Notary Public in and for Erie County.

no 52 6600

on the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Chesterfield Drive extending from Burke Drive north to Treehaven Road, a distance of approximately 1700 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains. (Said highway is now paved for its entire length), and

WHEREAS, it duly appears that such petition has been signed by owners of real property fronting and abutting on both sides of said public highway to be improved situate between the points aforesaid owning at least one-half of the entire frontage or bounds on both sides of the highway to be improved as aforesaid and was signed by resident owners owning not less than one-half of the frontage owned by resident owners residing along said highways 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 Ten Thousand Dollars (\$10,000.00),

NOW, THEREFORE,

BE IT RESOLVED, 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 Union Road and Broadway, in said Town, on the 13th day of September, 1954, at 2:30 o'clock, P. M. Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and

BE IT FURTHER RESOLVED, that the Town Clerk be and he is hereby Ordered and Directed to publish a certified copy of this resolution and order in the Cheektowaga "Times" and the "Depew Herald and Cheektowaga News", the official newspapers of 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 Order in five (5) public places along the portion of said highway to be improved not less than ten (10) nor more than twenty (20) days prior to the date of the hearing and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this Order and Resolution.

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

Councilman Nagel, Voting Aye,  
Councilman Wroblewski,

Councilman Neibert, Voting Aye,  
Councilman Bystrak, Voting Aye,  
AYES: 4; NOES: 0; ABSENT: 1

- Posted as follows on the 1st day of September, 1954:
- 1- Town Hall Bulletin Board;
  - 2- Post at the corner of Chesterfield Drive and Burke Drive;
  - 3- Post in front of No. 15 Chesterfield Drive;
  - 4- Post in front of No. 22 Chesterfield Drive;
  - 5- Post in front of No. 58 Chesterfield Drive;
  - 6- Post at the corner of Chesterfield Drive.

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

.....*Harriet M. Allis*....., of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *she* is  
.....*secretary*..... of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks; first  
publication .....**AUG 26 1954**.....;  
last publication .....**AUG 26 1954**.....;  
and that no more than six days intervened be-  
tween publications.

.....*Harriet M. Allis*.....

Sworn to before me this .....  
**AUG 30 1954**  
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 Aug 30, 1955  
Registered No. 5029

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Chesterfield Drive extending from Burke Drive north to Treehaven Road, a distance of approximately 1700 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains. (Said highway is now paved for its entire length), and

WHEREAS, it duly appears that such petition has been signed by owners of real property fronting and abutting on both sides of said public highway to be improved situate between the points aforesaid owning at least one-half of the entire frontage or bounds on both sides of the highway to be improved as aforesaid and was signed by resident owners owning not less than one-half of the frontage owned by resident owners residing along said highways 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 Ten Thousand Dollars (\$10,000.00),

NOW, THEREFORE,

BE IT RESOLVED, 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 Union Road and Broadway, in said Town, on the 13th day of September, 1954, at 2:30 o'clock, P. M. Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and

BE IT FURTHER RESOLVED, that the Town Clerk be and he is hereby Ordered and Directed to publish a certified copy of this resolution and order in the Cheektowaga "Times" and the "Depew Herald and Cheektowaga News", the official newspapers of 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 Order in five (5) public places along the portion of said highway to be improved not less than ten (10) nor more than twenty (20) days prior to the date of the hearing and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this Order and Resolution.

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

Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Dystrak, Voting Aye,  
AYES: 4; NOES: 0; ABSENT: 1.

Posted as follows on the 1st day of September, 1954:

- 1- Town Hall Bulletin Board;
- 2- Post at the corner of Chesterfield Drive and Burke Drive;
- 3- Post in front of No. 15 Chesterfield Drive;
- 4- Post in front of No. 22 Chesterfield Drive;
- 5- Post in front of No. 58 Chesterfield Drive;
- 6- Post at the corner of Chesterfield Drive.

Item No. 25-Cont'd Hereto attached is a copy of the notice published in the Cheektowaga Times and the Depew Herald-Cheektowaga News:

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At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, on the 16th day of August, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were:

Stanley Bystrak, Councilman  
Henry J. Nagel, Councilman  
Joseph A. Neibert, Councilman  
Felix T. Wroblewski, Councilman

ABSENT: One

Benedict T. Holtz, Supervisor

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Chestnutfield Drive extending from Burba Drive north to Treshaven Road, a distance of approximately 1,700 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains. (Said highway is now paved for its entire length), and

WHEREAS, it duly appears that such petition has been signed by owners of real property fronting and abutting on both sides of said public highway to be improved situated between the points aforesaid owning at least one-half of the entire frontage or bounds on both sides of said highway;

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 Ten Thousand Dollars (\$10,000.00),

NOW THEREFORE,

BE IT RESOLVED, 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 Union Road and Broadway, in said Town, on the 13th day of September, 1954, at 2:30 o'clock, P.M. Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and

BE IT FURTHER RESOLVED, that the Town Clerk be and he is hereby Ordered and Directed to publish a certified copy of this resolution and order in the "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," the official newspapers of 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 Order in five (5) public places along the portion of said highway to be improved 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 be 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 Order and Resolution.

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

Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.  
AYES: 4 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 16th day of August, 1954, 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 16th day of August, 1954.

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

(SEAL)

(4-28)

STATE OF NEW YORK  
COUNTY OF ERIE

date of the hearing and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this Order and Resolution.

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

Voting Aye,  
Councilman Nelbert, Voting Aye,  
Councilman Bystrak, Voting Aye,  
AYES: 4; NOES: 0; ABSENT: 1.  
State of New York )  
Erie County ) ss:  
Office of the Clerk of the )  
Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 16th day of August, 1954, 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 16th day of August, 1954.  
KENNETH T. HANLEY,  
Clerk of the Town Board  
Town of Cheektowaga, N. Y.

Seconded by Trustee  
and duly put to a vote  
and

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the ..... day of August, 1954, 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

September, 1954

*Kenneth T. Hanley*

Notary Public in and for Erie County.

IN 52 8800

Councilman Neibert moved, seconded by Councilman Wroblewski:

**NOTICE IS HEREBY GIVEN**  
that an application has been made to the town board of the Town of Cheektowaga, Erie County, New York, by the Western New York Motor Lines, Inc., for a consent to operate a motor bus line on and along certain highways, in the Town of Cheektowaga, Erie County, New York, as follows:  
on and along Routes 78 and 20 from the northerly corporation line to the southerly corporation line.

And that, pursuant to Section 66 of the Transportation Corporations Law, and a resolution duly passed by this Board a public hearing will be had upon such application, at the Town Board Council Chambers, in the Town Hall of the Town of Cheektowaga, on the 13th day of September, 1954, at 2:30 P. M. at which time and place all persons interested in such application will be heard.

By order of the Town Board of the Town of Cheektowaga.  
Dated: August 16th, 1954.  
KENNETH T. HANLEY,  
Town Clerk

au26

CARRIED: AYES: -4-  
ABSENT: -1-

Posted as follows on the 1st day of September, 1954:

- 1- Town Hall Bulletin Board;
- 2- Telephone Pole No. 215 on Transit Road;
- 3- Post across the street from Telephone Pole No. 215 on Transit Road;
- 4- Schmitts' Sign Board, on Transit Road;
- 5- Whittmier Ferris Sign Board on Transit Road;
- 6- Telephone Pole No. 216 on Transit Road.

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

*Harriet M. Allis*, of the  
Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that *she* is  
*secretary* 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 26 1954; last publication AUG 26 1954; and that no more than six days intervened between publications.

*Harriet M. Allis*

Sworn to before me this .....  
day of AUG 30 1954, 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, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

At the Town Board of the  
Town of Cheektowaga,  
on the 16th day of August,  
1954 at 7:30 o'clock, P.M. Eastern  
Daylight Saving Time there were:

PRESENT:

Henry Nagel, Councilman,  
Felix T. Wroblewski,  
Councilman,  
Joseph A. Neibert, Councilman,  
Stanley A. Bystrak, Councilman,

ABSENT:

Benedict T. Holtz, Supervisor.  
Councilman Wroblewski present-  
ed the following resolution and  
moved its adoption:

WHEREAS, a written petition  
was duly filed with this Board for  
the improvement of both sides of  
Chesterfield Drive extending from  
Burke Drive north to Treeshaven  
Road, a distance of approximately  
1700 feet, by the construction of  
curbs, together with the installa-  
tion of receivers and necessary un-  
derground drains. (Said highway is  
now paved for its entire length),  
and

WHEREAS, it duly appears that  
such petition has been signed by  
owners of real property fronting  
and abutting on both sides of said  
public highway to be improved sit-  
uate between the points aforesaid  
owning at least one-half of the en-  
tire frontage or bounds on both  
sides of the highway to be improv-  
ed as aforesaid and was signed by  
resident owners owning not less  
than one-half of the frontage own-  
ed by resident owners residing  
along said highways 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 high-  
way as stated in the petition is the

RESOLVED, pursuant to  
the provisions of Section 260 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 Union Road  
and Broadway, in said Town, on  
the 15th day of September, 1954,  
at 7:30 o'clock, P. M. Eastern Day-  
light Saving Time, for the pur-  
pose of considering the said peti-  
tion and hearing of persons inter-  
ested in the subject thereof con-  
cerning the same, and

BE IT FURTHER RESOLVED,  
that the Town Clerk be and he  
is hereby Ordered and Directed to  
publish a certified copy of this  
resolution and order in the Cheek-  
towaga "Times" and the "Depew  
Herald and Cheektowaga News",  
the official newspapers of the  
Town of Cheektowaga, not less  
than ten (10) nor more than twen-  
ty (20) days prior to the date of  
the hearing, and that the Town  
Clerk post conspicuously or cause  
to be posted conspicuously certifi-  
ed copies of this Order in five  
(5) public places along the por-  
tion of said highway to be improv-  
ed not less than ten (10) nor more  
than twenty (20) days prior to the  
date of the hearing and that on or  
before said date he post or cause  
to be posted conspicuously on a  
signboard maintained by him at  
the entrance of the Town Clerk's  
Office a certified copy of this Or-  
der and Resolution.

Seconded by Councilman Neibert  
and duly put to a vote, which re-  
sulted as follows:

Councilman Nagel, Voting Aye,  
Councilman Wroblewski,  
Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Bystrak, Voting Aye,  
AYES: 4; NOES: 0; ABSENT: 1.

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

This is to certify that I, KEN-  
NETH T. HANLEY, Clerk of the  
Town of Cheektowaga, in the said  
County of Erie, have compared the  
foregoing copy of resolution with  
the original resolution now on file  
at this office, and which was pass-  
ed by the Town Board of the  
Town of Cheektowaga in said  
County of Erie, on the 16th day of  
August, 1954, and that the same is  
a correct and true transcript of  
such original resolution and the  
whole thereof.

In Witness Whereof, I  
have hereunto set my  
(Seal) hand and affixed the seal  
of said Town this 16th day  
of August, 1954.

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... week, the first insertion being on the  
..... day of August, 1954, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

..... day of  
....., 1954

*Hanley*  
..... public in and for Erie County.

Councilman Neibert moved, seconded by Councilman Wroblewski:

**NOTICE IS HEREBY GIVEN**  
 that an application has been made to the town board of the Town of Cheektowaga, Erie County, New York, by the Western New York Motor Lines, Inc., for a consent to operate a motor bus line on and along certain highways, in the Town of Cheektowaga, Erie County, New York, as follows:

on and along Routes 78 and 20 from the northerly corporation line to the southerly corporation line.

And that, pursuant to Section 66 of the Transportation Corporations Law, and a resolution duly passed by this Board a public hearing will be had upon such application, at the Town Board Council Chambers, in the Town Hall of the Town of Cheektowaga, on the 13th day of September, 1954, at 2:30 P. M. at which time and place all persons interested in such application will be heard.

By order of the Town Board of the Town of Cheektowaga.  
 Dated: August 16th, 1954.

KENNETH T. HANLEY,  
 Town Clerk

au26

CARRIED: AYES: -4-  
 ABSENT: -1-

Posted as follows on the 1st day of September, 1954:

- 1- Town Hall Bulletin Board;
- 2- Telephone Pole No. 215 on Transit Road;
- 3- Post across the street from Telephone Pole No. 215 on Transit Road;
- 4- Schmitts' Sign Board, on Transit Road;
- 5- Whittmier Ferris Sign Board on Transit Road;
- 6- Telephone Pole No. 216 on Transit Road.

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

**Consent to Operate**  
**PUBLIC NOTICE OF HEARING**  
**UPON APPLICATION FOR CON-**  
**SENT TO OPERATE MOTOR BUS**  
**LINE ON AND ALONG CERTAIN**  
**HIGHWAYS IN THE TOWN OF**  
**CHEEKTOWAGA, ERIE COUNTY,**  
**NEW YORK.**

**NOTICE IS HEREBY GIVEN** that an application has been made to the Town Board of the Town of Cheektowaga, Erie County, New York, by the Western New York Motor Lines, Inc., for a consent to operate a motor bus line on and along certain highways, in the Town of Cheektowaga, Erie County, New York, as follows:

On and along Routes 78 and 20 from the northerly corporation line to the southerly corporation line.

And that, pursuant to Section 66 of the Transportation Corporations Law and a resolution duly passed by this Board a public hearing will be had upon such application, at the Town Board Council Chambers, in the Town Hall of the Town of Cheektowaga, on the 13th day of September, 1954, at 2:30 P. M. at which time and place all persons interested in such application will be heard.

By Order of the Town Board of the Town of Cheektowaga.  
 Dated: August 16, 1954.

KENNETH T. HANLEY  
 Town Clerk

(8-26)

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

**NOTICE OF HEARING**  
UPON APPLICATION FOR  
CONSENT TO OPERATE MO-  
TOR BUS LINE ON AND  
ALONG CERTAIN HIGHWAYS  
IN THE TOWN OF CHEEKTOWA-  
GAGA, ERIE COUNTY, NEW  
YORK.  
NOTICE IS HEREBY GIVEN  
that an application has been made  
to the town board of the Town of  
Cheektowaga, Erie County, New  
York, by the Western New York  
Motor Lines, Inc., for a consent to  
operate a motor bus line on and  
along certain highways, in the  
Town of Cheektowaga, Erie Coun-  
ty, New York, as follows:  
on and along Routes 78 and  
20 from the northerly corpor-  
ation line to the southerly cor-  
poration line.  
And that, pursuant to Section  
48 of the Transportation Corpor-  
ations Law, and a resolution duly  
passed by this Board a public hear-  
ing will be had upon such applica-  
tion, at the Town Board Council  
Chambers, in the Town Hall of the  
Town of Cheektowaga, on the 13th  
day of September, 1954, at 2:30  
P. M. at which time and place all  
persons interested in such applica-  
tion will be heard.  
By order of the Town Board of  
the Town of Cheektowaga.  
Dated: August 18th, 1954.  
KENNETH T. HANLEY,  
Town Clerk  
au26

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... week, the first insertion being on the  
26th day of August, 1954, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

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

SEP 2 1954, 19.....

*Kenneth T. Hanley*

Notary Public in and for Erie County.

hn 52 8800

County, New York, at the Town Hall in the Town of Cheektowaga, New York, on the 10th day of August, 1954, at 7 o'clock P.M. Eastern Daylight Saving Time there were present:

Joseph A. Nagel, Councilman,  
 Felix M. Wroblewski, Councilman,  
 Joseph A. Nelbert, Councilman,  
 Stanley A. Bystrak, Councilman,  
 Albert T. Holtz, Supervisor.

Councilman Nelbert presented the following resolution and moved for its adoption:

**WHEREAS**, a petition for the creation of a water district, to be known as Water District No. 10, in the Town of Cheektowaga, New York, pursuant to the provisions of Article 17 of the Town Law was presented to the Town Board on the 2nd day of August, 1954, and

**WHEREAS**, it appears to the Town Board that the above petition was duly filed and acknowledged in the same manner as is required to be recorded by the County Taxpayers, owning taxable property aggregating more than one-half of the assessed value of all the taxable real property situate in the area where the water district is proposed to be created, and

**WHEREAS**, it appears that the proposed water district, and the members of the same, have inspected the proposed water district and each member of the Board knows the present owners of property in said district, and

**WHEREAS**, said petition has been duly acknowledged by the taxpayers owning property aggregating more than one-half of the entire frontage on the north side of New Wallen Avenue and New Wallen Avenue included in said proposed district, and

**WHEREAS**, the maximum amount to be expended for the construction is the sum of \$40,000 and

**WHEREAS**, said petition is accompanied by a map prepared by the State Engineer, duly approved by the State of New York, showing the location of the proposed water district, a plan showing the location of the supply reservoirs, and the location of each and every hydrant, reservoir, and

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

...the property line of the West Shore Railroad property, said point being the intersection of the westerly line of the land conveyed to the Scharell Corporation and the southerly line of the West Shore Railroad property; thence north-westerly along the southerly line of the West Shore Railroad property 3775 feet more or less to the point of intersection of the southerly

...the southerly line of the West Shore Railroad property, said point being the intersection of the westerly line of the land conveyed to the Scharell Corporation and the southerly line of the West Shore Railroad property; thence north-westerly along the southerly line of the West Shore Railroad property 3775 feet more or less to the point of intersection of the southerly line of the Scharell Corporation property extended southerly; thence northerly 360 feet more or less; easterly 50 feet more or less, and northerly 256 feet more or less, along the westerly property line of the Scharell Corporation property to the point of intersection of the southerly

**WHEREAS**, the territory herein above described is situate entirely in said Town, outside of any incorporated village or city there-

**NOW THEREFORE**, the Town Board of the Town of Cheektowaga, New York, meet at the Town Hall, corner of Broadway and Union Road, in the Town of Cheektowaga, New York, on the 10th day of September, 1954, at 7 o'clock P.M. Eastern Daylight Saving Time to consider said petition and hear all persons interested in the subject thereof concerning the same, and it is further

**ORDERED** that a copy of this Order and Resolution certified by the Town Clerk be published at least once in the Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers having general circulation in the area affected and being the official newspapers of said Township, 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 duly certified by the Town Clerk be posted conspicuously in five public places within the area where said water district is proposed to be created, and that he post a certified copy of this Order on a signboard maintained by him at the entrance to the Town Clerk's Office not less than ten (10) nor more than twenty (20) days before the date designated for the hearing.

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

Item No. 28- Cont'd Posted as follows on the 2nd day of September, 1954:

- 1- Town Hall Bulletin Board;
- 2- Telephone Pole No. 11 on New Walden Avenue;
- 3- Telephone Pole No. 10 on New Walden Avenue;
- 4- Telephone Pole No. 538 on New Walden Avenue;
- 5- Telephone Pole No. 22 on New Walden Avenue;
- 6- Telephone Pole No. 7 on New Walden Avenue.

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

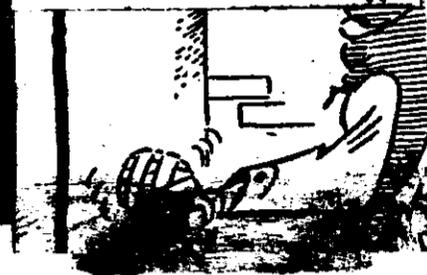
STATE OF NEW YORK  
 COUNTY OF ERIE  
 TOWN OF CHEEKTOWAGA } ss.

*Harriet M. Allis*, of the  
 Town of Cheektowaga, in said County of Erie, be-  
 ing duly sworn, deposes and says that *she* is  
*secretary* of the  
 Cheektowaga Times, a public newspaper published  
 weekly in said Town; that the notice, of which  
 the annexed printed slip, taken from said news-  
 paper is a copy, was inserted and published in  
 said paper once a week for *one* weeks; first  
 publication **SEP 2 1954**;  
 last publication **SEP 2 1954**;  
 and that no more than six days intervened be-  
 tween publications.

*Harriet M. Allis*  
 Sworn to before me this .....  
 day of **SEP 2 1954**, 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 Comm. Expires March 30, 1955  
 Registered No. 6029

By the way, John, do you have all so to? of food, but kids? Where did it sandwiches. There sure was plenty to bring was your own cup and attraction. Just think all you had watermelons brought even more chips, and pop. Then the two huge ing at the salads, popcorn, potato- proximately 40 smiling faces look- Oh, yes, the party. We had ap- is Thursday. What was Thursday? Now for the best day and that kept you at the end of the line? traction, Barb and Colleen, that one had it. What was the big at- son lay? But as it turned out, no the park was "Who-really has pot- One question that arose while at Vinos got the last laugh now? to be big and ride their bikes. and what a hike it was. We girls rode but our eyes famous boys had Last Thursday we had our hike weeks.



RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
 towaga, Erie County, New York, that notice of which the  
 annexed printed slip taken from said newspaper, is a copy,  
 was inserted and published therein once a week for  
 ..... week, the first insertion being on the  
 ..... day of September, 1954, and  
 the last insertion being on the ..... day of  
 ....., 19....., and that not  
 more than six days intervened between any two publi-  
 cations thereof.

*Richard G. Bennett*

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

SEP 14 1954

....., 19.....

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

IN 52 880

Item No. 28- Cont'd Posted as follows on the 2nd day of September, 1954:

- 1- Town Hall Bulletin Board;
- 2- Telephone Pole No. 11 on New Walden Avenue;
- 3- Telephone Pole No. 40 on New Walden Avenue;
- 4- Telephone Pole No. 538 on New Walden Avenue;
- 5- Telephone Pole No. 22 on New Walden Avenue;
- 6- Telephone Pole No. 7 on New Walden Avenue.

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

**NOTICE OF HEARING**  
**Petition for Water District**

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 16th day of August, 1954 at 7:30 o'clock, P.M., Eastern Daylight Saving Time there were:

**PRESENT:**

Stanley Bystrak, Councilman  
Henry J. Nagel, Councilman  
Joseph A. Neibert, Councilman  
Felix T. Wroblewski, Councilman

**ABSENT: One**

Benedict T. Holtz, Supervisor  
Councilman Neibert presented the following resolution and moved its adoption:

**WHEREAS**, a petition for the creation of a water district, to be known as Water District No. 10, in the Town of Cheektowaga, New York pursuant to the provisions of Article 12 of the Town Law was presented to the Town Board on the 2nd day of August, 1954, and

**WHEREAS**, it appears to the Town Board that the above petition was duly signed and acknowledged in the same manner as a deed to be recorded by non-resident taxpayers owning taxable real estate property aggregating more than one-half of the assessed valuation of all the taxable real property situate in the area where said water district is proposed to be created, and

**WHEREAS**, it appears that there are no resident taxpayers residing in the proposed water district, and

**WHEREAS**, members of this Town Board have inspected the area where said water district is to be created and each member of the Town Board knows there are no resident owners of property therein, and

**WHEREAS**, said petition has been signed and acknowledged by non-resident taxpayers owning taxable property aggregating more than one-half of the entire frontage on the north side of New Walden Avenue. No property on the south side of New Walden Avenue being included in said proposed water district, and

**WHEREAS** the maximum amount proposed to be expended for the improvement is the sum of \$45,000, and

**WHEREAS**, said petition is accompanied by a map prepared by Albert J. Kamm, an engineer duly licensed by the State of New York, showing the bounds of the proposed district, together with a plan showing the source of the supply of water to be used in said water district; the water mains, distributing pipes, hydrants, reservoirs, if any, and location of each and

**WHEREAS**, THE proposed water district is described in said petition as follows:

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

**BEGINNING** at the point in the southerly line of the West Shore Railroad property, said point being the intersection of the westerly line of the lands conveyed to the Scharell Corporation and the southerly line of the West Shore Railroad property; thence northeasterly along the southerly line of the West Shore Railroad property 2775 feet more or less to the point of intersection of the southerly line of the West Shore Railroad property and a line through the lands conveyed to the Ernst Construction Corporation said line being 270 feet more or less, measured at right angles, east of and parallel to the westerly line of the lands conveyed to the Ernst Construction Corporation; thence southerly along said line through the Ernst Construction Corporation 1306 feet more or less, to the point of intersection of said line and the center line of New Walden Avenue; thence southwesterly along the center line of New Walden Avenue 1976 feet more or less; thence westerly 575 feet more or less, along a line parallel to, and 75 feet more or less measured at right angles, south of the southerly line of lands conveyed to the Scharell Corporation to a point on the westerly line of the Scharell Corporation property extended southerly; thence northerly 300 feet more or less, easterly 50 feet more or less, and northerly 256 feet more or less, along the westerly property line of the Scharell Corporation property to the point of beginning.

**WHEREAS**, the territory herein before described is situate entirely in said Town, outside of any incorporated village or city therein.

**NOW, THEREFORE,**

**IT IS ORDERED** that the Town Board of the Town of Cheektowaga, New York, meet at the Town Hall, corner of Broadway and Union Road in the Town of Cheektowaga, New York, on the 13th day of September, 1954, at 2:30 o'clock, P.M. Eastern Daylight Saving Time to consider said petition and hear all persons interested in the subject thereof concerning the same, and it is further

**ORDERED**, that a copy of this Order and Resolution certified by

the Town Clerk be published at least once in the CHEEKTOWAGA TIMES and the "Depew Herald and Cheektowaga News," newspapers having general circulation in the area affected and being the official newspapers of said Township, 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 duly certified by the Town Clerk be posted conspicuously in five public places within the area where said water district is proposed to be created, and that he post a certified copy of this Order on a signboard maintained by him at the entrance to the Town Clerk's Office not less than ten (10) nor more than twenty (20) days before the date designated for the hearing.

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

Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.

Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.

**AYES: 4 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 16th day of August, 1954, 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 16th day of August, 1954.

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

(SEAL)

STATE OF NEW YORK  
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

Depew Cheektowaga  
**Herald and News**

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

*Richard G. Bennett*

\_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, in and for Erie County.

COUNTY OF THE CLERK  
TOWN OF CHEEKTOWAGA  
to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing resolution with the original resolution now on file at this office, which was passed by the Town Board of Cheektowaga County of Erie, on the 16th day of August, 1954, and that the foregoing is a correct and true transcript of the original resolution and the proceedings thereon.

Witness my hand and affixed the seal of said Town this 16th day of August, 1954.  
KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

Henry Nagel, Councilman,  
Helix T. Wroblewski, Councilman,  
Joseph A. Neibert, Councilman,  
Stanley A. Bystrak, Councilman,  
ABSENT:  
Benedict T. Holtz, Supervisor.  
Councilman Neibert presented the following resolution and moved its adoption:  
WHEREAS, a petition for the creation of a water district, to be known as Water District No. 10, in the Town of Cheektowaga, New York pursuant to the provisions of Article 12 of the Town Law was presented to the Town Board on the 2nd day of August, 1954, and  
WHEREAS, it appears to the Town Board that the above petition was duly signed and acknowledged in the same manner as a deed to be recorded by non-resident taxpayers, owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property situate in the area where said water district is proposed to be created, and  
WHEREAS, it appears that there are no resident taxpayers residing in the proposed water district, and  
WHEREAS, members of this Town Board have inspected the area where said water district is to be created and each member of the Town Board knows there are no resident owners of property therein, and  
WHEREAS, said petition has been signed and acknowledged by non-resident taxpayers owning taxable property aggregating more than one-half of the entire frontage on the north side of New Walden Avenue. No property on the south side of New Walden Avenue being included in said proposed water district, and  
WHEREAS, the maximum amount proposed to be expended for the improvement is the sum of \$25,000, and  
WHEREAS, said petition is accompanied by a map prepared by Albert J. Kamm, an engineer duly licensed by the State of New York, showing the bounds of the proposed district, together with a plan showing the source of the supply of water to be used in said water district; the water mains, distributing pipes, hydrants, reservoirs, if any, and location of each and  
WHEREAS, THE proposed water district is described in said petition as follows:  
ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, and being more particularly bounded and described as follows:  
BEGINNING at the point in the southerly line of the West Shore Railroad property, said point being the intersection of the westerly line of the lands conveyed to the Scharell Corporation and the southerly line of the West Shore Railroad property; thence north-easterly along the southerly line of the West Shore Railroad property 2776 feet more or less to the point of intersection of the southerly line of the West Shore Railroad property and a line through the lands conveyed to the Ernst Construction Corporation; thence southerly along said line through the Ernst Construction Corporation 1306 feet more or less, to the point of intersection of said line and the center line of New Walden Avenue; thence southwesterly along the center line of New Walden Avenue 1976 feet more or less; thence westerly 578 feet more or less, along a line parallel to, and 75 feet more or less, measured at right angles, south of the southerly line of lands conveyed to the Scharell Corporation to a point on the westerly line of the Scharell Corporation property extended southerly; thence northerly 360 feet more or less, easterly 50 feet more or less, and northerly 256 feet more or less, along the westerly property line of the Scharell Corporation property to the point of beginning.  
WHEREAS, the territory herein before described is situate entirely in said Town, outside of any incorporated village or city therein.  
NOW, THEREFORE,  
IT IS ORDERED that the Town Board of the Town of Cheektowaga, New York, meet at the Town Hall, corner of Broadway and Union Road in the Town of Cheektowaga, New York, on the 17th day of September, 1954, at 7 o'clock, P.M. Eastern Daylight

Item No. 25- Cont'd Posted as follows on the 2nd day of September, 1954:

- 1- Town Hall Bulletin Board;
- 2- Telephone Pole No. 11 on New Walden Avenue;
- 3- Telephone Pole No. 10 on New Walden Avenue;
- 4- Telephone Pole No. 538 on New Walden Avenue;
- 5- Telephone Pole No. 22 on New Walden Avenue;
- 6- Telephone Pole No. 7 on New Walden Avenue.

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

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

*Harriet M. Allis*....., of the  
 Town of Cheektowaga, in said County of Erie, be-  
 ing duly sworn, deposes and says that *she* is  
 ..... *secretary* ..... of the  
 Cheektowaga Times, a public newspaper published  
 weekly in said Town; that the notice, of which  
 the annexed printed slip, taken from said news-  
 paper is a copy, was inserted and published in  
 said paper once a week for ... *ONE* week; first  
 publication ..... SEP 2 1954 .....;  
 last publication ..... SEP 2 1954 .....;  
 and that no more than six days intervened be-  
 tween publications.

*Harriet M. Allis*

Sworn to before me this .....  
 day of ..... SEP 2 1954 ..... 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 Comm. Expires March 30, 19 55  
 Registered No. 5029

STATE OF NEW YORK )  
COUNTY OF ERIE ) ss:



Board of the Town of Cheektowaga, New York, met at the Town Hall, corner of Broadway and Union Road in the Town of Cheektowaga, New York, on the 16th day of September, 1954, at 8:00 o'clock, P.M. Eastern Daylight Saving Time to consider said petition and hear all persons interested in the subject thereof concerning the same, and it is further ORDERED that a copy of this Order and Resolution certified by the Town Clerk be published at least once in the Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers having general circulation in the area affected and being the official newspapers of said Township, 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 duly certified by the Town Clerk be posted conspicuously in five public places within the area where said water district is proposed to be created, and that he post a certified copy of this Order on a signboard maintained by him at the entrance to the Town Clerk's Office not less than ten (10) nor more than twenty (20) days before the date designated for the hearing.

for Erie County.

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

Voting Aye,  
Councilman Nelbert, Voting Aye,  
Councilman Bystrak, Voting Aye,  
AYES: 4; NOES: 0; ABSENT: 1.

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 16th day of August, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In witness whereof  
I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, N. Y.,  
do hereby certify that the foregoing is a true and correct copy of the resolution of said Town this 16th day of August, 1954.  
KENNETH T. HANLEY,  
Clerk of the Town Board  
Town of Cheektowaga, N. Y.

Item No. 29 Councilman Wroblewski moved, seconded by Councilman Neibert, that all claims presented at this meeting for aduit be approved and that the Town Clerk be authorized and directed to draw a warrant on the S<sup>u</sup>pervisor for payment of same.  
( Warrant No. 1525 to No. 1637, inclusive, drawn on the Supervisor.)

Item No. 30 Councilman Neibert moved, seconded by Councilman Bystrak, to adjourn until 2:30 P.M., E.D.S.T., on August 30, 1954.

SEAL

Kenneth T. Hanley, Town Clerk.

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 30th day of August, 1954, at 2:30 o'clock P.M., E.D.S.T., there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

ABSENT: -0-

Also present were: Town Clerk Hanley; Town Attorney Doyle; Town Historian Julia B. Reinstein; General Foreman Eberl; Town Engineer Kamm and Chairman of the Zoning Board of Appeals Leo H. Kurnick.

Item No. 2 The Clerk advised the Board that the minutes of the previous meeting have been placed on their desks in the Council Chamber.

Item No. 3 Petition presented for the improvement of Mansion Street by the installation of curbs and receivers. Ordered referred to the Assessors for a property check.

Item No. 4 Petition presented for street lighting equipment in Furlong Road. Ordered referred to the Assessors for a property check.

Item No. 5 Communication read from the Erie County Highway Superintendent relating to a signal light at the intersection of Walden Avenue and Reo Street. Ordered referred to Councilman Bystrak, Chairman of the Public Improvement Committee.

Item No. 6 Councilman Wroblewski moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to issue Building Permits on applications processed by the Petitions Committee on August 21, 1954 and August 28, 1954, after same have been approved by the Building Inspector. Carried: Ayes: -5-.

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

RESOLVED, that the bid of C.E. Knowles to make additions and improvements to Sewer Treatment Plant No. 5, Contract No. 2, in accordance with plans and specifications prepared by Nussbaumer, Clarke and Velzy, Consulting Engineers for the Town of Cheektowaga, New York, in the sum of \$446,385.00 be accepted, said bid being the lowest one submitted after public advertising.

Seconded by Councilman Neibert.

Carried: Ayes: -5-.

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

RESOLVED, that the Niagara Mohawk Power Corporation be authorized to make four (4) globe type overhead standard light installations of 2500 lumens each in the Town Park, and be it further

RESOLVED, that the Niagara Mohawk Power Corporation be authorized to move the present light and pole from No. 226 Rosewood Terrace, as indicated on Sketch 1, Index TD 56, and install one (1) additional light on Rosewood, near Northern Parkway, with no cost to the Town of Cheektowaga.

Seconded by Councilman Nagel.

Carried: Ayes: -5-.

Councilman Nagel moved, seconded by Councilman Wroblewski:

of considering the application of Robert G Sahl, Elizabeth Sahl and George F. Sahl for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 25th day August, 1954 having rendered its decision granting the application of petitioner to rezone from Residential District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereof on the 30th day of August, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone from Residential District to Business District, be and the same is hereby confirmed and approved.

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended entitled "Zoning Ordinance" 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

Lots No. 22 to No. 26, inclusive  
Harlem Road, east side, 122 1/2 x 122 1/2

Carried: Ayes: -5-

Posted as follows on the 3rd day of September, 1954:

1- Town Hall Bulletin Board.

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

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

*Harriet M. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *she* is  
*secretary* of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks; first  
publication **SEP 2 1954**;  
last publication **SEP 2 1954**;  
and that no more than six days intervened be-  
tween publications.

*Harriet M. Allis*

Sworn to before me this .....

day of **SEP. 2 1954**, 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, 1955  
Registered No. 5029

WHEREAS, the Zoning Board of Appeals held a public hearing on the 11th day of August, 1954, for the purpose of considering the application of Robert G Sahl, Elizabeth Sahl and George F. Sahl for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 25th day August, 1954 having rendered its decision granting the application of petitioner to rezone from Residential District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 30th day of August, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone from Residential District to Business District, be and the same is hereby confirmed and approved,

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended entitled "Zoning Ordinance" 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

Lots No. 22 to No. 28, inclusive, Harlem Road, east side, 150 by 120 feet.

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

Dated: August 30, 1954 (9-2)



WHEREAS, the Chief of Police has recommended that the Town purchase 3 police automobiles for use in the Police Department, be it

RESOLVED, that the request of the Chief of Police be approved, and be it further

RESOLVED, that the Town of Cheektowaga purchase three police automobiles for the Police Department, fully equipped, to meet the specifications set forth in the specifications, and that the Town Clerk be directed to publish the attached notice to bidders in connection with the purchase of said 3 police automobiles. Sealed proposals will be received not later than September 13, 1954, at 2:30 o'clock P.M., E.D.S.T., at which time they will be publicly opened by the Town Board at a public hearing meeting called for that purpose, to be held at the Town Hall, Broadway & Union Road, Town of Cheektowaga, New York, on the 13th day of September, 1954, at 2:30 o'clock P.M., E.D.S.T., There are filed in the Town Clerks' Office copies of the specifications which are made available for prospective bidders.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

Carried: Ayes: -5-

Noes: -0-

NOTICE TO BIDDERS

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of three (3) new 1954 police automobiles for the Police Department of the Town of Cheektowaga, New York.

The detailed specifications may be examined at the Office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than September 13, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, by the Town Board, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Broadway and Union Road, Town of Cheektowaga, New York, on the 13th day of September, 1954, at 2:30 o'clock P.M., Eastern Daylight Savings Time.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: August 30, 1954

Kenneth T. Hanley, Town Clerk.

The above mentioned notice was posted as follows on the 3rd day of September, 1954:

- 1- Town Hall Bulletin Board;
- 2- Forks Fire Hall-Broadway at Union Road;
- 3- U-Crest Fire Hall-Clover Place and Evergreen Street;
- 4- Pine Hill Fire Hall-Genesee Street at Normandy Avenue;
- 5- Rescue Fire Hall- Pine Ridge Road at Walden Avenue.

POLICE DEPARTMENT

SPECIFICATION FOR CARS

- 1. 1954 Standard Two Door Sedans ( Black )
- 2. Engine- 6 Cylinder 115 H.P. or Equal
- 3- Clutch-10"
- 4- Cooling System-15 Qt. capacity or equal
- 5- Fresh Air Heater & Defroster
- 6. Vacuum Booster
- 7. Oil Bath Air Cleaner
- 8. Oil Filter
- 9. Right Hand Visor and Arm Rests
- 10. Seat Covers
- 11. Directional Signals
- 12. Federal Beacon Ray ( Installed )
- 13. Change Over:
  - a. Generator
  - b. Siren
  - c. Right Hand Spot Light
- 14. Letter- Town Identification
- 15. a. 3 cars to be purchased. b. 3 cars to be turned in (No. 3,8 and 1).

6th

ARK

AY

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... week, the first insertion being on the  
2nd day of September, 1954, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

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

SEP 14 1954 19.....

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

IN 528800

WHEREAS, the Chief of Police has recommended that the Town purchase 3 police automobiles for use in the Police Department, be it

RESOLVED, that the request of the Chief of Police be approved, and be it further

RESOLVED, that the Town of Cheektowaga purchase three police automobiles for the Police Department, fully equipped, to meet the specifications set forth in the specifications, and that the Town Clerk be directed to publish the attached notice to bidders in connection with the purchase of said 3 police automobiles. Sealed proposals will be received not later than September 13, 1954, at 2:30 o'clock P.M., E.D.S.T., at which time they will be publicly opened by the Town Board at a public hearing meeting called for that purpose, to be held at the Town Hall, Broadway & Union Road, Town of Cheektowaga, New York, on the 13th day of September, 1954, at 2:30 o'clock P.M., E.D.S.T., There are filed in the Town Clerks' Office copies of the specifications which are made available for prospective bidders.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

Carried: Ayes: -5-

Noes: -0-

NOTICE TO BIDDERS

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of three (3) new 1954 police automobiles for the Police Department of the Town of Cheektowaga, New York.

The detailed specifications may be examined at the Office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than September 13, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, by the Town Board, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Broadway and Union Road, Town of Cheektowaga, New York, on the 13th day of September, 1954, at 2:30 o'clock P.M., Eastern Daylight Savings Time.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: August 30, 1954

Kenneth T. Hanley, Town Clerk.

The above mentioned notice was posted as follows on the 3rd day of September, 1954:

- 1- Town Hall Bulletin Board;
- 2- Forks Fire Hall-Broadway at Union Road;
- 3- U-Crest Fire Hall-Clover Place and Evergreen Street;
- 4- Pine Hill Fire Hall-Genesee Street at Normandy Avenue;
- 5- Rescue Fire Hall- Pine Ridge Road at Walden Avenue.

POLICE DEPARTMENT

SPECIFICATION FOR CARS

- 1. 1954 Standard Two Door Sedans ( Black )
- 2. Engine- 6 Cylinder 115 H.P. or Equal
- 3. Clutch-10"
- 4. Cooling System-15 Qt. capacity or equal
- 5. Fresh Air Heater & Defroster
- 6. Vacuum Booster
- 7. Oil Bath Air Cleaner
- 8. Oil Filter
- 9. Right Hand Visor and Arm Rests
- 10. Seat Covers
- 11. Directional Signals
- 12. Federal Beacon Ray ( Installed )
- 13. Change Over:
  - a. Generator
  - b. Siren
  - c. Right Hand Spot Light
- 14. Letter- Town Identification
- 15. a. 3 cars to be purchased. b. 3 cars to be turned in (No. 3,8 and 1).

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

*Harriet M. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *she* is  
*secretary* of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks, first  
publication **SEP 2 1954**;  
last publication **SEP 2 1954**;  
and that no more than six days intervened be-  
tween publications.

*Harriet M. Allis*

Sworn to before me this .....  
day of **SEP 2 1954**, 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, 1955  
Registered No. 5029

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

of Cheektowaga have  
separate sealed bids  
for the purchase of three (3) new  
automobiles for the  
Department of the Town of  
Cheektowaga, New York.  
The detailed specifications may  
be examined at the Office of the  
Town Clerk, where the same are  
on file. Copies of the specifications  
are made available for all prospec-  
tive bidders.  
Sealed bids will be received not  
later than September 13, 1954, at  
2:30 o'clock P.M., Eastern Day-  
light Saving Time, by the Town  
Clerk at which time they will be  
publicly opened by the Town  
Board at a public meeting called  
for that purpose, to be held at the  
Town Hall, Broadway and Union  
Road, Town of Cheektowaga, New  
York, on the 13th day of Septem-  
ber, 1954, at 2:30 o'clock P.M.,  
Eastern Daylight Saving Time.  
This notice is published by di-  
rection of the Town Board of the  
Town of Cheektowaga, New York.  
Dated: August 30, 1954.  
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 public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... week, the first insertion being on the  
..... day of September, 1954, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

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

SEP 14 1954, 19.....

*Kenneth T. Hanley*

Notary Public in and for Erie County.

hn 52800

Item No. 10 - Cont'd      Hereto attached is a copy of the notice published in the Cheektowaga Times and the Depew Herald-Cheektowaga News;

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of three (3) new 1954 police automobiles for the Police Department of the Town of Cheektowaga, New York.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than September 13, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, by the Town Board, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Broadway and Union Road, Town of Cheektowaga, New York, on the 13th day of September, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: August 30, 1954

KENNETH T. HANLEY  
Town Clerk

Item No. 11

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board has heretofore determined it to be in the public interest to improve Homesgarth Avenue, extending from Mapleview Road easterly to Roycroft Blvd., a distance of approximately 730 feet, by the construction of a permanent pavement along said highway, with all accessory work as shown on the plans and described in the specifications, so as to benefit the property owners on both sides of said highway to be improved, and

WHEREAS, this Town Board has heretofore directed Nussbaumer, Clarke and Velzy Consulting Engineers, of the Town of Cheektowaga, to prepare definite plans and specifications and make a careful estimate of the expense, and with the assistance of the Town Attorney to prepare a proposed contract for the execution of the work, and such plans, specifications, estimate and proposed contracts, together with a survey and a profile, establishing the line and grade of said highway to be improved, having been duly prepared and presented to this Town Board and likewise filed with the Town Clerk, and the same having been carefully examined by the Town Board and approved, be it

RESOLVED, that sealed proposals be invited for the furnishing of the labor and materials necessary for the doing of the work in connection with the improvement of Homesgarth Avenue, by the publication of a notice thereof at least once in the Cheektowaga Times and the Depew Herald-Cheektowaga News, the official newspapers of the Town, requiring each person who shall offer to do said work to file a sealed proposal or offer to do the work, with a certified check or bid bond in the amount of 5% of the amount of the bids, submitted, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, New York, or a bond with sufficient sureties to be approved by the Supervisor of equal amount conditioned that if his proposal is accepted he will enter into a contract for the same and that he will execute such further securities as may be required for the faithful performance of the contract, be it further,

RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga at the Town Hall, Union Road and Broadway, in said Township on the 20th day of September, 1954, at 7:30 o'clock P.M., E.D.S.T., and be it further

RESOLVED, that said notice to contractors be in substantially the following form:

Notice to Bidders  
Sealed proposals for the improvements, payable to the order of the Supervisor, of a bond with sufficient sureties, to be approved by the Supervisor, of equal amount, conditioned that if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further securities as may be required for the faithful performance of the contract.

Each bidder shall have the right and privilege to bid separately on each of the highways to be improved. No bidder may withdraw his bid within sixty (60) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of the bids.

One copy of said proposed documents may be obtained upon payment of \$2.00. Any bidder, upon returning such plans and contract documents in good condition within ten days following the taking of bids, shall be refunded the full amount of the deposit; non-bidders will similarly be refunded only one-half of their deposit.

Homesgarth Avenue, both sides, extending from Mapleview Road easterly to Roycroft Boulevard, a distance of approximately 730 feet.

All work is to be in accordance with the Contract Documents therefor, including plans, specifications, instructions to bidders, etc., prepared by Nussbaumer, Clarke and Velzy Consulting Engineers of the Town of Cheektowaga, New York, and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall, 1200 Broadway, 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 be secured and examined at the office of Nussbaumer, Clarke and Velzy, Consulting Engineers, 121 Franklin St., Buffalo 2, New York.

One copy of said proposed documents may be obtained upon payment of \$2.00. Any bidder, upon returning such plans and contract documents in good condition within ten days following the taking of bids, shall be refunded the full amount of the deposit; non-bidders will similarly be refunded only one-half of their deposit.

The Town of Cheektowaga, New York

Item No. 11-Cont'd  
resulted as follows:

Seconded by Councilman Bystrak and duly put to a vote which

Councilman Nagel	Voting AYE	
Councilman Wroblewski	" "	
Councilman Neibert	" "	185
Councilman Bystrak	" "	
Supervisor Holtz	" "	

Carried: Ayes: -5-

Noes: -0-

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

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

*Harriet M. Allis*....., of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *she* is  
..... *secretary*..... of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* week, first  
publication ..... SEP 9 1954 .....  
last publication ..... SEP 9 1954 .....  
and that no more than six days intervened be-  
tween publications.

*Harriet M. Allis*.....  
Sworn to before me this .....  
day of ..... SEP 9 1954 ..... 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, 1955  
Registered No. 5029

withdraw same at any time prior to  
the scheduled time for the opening  
of bids.  
KENNETH T. HANLEY  
Town Clerk  
Dated: September 9, 1954 (9-9)

Item No. 11  
adoption:

Councilman Weibert presented the following resolution and moved its

WHEREAS, this Town Board has heretofore determined it to be in the public interest to improve Homesgarth Avenue, extending from Mapleview Road easterly to Roycroft Blvd., a distance of approximately 730 feet, by the construction of a permanent pavement along said highway, with all accessory work as shown on the plans and described in the specifications, so as to benefit the property owners on both sides of said highway to be improved, and

WHEREAS, this Town Board has heretofore directed Nussbaumer, Clarke and Velzy Consulting Engineers, of the Town of Cheektowaga, to prepare definite plans and specifications and make a careful estimate of the expense, and with the assistance of the Town Attorney to prepare a proposed contract for the execution of the work, and such plans, specifications, estimate and proposed contracts, together with a survey and a profile, establishing the line and grade of said highway to be improved, having been duly prepared and presented to this Town Board and likewise filed with the Town Clerk, and the same having been carefully examined by the Town Board and approved, be it

RESOLVED, that sealed proposals be invited for the furnishing of labor and materials necessary for the doing of the work in connection with the improvement of Homesgarth Avenue, by the publication of a notice thereof at 1 in the Cheektowaga Times and the Depew Herald-Cheektowaga News, the official newspaper of the Town, requiring each person who shall offer to do said work to file a proposal or offer to do the work, with a certified check or bid bond in the amount of 5% of the amount of the bids, submitted, payable to the order of Benedict Supervisor of the Town of Cheektowaga, New York, or a bond with sufficient surety to be approved by the Supervisor of equal amount conditioned that if his proposal is accepted he will enter into a contract for the same and that he will execute further securities as may be required for the faithful performance of the contract, be it further,

RESOLVED, that sealed proposals be received and considered at a meeting of the Town Board of the Town of Cheektowaga at the Town Hall, Union and Broadway, in said Township on the 20th day of September, 1954, at 7:30 o' P.M., E.D.S.T., and be it further

RESOLVED, that said notice to contractors be in substantially the following form:

Notice to Contractors  
The Town Board of the Town of Cheektowaga, New York, hereby gives notice that sealed proposals will be received and considered by the Town Board on the 20th day of September, 1954, at 7:30 P.M. Eastern Daylight Time, in the Town Hall, Broadway and Union Road, Cheektowaga, New York for furnishing of materials, equipment and labor for the construction of pavements in the following streets, with all accessory work, all as shown on the plans and as described in the specifications:

Homesgarth Avenue, both sides, extending from Mapleview Road easterly to Roycroft Boulevard, a distance of approximately 730 feet.

All work is to be in accordance with the Contract Documents therefor, including plans, specifications, instructions to bidders, etc., prepared by Nussbaumer, Clarke and Velzy Consulting Engineers of the Town of Cheektowaga, New York, and approved by the Town Board of the Town of Cheektowaga, New York, and filed with the Town Clerk at his office in the Town Hall, Union and Broadway, 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 be secured and examined at the office of Nussbaumer, Clarke and Velzy Consulting Engineers, 177 Franklin St., Buffalo 2, New York.

One copy of said proposed documents may be obtained upon payment of \$20.00. Any bidder, upon returning such plans and contract documents in good condition within ten days following the taking of bids, shall be refunded the full amount of the deposit; non-bidders will similarly be refunded only one-half of their deposit.

Each bidder shall have the right and privilege to bid separately on each of the highways to be improved. No bidder may withdraw his bid within sixty (60) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of the proposals.

Each bidder shall have the right and privilege to bid separately on each of the highways to be improved.

No bidder may withdraw his bid within sixty (60) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of the proposals.

Each bidder shall have the right and privilege to bid separately on each of the highways to be improved.

Item No. 11-Cont'd  
resulted as follows:

Seconded by Councilman Bystrak and duly put to a vote which

Councilman Nagel	Voting AYE	
Councilman Wroblewski	" "	
Councilman Neibert	" "	185
Councilman Bystrak	" "	
Supervisor Holtz	" "	

Carried: Ayes: -5-

Noes: -0-

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

**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 the Town Board on the 20th day of September, 1954, at 7:30 P.M. Eastern Daylight Time, in the Town Hall, Broadway and Union Road, Cheektowaga, New York for furnishing of materials, equipment and labor for the construction of pavements in the following streets, with all accessory work, all as shown on the plan and as described in the specifications:

Homesgarth Avenue, both sides, extending from Mapleview Road easterly to Roycroft Boulevard, a distance of approximately 730 feet.

All work is to be in accordance with the Contract Documents therefor, including plans, specifications, instructions to bidder, etc., prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers, of the Town of Cheektowaga, New York, and approved by the Town Board of the said Town, 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 be secured and examined at the office of Nussbaumer, Clarke & Velzy, Consulting Engineers, 327 Franklin St., Buffalo 2, New York.

One copy of said proposed documents may be obtained upon payment of \$20.00. Any bidder, upon returning such plans and contract documents in good condition within 30 days following the taking of bids, will be refunded the full amount of his deposit; non-bidders will similarly be refunded only one-half of their deposit.

The Town Board of the Town of Cheektowaga, New York reserves the right to reject any or all bids or to

award to other than the low bidder.

Each proposal must be accompanied by a certified check for a sum equal to not less than 5% of the amount of bid or bids for the improvements, payable to the order of the Supervisor, or a bond with sufficient sureties, to be approved by the Supervisor, of equal amount, conditioned that if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further securities as may be required for the faithful performance of the contract.

Each bidder shall have the right and privilege to bid separately on each of the highways to be improved.

No bidder may withdraw his bid within sixty (60) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of bids.

KENNETH T. HANLEY  
Town Clerk

Dated: September 9, 1954 (9-9)

**PHOTOCOPY**

near mines and forests, the trees  
 and Atlantic tide water through roll-  
 ing countryside suitable for dairy-  
 farming, orchards, and many types of  
 farming.

**ADVERTISMENT FOR BIDS**

Sealed bids for Library Furni-  
 ture for the Depew Junior-Sen-  
 ior High School, will be received  
 by the Board of Education on or  
 before 2:00 p.m. on September 18,  
 1954, E.D.S.T., at which time they  
 will be opened and read aloud.  
 The Board of Education will  
 meet on Monday evening, Septem-  
 ber 13, 1954, at 7:00 p.m., E.D.S.T.,  
 for the purpose of studying the  
 respective bids received and for  
 the purpose of awarding contracts  
 in the event that a decision can be  
 made at that time.

The plans, specifications, and  
 forms of bid may be examined at  
 the office of the Architect, Duane  
 Lyman and Associates, 505 Dela-  
 ware Avenue, Buffalo, New York,  
 and copies thereof obtained upon  
 payment of \$10.00 (checks only)  
 for each set. Any bidder, upon re-  
 turning such set promptly and in  
 good condition will be refunded  
 his payment.

The Board of Education reserves  
 the right to waive any conditions  
 in or to reject any of the bids.  
 Each bidder must deposit with  
 his bid security in an amount of  
 not less than ten per cent (10%)  
 of his bid in the form of a cash  
 check or bid bond.

thing-room,  
 fireplace, attached garage,  
 basement, large lot, immediate  
 occupancy; owner occupant, 2269  
 Belmont home on Calumet St. 4  
 rooms down, 4 bedrooms and bath  
 up; lot 85x120 2 car garage; WA

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
 towaga, Erie County, New York, that notice of which the  
 annexed printed slip taken from said newspaper, is a copy,  
 was inserted and published therein once a week for  
 one week, the first insertion being on the  
 9th day of September, 1954, and  
 the last insertion being on the \_\_\_\_\_ day of  
 \_\_\_\_\_, 1954, and that not  
 more than six days intervened between any two publi-  
 cations thereof.

*Richard G. Bennett*

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

SEP 24 1954, 19\_\_\_\_\_

*Herbert T. Hanly*

Notary Public in and for Erie County.

no 52860

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

WHEREAS, this Town Board at a meeting held in the Town Hall corner of Union Road and Broadway, Cheektowaga, New York, on June 28, 1954, duly adopted an order whereby it undertook the construction of certain improvements in Sewer District No. 5 of this Town, at a cost not to exceed Nine Hundred and Fifty Thousand Dollars (\$950,000.00) in accordance with a certain map and plan prepared by Nussbaumer, Clarke and Velzy, Consulting Engineers of this Town, dated June 11, 1954, and

WHEREAS, said Nussbaumer, Clarke and Velzy have now prepared definite plans, specifications, proposed contract and instructions to bidders for the performance of certain portions of the work set forth in said map and general plan dated June 11, 1954, which have been examined and approved by this Board and are on file in the office of the Town Clerk, and it is so resolved

ORDERED, that bids be received for the performance of said work,  
NOW THEREFORE BE IT RESOLVED,

That the following "Notice to Contractors" be published once in the Cheektowaga Times, and the Depew Herald-Cheektowaga News, the official newspapers of this Town in the issue of said papers on September 9, 1954.

( NOTICE TO CONTRACTORS )

**NOTICE TO CONTRACTORS**

**NOTICE IS HEREBY GIVEN** that pursuant to a resolution of the Town Board of the Town of Cheektowaga, County of Erie, State of New York, sealed proposals shall be received and considered by said Town Board on the 20th day of September, 1954 at 7:30 o'clock P.M. Eastern Standard Time, in the Town Hall in the Town of Cheektowaga, Erie County, New York, for furnishing all materials and equipment, together with all labor for the construction of the George Urban Blvd. Pumping Station serving Sanitary Sewer District No. 5, in accordance with proposed contract documents, plans, specifications, and instructions to bidders, prepared by Newell L. Nussbaumer, Irving Clarke and Charles R. Velzy, Consulting Engineers, doing business as Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga, New York, and approved by the Town Board of said Town, all of which are on file with the Town Clerk in his office in the Town Hall, where same may be examined during the usual business hours. Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be examined or secured at the office of the Consulting Engineers, Nussbaumer, Clarke & Velzy, 337 Franklin Street, Buffalo

2, New York. One copy of said documents may be obtained upon payment of \$50.00. Any bidder, upon returning such copy in good condition within thirty (30) days following the receipt of bids, will be refunded \$50.00, and any non-bidder upon so returning such copy will be refunded \$25.00.

Each proposal must be accompanied by a certified check or bid bond in the amount of five (5) per cent of the amount of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Bid for the George Urban Blvd. Pumping Station serving Sanitary Sewer District No. 5."

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any technicalities in a bid, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

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

KENNETH T. HANLEY,  
Town Clerk

Dated: September 9, 1954.



and be it further,

RESOLVED, that the Town Clerk be and he is hereby directed to publish said Notice to Contractors as above provided, and be it further

RESOLVED, that the Town Board shall meet on the 20th day of September, 1954, at 7:30 o'clock P.M., E.D.S.T., for the purpose of receiving said bids.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	" "
Councilman Neibert	" "
Councilman Bystrak	" "
Supervisor Holtz	" "

Carried: Ayes: -5-

Noes: -0-

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

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

*Harriet M. Allis*, of the  
 Town of Cheektowaga, in said County of Erie, be-  
 ing duly sworn, deposes and says that *she* is  
*secretary* of the  
 Cheektowaga Times, a public newspaper published  
 weekly in said Town; that the notice, of which  
 the annexed printed slip, taken from said news-  
 paper is a copy, was inserted and published in  
 said paper once a week for *one* weeks; first  
 publication **SEP 9 1954**;  
 last publication **SEP 9 1954**;  
 and that no more than six days intervened be-  
 tween publications.

*Harriet M. Allis*  
 Sworn to before me this .....  
 day of **SEP 9 1954**, 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, 1955  
 Registered No. 5029

STATE OF NEW YORK )  
COUNTY OF ERIE )

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
one week, the first insertion being on the  
9th day of September, 1954, and  
last insertion being on the ..... day of

....., 19....., and that not  
more than six days intervened between any two publi-

cations thereof

*Richard G. Bennett*

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

SEP 24 1954

19.....

*Kenneth T. Hanley*

Notary Public in and for Erie County.

IN 52800



Item No. 12- Cont'd

and be it further,

RESOLVED, that the Town Clerk be and he is hereby directed to publish said Notice to Contractors as above provided, and be it further

RESOLVED, that the Town Board shall meet on the 20th day of September, 1954, at 7:30 o'clock P.M., E.D.S.T., for the purpose of receiving said bids.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	" "
Councilman Neibert	" "
Councilman Bystrak	" "
Supervisor Holtz	" "

Carried: Ayes: -5-

Noes: -0-

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

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 30th day of August, 1954, at 2:30 P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman

**ABSENT: None**

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a meeting held in the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on June 28, 1954, duly adopted an order whereby it undertook the construction of certain improvements in Sewer District No. 5 of this Town, at a cost not to exceed Nine Hundred and Fifty Thousand Dollars (\$950,000.00) in accordance with a certain map and plan prepared by Nussbaumer, Clarke and Velzy, consulting engineers of this Town, dated June 11, 1954, and

WHEREAS, said Nussbaumer, Clarke and Velzy have now prepared definite plans, specifications, proposed contract and instructions to bidders for the performance of certain portions of the work set forth in said map and general plan dated June 11, 1954 which have been examined and approved by this Board and are on file in the office of the Town Clerk, and it is

ORDERED that bids be received for the performance of said work,

NOW THEREFOR, be it

RESOLVED, that the following "Notice to Contractors" be published once in the Cheektowaga Times, and the Depew Herald and Cheektowaga News, the official newspapers of this Town in the issue of said paper on September 9, 1954.

**NOTICE TO CONTRACTORS**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga,

and considered by said Town Board on the 30th day of Sept. 1954, at 7:30 o'clock P.M. Eastern Standard Time, in the Town Hall in the Town of Cheektowaga, Erie County, New York, for furnishing all materials and equipment, together with all labor for the construction of the George Urban Blvd. Pumping Station serving Sanitary Sewer District No. 5, in accordance with proposed contract documents, plans, specifications, and instructions to bidders, prepared by Newell L. Nussbaumer, Irving Clarke and Charles R. Velzy, Consulting Engineers doing business as Nussbaumer, Clarke & Velzy, consulting engineers for the Town of Cheektowaga, New York, and approved by the Town Board of said Town, all of which are on file with the Town Clerk in his office in the Town Hall, where same may be examined during the usual business hours. Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be examined or secured at the office of the Consulting Engineers, Nussbaumer, Clarke & Velzy, 327 Franklin St., Buffalo 2, N. Y. One copy of said documents may be obtained upon payment of \$50.00. Any bidder, upon returning such copy in good condition within thirty (30) days following the receipt of bids, will be refunded \$50.00, and any non-bidder upon so returning such copy will be refunded \$25.00.

Each proposal must be accompanied by a certified check or bid bond in the amount of five (5) per cent of the amount of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Bid for the George Urban Blvd. Pumping Station

STATE OF NEW YORK  
COUNTY OF ERIE

York, held at the Town Hall in  
said Town of Cheektowaga on the  
30th day of August, 1954, at 2:30  
P. M. Eastern Daylight Saving  
Time, there were

PRESENT:  
Benedict T. Holtz, Supervisor,  
Henry J. Nagel, Councilman,  
Felix T. Wroblewski,  
Councilman,  
Joseph A. Neibert, Councilman,  
Stanley Bystrak, Councilman,  
ABSENT: 0.

Councilman Neibert presented  
the following resolution and moved  
it adoption:

WHEREAS, this Town Board, at  
a meeting held in the Town Hall,  
corner Union Road and Broadway,  
Cheektowaga, New York, on June  
28, 1954, duly adopted an order  
whereby it undertook the con-  
struction of certain improvements  
in Sewer District No. 5 of this  
Town, at a cost not to exceed Nine  
Hundred and Fifty Thousand Dol-  
lars (\$950,000.00), in accordance  
with a certain map and plan pre-  
pared by Nussbaumer, Clarke and  
Velzy, consulting engineers of this  
Town, dated June 11, 1954, and

WHEREAS, said Nussbaumer,  
Clarke and Velzy have now pre-  
pared definite plans, specifications,  
proposed contract and instructions  
to bidders for the performance of  
certain portions of the work set  
forth in said map and general plan  
dated June 11, 1954, which have  
been examined and approved by  
this Board and are on file in the  
office of the Town Clerk, and it is

ORDERED that bids be received  
for the performance of said work,  
NOW THEREFOR, be it

RESOLVED, that the following  
"Notice to Contractors" be pub-  
lished in the Cheektowaga  
Town and  
Cheektowaga  
New York

TO CONTINUE

AS HEREBY GIVEN

pursuant to a resolution of  
the Town Board of the Town of  
Cheektowaga, County of Erie,  
State of New York, sealed propo-  
sals shall be received and consid-  
ered by said Town Board on the  
20th day of September, 1954 at  
7:30 o'clock P.M. Eastern Standard  
Time, in the Town Hall in the  
Town of Cheektowaga, Erie Coun-  
ty, New York, for furnishing all  
materials and equipment, together  
with all labor for the construction  
of the George Urban Blvd. Pump-  
ing Station serving Sanitary Sew-  
er District No. 5, in accordance  
with proposed contract documents,  
plans, specifications, and instru-  
ctions to bidders, prepared by New-  
ell L. Nussbaumer, Irving Clarke  
and Charles R. Velzy, Consulting  
Engineers, doing business as Nuss-  
baumer, Clarke & Velzy, Consult-  
ing Engineers, Town of  
Cheektowaga, Erie County,  
New York.

of said  
Town shall file with  
the Town Clerk in his office in the  
Town Hall, where same may be  
examined during the usual busi-  
ness hours. Copies of the proposed  
contract documents, plans, speci-  
fications, and instructions to bid-  
ders may be examined or secured  
at the office of the Consulting En-  
gineers, Nussbaumer, Clarke &  
Velzy, 327 Franklin Street, Buffalo  
2, New York. One copy of said  
documents may be obtained upon  
payment of \$50.00. Any bidder, up-  
on returning such copy in good  
condition within thirty (30) days  
following the receipt of bids, will  
be refunded \$50.00, and any non-  
bidder upon so returning such copy  
will be refunded \$25.00.

Each proposal must be accom-  
panied by a certified check or bid  
bond in the amount of five (5) per  
cent of the amount of the bid,  
payable to the order of Benedict T.  
Holtz, Supervisor of the Town of  
Cheektowaga. The bond shall be  
approved by the Town Attorney.

Proposals submitted in  
sealed envelopes clearly marked  
George Urban Blvd. Pumping Station  
No. 5

within sixty (60) days of the  
actual date of the opening thereof.

A surety bond by the company sat-

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
owaga, Erie County, New York, that notice of which the

annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for

one week, the first insertion being on the  
9th day of September, 1954, and

the last insertion being on the \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_, and that not

more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

day of

for Erie County.

and be it further,

RESOLVED, that the Town Clerk be and he is hereby directed to publish said Notice to Contractors as above provided, and be it further

RESOLVED, that the Town Board shall meet on the 20th day of September, 1954, at 7:30 o'clock P.M., E.D.S.T., for the purpose of receiving said bids.

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

Councilman Nagel	Voting	AYE
Councilman Wroblewski	"	"
Councilman Neibert	"	"
Councilman Bystrak	"	"
Supervisor Holtz	"	"

Carried: Ayes: -5-

Noes: -0-

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

Each proposal must be accompanied by a certified check or bid bond in the amount of five (5) per cent of the amount of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Bid for the George Urban Blvd. Pumping Station serving Sanitary Sewer District No. 5."

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities in a bid, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

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

KENNETH T. HANLEY  
Town Clerk

Dated: September 9, 1954.  
and, be it further

RESOLVED, that the Town Clerk be, and he is hereby directed to publish said Notice to Contractors

September, 1954 at 7:30 o'clock, P.M. Eastern Daylight Saving Time for the purpose of receiving said bids.

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

Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Wroblewski, voting Aye.

Councilman Bystrak, voting Naye.  
AYES: 4 NOES: 1 ABSENT: 0

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF

CHEEKTOWAGA, N. Y.  
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 30th day of August, 1954, 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 30th day of August, 1954.

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

STATE OF NEW YORK )  
COUNTY OF CHEEKTOWAGA ) ss:

within sixty days of the actual date of the award thereof.

A surety bond by the company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities in a bid, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

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

KENNETH T. HANLEY,  
Town Clerk

Dated: September 9, 1954.

and, be it further,  
RESOLVED, that the Town Clerk be, and he is hereby directed to publish said Notice to Contractors, as above provided, and be it further

RESOLVED, that the Town Board shall meet on the 20th day of September, 1954 at 7:30 o'clock, P. M. Eastern Daylight Saving Time for the purpose of receiving said bids.

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

Supervisor Holtz, Voting Aye,  
Councilman Nagel, Voting Aye,  
Councilman Wroblewski,

Councilman Neibert, Voting Aye,  
Councilman Bystrak, Voting Naye,

AYES:4, NOES: 1, ABSENT: 0.

State of New York )

Erie County ) ss:

Office of the Clerk of the )

Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 30th day of August, 1954, 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 30th day of August, 1954.

KENNETH T. HANLEY,  
Clerk of the Town Board

Town of Cheektowaga, N. Y.

COPY

Erie County.

1  
Item No. 13 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved, and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. ( Warrant No. 1638 to No. 1689, inclusive, drawn on the Supervisor.)

Item No. 14 Councilman Nagel moved, seconded by Councilman Neibert, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk.

Item No. 1 At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga, on the 3rd day of September, 1954, at 1:30 o'clock P.M., E.D.S.T., there were

PRESENT: Benedict T. Holtz Supervisor

ABSENT: Henry J. Nagel Councilman  
Felix T. Wroblewski Councilman  
Joseph A. Neibert Councilman  
Stanley R. Bystrak Councilman

Also present was Town Clerk Kenneth T. Hanley.

Item No. 2 The Supervisor announced that the meeting scheduled for this day has been cancelled.

SEAL

Kenneth T. Hanley,  
Town Clerk.

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 7th day of September, 1954, at 7:30 o'clock P.M., E.D.S.T., there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	"
Joseph A. Neibert	"
Stanley R. Bystrak	"

ABSENT: -0-

Also present were: Town Clerk Hanley; Town Attorney Doyle; Chief of Police Mersmann and George Holloway, representing Holloway and Company, Auditors for the Town of Cheektowaga, New York.

Item No. 2 Councilman Wroblewski moved, seconded by Councilman Nagel, that the following named persons be appointed School Guards for the Town of Cheektowaga, New York:

<u>NAME</u>	<u>LOCATION</u>
Matthew Frank	Genesee Street and Pine Ridge Road
Viola Maciejewski	Dingens and Rossler Street
Sophie Wesolowski	William Street at the Roosevelt School
Larry Budny	Gualbert and Doat Street
Mrs. C. Hauser	Hunter and Union Road
Bertha Kreinheder	Yeager Drive and Union Road
Leona Kosmala	Beach Road and Cleveland Dr. ( Replacement )
Lucille Stravino	Maryvale Dr. and East Tiorunda

CARRIED: AYES: -5-.

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

WHEREAS, the New York State Association of Towns Superintendents of Highways are holding their Annual Meeting in Albany, New York, on September 15th, 16th and 17th, 1954, be it

RESOLVED, that John J. Zablotny, Town Superintendent of Highways be authorized to attend the Annual Meeting and his reasonable expenses be a legal Town charge to be charged against the General Fund.

Seconded by Councilman Wroblewski. CARRIED: AYES: -5-.

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

RESOLVED, that Reynders Electric Company be authorized and directed to place a "Stop Then Go" sign on all 3 caution lights at the intersection of Cayuga Creek Road and William Street.

Seconded by Councilman Nagel. CARRIED: AYES: -5-.

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

RESOLVED, that the New York State Gas & Electric Company be authorized to make three (3) globe type light installations of 2500 lumens each on Floral Place, and remove the present light from Pole No. 7 and install it on Pole No. 6, be it further

RESOLVED, that the New York State Gas & Electric Company make one (1) additional globe type light installation of 2500 lumens on Beach Road, and on Pole No. 4 on Schlenker Avenue, install one (1) 2500 lumen street light.

Seconded by Councilman Wroblewski. CARRIED: AYES: -5-.

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

WHEREAS, the owners of property on Aurora Drive, in the Town of Cheektowaga, New York, between the easterly line of Marsdale Road and the westerly line of Leory Road have applied to the Erie County Water Authority for water service, be it

RESOLVED, that the Supervisor be and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, an easement authorizing the Erie County Water Authority to lay, relay and maintain water mains in said highway, as set forth in said easement, a copy of which is hereto annexed and made a part of this resolution.

Seconded by Councilman Bystrak. CARRIED: AYES: -5-.

THIS INDENTURE, made this \_\_\_ day of September, 1954, between the Town of Cheektowaga, Erie County, New York, party of the first part (it being the intention hereof that if the names of two or more persons appear above, the phrase "party of the first part" used herein shall be interpreted to read "parties of the first part" and singular verbs, nouns and pronouns with respect thereto shall be interpreted as plural, and if the party of the first part be a female, the feminine pronoun shall be deemed to be substituted for the masculine), and

ERIE COUNTY WATER AUTHORITY, a public benefit corporation, having its principal office and place of business at 338 Ellicott Square Building, City of Buffalo, County of Erie, and State of New York, party of the second part,

WITNESSETH:

That the party of the first part, in consideration of other good and valuable consideration and Two (\$2.00) Dollars, lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, its successors and assigns, forever:

The perpetual and exclusive right to lay, relay, operate, maintain and remove a water main or mains, both supply and distribution, and appurtenances, including domestic services and fire hydrants, in the full width and length, shown on the map hereinafter mentioned, of the private streets known as Aurora Drive, in the Town of Cheektowaga, from the easterly line of Marsdale Road to the westerly line of Leroy Road, as said private streets, situated in Ardmore Terrace, in the Town of Cheektowaga, County of Erie, and State of New York, as shown on a certain map filed in the office of the Clerk of the aforesaid County and State as Map No. 1404, and entitled Ardmore Terrace Subdivision, part of Lot 36, Township 11, Range 7, dated March 1, 1927.

TOGETHER with the right to use such streets for such purposes.

TO HAVE AND TO HOLD the rights and easements herein granted unto the party of the second part, its successors and assigns forever.

ALL MAINS and appurtenances laid or to be laid by the party of the second part, its successors or assigns, shall be and remain the property of the party of the second part, its successors and assigns, forever.

AND said party of the first part covenants as follows:

First: That said party of the first part is seized of the said premises in fee simple, and has good right to convey the same;

Second: That said party of the second part shall quietly enjoy the said rights and easements;

Third: That said premises are free and clear from encumbrances. (Exception, if any):

Fourth: That the party of the first part will execute or procure any further necessary assurances of the title to said rights and easements; and

Fifth: That said party of the first part will forever warrant the title to the said rights and easements.

IN WITNESS WHEREOF, the party of the first part has hereunto set his or her hand and seal the day and year first above written..

Town of Cheektowaga, Erie County, New York

BY: Benedict T. Holtz (LS)  
Supervisor.

STATE OF NEW YORK )  
COUNTY OF ERIE )  
CITY OF BUFFALO ) SS.

On this 7th day of September, 1954, before me personally came Benedict T. Holtz, to me known, who, being by me duly sworn, did depose and say that he resides in the Town of Cheektowaga, New York; that he is the Supervisor of the Town of Cheektowaga, the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Town Board of the Town of Cheektowaga, and that he signed his name thereto by like order.

George B. Doyle-Notary Public

**LEGAL NOTICE**

At a special 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 7th day of September, 1954 at 7:30 o'clock, P. M. Eastern Daylight Saving Time, there were

**PRESENT:**

- Benedict T. Holtz, Supervisor,
- Henry J. Nagel, Councilman,
- Felix T. Wroblewski, Councilman,
- Joseph A. Neibert, Councilman,
- Stanley Bystrak, Councilman,

**ABSENT:** 0.

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Mansion Street, for its entire length as follows: Mansion Street, commencing at William Street to Stradtman Street, by the construction of curbs, together with the installation of receivers and necessary underground drains. (Said highway is now paved for its entire length) and

WHEREAS, it duly appears that such petition has been signed by owners of real property fronting and abutting on both sides of said public highway to be improved situate between the points aforesaid owning at least one-half of the entire frontage or bounds on both sides of the highway to be improved as aforesaid and was signed by resident owners owning not less than one-half of the frontage owned by resident owners residing along said highways 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 Fourteen Thousand Dollars (\$14,000.00),

**NOW, THEREFOR,**

**BE IT RESOLVED,** 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 Union Road and Broadway, in said Town on

the 20th day of September, 1954 at 7:30 o'clock, P. M. Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing of persons interested in the subject matter thereof concerning the same, and

**BE IT FURTHER RESOLVED,** that the Town Clerk be and he is hereby Ordered and Directed to publish a certified copy of this resolution and order in the Cheektowaga "Times" and the "Depew Herald and Cheektowaga News," the official newspapers of 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 Order in five (5) public places along the portion of said highway to be improved not less than ten (10) nor more than twenty (20) days prior to the date of the hearing and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's office a certified copy of this Order and Resolution.

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

- Supervisor Holtz, Voting Aye,
- Councilman Nagel, Voting Aye,
- Councilman Wroblewski, Voting Aye,
- Councilman Neibert, Voting Aye,
- Councilman Bystrak, Voting Aye,

**AYES:** 5, **NOES:** 0, **ABSENT:** 0.

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 7th day of September, 1954, 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 7th day of September, 1954.

KENNETH T. HANLEY,  
Clerk of the Town Board

s9 Town of Cheektowaga, N. Y.

Item No. 7-Cont'd

Posted as follows on the 18th day of September, 1931;

- 1- Town Hall Bulletin Board;
- 2- Telephone Pole No. 419 on Mansion Street;
- 3- Telephone Pole No. 20 on Mansion Street;
- 4- Telephone Pole No. 46 on Mansion Street;
- 5- Telephone Pole No. 9 on Mansion Street;
- 6- Telephone Pole No. 90 on Mansion Street.

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

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

*Harriet M. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *she* is  
*secretary* of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks, first  
publication *SEP 9 1954*;  
last publication *SEP 9 1954*;  
and that no more than six days intervened be-  
tween publications.

*Harriet M. Allis*

Sworn to before me this .....  
day of *SEP 9 1954*, 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*55*  
Registered No. 5029

Item No. 7-Cont'd

Posted as follows on the 18th day of September, 1934:

- 1- Town Hall Bulletin Board;
- 2- Telephone Pole No. 419 on Mansion Street;
- 3- Telephone Pole No. 20 on Mansion Street;
- 4- Telephone Pole No. 46 on Mansion Street;
- 5- Telephone Pole No. 9 on Mansion Street;
- 6- Telephone Pole No. 90 on Mansion Street.

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

**ORDER OF HEARING**

At a special 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 7th day of September, 1954 at 7:30 o'clock, P.M., Eastern Daylight Saving Time, there were

**PRESENT:**  
Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman

**ABSENT:** None  
Councilman Wroblewski presented the following resolution and moved its adoption:

**WHEREAS**, a written petition was duly filed with this Board for the improvement of both sides of Mansion Street, for its entire length as follows, Mansion Street, commencing at William Street to Stradtman Street, by the construction of curbs, together with the installation of receivers and necessary underground drains. (Said highway is now paved for its entire length) and

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

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

**WHEREAS**, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of Fourteen Thousand Dollars (\$14,000.00).

**NOW, THEREFORE,**  
**BE IT RESOLVED**, pursuant to the provisions of Section 209 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 Union Road and Broadway, in said Town, on the 20th day of September, 1954 at 7:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing of persons interested in the subject concerning the same, and

**BE IT FURTHER RESOLVED**, that the Town Clerk be and he is hereby Ordered and Directed to publish a certified copy of this resolution and order in the "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," the official newspapers of 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 Order in five (5) public places along the portion

of said highway, and that on or before said date be 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 Order and Resolution.

Seconded by Councilman Neibert and duly put to a vote, which resulted as follows:  
Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.  
**AYES: 5 NOES: 0 ABSENT: 0**

**STATE OF NEW YORK  
COUNTY OF ERIE  
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 said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 7th day of September, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In witness Whereof, I have hereto set my hand and affixed the seal of said Town this 7th day of September, 1954.

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



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

*Harriet M. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that ~~she~~ is  
*secretary* of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ~~one~~ weeks, first  
publication SEP 9 1954;  
last publication SEP 9 1954;  
and that no more than six days intervened be-  
tween publications.

*Harriet M. Allis*

Sworn to before me this .....  
day of SEP 9 1954, 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, 1956  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 7th day of September, 1954 at 7:30 o'clock, P. M. Eastern Daylight Saving Time, there were

PRESENT:

Benedict T. Holtz, Supervisor,  
Henry J. Nagel, Councilman,  
Felix T. Wroblewski,  
Councilman,  
Joseph A. Neibert, Councilman,  
Stanley Bystrak, Councilman,

ABSENT: 0.

Councilman Wroblewski present.

Mansion Street, for its entire length as follows: Mansion Street, commencing at William Street to Stradtman Street, by the construction of curbs, together with the installation of receivers and necessary underground drains. (Said highway is now paved for its entire length) and

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

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of Fourteen Thousand Dollars (\$14,000.00),

NOW, THEREFOR,

BE IT RESOLVED, 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 Union Road and Broadway, in said Town on the 20th day of September, 1954 at 7:30 o'clock, P. M. Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing of persons interested in the subject matter thereof concerning the same, and

BE IT FURTHER RESOLVED, that the Town Clerk be and he is hereby Ordered and Directed to publish a certified copy of this resolution and order in the Cheektowaga "Times" and the "Depew Herald and Cheektowaga News," the official newspapers of 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 Order in five (5) public places along the portion of said highway to be improved not less than ten (10) nor more than twenty (20) days prior to the date of the hearing and that on or before said date he post or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's office a certified copy of this Order and Resolution.

Witness my hand and seal of the Town of Cheektowaga, Erie County, New York, this 7th day of September, 1954.

I, the Clerk of the Town of Cheektowaga

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie on the 7th day of September, 1954, 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 7th day of September, 1954.  
KENNETH T. HANLEY  
Clerk of the Town Board  
Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that a copy of which

annexed printed slip taken from said newspaper, is a copy

was inserted and published therein for a week

one week, the first insertion being on

9th day of September, 1954,

the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 1954, and that

more than six days intervened between the two insertions thereof.

*Richard G. Bennett*

day of

24 1954

19

*T. Hanley*

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 1954, at \_\_\_\_\_, Erie County, New York.

**ELECTION NOTICE**

CHEEKTOWAGA, NEW YORK, SEPTEMBER 1954.

**POLLING PLACES**

We, the undersigned, composing the Board of Town Officers of the Town of Cheektowaga do hereby give notice that we have designated the following Polling Places in said Town for the Fall Primary to be held on the 14th day of September, 1954, from 12 Noon to 9 P.M.

- Election District No. 1..... Leaven Road School, Leaven Road near Union Road.
- Election District No. 2..... Bellevue Fire House, Crown Park Blvd., near Summit Road.
- Election District No. 3..... Cayuga Fire Hall, River Road, Depew.
- Election District No. 4..... Town Hall, Broadway and Union Rd.
- Election District No. 5..... U-Crest Fire House, Clover Place and Evergreen Street.
- Election District No. 6..... Chapel School Restaurant, Union Road, near Genesee Street.
- Election District No. 7..... Election Booth, Cleveland Drive, near Union Road.
- Election District No. 8..... Maryvale High School, Maryvale Drive near Union Road.
- Election District No. 9..... Maryvale School, Maryvale Drive at Beach Road.
- Election District No. 10..... Bannant, Cleveland Heights Christian Church, Union Road, near Cleveland Drive.
- Election District No. 11..... Election Booth, Cleveland Drive at Power Line, near Crosshaven Dr.
- Election District No. 12..... Cleveland Hill Fire House, Cleveland Drive at Marymount Rd.
- Election District No. 13..... Election Booth, Century Road and Kensington Avenue.
- Election District No. 14..... Election Booth, West Cleveland Drive and Century Rd., north west corner.
- Election District No. 15..... Election Booth, Mark Lane, between Cedar Road and Kenville Road.
- Election District No. 16..... Cleveland Hill School, Mapleview Road.
- Election District No. 17..... Cleveland Hill School, Mapleview Road.
- Election District No. 18..... Election Booth, South Florida Dr. and 25th Street.
- Election District No. 19..... Maryvale Drive Presbyterian Church Recreation Room—Community Drive.
- Election District No. 20..... Maryvale Drive Presbyterian Church Recreation Room—Community Drive.
- Election District No. 21..... Fine Hill High School, Delavan Avenue.
- Election District No. 22..... Fine Hill High School, Delavan Avenue.
- Election District No. 23..... Fine Hill Fire House, Genesee Street, at Normandy.
- Election District No. 24..... Fine Hill Fire House, Genesee Street, at Normandy.
- Election District No. 25..... Election Booth, Genesee Street and George Urban Blvd.
- Election District No. 26..... Election Booth, Grand Blvd., between Rosewood Terrace and Midland Dr.
- Election District No. 27..... Election Booth, Walden Terrace, near Walden Avenue and Kraken Blvd.
- Election District No. 28..... School No. 18, Alexander St.
- Election District No. 29..... School No. 19, Alexander St.
- Election District No. 30..... Rescue Fire Hall, Pine Ridge Road and Walden Avenue.
- Election District No. 31..... Woodrow Wilson School, Halstead Ave., Slens.
- Election District No. 32..... Woodrow Wilson School, Halstead Ave., Slens.
- Election District No. 33..... St. Andrews Church Hall, Glenside Street, Slens.
- Election District No. 34..... Doyle Fire House No. 2, Willowlawn and Gravelly Street.
- Election District No. 35..... Doyle Fire House No. 1, William and Albin Street.
- Election District No. 36..... Roosevelt School, William and Helen Street.
- Election District No. 37..... Roosevelt School, William and Helen Street.

Dated: September, 1954.

BENEDICT T. HOLTZ, Supervisor

HENRY NAGEL, Councilman

FELIX T. WRUBLEWSKI, Councilman

JOSEPH A. NEIBERT, Councilman

STANLEY BYSTRAK, Councilman

(8-9)

Mr. and Mrs. John Kirsch of 17  
Ray St., celebrated their 50th  
anniversary at the home of  
Baleno of Losson Rd.  
the former  
daughter of Mr. and Mrs. Anthony  
Baleno  
Norma St. Buffalo. Mrs. Rath is  
Mr. and Mrs. George Rath of 21  
the baby's paternal grandparents.  
40 guests was held at the home of  
uncle of the baby. A reception for  
Erica and Joseph Rath, aunt and  
parents were Mrs. Ted DeFede-  
Church last Sunday. Her  
was baptized at Blessed  
Mr. Clarence Rath of

EXHIBIT COPY

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... *one* week, the first insertion being on the  
..... *9th* day of *September*, 19*54*, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

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

SEP 24 1954

....., 19.....

*Wm. J. Henley*  
Notary Public in and for Erie County.

ts 52800

Item No. 9  
adoption:

Councilman Nagel presented the following resolution and moved its

WHEREAS, certain bond anticipation notes are now held by the Manufacturers and Traders Trust Company of Buffalo, New York, which note are more particularly described hereafter, and the same having been issued in anticipation of the sale of bonds, which sale has not yet taken place, and

WHEREAS, certain of said notes were due and payable on September 1, 1954, and others will be due and payable September 16, 1954, and two others will be due and payable October 1, 1954, and

WHEREAS, it is now necessary to authorize the renewal of said bond anticipation notes,

NOW, THEREFORE,

BE IT RESOLVED AS FOLLOWS:

1. That the Supervisor be and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a renewal bond anticipation note in the amount of Twenty-Six Hundred Dollars, payable January 1, 1955 and dated September 1, 1954, which shall be issued in renewal of a bond anticipation note of said amount held by the Manufacturers and Traders Trust Company, Buffalo, New York, dated June 12, 1954, and issued in anticipation of the sale of bonds for the construction of sidewalks in Peinkofer Drive, as authorized by a resolution of this Town Board adopted June 30, 1952.
2. That the Supervisor be, and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a renewal bond anticipation note in the amount of Fifty-Five Hundred Dollars (\$5500.00) payable January 1, 1955 and Dated September, 1, 1954, which shall be issued in renewal of a bond anticipation note of said amount held by the Manufacturers and Traders Trust Company, Buffalo, New York, dated October 1, 1953, and issued in anticipation of the sale of bonds for the construction of a lateral sewer in Floral Place, as authorized by a resolution of this Town Board adopted July 20, 1953.
3. That the Supervisor be and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a renewal bond anticipation note in the amount of Twenty-Eight Thousand Dollars (\$28,000.00) payable January 1, 1955 and dated Sepetember 16, 1954, which shall be issued in renewal of a bond anticipation note of said amount held by the Manufacturers and Traders Trust Company, Buffalo, New York, dated September 16, 1953, and issued in anticipation of the sale of bonds for the extension of Water District No. 9, in Como Park Boulevard, as authorized by a resolution of this Town Board adopted February 15, 1954.
4. That the Supervisor be, and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a renewal bond anticipation note in the amount of Fourteen Thousand Dollars (\$14,000.00) Payable January 1, 1955 and dated September 16, 1954, which shall be issued in renewal of a bond anticipation note of said amount held by the Manufacturers and Traders Turst Company, Buffalo, New York, dated September 16, 1953, and issued in anticipation of the sale of bonds for the extension of Water District No. 9 in Stramer Road, as authorized by a resolution of this Town Board adopted February 15, 1954.
5. That the Supervisor be and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a renewal bond anticipation note in the amount of Twenty-five Thousand Dollars (\$25,000.00) payable January 1, 1955, and dated October 1, 1954, which shall be issued in renewal of a bond anticipation note of said amount held by the Manufacturers and Traders Trust Company, Buffalo, New York, dated June 12, 1954, and issued in anticipation of the sale of bonds for the increase of facilities of Sewer District No. 5, as authorized by a resolution of this Town Board adopted Febuary 19, 1954.
6. That the Supervisor be and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a renewl bond anticipation note in the amount of Sixty-five Thousand Dollars (\$65,000.00) payable January 1, 1955 and dated October 1, 1954, which shall be issued in renewal of a bond anticipation note of said amount held by the Manufacturers and Traders Trust Company, Buffalo, New York, dated February 19, 1954, and issued in anticipation of the sale of bonds for the increase of facilities of Sewer District No. 5, as authorized by a resolution adopted by this Town Board February 19, 1954.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Niebert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 9  
adoption:

Councilman Nagel presented the following resolution and moved its

WHEREAS, certain bond anticipation notes are now held by the Manufacturers and Traders Trust Company of Buffalo, New York, which note are more particularly described hereafter, and the same having been issued in anticipation of the sale of bonds, which sale has not yet taken place, and

100

WHEREAS, certain of said notes were due and payable on September 1, 1954, and others will be due and payable September 16, 1954, and two others will be due and payable October 1, 1954, and

WHEREAS, it is now necessary to authorize the renewal of said bond anticipation notes,

NOW, THEREFORE,

BE IT RESOLVED AS FOLLOWS:

1. That the Supervisor be and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a renewal bond anticipation note in the amount of Twenty-Six Hundred Dollars, payable January 1, 1955 and dated September 1, 1954, which shall be issued in renewal of a bond anticipation note of said amount held by the Manufacturers and Traders Trust Company, Buffalo, New York, dated June 12, 1954, and issued in anticipation of the sale of bonds for the construction of sidewalks in Peinkofer Drive, as authorized by a resolution of this Town Board adopted June 30, 1952.

2. That the Supervisor be, and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a renewal bond anticipation note in the amount of Fifty-Five Hundred Dollars (\$5500.00) payable January 1, 1955 and Dated September, 1, 1954, which shall be issued in renewal of a bond anticipation note of said amount held by the Manufacturers and Traders Trust Company, Buffalo, New York, dated October 1, 1953, and issued in anticipation of the sale of bonds for the construction of a lateral sewer in Floral Place, as authorized by a resolution of this Town Board adopted July 20, 1953.

3. That the Supervisor be and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a renewal bond anticipation note in the amount of Twenty-Eight Thousand Dollars (\$28,000.00) payable January 1, 1955 and dated September 16, 1954, which shall be issued in renewal of a bond anticipation note of said amount held by the Manufacturers and Traders Trust Company, Buffalo, New York, dated September 16, 1953, and issued in anticipation of the sale of bonds for the extension of Water District No. 9, in Como Park Boulevard, as authorized by a resolution of this Town Board adopted February 15, 1954.

4. That the Supervisor be, and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a renewal bond anticipation note in the amount of Fourteen Thousand Dollars (\$14,000.00) Payable January 1, 1955 and dated September 16, 1954, which shall be issued in renewal of a bond anticipation note of said amount held by the Manufacturers and Traders Turst Company, Buffalo, New York, dated September 16, 1953, and issued in anticipation of the sale of bonds for the extension of Water District No. 9 in Stramer Road, as authorized by a resolution of this Town Board adopted February 15, 1954.

5. That the Supervisor be and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a renewal bond anticipation note in the amount of Twenty-five Thousand Dollars (\$25,000.00) payable January 1, 1955, and dated October 1, 1954, which shall be issued in renewal of a bond anticipation note of said amount held by the Manufacturers and Traders Trust Company, Buffalo, New York, dated June 12, 1954, and issued in anticipation of the sale of bonds for the increase of facilities of Sewer District No. 5, as authorized by a resolution of this Town Board adopted February 19, 1954.

6. That the Supervisor be and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a renewal bond anticipation note in the amount of Sixty-five Thousand Dollars (\$65,000.00) payable January 1, 1955 and dated October 1, 1954, which shall be issued in renewal of a bond anticipation note of said amount held by the Manufacturers and Traders Trust Company, Buffalo, New York, dated February 19, 1954, and issued in anticipation of the sale of bonds for the increase of facilities of Sewer District No. 5, as authorized by a resolution adopted by this Town Board February 19, 1954.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Niebert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 10 The Town Board took under review the Budget Estimates for Special Districts, spreading cost on Benefit Basis as presented by Supervisor Holtz. 191  
 Following is a true and correct copy of said budget as presented by the Supervisor:

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 1955.

SEWER DISTRICTS

<u>District No. 1</u> Rent to City of Buffalo	\$ 586.08	
Installment on old balance	150.00	
Interest on old balance	33.39	
To be raised by assessment	<u>769.47</u>	\$ 769.47

<u>District No. 2</u> Rent payable to District No. 5	4,000.00	
Maintenance	900.00	
To be raised by assessment	<u>4,900.00</u>	4,900.00

<u>District No. 3</u> Salary of Town Attorney	500.00	
Bond principal & interest due in 1955	29,663.95	
Operation of Disposal Plant	34,525.00	
Real Estate Taxes-1955	6,000.00	
Maintenance of Sewers	3,000.00	
Services of Superintendent	1,500.00	
Services of Engineer	1,000.00	
Erie County Chargebacks-Thruway	2,095.12	
Erie County Chargebacks-Current	1.96	
TOTAL EXPENSE FOR 1955	<u>78,286.03</u>	
Less: Rentals:		
William St. tie-in	\$ 300.00	
Franklin St. tie-in	1,250.00	
Special fixed charges	<u>22,000.00</u>	
To be raised by assessment	<u>23,550.00</u>	54,736.03

<u>District No. 4</u> Rent payable to District No. 5	4,500.00	
Operation of pump station	1,700.00	
Maintenance	500.00	
TOTAL EXPENSE FOR 1955	<u>6,700.00</u>	
Less: Amount payable out of Districts' Reserve Fund	1,000.00	
To be raised by assessment	<u>5,700.00</u>	5,700.00

<u>District No. 5</u> Salary-Town Attorney	1,000.00	
Bond principal & interest due in 1955	161,330.46	
Operation of Disposal Plant	99,625.00	
Maintenance of sewers	12,000.00	
Services of Superintendent	3,000.00	
Services of Engineer	3,000.00	
Erie County chargebacks-Current	570.07	
Erie County chargebacks-Thruway	24,681.88	
Erie County chargebacks-Cemeteries	6,386.43	
TOTAL EXPENSE FOR 1955	<u>311,593.84</u>	
Less: Revenue from charges to:		
Josephine Asmondus	\$ 75.00	
City of Buffalo	12,000.00	
Sewer District No. 2	4,000.00	
Sewer District No. 4	4,500.00	
Sewer District No. 6	<u>23,200.00</u>	
To be raised by assessment	<u>43,775.00</u>	\$267,818.84

Item No. 10 Cont'd SEWER DISTRICTS

SEWER DISTRICTS

District No. 5-Walden Extension

Bond principal and interest due in 1955  
To be raised by assessment

\$ 5,561.00 \$ 5,561.00

District No. 5-Peinkofer Extension

Bond principal and interest due in 1955  
To be raised by assessment

1,650.00 1,650.00

District No. 6

Bond principal and interest due in 1955  
Rent payable to District No. 5  
Maintenance payable to District No. 5  
To be raised by assessment

2,294.00  
22,000.00  
1,200.00

25,494.00  
366,629.34

TOTAL FOR ALL SIX SANITARY SEWER DISTRICTS

NOTE: Amounts shown for the two Sewer District No. 5 extensions are in addition to the regular Sewer District No. 5 charges applicable to property in the extensions.

STORM SEWER DISTRICTS

District No. 1

To be raised by assessment

-0- -0-

District No. 2

Erie County chargebacks-Cemeteries  
Maintenance  
To be raised by assessment

9,229.06  
1,100.00

10,329.06

District No. 3

Bond principal and interest due in 1955  
Maintenance  
To be raised by assessment

7,056.00  
200.00

7,256.00

District No. 4

Bond principal and interest due in 1955  
Maintenance

9,050.00  
200.00  
9,250.00

Less: Amount payable out of Districts'  
Reserve Fund  
To be raised by assessment

1,500.00

7,750.00

TOTAL FOR ALL FOUR STORM SEWER DISTRICTS

25,335.06

LATERAL SANITARY SEWER DISTRICTS

	PRINCIPAL AND INTEREST DUE IN 1955	LESS AMOUNT PAYABLE OUT OF DISTRICTS' RESERVE FUND	
--	---	--	--

Arthur Street	\$ 313.13	\$ -0-	\$ 313.13
Roycroft Blvd.	227.54	-0-	227.54
Maryvale Dr.	811.38	132.58	678.80
W. Grand Blvd.	691.51	129.79	561.72
Cleveland Dr.	752.33	-0-	752.33
S. Huxley Dr.	773.28	189.38	583.90
Woodland Terr. (Formerly Commodore Terr.)	2,060.00	486.90	1,573.10
Darwin Dr.	3,090.00	2,181.21	908.79
Homesgarth Ave.	1,581.00	660.60	920.40
Toelsin Rd.	3,162.00	-0-	3,162.00
Cresthaven Dr.	1,621.50	18.28	1,639.78
Sugnet	2,162.00	160.12	2,001.88
Walton	1,635.00	324.53	1,310.47
Abel, Vincent & Lena	900.00	-0-	900.00
Floral Pl.	1,000.00	-0-	1,000.00

LATERAL SANITARY SEWER DISTRICTS

Mapleview Dr.

PRINCIPAL  
AND  
INTEREST  
DUE IN 1955

LESS AMOUNT  
PAYABLE  
OUT OF  
DISTRICTS'  
RESERVE FUND

\$ 1,690.00  
22,470.67

-0-  
4,246.83

\$1,690.00  
18,223.84  
18,223.84

To be raised by assessment

SIDEWALK DISTRICTS

Evergreen  
Wellworth  
Clover  
Rossler  
Woodridge  
Peinkofer

PRINCIPAL  
AND  
INTEREST  
DUE IN 1955

LESS AMOUNT  
PAYABLE  
OUT OF  
DISTRICTS'  
RESERVE FUND

\$ 1,564.67  
979.39  
1,329.34  
669.35  
1,500.00  
600.00  
6,642.75

331.55  
358.63  
417.44  
329.17  
-0-  
-0-  
115.35

1,896.22  
620.76  
911.90  
998.52  
1,500.00  
600.00  
6,527.40  
6,527.40

To be raised by assessment

CURBING DISTRICTS

Olcott:

Bond principal and interest due in 1955  
Less: Amount payable out of Districts'  
Reserve Fund

\$3,200.00

To be raised by assessment

120.94

3,079.06

PAVING DISTRICTS

Darwin Dr.  
Walton Dr.  
Cresthaven Dr.  
Sugnet Rd.

PRINCIPAL  
AND  
INTEREST  
DUE  
IN 1955

LESS AMOUNT  
PAYABLE  
OUT OF  
DISTRICTS'  
RESERVE FUND

\$ 4,364.00  
2,143.00  
1,636.50  
2,169.00  
10,312.50

\$ 787.06 3,576.94  
326.56 1,816.44  
308.64 1,327.86  
354.96 1,814.04  
1,777.22 8,535.28

To be raised by assessment

8,535.28

STREET LIGHTING IMPROVEMENT

GROUP (8)

Highview  
South Century  
To be raised by assessment

PRINCIPAL  
AND  
INTEREST  
DUE  
IN 1955

LESS AMOUNT  
PAYABLE  
OUT OF  
DISTRICTS'  
RESERVE FUND

\$ 146.45  
358.55

18.23 128.22  
44.63 313.92

442.14

GROUP (9)

Cunard  
Mapleview  
Briarcliffe  
To be raised by assessment

636.30  
333.30  
545.40  
1,515.00

41.75 594.55  
47.30 286.00  
51.20 494.20  
140.25 1,374.75

1,374.75

GROUP (10)

South Roycroft  
To be raised by assessment

378.75

70.40 308.35

308.35

**STREET LIGHTING IMPROVEMENT-CONT'D**

	PRINCIPAL AND INTEREST DUE IN 1955	LESS AMOUNT PAYABLE OUT OF DISTRICTS' RESERVE FUND
<u>GROUP (11)</u>		
Principal and interest due in 1955:		
W. Grand		\$ 222.48
Merrymont		593.28
McNaughton		<u>420.24</u>
To be raised by assessment		\$ 1,236.00
<u>GROUP (12)</u>		
Principal and interest due in 1955:		
Chesterfield		413.33
Verdun		268.67
Carol		537.33
Mafalda		<u>847.34</u>
To be raised by assessment		<u>2,066.67</u>
TOTAL TO BE ASSESSED FOR ALL FIVE GROUPS		\$5,427.91

ASSESSMENTS OMITTED FROM 1954 ROLLS

SANITARY SEWER DISTRICT NO. 5

BOOK	MAP COVER	OWNER	DESCRIPTION	AMOUNT
7	1617	Anthony M. Marinese & W.	14 ( Lateral)	\$ 4.12
8	733/976	Stanley Frankowski & W.	9-EL. C (San.Sewer)	11.00
8	"	Walter Skymanski	15 ( " " )	22.36
12	1230/1423/ 1496	Anthony Kwiatkowski & W.	541A(Lateral)	3.29
TOTAL TO BE RAISED				<u>\$ 40.77</u>

In accordance with the Town Law, it is the duty of the Town Board to estimate the 1955 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, Supervisor.

Councilman Bystrak moved, seconded by Councilman Neibert:

WHEREAS, this Town Board has prepared a detailed estimate of the anticipated 1955 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 District 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 Cheektowaga Times and the Depew Herald-Cheektowaga News, newspapers published in the Town of Cheektowaga, New York, said notice to be in the following form and to be published the week of September 9, 1954, said Public Hearing to be held at the Town Hall, corner of Union Road and Broadway, on the 20th day of September, 1954, at 7:30, o'clock P.M., E.D.S.T., and shall be in the following form, to wit:

The Town Board of Cheektowaga, New York, at a special meeting held on September 7th, 1954, adopted its Estimates and Assessment Roll relating to Special Districts spreading costs on a basis which has been filed same with the Town Clerk for the following Districts:

Sewer Districts: 1, 2, 3, 4, 5, 5-Walden Extension, 5-Peinkoff Extension, 6.

Storm Sewer Districts: 1, 2, 3, 4.

All Lateral Sanitary Sewer Districts:

All Sidewalk 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, 1954, at 7:30 P.M., E.D. S.T., in the Council Chamber of the Cheektowaga Town Hall, corner of Union Road and Broadway, at which time the Town Board will meet to hear and consider any objections which shall be made to such Estimates and Assessment Roll.

Dated: September 7, 1954.

By order of the Town Board of  
the Town of Cheektowaga,  
New York

CARRIED:

AYES: -5- NOES: -0-

The above mentioned notice was posted on the 10th day of September, 1954, in the following places:

- 1- Town Hall Bulletin Board;
- 2- Forks Fire Hall Bulletin Board, Broadway and Union Rd;
- 3- U-Crest Fire Hall - Evergreen Street & Clover Place;
- 4- Pine Hill Fire House-Genesee Street and Normandy Avenue;
- 5- Doyle Fire House No. 1 Bulletin Board- William and Alaska Street.

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

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

*Harriet M. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *she* is  
*secretary* of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks; first  
publication **SEP 9 1954**;  
last publication **SEP 9 1954**;  
and that no more than six days intervened be-  
tween publications.

*Harriet M. Allis*

Sworn to before me this .....  
day of **SEP 9 1954**, 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, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF CHEEKTOWAGA

NOTICE

that the Board of Cheektowaga, New York, at a special meeting held on September 7th, 1954, 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.
- Storm Sewer Districts: 1, 2, 3, 4.
- All Lateral Sanitary Sewer Districts,
- All Sidewalk 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, 1954, at 7:30 p.m., E.D.S.T., in the Council Chamber of the Cheektowaga Town Hall, corner of Union Road and Broadway, at which time the Town Board will meet to hear and consider any objections which shall be made to such Estimates and Assessment Roll.

Dated: September 7, 1954  
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 public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 9th day of September, 1954 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  
September 24, 1954

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

IN 51882

**NOTICE IS HEREBY GIVEN** that the Town Board of Cheektowaga, New York, at a special meeting held on September 7th, 1954, 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.

Storm Sewer Districts: 1, 2, 3, 4.

All Lateral Sanitary Sewer Districts:

All Sidewalk 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, 1954, at 7:30 P.M., E.D. S.T., in the Council Chamber of the Cheektowaga Town Hall, corner of Union Road and Broadway, at which time the Town Board will meet to hear and consider any objections which shall be made to such Estimates and Assessment Roll.

Dated: September 7, 1954.

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

**KENNETH T. HANLEY**  
Town Clerk

Item No. 11

adjourn. Councilman Neibert moved, seconded by Councilman Wroblewski, to

SEAL

Kenneth T. Hanley, Town Clerk

At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 13th day of September, 1954, at 2:30 o'clock P.M., E.D.S.T., there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

Also present were: Town Clerk Hanley; Town Attorney Doyle; Justice of the Peace Pyszcynski; General Foreman Eberl; Receiver of Taxes & Assessments Pfohl; Town Engineer Kam and Chief of Police Mersmann.

Item No. 2 The Town Clerk advised the Board that the minutes of the previous meeting have been placed on their respective desks in the Council Chamber.

Item No. 3 This being the time and the place advertised for the receiving of sealed bids for the purchase of 3 Police Automobiles. The Town Clerk presented proof of publication of the Notice to Bidders. Councilman Nagel moved, seconded by Councilman Wroblewski, that the Town Clerk be authorized and directed to open the sealed bids.

Following is a summary of the bids received:

Mernan Chevrolet.....	\$4,158.33
E.H. Cottrell.....	3,786.00
M. Hubers, Inc.....	4,870.00
Brost Bros.....	3,854.30

Councilman Nagel moved, seconded by Councilman Wroblewski, that the bids be referred to the Town Board for tabulation and analysis.

Item No. 4 This being the time and the place advertised for a public hearing for the creation of Water District No. 10.

The Town Clerk presented proof of the Notice of Hearing.

No one appearing in opposition to the proposed creation of Water District No. 10, Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, there has been duly presented to this Town Board a written petition in due form, together with the necessary map and plan for the creation of Water District No. 10 in the Town of Cheektowaga, New York, and an order of the Town Board reciting the filing of said petition and specifying the time when and the place where the said Town Board would meet to consider the said petition and to hear all persons interested in the subject thereof concerning the same having been published and posted as required by law, the hearing having taken place at the Town Hall corner of Broadway & Union Road, Cheektowaga, New York, on the 13th day of September, 1954, at which hearing an opportunity was afforded all persons to be heard in favor and in opposition to the proposed creation of Water District No. 10, and the Town Board having given due deliberation thereon; and

WHEREAS, the said petition for the creation of said Water District No. 10 in the Town of Cheektowaga, New York, is signed, approved, and acknowledged as required by law, and is otherwise sufficient; and there is annexed to said petition a map and plan prepared by Albert J. Kamm, a competent engineer, duly licensed by the State of New York, showing the boundaries of the said proposed Water District No. 10, the general plan of the proposed water system, source of the water supply, the water mains, distribution pipes, hydrants, reservoirs, if any, and the location of each; and

WHEREAS, it is proposed that the expense of the creation of said Water District shall be assessed, levied and collected from the several lots and parcels of land within the proposed Water District in the same manner and at the same time as other Town charges, except as otherwise provided by law, and

WHEREAS, the maximum cost of the proposed improvement is the sum of Forty-Five Thousand Dollars (\$45,000.00),

NOW, THEREFORE, after due deliberation thereon, it is hereby,

RESOLVED, that this Town Board does hereby determine as follows:

A) That such petition is signed and acknowledged as required by law and is otherwise sufficient, and

Item No. 4 Cont'd B) That all the property and property owners within the proposed Water District No. 10 are benefitted thereby, and

C) That all property and property owners benefitted are included within the limits of the proposed Water District, and

D) That it is in the public interest to grant in whole the relief sought, by creating said Water District No. 10 of the Town of Cheektowaga, New York, to include the following described property: MARKED "Exhibit A" and be it further

RESOLVED, that the Supervisor of the Town of Cheektowaga be and he hereby is authorized to make application to the State Comptroller for the approval of the creation of Water District No. 10 in accordance with the provisions of Paragraph 3 of Section 194 of the Town Law, and be it

FURTHER RESOLVED, that the Supervisor be also authorized to apply to the Water Power and Control Commission for approval of the creation of Water District No. 10.

EXHIBIT "A"

DESCRIPTION OF PROPOSED WATER DISTRICT NO. 10

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

BEGINNING at a point in the southerly line of the West Shore Railroad property, said point being the intersection of the westerly line of the lands conveyed to the Scharell Corporation and the southerly line of the West Shore Railroad property; thence northeasterly along the southerly line of the West Shore Railroad property 2775 feet more or less to the point of intersection of the southerly line of the West Shore Railroad property and a line through the lands conveyed to the Ernst Construction Corporation, said line being 270 feet more or less, measured at right angles, east of and parallel to the westerly line of lands conveyed to the Ernst Construction Corporation; thence southerly along said line through the Ernst Construction Corporation 1306 feet more or less, to the point of intersection of said line and the center line of New Walden Avenue; thence southwesterly along the center line of New Walden Avenue 1976 feet more or less; thence westerly 575 feet more or less, along a line parallel to, and 75 feet more or less, measured at right angles, south of the southerly line of lands conveyed to the Scharell Corporation to a point on the westerly line of the Scharell Corporation property extended southerly; thence northerly 360 feet more or less, easterly 50 feet more or less, and northerly 256 feet more or less, along the westerly property line of the Scharell Corporation property to the point of beginning.

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

Supervisor Holtz	Voting AYE
Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 5 This being the time and the place advertised for a public hearing for the improvement of both sides of Chesterfield Drive, from Burke Drive north to Treehaven Road, a distance of approximately 1700 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains.

The Town Clerk presented proof of publication of the Notice of Hearing.

Mr. W.A. Mauer of No. 228 Burke Drive appeared in opposition to the proposed improvement.

The Chairman ordered the hearing closed and Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Chesterfield Drive extending from Burke Drive, north to Treehaven Road, a distance of approximately 1700 feet, by the construction of curbs, together with the installation of receivers and necessary underground drain. ( Said highway is now paved for its entire length), and

WHEREAS, said petition was duly signed by owners of real property constituting the owners of a least one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid and also constituting resident owners owning not less than one-half of the frontage owned by resident owners along said highway

proposed to be improved, and

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

WHEREAS, at a meeting of said Town Board duly called and held on the 16th day of August, 1954, an order was duly adopted by it and entered in its minutes, reciting the filing of such petition, the improvement proposed and the maximum amount proposed to be expended for the improvement as stated in such petition, to wit, the sum of Ten Thousand Dollars, (\$10,000) and specifying that the Board would meet to consider the petition and to hear all persons interested in the subject thereof concerning the same, at the Town Hall in the Town of Cheektowaga on the 13th day of September, 1954, at 2:30 o'clock P.M., E.D.S.T., and

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

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

NOW, THEREFORE, after such hearing and upon the evidence given thereat and pursuant to the provisions of Section 200 of the Town Law of the State of New York, it is hereby,

RESOLVED, that this Board is hereby determined that it is in the public interest to make the improvement petitioned for, to wit, both sides of Chesterfield Drive, extending from Burke Drive, north to Treeshaven Road, a distance of approximately 1700 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains, and it is further

RESOLVED, that Nussbaumer, Clarke and Velzy, Consulting Engineers for this Town, shall survey said Chesterfield Drive, establish the lines and grades thereof and shall file such survey and profile in the Town Clerk's Office, and be it further

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

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 6 This being the time and the place advertised for a public hearing on the application of the Western New York Motor Lines, Inc., for a consent to operate a motor bus line on and along certain highways in the Town of Cheektowaga, New York, as follows:

On and along Routes 78 and 20 from the northerly corporation line to the southerly corporation line.

The Town Clerk presented proof of publication of the Notice of Hearing.

No one appearing in opposition to the proposed application, Councilman Wroblewski moved, seconded by Councilman Neibert,

WHEREAS, the Western New York Motor Lines, Inc., a domestic corporation, with its principal office and place of business in the City of Batavia, Genesee County, New York, having heretofore made written application to the Town Board of the Town of Cheektowaga, pursuant to Section 66 of the Transportation Corporations Law of the State of New York, for the operation by said Corporation of motor vehicles buses on and along certain highways in the Town of Cheektowaga; and public notice having been duly given that a hearing upon said application would be had by the Town Board of the Town of Cheektowaga, on the 13th day of September, 1954, and a hearing having been duly held by such Town Board on said day, and the hearing having been closed without objections to the granting of said consent, and due deliberation having been had on such application,

NOW, THEREFORE, BE IT

RESOLVED, that the consent of the Town of Cheektowaga be and hereby given to the Western New York Motor Lines, Inc., to operate omnibus lines or routes on and along the highways of the Town of Cheektowaga, as follows:

On and along Routes 78 and 20  
from the northerly corporation  
line to the southerly corporation  
line.

The consent herein granted to the Western New York Motor  
Lines, Inc., is, however, upon the following terms and conditions, to wit:

1. There shall be full compliance with all statutes  
of the State of New York and all rules and regulations of the  
Public Service Commission.

2. This consent shall not be sold, assigned or  
transferred without consent of the Town of Cheektowaga, nor  
shall any part of the operations on any of such route be  
sublet without such consent.

CARRIED: AYES: -5-

Item No. 7 This being the time and the place advertised for a public hearing  
for the purpose of repealing Section 20 A ( Airport District ) of the Zoning  
Ordinances of the Town of Cheektowaga, New York.

The Town Clerk presented proof of publication of the Notice of the Hearing,  
and no one appearing in opposition to the proposed repeal of Section 20 A of the  
Zoning Ordinance of the Town of Cheektowaga, New York, Councilman Nagel moved,  
seconded by Councilman Wroblewski, that the hearing be closed and that the decision  
be reserved.

Item No. 8 This being the time and place advertised for a public hearing for the  
improvement of both sides of Peoria Street, commencing at William Street and extend-  
ing to Stradtman Street, a distance of approximately 2620 feet, by the construction  
of curbs, together with the installation of receivers and necessary underground  
drains.

The Town Clerk presented proof of the publication of the Notice of  
the Hearing.

Councilman Wroblewski moved, seconded by Councilman Neibert, that  
the hearing be closed and that the decision be reserved until September 20, 1954,  
at 7:30 P.M., E.D.S.T.,

Item No. 9 This being the time and the place advertised for a public hearing for  
the purpose of adopting Ordinance No. 3 of the Town of Cheektowaga, New York.

The Town Clerk presented proof of publication of the notice of the  
hearing.

No one appeared in opposition to the proposed adoption of Ordinance  
No. 3, Councilman Wroblewski moved, seconded by Councilman Bystrak, that the matter  
be referred to the Town Attorney for adoption.

ITEM NO. 10. Councilman Wroblewski moved, seconded by Councilman Bystrak, that the Town Clerk be authorized and directed to issue building permits on applications processed by the Petitions Committee on 9-11-54, after same have been approved by the Building Inspector. 200

CARRIED Ayes 5

ITEM NO. 11. Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED that in the future the Town Superintendent of Highways shall submit to the Chairman of the Highway Committee, Councilman Henry J. Nagel, in writing, his recommendation of the acceptance of Town Highways, no Town Highway shall be accepted without approval of the Highway Committee.  
Seconded by Councilman Wroblewski.

CARRIED Ayes 5

ITEM NO. 12. Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that the Town Engineer be authorized to have installed a fence at Roycroft Pumping Station in accordance with bid of Smith Fence Company at a cost of \$187.00, cost thereof to be charged to Sewer District No. 5.  
Seconded by Councilman Wroblewski.

CARRIED Ayes 5

ITEM NO. 13. Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that Charles R. Water, District Engineer of the New York State Department of Public Works be requested to resurface Broadway for its entire length in the Town of Cheektowaga, or at least to do some patch work immediately, to insure safe driving for the Fall and Winter months.  
Seconded by Councilman Bystrak.

CARRIED Ayes 5

ITEM NO. 14. Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, the Town Highway Superintendent has recommended that CRESCENT COURT, as shown on subdivision map filed under Map Cover No. 1800, in the Erie County Clerk's Office on January 29, 1953, and PRINCETON COURT, as shown on a subdivision map filed under Map Cover No. 1832, in the Erie County Clerk's Office on December 18, 1953, be accepted as Town highways, be it

RESOLVED, that his recommendation be accepted and CRESCENT COURT and PRINCETON COURT be accepted as Town highways, subject to the jurisdiction of the Town Highway Superintendent, and be it further,

RESOLVED, that the Town Attorney be authorized to record in the Erie County Clerk's Office deeds to said highways after the same have been approved by the Town Engineer.

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

CARRIED Ayes 5

ITEM NO. 15. Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, Cayuga Creek Road is a County highway and there are sharp turns in said highway at Fonckowiak Ave., what was formerly Bright Street, also between Cass and Aris Street, and many accidents have happened at said sharp turns, due to the excessive speed permitted on said highway, also due to the fact that some motorists are unfamiliar with the sharp turns and do not have their automobile under control while attempting to make the turn, be it

RESOLVED, that the Town of Cheektowaga, New York, thru its Utilities Committee, request Harry A. Kraft, County Superintendent of Highways, to permit the erection of "Stop and Go" blinders at the three sharp turns aforementioned, and that he also be requested to permit the erection of a sign on the county right-of-way near these intersections, notifying motorists to stop at the blinker, and be it further

RESOLVED, that the State Traffic Commission and the County Superintendent of Highways be requested to reduce the speed limit on Cayuga Creek Road, for its entire length, from William Street to Harlem Road to thirty-five (35) miles per hour, and to erect appropriate signs to inform motorists of the speed limit, and be it further

RESOLVED, that the Town Clerk be and he is hereby authorized to forward a certified copy of this Resolution to the State Traffic Commission and the County Superintendent of Highways.

BE IT FURTHER RESOLVED that we are also asking for permission to install a Blinker System at the corner of Rossler and Dingens Streets.

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

CARRIED Ayes 5

ITEM NO. 16. Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that the Supervisor be authorized to execute on behalf of the Town of Cheektowaga, New York, a water easement to the Erie County Water Authority for LYMAN AVENUE, commencing at Harlem Avenue and extending in an easterly direction to the west line of Tillotson Avenue.

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

CARRIED Ayes 5

ITEM NO. 17. Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that the request of the Board of Fire Commissioners of Pine Hill Fire District No. 5 to install hydrants on the new extension of Alpine Place, and also the installation of a hydrant at Park Edge and Kaufman Road, be granted, and the Erie County Water Authority be requested to install hydrants at these locations, and be it further

RESOLVED, that the Town Clerk forward to the Erie County Water Authority and to the Board of Fire Commissioners of Pine Hill Fire District No.5, a certified copy of this resolution, and be it further

RESOLVED, that the Erie County Water Authority be requested to arrange a conference with the Board of Fire Commissioners in each of the Fire Districts located in the Town of Cheektowaga which have unfilled requests for hydrants.

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

CARRIED Ayes 5

Item No. 18

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Town of Cheektowaga, New York request a permit from the County Superintendent of Highways to install a traffic actuated signal at the intersection of Walden Ave. and Rep Street, and that the Supervisor be authorized to execute permit forms for approval by the County Highway Superintendent.

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

Supervisor Holtz,	Voting	<u>Aye</u>
Councilman Nagel,	Voting	<u>Aye</u>
Councilman Wroblewski,	Voting	<u>Aye</u>
Councilman Neibert,	Voting	<u>Aye</u>
Councilman Bystrak,	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 19

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, the Utilities Committee has made an inspection of traffic conditions at Oriole Place and George Urban Blvd. after complaints being lodged with the Town Board, by residents in the neighborhood, and

WHEREAS, George Urban Blvd. is a county highway and is much traveled, be it

RESOLVED, that the County Superintendent of Highways be requested to erect "Stop" signs on Oriole Place, at its intersection with George Urban Blvd.

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

Supervisor Holtz,	Voting	<u>Aye</u>
Councilman Nagel,	Voting	<u>Aye</u>
Councilman Wroblewski,	Voting	<u>Aye</u>
Councilman Neibert,	Voting	<u>Aye</u>
Councilman Bystrak,	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 20

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the County Highway Department has granted the request of the Town of Cheektowaga, New York to erect and maintain "No Parking" signs on the north side of Cleveland Drive County Road 141, from Century Road to Cayuga Road, be it

RESOLVED, that the Chief of Police be, and he is hereby authorized to erect "No Parking" signs in accordance with said permit.

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

Supervisor Holtz,	Voting	<u>Aye</u>
Councilman Nagel,	Voting	<u>Aye</u>
Councilman Wroblewski,	Voting	<u>Aye</u>
Councilman Neibert,	Voting	<u>Aye</u>
Councilman Bystrak,	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 21

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, PELVION LAND CO., INC., had entered into an agreement to complete the pavement on LYMAN AVENUE, in accordance with the specifications of the Town Highway Department, and is filing a surety bond in the sum of \$10,000.00 conditioned that it will complete the pavement on said highway between now and July 1, 1955, be it

Item No. 21 Con't

RESOLVED, that LYMAN AVENUE, commencing at Harlem Road and extending in an easterly direction to the west line of Tillotson Avenue be accepted as a Town Highway, and be it further

RESOLVED, that the Town Attorney be authorized to record the deed to said highway in the Erie County Clerk's Office upon approval of the Town Board.

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

as follows:

Supervisor Holtz,	Voting	<u>Aye</u>
Councilman Bystrak,	Voting	<u>Aye</u>
Councilman Nagel,	Voting	<u>Aye</u>
Councilman Neibert,	Voting	<u>Aye</u>
Councilman Wroblewski,	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

Item No. 22

Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved, and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. (Warrant No. 1690 to Warrant No. 1793, inclusive, drawn on the Supervisor).

Item No. 23

Councilman Nagel moved, seconded by Councilman Bystrak to adjourn.

Kenneth T. Hanley  
Town Clerk

SEAL

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga on the 20th day of September, 1954, at 7:30 P.M., E.D.S.T., there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

Also present were: Town Clerk Hanley; Town Attorney Doyle; Highway Superintendent Zablony; General Foreman Eberl; Chief of Police Mersmann; Town Engineer Kama; Town Historian Julia B. Reinstein.

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

Item No. 3 Councilman Neibert moved, seconded by Councilman Wroblewski, that Dr. Vendetti be authorized and directed to attend the U.S. Health Conference to be held at Buffalo, New York, on October 11, 1954 to October 15, 1954, inclusive.

Item No. 4 Petition presented for the improvement of Aura Drive by the construction of a pavement in said highway. Ordered referred to the Assessors for a property check by the chairman.

Item No. 5 This being the time and the place advertised for the receiving of sealed bids for the construction of certain improvements in Sewer District No. 5 at a cost not to exceed \$950,000.00, in accordance with a certain map and plan prepared by Nussbamer, Clarke and Velky, consulting Engineers of this Town dated June 11, 1954, and on file in the Town Clerks' Office.

The Town Clerk presented proof of publication of the Notice to Contractors.

Councilman Nagel moved, seconded by Councilman Wroblewski, that the Town Clerk be directed to open the sealed bids at hand.

Hereto attached is a summary of the bids received:



Councilman Nagel moved, seconded by Councilman Wroblewski, that the bids be referred to the Consulting Engineers for tabulation and analysis, and that they report back to the Town Board their recommendations as soon as possible.

**Item No. 6** This being the time and the place advertised for the receiving of sealed bids for the improvement of Homesgarth Avenue by the construction of a permanent pavement in said highway.

The Town Clerk presented proof of the publication of the Notice to Bidders.

Councilman Nagel moved, seconded by Councilman Bystrak, that the Town Clerk be authorized and directed to open the sealed bids on hand.

Following is a summary of the bids received:

- 1- George Roetzer.....\$4,496
- 2- Erie Paving Company..... 7,176

Councilman Nagel moved, seconded by Councilman Bystrak, that the bids be referred to the consulting engineers for tabulation and analysis, and that the said consulting engineers report back to the Town Board their recommendations as soon as possible.

**Item No. 7**

The following order and resolution was offered by Mr. Wroblewski who moved its adoption, seconded by Mr. Nagel, to wit:

**BOND RESOLUTION**

**BOND RESOLUTION DATED SEPTEMBER 20, 1954, AUTHORIZING THE ISSUANCE OF \$35,000.00 SERIAL SEWER DISTRICT No. 5 BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.**

WHEREAS, Sewer District No. 5, hereinafter described as a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York, and the purpose, hereinafter described, is a special improvement authorized by said Article 12;

NOW THEREFORE,

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 \$35,000.00 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") is the construction of a trunk sewer and the manholes and other appurtenances suitable for the operation of such trunk sewer to be connected with the existing 24-inch trunk sanitary sewer which is maintained by Sewer District No. 5 at a point located 103.7 feet south of the center line of Central Boulevard Extension and 10 feet west of the east line of the school site of Union Free School District No. 11, and to run from such point in an easterly direction for 204 feet, and thence in a northerly direction at approximately a right angle a distance of 200 feet, and thence easterly at approximately a right angle a distance of 340 feet, and thence northerly at approximately a right angle a distance of 221.5 feet, and thence easterly at a right angle a distance of 325 feet to the westerly line of the Extension of Sewer District No. 5, established by the Town Board on February 1, 1954, where it will be connected with sanitary sewers to be constructed in such Extension, in accordance with an Order and Resolution authorizing said improvements, made by the Town Board of said Town on June 7, 1954, pursuant to the provisions of Article 12 of the Town

Law of New York in order to increase and improve facilities of said Sewer District No. 5.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$35,000.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. It is hereby determined that said purpose is an object or purpose described in Sub-division 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. 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 Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers having a general circulation in said Town and which are official newspapers of 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 shall take effect immediately upon its adoption.

Duly put to a vote which resulted as follows:

Supervisor Holtz, Voting Aye,  
Councilman Wroblewski, Voting Aye,  
Councilman Bystrak, Voting Aye,  
Councilman Nagel, Voting Aye,  
Ayes: 5; Noes: 0; Absent: 0.

SUMMARY OF BIDS — TOWN OF CHEEKTOWAGA N.Y. — GEORGE URBAN BLVD. RELIEF PUMPING STATION — SEPT. 20, 1954

FL. NO.	DESCRIPTION OF BID ITEMS	ALLEAIER	H.E. STIMM	H.F. DARLING	PITT CONST. CO.	REIFLER BROS & BENNETT	L.E. KNOWLES
1	OVERFLOW CHAMBER	\$ 4,209	\$ 2,400	\$ 3,170	\$ 3,000	\$ 3,400	\$ 3,140
2	PUMPING STATION SUBSTRUCTURE	33,586	30,000	33,250	28,500	32,340	37,800
3	PUMPING STATION SUPERSTRUCTURE	25,630	25,000	23,900	29,500	31,500	33,600
4	OUTFALL STRUCTURE	1,550	1,200	1,410	1,200	2,360	1,800
5	PUMPING EQUIPMENT	21,331	20,000	21,600	20,200	20,700	24,950
6	PIPING AND VALVES	21,098	22,000	23,310	20,700	20,700	23,700
7	CHLORINATION EQUIPMENT	8,888	8,000	6,250	6,200	7,000	7,100
7A	ALT. CHLORINATION EQUIPMENT	6,833	6,500	5,900	6,200	7,500	6,708
8	HEATING, VENTILATING & PLUMBING	3,464	4,000	2,400	3,800	3,700	3,960
9	ELECTRICAL WORK	11,110	12,500	11,000	12,000	11,900	14,580
10	SITE IMPROVEMENT	4,591	7,500	7,000	3,000	4,350	3,964
TOTAL WITH BID ITEM 7		\$ 135,659.00	\$ 132,600.00	\$ 138,290.00	\$ 128,100.00	\$ 138,450.00	\$ 159,594.00
TOTAL WITH BID ITEM 7A		\$ 132,604.00	\$ 131,100.00	\$ 137,910.00	\$ 128,100.00	\$ 139,150.00	\$ 159,200.00
ALT 20" PUMP. ADDITION BY ALTER.		+ 2,000	+ 3,400	+ 3,400	- 2,500	- 3,400	+ 2,112
		+ 1,833					
A.	MFR. OF PUMPING EQUIPMENT	NORTHINGTON	* FAIRBANKS M.	NORTHINGTON	NORTHINGTON	NORTHINGTON	
B.	MFR. OF CHLORINATING EQUIPMENT	W.E.T.	W.E.T.	BUILDERS PROVIDENCE	BUILDERS REG. OF FISHER & PORTER	W.E.T.	
C.	MFR. OF CHLORINE SCALE	FAIRBANKS M.	FAIRBANKS M.	FAIRBANKS M.	FAIRBANKS M.	FAIRBANKS M.	
D.	MFR. OF HEATERS	JANITROL	JANITROL	REZNER	JANITROL	JANITROL	
E.	MFR. OF VENTILATING FANS	BUFFALO FORGE	BISON BLOWER	BUFFALO FORGE	BUFFALO FORGE	BUFFALO FORGE	
F.	MFR. OF ELECTRICAL CONTROL PANELS	WESTINGHOUSE	WESTINGHOUSE	WESTINGHOUSE	LETTER HAMMER	LETTER HAMMER	
G.	SUBCONTRACTOR FOR ELECTRICAL WORK	DOBKIN ELECTRIC	DOBKIN ELECTRIC		STROM ELECTRIC	STROM ELECTRIC	
		* FOR NORTHINGTON 21,000 ITEMS FOR 20" PUMP 24,000					
BID SECURITY		AM. SURETY	AM. SURETY	F & D OF MARYLAND	H.B.F. & S. CO.	F & D OF MARYLAND	AM. EMPLOYERS
		WISBAMER, CLARKE & VELLY CONSULTING ENGINEERS BUFFALO N.Y. New York N.Y. A-616					

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

that said purpose is an object or purpose described in Sub-division 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. 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 authorized by Section 81.00 of said Local Finance Law, and such publication shall be in the CHEEKTOWAGA TIMES and the "Depew Herald and Cheektowaga News," newspapers having a general circulation in said Town and which are official newspapers of 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 shall take effect immediately upon its adoption.

Duly put to a vote which resulted as follows:

- Supervisor Holtz, voting Aye.
- Councilman Wroblewski, voting Aye.
- Councilman Bystrak, voting Aye.
- Councilman Nagel, voting Aye.
- Councilman Neibert, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0

The bond resolution published herewith has been adopted on the 30th day of September, 1954 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 provision of law should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

(9-28)

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 SEP 23 1954; last publication SEP 23 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of SEP 30 1954, 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, 1955  
Registered No. 5029

Item No.

\$197

AND DIAL  
HAND

204

EXTRA  
SPECIAL

Shock Resistant  
Proof, Shock Resistant

BULOVA

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

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

*Richard G. Bennett*

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

OCT 1 1954

....., 19.....

*James T. Hanley*

Notary Public in and for Erie County.

hn 52800

BOND ANTICIPATION NOTE RESOLUTION  
DATED SEPTEMBER 20, 1954, AUTHORIZING  
THE ISSUANCE OF \$35,000 BOND ANTICIPATION  
NOTES OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY,  
NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW.

Councilman Wroblewski presented the following resolution  
and moved its adoption:

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

Section 1. The Town of Cheektowaga, in the County of Erie,  
New York, shall issue its Bond Anticipation Notes of the aggregate principal amount  
of Thirty-Five Thousand Dollars (\$35,000) pursuant to the Local Finance Law of New  
York, in order to finance the specific object or purpose hereinafter described in  
anticipation of the issuance of Thirty-Five Thousand Dollars (\$35,000) Serial  
Bonds, authorized by the Bond Resolution entitled "Bond Resolution Dated September  
20, 1954, authorizing the issuance of \$35,000 Serial District (Sewer) District  
No. 5 Bonds of the town of Cheektowaga, in the County of Erie, New York, pursuant  
to the Local Finance Law.

Section 2. The specific purpose (hereinafter referred  
to as "purpose") is the construction of a trunk sewer and the manholes and other  
appurtenances suitable for the operation of such trunk sewer to be connected with the  
existing 24 inch trunk sanitary sewer which is maintained by Sewer District No. 5 at a  
point located 103.7 feet south of the center line of Central Boulevard Extension and 10  
feet west of the east line of the school site of Union Free School District No. 11, and  
to run from such point in an easterly direction for 204 feet and thence in a northerly  
direction at approximately a right angle a distance of 200 feet, and thence easterly  
at approximately a right angle a distance of 340 feet, and thence northerly at  
approximately a right angle a distance of 221.5 feet, and thence easterly at a right  
angle a distance of 325 feet to the westerly line of the Extension of Sewer District  
No. 5, established by the Town Board on February 1, 1954, where it will be connected  
with sanitary sewers to be constructed in such extension, in accordance with an order  
and resolution authorizing said improvements, made by the Town Board of said Town on  
June 7, 1954, pursuant to the provisions of Article 12 of the Town Law of New York  
in order to increase and improve facilities of said Sewer District No. 5.

Section 3. As required by said Local Finance Law, it is hereby  
stated that (a) there are no outstanding Bond Anticipation Notes issued in anticipation  
of the sale of said Serial Bonds and (b) the notes authorized by this resolution are not  
renewal notes and (c) the notes authorized by this resolution shall mature within  
one year from the date of their issue and (d) such notes are not issued in  
anticipation of bonds for an assessable improvement.

Section 4. The power to prescribe the terms, form and contents  
of said Bond Anticipation Notes, subject to the provisions of this resolution and to sell  
and deliver said Bond Anticipation Notes is hereby delegated to the Supervisor. The  
Supervisor is hereby directed to sign and Bond Anticipation Notes issued pursuant  
to this resolution and the Town Clerk is hereby directed to affix to such notes the  
corporate seal of the Town of Cheektowaga, New York.

This resolution shall take effect immediately upon its  
adoption:

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

Supervisor Holtz	Voting AYE
Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE

AYES: -5-      Nones: -0-

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA

BOND ANTICIPATION NOTE OF 1954 \$21,000

The Town of Cheektowaga, in the County of Erie, a  
municipality of the State of New York, hereby acknowledges itself indebted and for  
value received promises to pay to the bearer of this note the sum of

TWENTY-ONE THOUSAND DOLLARS (\$21,000)

on the 1st day of July, 1955, together with interest thereon from the date hereof  
at the rate of Two Per Cent (2%) per annum, payable July 1, 1955, and annually thereafter.

Item No. 7 Cont'd both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

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This note is one of an authorized issue, the aggregate principal amount of which is Thirty-Five Thousand Dollars (\$35,000).

This note is issued pursuant to the provisions of a bond anticipation note resolution, dated September 20, 1954, authorizing the issuance of Bond Anticipation Notes of the Town of Cheektowaga, New York, in the amount of Thirty-Five Thousand Dollars (\$35,000) in anticipation of the sale of Serial Bonds authorized to finance improvements by the construction of a trunk sewer to connect with sanitary sewer to be constructed in Extension of Sewer District No.5, in accordance with Town Board resolution of June 7, 1954.

The faith and credit of such Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Statutes of the State of New York, to exist, to have happened and to have been performed precedent to and in the issuance of this note, have happened and have been performed, and that this note, together with all other indebtedness of such Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this note to be signed by its Supervisor, and its corporate seal to be hereunto affixed and attested by its Town Clerk and this note to be dated as of the 20th day of September, 1954.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK  
BY: Benedict T. Holtz, Supervisor

Attest:  
Kenneth T. Hanley, Town Clerk.

**BOND RESOLUTION DATED SEPTEMBER  
20, 1954 AUTHORIZING THE ISSUANCE  
OF \$60,000 SERIAL SEWER DISTRICT  
NO. 5 BONDS OF THE TOWN OF  
CHEEKTOWAGA, IN THE COUNTY OF ERIE,  
PURSUANT TO THE LOCAL FINANCE LAW.**

**LEGAL NOTICE  
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 Broadway and Union Road, Cheektowaga, New York, in said Town on the 20th day of September, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time.

The meeting was called to order by Supervisor Holtz and the roll being called, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor,  
Felix Wroblewski, Councilman,  
Stanley Bystrak, Councilman,  
Henry Nagel, Councilman,  
Joseph A. Neibert, Councilman.

The following order and resolution was offered by Mr. Neibert who moved its adoption, seconded by Mr. Wroblewski, to wit:

**BOND RESOLUTION  
DATED  
SEPTEMBER 20, 1954, AUTH-  
ORIZING THE ISSUANCE OF  
\$60,000.00 SERIAL SEWER DIS-  
TRICT No. 5 BONDS OF THE  
TOWN OF CHEEKTOWAGA,  
IN THE COUNTY OF ERIE,  
PURSUANT TO THE LOCAL  
FINANCE LAW.**

WHEREAS, Sewer District No. 5, hereinafter described is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, and as such, has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York; and

WHEREAS, said Sewer District No. 5 was by an order duly made by said Town Board on February 1, 1954, extended so as to include certain additional territory within said Town and said order provides that there shall be constructed in said territory a sanitary sewer system consisting of sewer lines and the appurtenances necessary for their operation at locations specified in the map and plan described in said order and the purpose hereinafter described is a special improvement authorized by said Article 12;

**NOW THEREFORE,**

**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 \$60,000.00 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") to be financed by the issuance of such Serial Bonds in the construction of a sanitary sewer system consisting of the sewer lines and the appurtenances necessary for their operation, in the territory included in the extension of said Sewer District No. 5 by said order adopted by the Town Board of said Town on February 1, 1954 in accordance with said order and pursuant to the provisions of Section 194 of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$60,000.00, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose and (c) the Town Board plans to

finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. It is hereby determined that said purpose is an object or purpose described in Sub-division 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. 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 Cheektowaga Times and the Depew Herald and Cheektowaga News newspapers having a general circulation in said Town and which are official newspapers of 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 shall take effect immediately upon its adoption.

Duly put to a vote which resulted as follows:

Supervisor Holtz, Voting Aye,  
Councilman Wroblewski,

Voting Aye,  
Councilman Bystrak, Voting Aye,  
Councilman Nagel, Voting Aye,  
Councilman Neibert, Voting Aye,  
Ayes: 5; Noes: 0; Absent: 0.

The bond resolution published herewith has been adopted on the 20th day of September, 1954 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, New York

Item No. 8 Cont'd Hereto attached is a copy of the notice published  
in the Cheektowaga Times and the Depew Herald-Cheektowaga News:

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, corner Broadway and Union Rd., Cheektowaga, New York, in said Town on the 20th day of September, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time.

The meeting was called to order by Supervisor Holtz and the roll being called, there were:

PRESENT:

Benedict T. Holtz, Supervisor  
Felix Wroblewski, Councilman  
Stanley Bystrak, Councilman  
Henry Nagel, Councilman  
Joseph A. Neibert, Councilman

The following order and resolution was offered by Mr. Neibert who moved its adoption, seconded by Mr. Wroblewski, to wit:

**BOND RESOLUTION**

Bond Resolution Dated September 20, 1954, Authorizing the Issuance of \$60,000.00 Serial Sewer District No. 5 Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law.

WHEREAS, Sewer District No. 5, hereinafter described is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, and as such, has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York; and

WHEREAS, said Sewer District No. 5 was by an order duly made by said Town Board on February 1, 1954, extended so as to include certain additional territory within said Town and said order provides that there shall be constructed in said territory a sanitary sewer system consisting of sewer lines and the appurtenances necessary for their operation at locations specified in the map and plan described in said order and the purpose hereinafter described is a special improvement authorized by said Article 12;

NOW THEREFORE,

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 \$61,000.00 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") to be financed by the issuance of such Serial Bonds is the construction of a sanitary sewer system consisting of the sewer lines and the appurtenances necessary for their operation, in the territory included in the extension of said Sewer District No. 5 by said order adopted by the Town Board of said Town on February 1, 1954 in accordance with said order and pursuant to the provisions of Section 194 of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$60,000.00, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. It is hereby determined that said purpose is an object or purpose described in Sub-division 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. 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 CHEEKTOWAGA TIMES and the "Depew Herald and Cheektowaga News," newspapers having a general circulation in said Town and which are official newspapers of said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial

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 SEP 23 1954; last publication SEP 23 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

SEP 30 1954

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 55  
Registered No. 5029

**BOND RESOLUTION DATED SEPTEMBER 20, 1954 AUTHORIZING THE ISSUANCE OF \$60,000 SERIAL SEWER DISTRICT NO. 5 BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.**

**LEGAL NOTICE  
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 Broadway and Union Road, Cheektowaga, New York, in said Town on the 20th day of September, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time.

The meeting was called to order by Supervisor Holtz and the roll being called, there were:

**PRESENT:**

- Benedict T. Holtz, Supervisor,
- Felix Wroblewski, Councilman,
- Stanley Bystrak, Councilman,
- Henry Nagel, Councilman,
- Joseph A. Neibert, Councilman,

The following order and resolution was offered by Mr. Neibert who moved its adoption, seconded by Mr. Wroblewski, to wit:

**BOND RESOLUTION**

**BOND RESOLUTION DATED SEPTEMBER 20, 1954, AUTHORIZING THE ISSUANCE OF \$60,000.00 SERIAL SEWER DISTRICT NO. 5 BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.**

WHEREAS, Sewer District No. 5, hereinafter described is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, and as such, has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York; and

WHEREAS, said Sewer District No. 5 was by an order duly made by said Town Board on February 1, 1954, extended so as to include certain additional territory within said Town and said order provides that there shall be constructed in said territory a sanitary sewer system consisting of sewer lines and the appurtenances necessary for their operation at locations specified in the map and plan described in said order and the purpose hereinafter described is a special improvement authorized by said Article 12;

**NOW THEREFORE,**

**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 \$60,000.00 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") to be financed by the issuance of such Serial Bonds is the construction of a sanitary sewer system consisting of the sewer lines and the appurtenances necessary for their operation, in the territory included in the extension of said Sewer District No. 5 by said order adopted by the Town Board of said Town on February 1, 1954 in accordance with said order and pursuant to the provisions of Section 194 of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$60,000.00, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose and (c) the Town Board plans to

finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. It is hereby determined that said purpose is an object or purpose described in Sub-division 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. 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 Cheektowaga Times and the Depew Herald and Cheektowaga News newspapers having a general circulation in said Town and which are official newspapers of 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 shall take effect immediately upon its adoption.

Duly put to a vote which resulted as follows:  
Supervisor Holtz, Voting Aye,  
Councilman Wroblewski,

Councilman Bystrak, Voting Aye,  
Councilman Nagel, Voting Aye,  
Councilman Neibert, Voting Aye,  
Ayes: 5; Noes: 0; Absent: 0.

The bond resolution published herewith has been adopted on the 20th day of September, 1954 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, New York

Section 6. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the CHEEKTOWAGA TIMES and the "Depew Herald and Cheektowaga News," newspapers having a general circulation in said Town and which are official newspapers of 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 shall take effect immediately upon its adoption.

Duly put to a vote which resulted as follows:

- Supervisor Holtz, voting Aye.
- Councilman Wroblewski, voting Aye.
- Councilman Bystrak, voting Aye.
- Councilman Nagel, voting Aye.
- Councilman Neibert, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0

The bond resolution published herewith has been adopted on the 20th day of September, 1954 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, New York

(9-23) Cheektowaga, New York

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for.....weeks:  
first publication ..... SEP 23 1954 .....  
last publication ..... SEP 23 1954 .....  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
day of ..... SEP 30 1954 ..... 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 55  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 23rd day of September, 1954 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

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

*Hanley*  
Public in and for Erie County.

EXTRACTS FROM MINUTES  
TOWN BOARD  
At a regular meeting of the  
Town Board of the Town of  
Cheektowaga, Erie County, New  
York, held at the Town Hall, cor-  
ner Broadway and Union Road,  
Cheektowaga, New York, in said  
Town on the 20th day of Septem-  
ber, 1954, at 7:30 o'clock, P.M.  
Eastern Daylight Saving Time.

The meeting was called to order  
by Supervisor Holtz and the roll  
being called, there were:

PRESENT:  
Benedict T. Holtz, Supervisor.  
Felix Wroblewski, Councilman,  
Stanley Bystrak, Councilman,  
Henry Nagel, Councilman,  
Joseph A. Neibert, Councilman.

The following order and resolu-  
tion was offered by Mr. Neibert  
who moved its adoption, seconded  
by Mr. Wroblewski, to wit:  
**BOND RESOLUTION**  
**BOND RESOLUTION DATED**  
**SEPTEMBER 20, 1954. AUTH-**  
**ORIZING THE ISSUANCE OF**  
**\$60,000.00 SERIAL SEWER DIS-**  
**TRICT No. 5 BONDS OF THE**  
**TOWN OF CHEEKTOWAGA,**  
**IN THE COUNTY OF ERIE,**  
**PURSUANT TO THE LOCAL**  
**FINANCE LAW.**

WHEREAS, Sewer District No.  
5, hereinafter described is a sewer  
District of the Town of Cheekto-  
waga, in the County of Erie, duly  
established by the Town Board of  
said Town, and as such, has con-  
structed, maintained and operated  
a sanitary trunk sewer system for  
the collection and disposal of sew-  
age within said District in accord-  
ance with Article 12 of the Town  
Law of New York; and

WHEREAS, said Sewer District  
No. 5 was by an order duly made  
by said Town Board on February  
1, 1954, extended so as to include  
certain additional territory within  
said Town and said order provides  
that there shall be constructed in  
said territory a sanitary sewer  
system consisting of sewer lines  
and the appurtenances necessary  
for their operation at locations  
specified in the map and plan de-  
scribed in said order and the pur-  
pose hereinafter described is a  
special improvement authorized by  
said Article 12;

NOW THEREFORE,  
BE IT RESOLVED by the Town  
Board of the Town of Cheekto-  
waga, in the County of Erie, as  
follows:

Section 1. The Town of Cheek-  
towaga, in the County of Erie,  
shall issue its Serial Bonds of the  
aggregate principal amount of  
\$60,000.00 pursuant to the Local  
Finance Law of New York, in or-  
der to finance the specific purpose  
hereinafter described.

Section 2. The specific purpose  
(hereinafter referred to as "pur-  
pose") to be financed by the issu-  
ance of such Serial Bonds in the  
construction of a sanitary sewer  
system consisting of the sewer lines  
and the appurtenances necessary  
for their operation, in the terri-  
tory included in the extension of  
said Sewer District No. 5 by said  
order adopted by the Town Board  
of said Town on February 1, 1954  
in accordance with said order and  
pursuant to the provisions of Sec-  
tion 194 of the Town Law of New  
York.

Section 3. It is hereby stated  
that (a) the maximum cost of said  
purpose, as estimated by the Town  
Board is \$60,000.00, and (b) no  
money has heretofore been auth-  
orized to be applied to the pay-  
ment of the cost of said purpose  
and (c) the Town Board plans to  
finance the cost of said purpose en-  
tirely from funds raised by the  
issuance of said Serial Bonds, and  
(d) all of such cost is to be paid  
by assessments upon benefited real  
property in an area less than the  
area of said Town.

Section 4. It is hereby determin-  
ed that said purpose is an object  
or purpose described in Sub-divi-  
sion 4 of Paragraph a of Section  
11.00 of the Local Finance Law,  
and that the period of probable  
usefulness of said purpose is thir-  
ty years.

Section 5. It is hereby determin-  
ed 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 51.00 of said  
Local Finance Law, and such pub-  
lication shall be in the Cheekto-  
waga Times and the Depew Herald

BOND ANTICIPATION NOTE RESOLUTION  
DATED SEPTEMBER 20, 1954, AUTHORIZING  
THE ISSUANCE OF \$60,000 BOND ANTICIPATION  
NOTES OF THE TOWN OF CHEEKTOWAGA, NEW  
YORK, IN THE COUNTY OF ERIE, PURSUANT  
TO THE LOCAL FINANCE LAW.

Councilman Weibert presented the following resolution and moved its adoption:

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Bond Anticipation Notes of the aggregate principal amount of Sixty Thousand Dollars, (\$60,000) pursuant to the Local Finance Law of New York, in order to finance the specific object or purpose hereinafter described in anticipation of the issuance of Sixty Thousand Dollars (\$60,000) Serial Bonds authorized by the Bond resolution entitled "Bond Resolution dated September 20, 1954, authorizing the issuance of \$60,000 Serial Sewer District No. 5 Bonds of the Town of Cheektowaga, in the County of Erie, New York, pursuant to the Local Finance Law.

Section 2. The specific purpose (Hereinafter referred to as "purpose" to be financed by the issuance of such Serial Bonds is the construction of a sanitary sewer system consisting of the sewer lines and the appurtenances necessary for their operation, in the territory included in the extension of said Sewer District No. 5, by said order adopted by the Town Board of said Town on February 1, 1954, in accordance with said order and pursuant to the provisions of Section 194 of the Town Law of New York.

Section 3. As required by said Local Finance Law, it is hereby stated that (a) there are no outstanding Bond Anticipation Notes issued in anticipation of the sale of said Serial Bonds and (b) the notes authorized by this resolution are not renewal notes and (c) the notes authorized by this resolution shall mature within one year from the date of their issue and (d) such notes are not issued in anticipation of bonds for an assessable improvement.

Section 4. The power to prescribe the terms, form and contents of said Bond Anticipation Notes, subject to the provisions of this resolution and to sell and deliver said Bond Anticipation Notes is hereby delegated to the Supervisor.

The Supervisor is hereby directed to sign any bond anticipation notes issued pursuant to this resolution and the Town Clerk is hereby directed to affix to such notes the corporate seal of the Town of Cheektowaga, New York.

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 Nagel	" "
Councilman Wroblewski	" "
Councilman Weibert	" "
Councilman Bystrak	" "

Carried: Ayes: -5- Noes: -0-

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA

BOND ANTICIPATION NOTE OF 1954

\$23,000

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this note the sum of

-----TWENTY THREE THOUSAND DOLLARS (\$23,000.00)-----

on the 1st day of July, 1955, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable July 1, 1955, and annually thereafter.

Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This note is one of an authorized issue, the aggregate principal amount of which is Sixty Thousand Dollars (\$60,000.00).

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

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 3100 of said Local Finance Law, and such publication shall be in the Cheektowaga Times and the Depew Herald and Cheektowaga News newspapers having a general circulation in said Town and which are official newspapers of 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 shall take effect immediately upon its adoption.

Duly put to a vote which resulted as follows:

Supervisor Holtz, Voting Aye,  
Councilman Wroblewski,

Voting Aye,  
Councilman Bystrak, Voting Aye,  
Councilman Nagel, Voting Aye,  
Councilman Neibert, Voting Aye,  
Ayes: 5; Noes: 0; Absent: 0.

The bond resolution published herewith has been adopted on the 20th day of September, 1954 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, New York.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy,

was inserted and published therein once a week for

one week, the first insertion being on the

23rd day of September, 1954 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

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

*Hanley*  
Public in and for Erie County.

BOND ANTICIPATION NOTE RESOLUTION  
DATED SEPTEMBER 20, 1954, AUTHORIZING  
THE ISSUANCE OF \$60,000 BOND ANTICIPATION  
NOTES OF THE TOWN OF CHEEKTOWAGA, NEW  
YORK, IN THE COUNTY OF ERIE, PURSUANT  
TO THE LOCAL FINANCE LAW.

207

Councilman Neibert presented the following resolution and moved its adoption:

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Bond Anticipation Notes of the aggregate principal amount of Sixty Thousand Dollars, (\$60,000) pursuant to the Local Finance Law of New York, in order to finance the specific object or purpose hereinafter described in anticipation of the issuance of Sixty Thousand Dollars (\$60,000) Serial Bonds authorized by the Bond resolution entitled "Bond Resolution dated September 20, 1954, authorizing the issuance of \$60,000 Serial Sewer District No. 5 Bonds of the Town of Cheektowaga, in the County of Erie, New York, pursuant to the Local Finance Law.

Section 2. The specific purpose (Hereinafter referred to as "purpose" to be financed by the issuance of such Serial Bonds is the construction of a sanitary sewer system consisting of the sewer lines and the appurtenances necessary for their operation, in the territory included in the extension of said Sewer District No. 5, by said order adopted by the Town Board of said Town on February 1, 1954, in accordance with said order and pursuant to the provisions of Section 194 of the Town Law of New York.

Section 3. As required by said Local Finance Law, it is hereby stated that (a) there are no outstanding Bond Anticipation Notes issued in anticipation of the sale of said Serial Bonds and (b) the notes authorized by this resolution are not renewal notes and (c) the notes authorized by this resolution shall mature within one year from the date of their issue and (d) such notes are not issued in anticipation of bonds for an assessable improvement.

Section 4. The power to prescribe the terms, form and contents of said Bond Anticipation Notes, subject to the provisions of this resolution and to sell and deliver said Bond Anticipation Notes is hereby delegated to the Supervisor.

The Supervisor is hereby directed to sign any bond anticipation notes issued pursuant to this resolution and the Town Clerk is hereby directed to affix to such notes the corporate seal of the Town of Cheektowaga, New York.

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 Nagel	" "
Councilman Wroblewski	" "
Councilman Neibert	" "
Councilman Bystrak	" "

Carried: Ayes: -5- Noes: -0-

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA

BOND ANTICIPATION NOTE OF 1954

\$23,000

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this note the sum of

-----TWENTY THREE THOUSAND DOLLARS (\$23,000.00)-----

on the 1st day of July, 1955, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable July 1, 1955, and annually thereafter.

Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This note is one of an authorized issue, the aggregate principal amount of which is Sixty Thousand Dollars (\$60,000.00).

Item No



**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

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

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... week, the first insertion being on the  
..... day of September, 1954 and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof

*Richard G. Bennett*

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

OCT 1 1954

....., 19.....

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

hn 528800

This note is issued pursuant to the provisions of a bond anticipation note resolution, dated September 20, 1954, authorizing the issuance of bond anticipation notes of the Town of Cheektowaga, New York, in the amount of Sixty Thousand Dollars (\$60,000.00), in anticipation of the sale of serial bonds authorized to finance improvements to Sewer District No. 5 by the construction of a sanitary sewer system consisting of the sewer lines and the appurtenances necessary for their operation, in the territory included in the extension of said Sewer District No. 5, in the Town of Cheektowaga, New York.

The faith and credit of such Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Statutes of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this note, exist, have happened and have been performed, and that this note, together with all other indebtedness of such Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga New York, has caused this note to be signed by its Supervisor, and its corporated seal to be hereunto affixed and attested by its Town Clerk and this note to be date as of the 20th day of September, 1954.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK

By: Benedict T. Holtz  
Supervisor

ATTEST:

Kenneth T. Hanley  
Town Clerk

Item No. 9 PUBLIC HEARING - CEDAR ROAD STREET LIGHT IMPROVEMENT  
FROM SUB LOT NO. 29 TO SUB LOT NO. 118.

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

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, herein-after particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 17th day of September, 1954.

PUBLIC HIGHWAYS TO BE IMPROVED  
NAME OF HIGHWAY  
Cedar Road  
from Sub Lot No. 29 to  
Sub Lot No. 118  
TYPE OF STREET LIGHTING  
INSTALLATION  
Y-19 Standards - Underground  
Conduit

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

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 4th day of October, 1954, at 2:30 p.m., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

Supervisor Holtz, Voting Aye,  
Councilman Nagel, Voting Aye,  
Councilman Wroblewski,  
Councilman Nebert, Voting Aye,  
Councilman Bystrak, Voting Aye.  
Ayes: 5, Nays: 0, Absent: 0.

Posted as follows on the 24th day of September, 1954:

- 1- Post in front of No. 38 Cedar Road;
- 2- Post in front of No. 203 Cedar Road;
- 3- Post in front of No. 163 Cedar Road;
- 4- Post in front of No. 155 Cedar Road;
- 5- Light Post No. 155 Cedar Road/

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

**BOARD OF TOWN OF CHEEKTOWAGA**  
**Public Highways**

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 September, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

**PRESENT:**  
 Benedict T. Holtz, Supervisor  
 Henry J. Nagel, Councilman  
 Felix T. Wroblewski, Councilman  
 Joseph A. Neibert, Councilman  
 Stanley Bystrak, Councilman

**ABSENT:** None

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

**WHEREAS,** a petition for the improvement of both sides of the public highways 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 17th day of September, 1954.

**PUBLIC HIGHWAYS TO BE IMPROVED**  
 Cedar Road, from Sub Lot No. 29 to Sub Lot No. 118.

**TYPE OF STREET LIGHTING INSTALLATION**  
 Y-19 Standards - Underground Conduit.

**WHEREAS,** EDWARD B. JERZEWSKI, ANDREW W. SCHWENK and EUGENE RUDZINSKI, 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 4th day of October, 1954, at 2:30 o'clock P.M., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

**IT IS FURTHER ORDERED** that a copy of this order, certified by the Town Clerk, be published at least once in the Cheektowaga Times, the official newspaper of the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five (5) 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 Nagel and duly put to a vote which resulted as follows:  
 Supervisor Holtz, voting Aye.  
 Councilman Nagel, voting Aye.  
 Councilman Wroblewski, voting Aye.  
 Councilman Neibert, voting Aye.  
 Councilman Bystrak, voting Aye  
**AYES: 5 NOES: 0 ABSENT: 0**

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...~~two~~ weeks:  
 first publication SEP 23 1954  
 last publication SEP 23 1954;  
 and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
 day of SEP 30 1954, 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, 1955  
 Registered No. 5029

STATE OF NEW YORK  
 ERIE COUNTY  
 OFFICE OF THE CLERK SS:  
 OF THE TOWN OF  
 CHEEKTOWAGA

This 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 September, 1954 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 September, 1954.

KENNETH T. HANLEY  
 Clerk of the Town Board,  
 (9-23) Town of Cheektowaga, N. Y.

STATE OF NEW YORK  
COUNTY OF CHEEKTOWAGA

held at the Town Hall, in said Town of Cheektowaga, on the 20th day of September, 1954, at 7:30 o'clock p.m., Eastern Daylight Time, there were:

PRESENT:  
Benedict T. Holtz, Supervisor,  
Henry J. Nagel, Councilman,  
Felix T. Wroblewski, Councilman  
Joseph A. Nelbert, Councilman,  
Stanley R. Bystrak, Councilman,

ABSENT: —0—  
Mr. Bystrak offered the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this

Ord. No. 29 to  
Lot No. 118  
TOWN OF CHEEKTOWAGA  
Y-19 Standards - Underground Conduit

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

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 4th day of October, 1954, at 2:30 p.m., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

Seconded by Councilman Nagel and duly put to a vote which resulted as follows:  
Supervisor Holtz, Voting Aye.  
Councilman Nagel, Voting Aye.  
Councilman Wroblewski, Voting Aye.  
Councilman Nelbert, Voting Aye.  
Councilman Bystrak, Voting Aye.  
Ayes: 5, Noes: 0; Absent: 0.

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

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 20th day of September, 1954.  
KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 27th day of September, 1954, 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 \_\_\_\_\_, 19\_\_\_\_

*Hanley*  
public in and for Erie County.

Original resolution now on file in this office, and which was passed by the Town Board of Cheektowaga, Erie County, New York, on \_\_\_\_\_, September, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

## LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, corner Union Road and Broadway, Cheektowaga, Erie County, New York, on the 20th day of September, 1954 at 7:30 o'clock, P.M. Eastern Daylight Saving Time there were:

## PRESENT:

Benedict T. Holtz, Supervisor,  
Stanley A. Bystrak, Councilman,  
Henry Nagel, Councilman,  
Joseph A. Neibert, Councilman,  
Felix T. Wroblewski,  
Councilman,

## ABSENT: —0—

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting on the 16th day of August, 1954 adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on the 13th day of September, 1954 at 2:30 o'clock, P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of adopting an Ordinance to be known as Ordinance No. 3 of the General Ordinances of the Town of Cheektowaga, New York, and

WHEREAS, at such meeting held on the 13th day of September, 1954 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 best interests to adopt the following ordinance to be known as Ordinance No. 3, of the General Ordinances of the Town of Cheektowaga, New York, and

WHEREAS, notice of said meeting was duly published in the Cheektowaga Times and the Depew Herald and Cheektowaga News, official newspapers of the Town of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, as shown by the affidavit of publication filed in the Town Clerk's Office, and the Town Clerk post or caused to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of the resolution not less than ten (10) days nor more than twenty (20) prior to the date of the hearing, be it

RESOLVED, that the following Ordinance be adopted to be known as General Ordinance No. 3, of the Town of Cheektowaga, New York.

## ORDINANCE NO. 3

No person, firm or corporation shall enter upon any Town property, or any portion of the right of way of a Town Highway, for the purpose of making an excavation for any purpose unless authorized to do so in writing, by the Building and Plumbing Inspector, as well as by the Town Highway Superintendent.

Applications for such permit must be made in writing and shall set forth the name of the owner, or owners of the abutting property where the excavation is intended to be made; the exact location of the excavation, its width and depth and the reason therefor and what arrangements have been made to fill in the excavation, the method of guarding the same and such other information as may be requested by the Building and Plumbing Inspector and the Town

Highway Superintendent to protect the public using the Town property or said highway.

The fee for the issuance of such permit shall be \$50.00. In addition to such fee the applicant shall execute and file with his application a surety bond in the sum of \$1000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after the permit is issued.

"A" Any person, firm or corporation may file a surety bond in the sum of \$20,000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after permit is issued, in which event no further bond shall be required for additional permits. Same must be renewed on the first day of January of each year.

In addition thereto the applicant must agree to properly barricade the excavation so as to prevent any person from suffering injury to person or property by reason of such excavation.

The applicant must further agree in writing to protect the Town of Cheektowaga, from any claim of damage being made for injury to person or property by reason of such excavation and to save the Town harmless from any such claim or demand.

The applicant must agree that if the Town of Cheektowaga is obliged to pay any claim for damage caused by such excavation that the Town be promptly reimbursed by him for the amount thereof, whether such amount is reached by way of a compromise of the claim or demand or by a judgment of a Court of competent jurisdiction.

Nothing herein contained is intended to in anywise repeal any existing provision of the Plumbing and Draining Ordinances or the Building Code of the Town of Cheektowaga.

Any person, firm or corporation whether he be owner, contractor, sub-contractor or employee of the owner, contractor or sub-contractor violating the provisions of this Ordinance shall be punished by a fine not to exceed \$50.00 or by imprisonment for a term not exceeding six months.

BE IT FURTHER 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 Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers having general circulation in said Town, and being the official newspapers thereof. 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 days (10) after such publication and posting, but such ordinance shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk and showing the date

of its passage and entry into the minutes.

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

Supervisor Holtz, Voting Aye,  
Councilman Nagel, Voting Aye,  
Councilman Wroblewski,

Voting Aye,

Councilman Neibert, Voting Aye  
Councilman Bystrak, Voting Aye,  
Ayes: 5; Noes: 0; Absent: 0.

State of New York )

Erie County ) ss:

Office of the Clerk of the )

Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 20th day of September, 1954, 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, 1954.

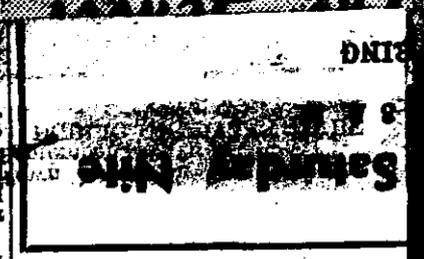
KENNETH T. HANLEY,

Clerk of the Town Board

s23 Town of Cheektowaga, N. Y.

Mr. Edward Krause, a DHS Eng-  
th teacher and a Naval Reser-  
st, has been on a temporary ac-  
ve duty tour at Quonset Point,  
ode Island. He will return to  
s teaching duties next week.  
Jane Stapleton, a senior in the  
Face Work Program, has been  
employed on a part-time basis in  
G  
R  
It

**DEPEW SCHOOL NEWS**



ll hand we have about 30 girls  
our organization and will need  
very one of them whenever any  
parade projects arise for our  
school.  
This year the sixth graders have  
een allowed to join the cheer-  
eading group. We are practicing  
ur old cheers and adding new  
nes. We have some new pep  
ongs and you'll be hearing them  
on. And you'll be seeing new

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... week, the first insertion being on the  
..... day of *September*, 19*54*, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

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

*OCT 1 1954*, 19.....

*Kenneth J. Hasler*  
Notary Public in and for Erie County.

IN 52 0000

## LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, corner Union Road and Broadway, Cheektowaga, Erie County, New York, on the 20th day of September, 1954 at 7:30 o'clock, P.M. Eastern Daylight Saving Time there were:

## PRESENT:

Benedict T. Holtz, Supervisor,  
Stanley A. Bystrak, Councilman,  
Henry Nagel, Councilman,  
Joseph A. Neibert, Councilman,  
Felix T. Wroblewski,  
Councilman,

## ABSENT: —0—

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting on the 16th day of August, 1954 adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on the 13th day of September, 1954 at 2:30 o'clock, P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of adopting an Ordinance to be known as Ordinance No. 3 of the General Ordinances of the Town of Cheektowaga, New York, and

WHEREAS, at such meeting held on the 13th day of September, 1954 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 best interests to adopt the following ordinance to be known as Ordinance No. 3, of the General Ordinances of the Town of Cheektowaga, New York, and

WHEREAS, notice of said meeting was duly published in the Cheektowaga Times and the Depew Herald and Cheektowaga News, official newspapers of the Town of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, as shown by the affidavit of publication filed in the Town Clerk's Office, and the Town Clerk post or caused to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of the resolution not less than ten (10) days nor more than twenty (20) prior to the date of the hearing, be it

RESOLVED, that the following Ordinance be adopted to be known as General Ordinance No. 3, of the Town of Cheektowaga, New York.

## ORDINANCE NO. 3

No person, firm or corporation shall enter upon any Town property, or any portion of the right of way of a Town Highway, for the purpose of making an excavation for any purpose unless authorized to do so in writing, by the Building and Plumbing Inspector, as well as by the Town Highway Superintendent.

Applications for such permit must be made in writing and shall set forth the name of the owner, or owners of the abutting property where the excavation is intended to be made; the exact location of the excavation, its width and depth and the reason therefor and what arrangements have been made to fill in the excavation, the method of guarding the same and such other information as may be requested by the Building and Plumbing Inspector and the Town

Highway Superintendent to protect the public using the Town property or said highway.

The fee for the issuance of such permit shall be \$50.00. In addition to such fee the applicant shall execute and file with his application a surety bond in the sum of \$1000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after the permit is issued.

"A" Any person, firm or corporation may file a surety bond in the sum of \$20,000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after permit is issued, in which event no further bond shall be required for additional permits. Same must be renewed on the first day of January of each year.

In addition thereto the applicant must agree to properly barricade the excavation so as to prevent any person from suffering injury to person or property by reason of such excavation.

The applicant must further agree in writing to protect the Town of Cheektowaga, from any claim of damage being made for injury to person or property by reason of such excavation and to save the Town harmless from any such claim or demand.

The applicant must agree that if the Town of Cheektowaga is obliged to pay any claim for damage caused by such excavation that the Town be promptly reimbursed by him for the amount thereof, whether such amount is reached by way of a compromise of the claim or demand or by a judgment of a Court of competent jurisdiction.

Nothing herein contained is intended to in anywise repeal any existing provision of the Plumbing and Draining Ordinances or the Building Code of the Town of Cheektowaga.

Any person, firm or corporation whether he be owner, contractor, sub-contractor or employee of the owner, contractor or sub-contractor violating the provisions of this Ordinance shall be punished by a fine not to exceed \$50.00 or by imprisonment for a term not exceeding six months.

BE IT FURTHER 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 Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers having general circulation in said Town, and being the official newspapers thereof. 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 days (10) after such publication and posting, but such ordinance shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk and showing the date

of its passage and entry into the minutes.

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

Supervisor Holtz, Voting Aye,  
Councilman Nagel, Voting Aye,  
Councilman Wroblewski,

Councilman Neibert, Voting Aye,  
Councilman Bystrak, Voting Aye,  
Ayes: 5; Noes: 0; Absent: 0.  
State of New York )  
Erie County ) ss:  
Office of the Clerk of the )  
Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 20th day of September, 1954, 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, 1954.

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

s23

Item No. 10 Cont'd

Posted as follows on the 28th day of September, 1954:

1- Town Hall Bulletin Board.

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

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

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

Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga, in said County of Erie, on the 20th day of September, 1954 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 September, 1954.

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

(SEAL)

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 SEP 23 1954; last publication SEP 23 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of SEP 30 1954, 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, 1955  
Registered No. 5029

The Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on the 20th day of September, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were:

PRESENT:

Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Henry J. Nagel, Councilman  
Joseph A. Neibert, Councilman  
Melix T. Wroblewski, Councilman

ABSENT: None

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting on the 16th day of August, 1954 adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on the 13th day of September, 1954, at 2:30 o'clock, P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of adopting an Ordinance to be known as Ordinance No. 3 of the General Ordinances of the Town of Cheektowaga, New York, and

WHEREAS, at such meeting held on the 13th day of September, 1954 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 best interests to adopt the following ordinance to be known as Ordinance No. 3, of the General Ordinances of the Town of Cheektowaga, New York; and

WHEREAS, notice of said meeting was duly published in the CHEEKTOWAGA TIMES and the "Depew Herald and Cheektowaga News," official newspapers of the Town of Cheektowaga, not less than ten (10) no more than twenty (20) days prior to the date of the hearing, as shown by the affidavit of publication filed in the Town Clerk's Office, and the Town Clerk posted or caused to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of the resolution not less than ten (10) days nor more than twenty (20) days prior to the date of the hearing, be it

RESOLVED, that the following Ordinance be adopted to be known as General Ordinance No. 3, of the Town of Cheektowaga, New York.

ORDINANCE #3

No person, firm or corporation shall enter upon any Town property, or any portion of the right of way of a Town Highway, for the purpose of making an excavation for any purpose unless authorized to do so in writing, by the Building and Plumbing Inspector, as well as by the Town Highway Superintendent.

Applications for such permit must be made in writing and shall set forth the name of the owner, or owners of the abutting property where the excavation is intended to be made; the exact location of the excavation, its width and depth and the reason therefor and what arrangements have been made to fill in the excavation, the method of guarding the same and such other information as may be requested by the Building and Plumbing Inspector and the Town Highway Superintendent to protect the public using the Town property or said highway.

The fee for the issuance of such permit shall be \$50.00. In addition to such fee the applicant shall execute and file with his application a surety bond in the sum of \$1,000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made within thirty days after the permit is issued.

"A" Any person, firm or corporation may file a surety bond in the sum of \$20,000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after permit is issued, in which event no further bond shall be required for additional permits. Same must be renewed on the first day of January of each year.

In addition thereto the applicant must agree to properly barricade the excavation so as to prevent any person from suffering injury to person or property by reason of such excavation.

The applicant must further agree in writing to protect the Town of Cheektowaga, from any claim of damage being made for injury to person or property by reason of such excavation and to save the Town

STATE OF NEW YORK  
COUNTY OF CHEEKTOWAGA

York, New York, at the Town Hall, corner Union Road and Broadway, Cheektowaga, Erie County, New York, on the 20th day of September, 1954 at 7:30 o'clock, P.M. Eastern Daylight Saving Time there were:

**PRESENT:**  
Benedict T. Holtz, Supervisor,  
Stanley A. Bystrak, Councilman,  
Henry Nagel, Councilman,  
Joseph A. Nelbert, Councilman,  
Felix T. Wroblewski, Councilman.

**ABSENT:** -0-

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting on the 16th day of August, 1954 adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York;

WHEREAS, at such meeting held on the 13th day of September, 1954 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 best interests to adopt the following ordinance to be known as Ordinance No. 3, of the General Ordinances of the Town of Cheektowaga, New York, and

WHEREAS, notice of said meeting was duly published in the Cheektowaga Times and the Depew Herald and Cheektowaga News, official newspapers of the Town of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, as shown by the affidavit of publication filed in the Town of Cheektowaga, New York, and

RESOLVED, that the following Ordinance be adopted to be known as General Ordinance No. 3, of the Town of Cheektowaga, New York.

**ORDINANCE NO. 3**  
No person, firm or corporation shall enter upon any Town property, or any portion of the right of way of a Town Highway, for the purpose of making an excavation for any purpose unless authorized to do so in writing, by the Building and Plumbing Inspector, as well as by the Town Highway Superintendent.

Applications for such permit must be made in writing and shall set forth the name of the owner, or owners of the abutting property where the excavation is intended to be made; the exact location of the excavation, its width and depth and the reason therefor and what arrangements have been made to fill in the excavation, the method of guarding the same and such other information as may be requested by the Building and Plumbing Inspector and the Town Highway Superintendent to protect the public using the Town property or said highway.

The fee for the issuance of such permit shall be \$50.00. In addition to such fee the applicant shall execute and file with his application a surety bond in the sum of \$1000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after the permit is issued.

"A" Any person, firm or corporation may file a surety bond in the sum of \$20,000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 23rd day of September, 1954, 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 \_\_\_\_\_, 19\_\_\_\_

*Wankley*  
\_\_\_\_\_ lic in and for Erie County.

Item No. 10 Cont'd

Posted as follows on the 28th day of September, 1954:

1- Town Hall Bulletin Board.

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

**Excavation.**

The applicant must further agree in writing to protect the Town of Cheektowaga, from any claim of damage being made for injury to person or property by reason of such excavation and to save the Town harmless from any such claim or demand.

The applicant must agree that if the Town of Cheektowaga is obliged to pay any claim for damage caused by such excavation that the Town be promptly reimbursed by him for the amount thereof, whether such amount is reached by way of a compromise of the claim or demand or by a judgment of a Court of competent jurisdiction.

Nothing herein contained is intended to in anywise repeal any existing provision of the Plumbing and Drainage Ordinances or the Building Code of the Town of Cheektowaga.

Any person, firm or corporation, whether he be owner, contractor, sub-contractor or employee of the owner, contractor or sub-contractor violating the provisions of this Ordinance shall be punished by a fine not to exceed \$50.00 or by imprisonment for a term not exceeding six months.

Be IT FURTHER 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 CHEEKTOWAGA TIMES and the "Depew Herald and Cheektowaga News," newspapers having general circulation in said Town, and being the official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a sign-board 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.

day of SEP 30 1954, 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, 1955  
Registered No. 5029

"A" Any person, firm or corporation may file a surety bond in the sum of \$20,000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after permit is issued, in which event no further bond shall be required for additional permits. Same must be renewed on the first day of January of each year.

In addition thereto the applicant must agree to properly barricade the excavation so as to prevent any person from suffering injury to person or property by reason of such excavation.

The applicant must further agree in writing to protect the Town of Cheektowaga from any damage or injury...

that if the Town of Cheektowaga is obliged to pay any such excavation that the Town be promptly reimbursed by him for the amount thereof, whether such amount is reached by way of a compromise of the claim or demand or by a judgment of a Court of competent jurisdiction.

Nothing herein contained is intended to in anywise repeal any existing provision of the Plumbing and Draining Ordinances or the Building Code of the Town of Cheektowaga.

Any person, firm or corporation whether he be owner, contractor, sub-contractor or employee of the owner, contractor or sub-contractor violating the provisions of this Ordinance shall be punished by a fine not to exceed \$50.00 or by imprisonment for a term not exceeding six months.

BE IT FURTHER 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 Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers having general circulation in said Town, and being the official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a sign-board 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 days (10) after such publication and posting, but such ordinance shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

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

Voting Aye,  
 Councilman Neibert, Voting Aye  
 Councilman Bystrak, Voting Aye,  
 Ayes: 5; Noes: 0; Absent: 0.  
 State of New York )  
 Erie County ) ss:  
 Office of the Clerk of the )  
 Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and have passed on by me, the Clerk of the Town of Cheektowaga, in said County of Erie, a true and correct copy of such original resolution and the within copy thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 20th day of August, 1954.  
 KENNETH T. HANLEY,  
 Clerk of the Town Board  
 Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for

one week, the first insertion being on the 23rd day of September, 1954, 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 \_\_\_\_\_

19\_\_\_\_

*Hanley*  
 in and for Erie County.

Item No. 10 Cont'd

Posted as follows on the 28th day of September, 1954:

1- Town Hall Bulletin Board.

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

excavation.

The applicant must further agree in writing to protect the Town of Cheektowaga, from any claim of damage being made for injury to person or property by reason of such excavation and to save the Town harmless from any such claim or demand.

The applicant must agree that if the Town of Cheektowaga is obliged to pay any claim for damage caused by such excavation that the Town be promptly reimbursed by him for the amount thereof, whether such amount is reached by way of a compromise of the claim or demand or by a judgment of a Court of competent jurisdiction.

Nothing herein contained is intended to in anywise repeal any existing provision of the Plumbing and Drainage Ordinances or the Building Code of the Town of Cheektowaga.

Any person, firm or corporation, whether he be owner, contractor, sub-contractor or employee of the owner, contractor or sub-contractor violating the provisions of this Ordinance shall be punished by a fine not to exceed \$50.00 or by imprisonment for a term not exceeding six months.

Be IT FURTHER 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 CHEEKTOWAGA TIMES and the "Depew Herald and Cheektowaga News," newspapers having general circulation in said Town, and being the official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a sign-board 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.

day of SEP 30 1954, 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, 1955  
Registered No. 5029

him for the amount thereof, whether such amount is reached by way of a compromise of the claim or demand or by a judgment of a Court of competent jurisdiction.

Nothing herein contained is intended to in anywise repeal any existing provision of the Plumbing and Draining Ordinances or the Building Code of the Town of Cheektowaga.

Any person, firm or corporation whether he be owner, contractor, sub-contractor or employee of the owner, contractor or sub-contractor violating the provisions of this Ordinance shall be punished by a fine not to exceed \$50.00 or by imprisonment for a term not exceeding six months.

BE IT FURTHER 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 Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers having general circulation in said Town, and being the official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a sign-board 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 days (10) after such publication and posting, but such ordinance shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

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

Supervisor Holtz, Voting Aye,  
Councilman Nagel, Voting Aye,  
Councilman Wroblewski, Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Bystrak, Voting Aye,  
Ayes: 5.

314 Wende Road  
Telephone:  
Mrs. Gertu

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 29th day of September, 1954, and 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

....., 19.....  
*Kenneth T. Hanley*  
Notary Public in and for Erie County.  
tn 51 7779

This being the time and the place advertised for a public hearing for the improvement of both sides of Mansion Street, for its entire length as follows; Mansion Street, commencing at William Street to Stradtman Street, by the construction of curbs, together with the installation of receivers and necessary underground drains. The Town Clerk presented proof of the publication of the Notice of hearing.

No one appearing in opposition to the proposed improvement of Mansion Street, the Chairman ordered the hearing closed and the decision was reserved.

Item No. 12 This being the time and the place advertised for a public hearing on the Special Districts Budget and Assessment Roll for the year 1955, the Supervisor directed the Town Clerk to present proof of the publication of the Notice of the Hearing. The Town Clerk presented proof that the notice was duly published and posted as required by law.

Supervisor Holts then asked if there was anyone present who wished to speak against the Special Districts Budget and Assessment Roll.

No objections were heard.

Councilman Nagel moved, seconded by Councilman Wroblewski, that the Public Hearing be closed and that the decision be reserved, until September 23, 1954, at 2:00 P.M., E.D.S.T.

The Town Attorney requested that the following be read by the Town Clerk;

In the Matter of the Assessment  
of the Right of Way  
of

Niagara Mohawk Power Corporation  
in the Town of Cheektowaga, County  
of Erie and State of New York,  
in Sewer District 5 and in the  
Extension of said District No. 5,  
for the years 1954 and 1955

TO THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA:

The NIAGARA MOHAWK POWER CORPORATION, a corporation organized and existing under and by virtue of the laws of the State of New York, objects to and protests any assessment against its right of way in Sanitary Sewer No. 5 or in the extension of said district.

Last summer we understood that our assessment in Sanitary Sewer District No. 5 for the year 1954 was to be 87,116 square feet, the same as it had been in the preceding year. Thereafter, and without notice to us, our right of way, which was dedicated to the public service, was assessed in Sanitary Sewer District No. 5 at 2,326,655 square feet and at 352,725 square feet in the extension of said district. The first notice we had of this assessment was the tax on the county roll for the year 1954. Taxes on these assessments were paid under protest and amounted to \$3,195.02 and \$353.56 respectively, a total of \$3,548.58

At the time District 5 was created it was determined by the officials of the Town of Cheektowaga that our right of way would derive no benefit from the creation of the sewer district and it was directed that no assessment should be levied against our right of way. No assessment was levied at that time or in any of the succeeding years until last year, as stated above.

We are informed that these assessments are being tentatively levied against our property for the assessment year 1955.

FIRST OBJECTION

The original decision that our Company's right of way derived no benefit from Sanitary Sewer District 5 is res adjudicata as between the parties and any attempt to reopen this decision is illegal, erroneous and void.

SECOND OBJECTION

The additional assessments were, and are, against a strip of land used exclusively as a right of way. This type of property, as a matter of law, cannot be benefited by a sanitary sewer district. In this connection see the case of People ex rel N.Y.C. R.R. Co. v. Limburg 283 N.Y. 344.

On information and belief, the right of way of the various railroads in the Town of Cheektowaga has been, and continues to be, exempted from taxation in these districts and we protest against this discriminatory treatment.

WHEREFORE, complainant prays:

1. That the assessment of 2,325,655 square feet in Sanitary Sewer 5 and the assessment of 352,725 square feet in Sanitary Sewer 5 Extension against this Company's right of way, dedicated to the public use, be set aside, withdrawn and canceled on the current tax roll for the year 1955.

2. That the Town Board initiate an application to the Board of Supervisors of the County of Erie to refund the total of last year's erroneous and illegal taxes amounting to \$3,548.58 to this Company.

NIAGARA MOHAWK POWER CORPORATION

By Esther Scharman  
Tax Attorney

Item No. 13 Councilman Wroblewski 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 South Line Volunteer Fire Company, a membership company incorporated under the Laws of the State of New York, with an office at their fire house, French Road, Town of Cheektowaga, New York, has offered in writing to enter into a contract with the Town of Cheektowaga, New York, to furnish adequate Fire Protection for Fire Protection District No. 3 for a period of five years commencing January 1, 1955, and ending December 31, 1959, in consideration of receipt from the Town of Cheektowaga, New York, the sum of Eighteen Hundred Dollars (\$1800) per year, said payment to be made to the South Line Volunteer Fire Company on the 1st day of March of each year, and

WHEREAS, the said South Line Volunteer Fire Company states that it has adequate and suitable fire fighting apparatus and equipment, as well as sufficient membership and personal to enable it to furnish suitable and adequate fire protection to the property located within said Fire Protection District No. 3 and

WHEREAS, it is essential to provide fire protection to said Fire Protection District by entering into a contract with a Fire District or Fire Company capable of providing suitable or adequate fire protection to the property within the boundaries of said Fire Protection District;

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board meet at the Town Hall on the 4th day of October, 1954 at 2:30 o'clock P.M. Eastern Standard Time, for the purpose of considering the advisability of entering into a contract with said South Line Volunteer Fire Company to provide fire protection 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 Cheektowaga "Times" and the Depew Herald and Cheektowaga News, newspapers having general circulation within said Fire Protection District and being the official newspapers of the Town of Cheektowaga, New York, 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 Nagel and duly put to a vote which resulted as follows:

Supervisor Holtz,	Voting Aye
Councilman Nagel,	Voting Aye
Councilman Neibert,	Voting Aye
Councilman Bystrak,	Voting Aye
Councilman Wroblewski,	Voting Aye

AYES: -5-

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 held 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 4th day of October, 1954, at 2:30 o'clock P. M. Eastern Standard Time, for the purpose of considering the advisability of entering into a 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, 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 of the Holland Land Company's survey.

and the hearing of persons interested in the subject thereof concerning the same. That the terms of said contract to be considered at such public hearing are substantially 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 Protection District No. 3.

The South Line Volunteer Fire Company agrees that it will throughout the term of the contract furnish adequate, suitable and prompt fire protection to the said fire 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 person or property therefrom.

In consideration of providing said service to said Fire Protection District No. 3 the Town of Cheektowaga will agree on behalf of said Fire Protection District No. 3 that it will pay to the South Line Volunteer Fire Company, the sum of Eighteen Hundred Dollars (\$1800.00) a year for a period of five (5) years, commencing January 1, 1955 and ending December 31, 1959, 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 1st of each year.

Dated: September 20, 1954.

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

**KENNETH T. HANLEY,**

Item No. 13 Cont'd At a regular meeting of the South Line Volunteer Fire Company, 212  
a membership company incorporated under the Laws of the State of New York, held at  
their fire house, French Road, Town of Cheektowaga, New York, on September 7, 1954,  
the following resolution was presented and adopted:

RESOLVED, that the South Line Volunteer Fire Company having  
sufficient amount of equipment, personnel and membership to furnish adequate fire  
protection for Fire Protection District #3, in the Town of Cheektowaga,

THEREFORE, be it further resolved that the South Line  
Volunteer Fire Company agree to enter into a contract with the Town of Cheektowaga  
to furnish adequate fire protection for Fire Protection District #3, Town of  
Cheektowaga, New York, for a period of five years beginning January 1, 1955, for  
the consideration of eighteen hundred dollars (\$1,800.00) per year.

This is to certify that I am the duly elected Secretary  
of the South Line Volunteer Fire Company and was and am acting as such at the time  
of the adoption of the above resolution which I also certify that it is a true and  
accurate copy of the resolution duly passed at the above meeting.

Harold W. Sager

Subscribed and Sworn to  
before me this 10th day of  
September, 1954

Harvey H. Monin

Notary Public.

The Notice of the Hearing to provide fire protection was  
posted as follows on the 24th day of September, 1954;

- 1- Telephone Pole No. 105 on Losson Road;
- 2- Telephone Pole No. 100 on Losson Road;
- 3- Telephone Pole No. 240 on French and Borden Road;
- 4- Bulletin Board-South Line Fire House on French Road;
- 5- Telephone Pole No. 90 on French Road.

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

**NOTICE OF PUBLIC HEARING FOR FIRE PROTECTION DISTRICT No. 3, TOWN OF CHEEKTOWAGA, NEW YORK.**

NOTICE IS HEREBY GIVEN that there will be a public hearing held 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 4th day of October, 1954, at 2:30 o'clock P.M. Eastern Standard Time, for the purpose of considering the advisability of entering into a 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, 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 of the Holland Land Company's survey.

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

**Terms of Contract**

**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 Protection District No. 3.  
The South Line Volunteer Fire Company agrees that it will throughout the term of the contract furnish adequate, suitable and prompt fire protection to the said fire 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 person or property therefrom.

in consideration of providing said service to said Fire Protection District No. 3 the Town of Cheektowaga will agree on behalf of said Fire Protection District No. 3 that it will pay to the South Line Volunteer Fire Company, the sum of Eighteen Hundred Dollars (\$1800.00) a year for a period of five (5) years, commencing January 1, 1955 and ending December 31, 1959, 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 1st of each year.

Dated: September 20, 1954  
By order of the Town Board of the Town of Cheektowaga, New York,  
**KENNETH T. HANLEY**  
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 week; first publication SEP 23 1954; last publication SEP 23 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this SEP 30 1954 day of SEP 30 1954, 1954

*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, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

NOTICE IS HEREBY GIVEN, that there will be a public hearing held 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 4th day of October, 1954, at 2:30 o'clock P. M. Eastern Standard Time, for the purpose of considering the advisability of entering into a 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, 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 of the Holland Land Company's survey.

and the hearing of persons interested in the subject thereof concerning the same. That the terms of said contract to be considered at such public hearing are substantially 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

service to said Fire Protection District No. 3 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 person or property therefrom.

In consideration of providing said service to said Fire Protection District No. 3 the Town of Cheektowaga will agree on behalf of said Fire Protection District No. 3 that it will pay to the South Line Volunteer Fire Company, the sum of Eighteen Hundred Dollars (\$1800.00) a year for a period of five (5) years, commencing January 1, 1955 and ending December 31, 1959, 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 1st of each year.

Dated: September 20, 1954.

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

KENNETH T. HANLEY,  
Town Clerk

NYT

that he is the

of the

Cheektowaga  
News

sw, Town of Cheek-

notice of which the

newspaper, is a copy,

once a week for

insertion being on the

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been any two publi-

.....

.....

Sworn to before me this

*[Signature]*  
Notary Public

NY-51-6630

STATE OF NEW YORK  
COUNTY OF ERIE

As a prelude to class elections, student council elections took place last week. The results are as follows: Representatives: Seniors: Joan Lambell, Richard Wozniak, Robert O'Shaughnessy, Juniors: Nancy Choops, John Podstad, Seniors: Nancy Choops, John Podstad, Junior Varsity: Beverly Hamner, Patricia McCoy, Judy Jasnau, Charlene Depierre, Marie Depierre, Joan Lates, and Pat Schick. After a tryout before a faculty committee, the following cheerleaders were chosen: Varsity: Jaudia Hubert, Marlene Kuehnig, Elaine Depierre, Marie Depierre, and Joan Lates. The affair also served to open the season for Pine Hill High School. The first football game is scheduled for Saturday, Sept. 25th, at 7:30 p.m. The affair also serves to open the season for Pine Hill High School. The first football game is scheduled for Saturday, Sept. 25th, at 7:30 p.m. The affair also serves to open the season for Pine Hill High School. The first football game is scheduled for Saturday, Sept. 25th, at 7:30 p.m.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 23rd day of September, 1957, 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 23rd day of September, 1957

*Francis Hanley*  
Notary Public in and for Erie County.  
NY-21080

the 15th day of August, 1934, for the purpose of considering the application of Carl Fassel for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 15th day of September, 1934, having rendered its decision granting the application of Carl Fassel to rezone from Residential District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly reported to the Town Board at a public hearing on the 20th day of September, 1934,

IT IS RESOLVED, that the decision of the Zoning Board of Appeals granting the application of Carl Fassel to rezone premises from Residential District to Business District be and the same is hereby approved.

NOW, THEREFORE,

IT IS ORDERED by this Town Board that the Ordinance adopted December 31, 1932, and as amended entitled "Zoning Ordinance" be and the same hereby amended by changing the Zoning Map so as to change the following described property from that of Residential District to Business District:

DESCRIPTION  
 Lots 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

1- Town Hall Bulletin Board.

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

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

WHEREAS, the Zoning Board of Appeals held a public hearing on the 11th day of August, 1954, for the purpose of considering the application of Carl Fassel for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 18th day of September, 1954, having rendered its decision granting the application of petitioner to rezone from Residential District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 20th day of September, 1954.

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

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance," 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

Lots No. 23 and 24, Map Cover No. 1230, Beverly Hills Sub - Division, 84.70 feet frontage on Genesee Street 42 feet west of East Grand Boulevard, 168.07 feet in depth.

(No. 2845 Genesee Street)

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

Dated: September 20, 1954 (9-23)

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~~ <sup>one</sup> week;  
first publication SEP 23 1954  
last publication SEP 23 1954

and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of SEP 30 1954, 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, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

Herald and News

... a public hearing on the 11th day of August, 1954, for the purpose of considering the application of Carl Fassel for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 18th day of September, 1954, having rendered its decision granting the application of petitioner to rezone from Residential District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 20th day of September, 1954,

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

NOW, THEREFORE, BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended entitled "Zoning Ordinance" 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

Lots No. 23 and 24, Map Cover No. 1230 Beverly Hills Sub-Division 84.70 feet frontage on Genesee Street, 42 feet west of East Grand Boulevard, 168.07 feet in depth. (No. 2845 Genesee Street).

Dated: September 20, 1954.  
KENNETH T. HANLEY,  
Town Clerk, Town of Cheektowaga, New York

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 29th day of September, 1954, 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 \_\_\_\_\_, 19\_\_\_\_\_

*Kenneth T. Hanley*  
\_\_\_\_\_ public in and for Erie County.

Item No. 15    ANTHONY KAJDASZ REZONING

Councilman Nagel presented the following resolution and moved its adoption: 015

RESOLVED, that the application of Anthony Kajdasz to rezone the southwest corner of William and Frederick Street from residential district to business district be granted.

No second on the motion, motion lost.

Councilman Bystrak moved, seconded by Supervisor Holtz, WHEREAS, the Zoning Board of Appeals has recommended that the application of Anthony Kajdasz to rezone the southwest corner of William and Frederick Street from residential district to business district, be denied, that this Town Board does hereby adhere to the recommendation of the Zoning Board of Appeals, that the same be denied.

Duly put to a vote which resulted as follows:

Councilman Nagel	Voting NAYE
Councilman Wroblewski	Voting PRESENT
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

Carried: Ayes: -3-    Nays: -1-    Present: -1-

Item No. 16 Councilman Neibert moved, seconded by Councilman Wroblewski, that the recommendation of the Zoning Board of Appeals to deny the application of Chester Walczak to rezone the south-east corner of William and Andrew Streets be upheld.  
Carried: Ayes: -5-.

Item No. 17 Councilman Wroblewski moved, seconded by Councilman Neibert, that the Town Board confirm the following decision of the Zoning Board of Appeals:

**IN THE MATTER OF THE APPLICATION OF  
CRESBURY CLOTHES., INC., FOR A VARIANCE  
OF THE ZONING ORDINANCES**

The petitioner, Cresbury Clothes, Inc., constructed a building on the north side of Walden Avenue near its intersection with Harlem Road. There is some land located between the property acquired by Cresbury Clothes, Inc. and New Walden Avenue belonging either to the State, the County or the Town; it was part of the Walden Avenue right of way before Walden Ave. was re-routed. The land is not now used for highway purposes, but the State Highway Department will not dispose of the same because it may be needed for highway right of way at some future time.

The inability of Cresbury Clothes, Inc. to acquire an interest in this property has required it to construct its buildings more than 100 feet from the used right of way in New Walden Avenue. The property of Cresbury Clothes, Inc. is triangular in shape making it necessary to locate the building as shown on the drawing. The building is located approximately 35 feet at one front corner and 52 feet at the other front corner from the property line which fronts on New Walden Avenue. The property is so designed as to provide off-street parking.

A public hearing was held on this application on the 11th day of August, 1954 and thereafter the members of the Zoning Board of Appeals inspected the property, as well as other property located in the immediate area. The matter has been carefully studied by members of the Zoning Board of Appeals and it grants to Cresbury Clothes, Inc. the following variances:

Cresbury Clothes, Inc., is permitted to construct a building on the property hereinafter described, 35 feet at one front corner and 52 feet at the other front corner, from the property line, which fronts on New Walden Avenue. The foundation of the building had already been located on the property at the time the Zoning Board of Appeals made the inspection. The provisions of the Ordinances requiring the 50 ft. set-back on New Walden Avenue is modified only to the extent of approving the location of the building now in the process of construction on the property.

This variance does not permit the construction of any further building, or alteration of present buildings, on the property, unless the same complies with the Ordinances of the Town of Cheektowaga, New York.



Item No. 17 Con't

The following is a description of the property referred to above:

A triangular parcel of land on the north side of Walden Avenue, bounded on the east by the Bennet Cemetery and on the north by the right of way of the West Shore Railroad more specifically described upon a map and plan already in evidence before the Zoning Board of Appeals and filed in the Town Clerk's Office.

Leo Kurnick  
Chairman

Michael Henfling

Charles G. Hanson

Lawrence M. Jamuszczak

Item No. 18 Councilman Wroblewski moved that the Subdivision Map of Thruway Court prepared by Nussbaumer, Clarke and Velzy, Licensed Engineers, be approved and ordered filed in the Assessors Office.

Seconded by Councilman Nagel.

Carried: Ayes: -5-.

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Item No. 19 Councilman Wroblewski moved, that the Subdivision Map of Cherokee Park Part 3, prepared by Herthe & Sonnenberger, Licensed Engineers, dated May 14, 1954, be approved and ordered filed in the Assessors Office.

Seconded by Councilman Nagel.

Carried: Ayes: -5-.

Item No. 20 Councilman Wroblewski moved, that the Chief of Police be authorized to install "No Parking from Here to Corner" sign on the south side of Straley Avenue 60 feet from its intersection with Harlem Avenue.

Seconded by Councilman Neibert.

Carried: Ayes: -5-.

Item No. 21 Councilman Bystrak moved, that the Supervisor be authorized to purchase through Westinghouse Electric Company four ornamental standards (Y-20) to be charged to McNaughton Avenue Special Lighting District.

Seconded by Councilman Nagel.

Carried: Ayes: -5-.

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

RESOLVED, that Michael A. Wagner and Sons, Inc. be engaged to paint the Civilian Defense Lockout Post on the exterior with two coats of paint; interior with one coat of varnish and lay 9" x 9" asphalt tile on the floor, at a cost not to exceed \$385.00.

Seconded by Councilman Bystrak.

Carried: Ayes: -5-.

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

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Peoria Street, commencing at William Street and extending to Stradtman Street, a distance of approximately 2,620 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains. ( Said highway is now paved for its entire length, and

WHEREAS, said petition was duly signed by owners of real property constituting the owners of at least one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid and also constituting resident owners owning not less than one-half of the frontage owned by resident owners along said highway proposed to be improved; and

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

WHEREAS, at a meeting of said Town Board duly called and held on the 16th day of August, 1954, an order was duly adopted by it and entered in its minutes, reciting the filing of such petition, the improvement proposed and the maximum amount proposed to be expended for the improvement as stated in such petition, to wit, the sum of Ten Thousand Dollars, (\$10,000) and specifying that the said Board would meet to consider the petition and to hear all persons interested in the subject thereof concerning the same, at the Town Hall in the Town of Cheektowaga on the 13th day of September, 1954, at 2:30 o'clock P.M., E.D.S.T., and

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

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

NOW, THEREFORE, after such hearing and upon the evidence given thereat and pursuant to the provisions of Section 200 of the Town Law of the State of New York, it is hereby,

RESOLVED, that this Board is hereby determined that it is in the public interest to make the improvement petitioned for to wit: the construction of curbs, together with the installation of receivers and necessary underground drains, on both sides of Peoria Street, commencing at William Street and extending to Stradtman Street a distance of approximately 2,620 feet, and it is further

RESOLVED, that Nussbaumer, Clarke and Velzy, Consulting Engineers for this Town shall survey said Peoria Street, establish the lines and grades thereof and shall file such survey and profile in the Town Clerks' Office, and be it further

Item No. 23. Cont'd

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

Seconded by Councilman Nagel.

Carried: Ayes: -5-

Item No. 24  
its adoption:

Councilman Nagel presented the following resolution and moved

RESOLVED, that permission be granted to Mrs Janet Zimmerman to have a Fireworks Display at Liberty Park on October 30, 1954, weather permitting, if not, then on October 11, 1954, upon the following conditions:

1- That there is no fireworks display on or over any public highway.

2- That either New Liberty Park, Inc., or Mrs Janet Zimmerman file with the Town Clerk a policy of casulaty insurance with minimum coverage of \$50,000 and a maximum coverage of \$100,000 containing provisions protecting all persons from any injuries resulting from said fireworks display, whether on the premises of the New Liberty Park, Inc., or upon a public highway.

3- That upon filing said policy of casulaty insurance, the Town Clerk is authorized to execute the permit for a patriotic fireworks display on behalf of the Town of Cheektowaga, New York.

Seconded by Councilman Heibert.

Carried: Ayes: -5-

Item No. 25

Councilman Nagel moved, that be it

RESOLVED, that STANLEY SENKO, Broadway, Depew, New York, be provisionally appointed in the Laboratory Department for Disposal Plants No. 3 and 5 at an annual salary of \$4,000.00, payable in semi-monthly installments, and be it further

RESOLVED, that an application be made to the Personnel Director of Erie County to hold a competitive examination for the position, and the Town Engineer is authorized to furnish the Personnel Director of Erie County with the necessary information to define the exact title of the position.

Seconded by Councilman Wroblewski.

Carried: Ayes \*5-

Item No. 26

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, the Town of Cheektowaga, New York is the owner of a tract of land located on the east side of Union Road, a short distance north of Genesee Street, which has been used in the past as a cemetery, but no burials have been made in said cemetery for upwards of fifty years, according to the knowledge, information and belief of the Town Board, and

WHEREAS, the Town of Cheektowaga, New York requested an estimate from Edgar Krauch, doing business under the name of Amherst Memorial Co., to submit a bid of the cost of removing said bodies interred in said cemetery, to a cemetery providing perpetual care, and

Item No. 26 Con't

WHEREAS, on May 6, 1954 the said Edgar Krauch submitted a bid to remove approximately thirty graves, furnish plain wooden roughboxes for reinterment, transport the remains to the Bowmansville Perpetual Care Cemetery, furnish a Quincy Granite all finished monument appropriately lettered with sandblast letters and eight grass markers of granite, lettered to conform with the inscription shown on old stones now in the cemetery. Foundations of cement for all stones included. Grave space and opening and closing of new graves in the Bowmansville Perpetual Cemetery also provided, also to provide all necessary work involved to be covered in this proposal, for the sum of Twenty-Two Hundred and Thirty Dollars (\$2230.00), on the basis of thirty graves to be opened. If more than thirty graves are to be opened an additional cost of Thirty Dollars (\$30.00) per grave to be added, and

WHEREAS, this Town Board by appropriate resolution authorized the Supervisor and the Town Attorney to apply to the Supreme Court for an Order, pursuant to section 296 of the Town Law to abandon said cemetery and

WHEREAS, the Court on September 10, 1954 granted an Order which in substance provides that the remains of deceased persons buried in said cemetery be removed and reinterred in the Bowmansville Perpetual Care Cemetery, be it

RESOLVED, that the proposal of Edgar Krauch, doing business under the name of Amherst Memorial Co. dated May 6, 1954, copy of which is hereto annexed and made a part hereof be accepted. That the Town Attorney be authorized to prepare for execution a written contract between Edgar Krauch, doing business under the firm name of Amherst Memorial Co., and the Town of Cheektowaga, New York, in accordance with the written estimate. That upon completion of the proceedings the property be sold at public auction to the highest bidder, subject to such terms and conditions as may be provided by a further resolution of the Town Board.

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

Supervisor Holtz,  
Councilman Bystrak,  
Councilman Wroblewski,  
Councilman Nagel,  
Councilman Neibert,

Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 27

Councilman Wroblewski moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to issue building permits on applications processed by the Petitions Committee on September 18, 1954, after same have been approved by the Building Inspector.

Carried: Ayes; -5-

Item No. 28

Councilman Nagel, moved, seconded by Councilman Wroblewski that all claims presented at this meeting for audit be approved, and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. (Warrant No. 1794 to Warrant No. 1885, inclusive, drawn on the supervisor).

Item No. 29

Councilman Bystrak moved, seconded by Councilman Nagel,  
to adjourn.

Kenneth T. Hanley  
Town Clerk

SEAL

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 23rd day of September, 1954, at 2:00 o'clock P.M., E.D.S.T., there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Stanley R. Bystrak	Councilman

ABSENT: Joseph A. Neibert	Councilman
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Due to the absence of Town Clerk Kenneth T. Hanley, Councilman Nagel was designated to act as Town Clerk for this meeting.

Item No. 2 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, Benedict T. Holtz, Supervisor of the Town of Cheektowaga, Erie County, 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 Town 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:

SPECIAL DISTRICTS BUDGET FOR 1955 AS ADOPTED AND APPROVED:

SEWER DISTRICTS

District No. 1

Rent to City of Buffalo	\$ 586.08	
Installment on old balance	150.00	
Interest on old balance	33.39	
To be raised by assessment		\$ 769.47

District No. 2

Rent payable to District No. 5	\$ 4,000.00	
Maintenance	900.00	
		4,900.00

District No. 3

Bond principal and interest due in 1955	\$ 29,663.95	
Salary to Town Attorney	500.00	
Operation of Disposal Plant	34,525.00	
Real Estate taxes - 1955	6,000.00	
Maintenance of sewers	3,000.00	
Services of Superintendent	1,500.00	
Services of Engineer	1,000.00	
Erie County Chargebacks - Thruway	2,095.12	
Erie County chargebacks - Current	1.96	
TOTAL EXPENSE FOR 1955		78,286.03
Less Rentals:		
William Street tie-in	\$ 300.00	
Franklin Street tie-in	1,250.00	
Special fixed charges	22,000.00	
	23,550.00	
To be raised by assessment		54,736.03

District No. 4

Rent payable to District No. 5	\$ 4,500.00	
Operation of pump station	1,700.00	
Maintenance	500.00	
TOTAL EXPENSE FOR 1955	\$ 6,700.00	
Less: Amount payable out of District's Reserve Fund	1,000.00	
To be raised by assessment		5,700.00

ITEM NO. # CONT'D

SEWER DISTRICTS - Cont'd

District No. 5

Salary of the Town Attorney	\$	1,000.00	
Bond Principal and Interest due in 1955		161,330.46	
Operation of Disposal Plant		99,625.00	
Maintenance of sewers		12,000.00	
Services of Superintendent		3,000.00	
Services of Engineer		3,000.00	
Erie County chargebacks - Current		570.07	
Erie County Chargebacks - Thruway		24,631.38	
Erie County chargebacks - Cemeteries		6,386.13	
<b>TOTAL EXPENSE FOR 1955</b>	<b>\$</b>	<b>311,593.84</b>	

Less: Revenue from charges to:

Josephine Amundus	\$	75.00
City of Buffalo		12,000.00
Sewer District No. 2		4,000.00
Sewer District No. 4		4,500.00
Sewer District No. 6		23,200.00
		<u>43,775.00</u>

To be raised by assessment \$267,818.84

District No. 5 - Walden Extension

Bond principal and interest due in 1955		<u>5,561.00</u>	
To be raised by assessment			5,561.00

District No. 5 - Peinkofer Extension

Bond principal and interest due in 1955	\$	<u>1,650.00</u>	
To be raised by assessment			1,650.00

District No. 6

Bond principal and interest due in 1955		2,294.00	
Rent payable to District No. 5		22,000.00	
Maintenance payable to District No. 5		<u>1,200.00</u>	
To be raised by assessment			25,494.00
<b>TOTAL FOR ALL SIX SANITARY SEWER DISTRICTS</b>			<u>366,629.34</u>

NOTE: Amounts shown for the two Sewer District No. 5 extensions are in addition to the regular Sewer District No. 5 charges applicable to property in the extensions.

STORM SEWER DISTRICTS

District No. 1

To be raised by assessment	\$	-0-	
	\$	-0-	-0-

District No. 2

Erie County chargebacks - Cemeteries	\$	9,229.06	
Maintenance		<u>1,100.00</u>	
To be raised by assessment			10,329.06

District No. 3

Bond principal and interest due in 1955	\$	7,056.00	
Maintenance		<u>200.00</u>	
To be raised by assessment			7,256.00

District No. 4

Bond principal and interest due in 1955	\$	9,050.00	
Maintenance	\$	<u>200.00</u>	
	\$	9,250.00	

Less: Amount payable out of District's Reserve Fund

To be raised by assessment		<u>1,500.00</u>	
<b>TOTAL FOR ALL FOUR STORM SEWER DISTRICTS</b>			<u>7,750.00</u>
	\$		<u>25,335.06</u>

ITEM NO. #3

LATERAL SEWER ( SANITARY ) DISTRICTS

Continued next page

LATERAL SANITARY SEWER DISTRICTS

	PRINCIPAL AND INTEREST DUE IN 1955	LESS AMOUNT PAYABLE OUT OF DISTRICT'S RESERVE FUND	
Arthur Street	\$ 313.13	\$ -0-	\$ 313.13
Roycroft Blvd.	227.54	-0-	227.54
Maryvale Drive	811.38	132.53	678.80
W. Grand B lvd.	691.51	129.79	561.72
Cleveland Drive	752.33	-0-	752.33
S. Huxley	773.28	189.38	583.90
Woodland Ave - (formerly Commodore)	2,060.00	486.90	1,573.10
Darwin Drive	3,090.00	2,181.21	908.79
Homesgarth Avenue	1,581.00	660.60	920.40
Toelkin Road	3,162.00	-0-	3,162.00
Cresthaven	1,621.50	18.28	1,639.78
Sugnet	2,162.00	160.12	2,001.88
Walton	1,635.00	324.53	1,310.47
Abel, Vincent and Lena	900.00	-0-	900.00
Floral Blace	1,000.00	-0-	1,000.00
Mapleview Drive	1,690.00	-0-	1,690.00
	<u>\$ 22,470.57</u>	<u>\$4,246.83</u>	<u>\$18,223.84</u>
Ro be raised by assessment			<u>\$18,223.84</u>

SIDEWALK DISTRICTS

	PRINCIPAL AND INTEREST DUE IN 1955	LESS AMOUNT PAYABLE OUT OF DISTRICT'S RESERVE FUND	
Evergreen	\$ 1,564.67	331.55	\$ 1,896.22
Wellworth	979.39	358.63	620.76
Clover	1,329.34	417.44	911.90
Rosler	669.35	329.17	998.52
Woodridge	1,500.00	-0-	1,500.00
Peinkofer	600.00	-0-	600.00
	<u>\$ 6,642.75</u>	<u>\$ 115.35</u>	<u>\$ 6,527.40</u>
To be raised by assessment			<u>6,527.40</u>

ITEM NO. 4

CURBING DISTRICTS

Olcott:

Bond principal and interest due in 1955	\$ 3,200.00	
Less: Amount payable out of District's Reserve Fund	120.94	
Ro be raised by assessment		<u>\$ 3,079.06</u>

PAVING DISTRICTS

	PRINCIPAL AND INTEREST DUE IN 1955	LESS AMOUNT PAYABLE OUT OF DISTRICT'S RESERVE FUND	
Darwin Drive	\$ 4,364.00	\$ 787.06	\$3,576.94
Walton Drive	2,143.00	326.56	1,816.44
Cresthaven Drive	1,636.50	308.64	1,327.86
Sugnet Road	2,169.00	354.96	1,814.04
	<u>\$ 10,312.50</u>	<u>\$1,777.22</u>	<u>\$8,535.28</u>
Ro be raised by assessment			<u>\$ 8,535.28</u>

STREET LIGHTING IMPROVEMENT

	PRINCIPAL AND INTEREST DUE IN 1955	LESS AMOUNT PAYABLE OUT OF DISTRICT'S RESERVE FUND	
Group (8) Highview	\$ 146.45	\$ 18.23	128.22
South Century	358.55	44.63	313.92
To be raised by assessment	<u>\$ 505.00</u>	<u>62.86</u>	<u>442.14</u>
Group (9)			
Cunard	\$ 636.30	\$ 41.75	594.55
Mapleview	333.30	47.30	286.00
Briarcliffe	545.40	51.20	494.20
To be raised by assessment	<u>\$1,515.00</u>	<u>140.25</u>	<u>1,374.75</u>
			<u>\$ 1,374.75</u>

Con't ITEM No. 2

Group (10)  
 South Roycroft \$ 378.75 \$ 70.40 \$ 308.35  
 To be raised by assessment \$ 308.35

Group (11)  
 Principal and interest due in 1955  
 W. Grand 222.48  
 Merrymont 593.28  
 McNaughton 420.24  
 To be raised by assessment \$ 1,236.00

Group (12)  
 Principal and interest due in 1955:  
 Chesterfield 413.33  
 Verdun 268.67  
 Carol 537.33  
 Mafalda 847.34  
 To be raised by assessment \$ 2,066.67  
 TOTAL TO BE ASSESSED FOR ALL FIVE GROUPS \$ 5,427.91  
 ASSESSMENTS OMITTED FROM 1954 ROLLS

SANITARY SEWER DISTRICT NO. 5

<u>BOOK</u>	<u>MAP COVER</u>	<u>OWNER</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
7	1617	Anthony M. Marinese & W	14 (Lateral	\$ 4.12
8	733/976	Stanley Frankowski & "	9-Bl.C (San. Se	
			wer	11.00
8	1733/976	Walter Szymanski	15 (San. Sewer)	22.36
12	1230/1423			
	1496	Anthony Kwiatkowski & W	541 A (Lateral)	3.29
		Total to be assessed		\$ 40.77

Seconded by Councilman Bystrak.  
ITEM NO. 3

Carried: Ayes: -4-, Absent: -1-

Councilman Wroblewski moved; seconded by Councilman Nagel to adjourn the meeting.

Henry J. Nagel  
 Acting Town Clerk

SEAL

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 27th day of September, 1954, at 7:30 P.M., E.S.T. there were

Present:	Benedict T. Holtz	Supervisor
	Henry J. Nagel	Councilman
	Felix T. Wroblewski	Councilman
	Joseph A. Neibert	Councilman
	Stanley R. Bystrak	Councilman

Also present were: Town Clerk Kenneth T. Hanley and Town Historian Julia B. Reinstein.

Item No. 2

The Town Clerk advised the Board that the minutes of the previous meeting have been placed on their desks in the Council Chamber.

Item No. 3

Councilman Wroblewski moved, seconded by Councilman Bystrak, that the Town Clerk be authorized and directed to issue building permits on applications processed by the Petitions Committee on September 25, 1954, after same have been approved by the Building Inspector.

CARRIED: AYES -5-

Item No. 4

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, Steinmiller Construction Inc., a domestic corporation with its office in the Town of Cheektowaga, New York, has entered into a contract with Gencrott Inc., a domestic corporation, with its office in the Liberty Bank Building, Buffalo, New York, to construct the highway shown on Subdivision Map No. 1824 as being Colden Court, and

WHEREAS, it has been estimated by the Town Highway Superintendent that the cost of completing said highway, in accordance with the specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, would not exceed the sum of Seven Thousand Dollars (\$7,000.00), and

WHEREAS, Steinmiller Construction Inc. has agreed to complete said highway in accordance with the aforementioned specifications and regulations, be it

RESOLVED, that the Town of Cheektowaga, New York enter into a contract with Steinmiller Construction Inc. which contract is to provide that the said Steinmiller Construction Inc. will complete the highway in all respects in accordance with the specifications of the Town Highway Department and regulations of the Town of Cheektowaga, New York, on or before October 1, 1955.

That the annexed contract is hereby approved and the Supervisor is authorized to execute the same on behalf of the Town of Cheektowaga, New York, and be it further

RESOLVED, that the Town of Cheektowaga accept in lieu of a Surety Bond, a check in the sum of Seven Thousand Dollars (\$7,000.00), dated September 16, 1954, and being No. 121 drawn on the Marine Trust Co., Snyder, New York, and be it further

RESOLVED, that Colden Court be accepted as a Town highway subject to the jurisdiction of the Town Highway Department, and the Town Attorney is authorized to record in the Erie County Clerk's Office, deed to said premises.

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

follows:

Supervisor	Benedict T. Holtz	Voting AYE
Councilman	Joseph A. Neibert	Voting AYE
Councilman	Felix Wroblewski	Voting AYE
Councilman	Stanley Bystrak	Voting AYE
Councilman	Henry Nagel	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 5

Councilman Nagal presented the following resolution and moved its adoption:

WHEREAS, Steinmiller Construction Inc., a domestic corporation with its office in the Town of Cheektowaga, New York, has entered into a contract with Maryjo Inc. and Kathan Inc., both corporations organized in existing under the laws of the State of New York, with offices in the Liberty Bank Building, Buffalo, New York, to construct the highways shown on Subdivision Map No. 1831 as being Heather Road and Hillside Avenue, and

WHEREAS, it has been estimated by the Town Highway Superintendent that the cost of completing said highways, in accordance with the specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, would not exceed the sum of Fourteen Thousand Dollars, (\$14,000.00), and

WHEREAS, Steinmiller Construction Inc. has agreed to complete said highways in accordance with the aforementioned specifications and regulations, be it

RESOLVED, that the Town of Cheektowaga, New York enter into a contract with Steinmiller Construction Inc. which contract is to provide that the said Steinmiller Construction Inc. will complete the highways in all respects in accordance with the specifications of the Town Highway Department and regulations of the Town of Cheektowaga, New York, on or before October 1, 1955.

That the annexed contract is hereby approved and the Supervisor is authorized to execute the same on behalf of the Town of Cheektowaga, New York, and be it further

RESOLVED, that the Surety Bond of the United States Fidelity and Guaranty Company, in the sum of Fourteen Thousand Dollars (\$14,000.00) be approved as to form and sufficiency, and be it further

RESOLVED, that Heather Road and Hillside Avenue be accepted as Town Highways subject to the jurisdiction of the Town Highway Department, and the Town Attorney is authorized to record in the Erie County Clerk's Office, deed to said premises.

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

Supervisor  
Councilman  
Councilman  
Councilman  
Councilman

Benedict T. Holts  
Joseph A. Neibert  
Felix Wroblewski  
Stanley Bystrak  
Henry Nagel

Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 6

Councilman Nagal presented the following resolution and moved its adoption:

WHEREAS, bids were received on September 20, 1954, for the paving of Homesgarth Avenue and the bid of George Roetzer of Buffalo, New York, in the sum of \$4,496 was the lowest one submitted, be it

RESOLVED, that the bid of George Roetzer to construct the pavement on Homesgarth Avenue in accordance with plans and specifications prepared by Nussbaumer, Clarke, and Velsy, Engineers, in the sum of \$4,496 be accepted.

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

Councilman Nagel  
Councilman Wroblewski  
Councilman Neibert  
Councilman Bystrak  
Supervisor Holts

Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE

CARRIED: AYES: -5-

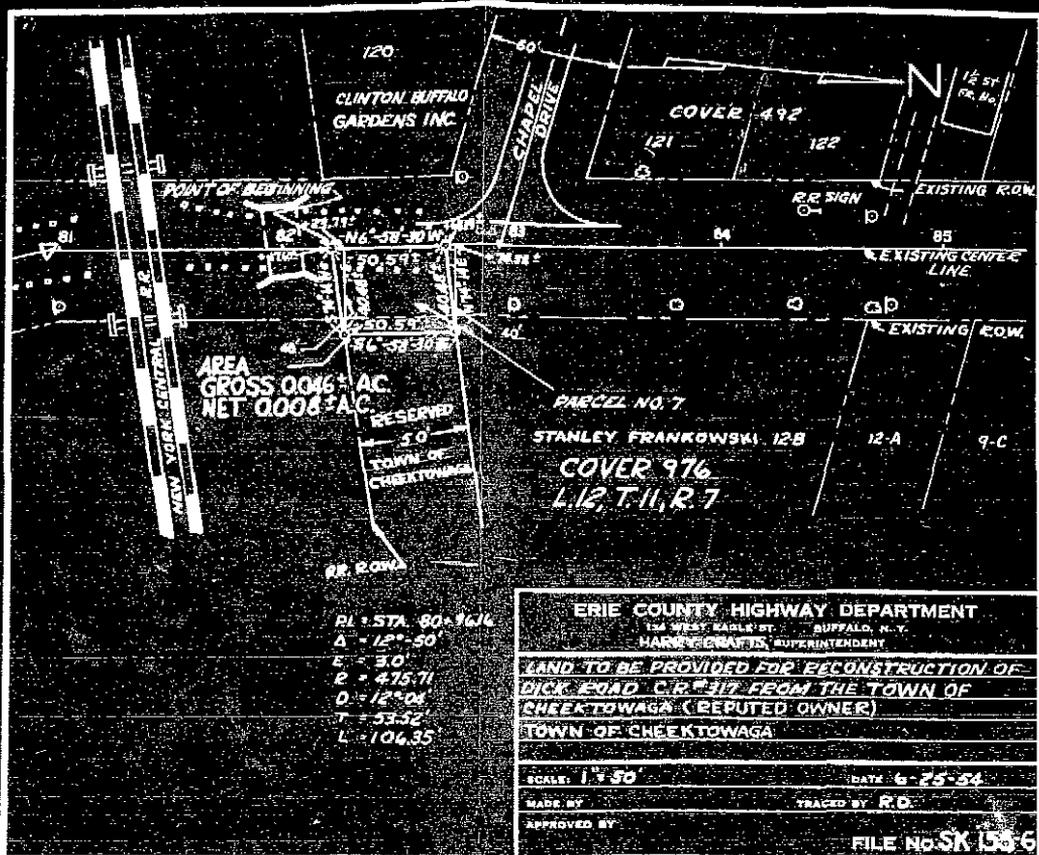
Item No. 7

Councilman Nagal presented the following resolution and moved its adoption:

WHEREAS, after competitive bidding held September 20, 1954, Pitt Construction Company was low bidder on project known as George Urban Blvd. Pump Station, and

WHEREAS, Nussbaumer, Clarke & Velsy, Consulting Engineers of the Town of Cheektowaga, New York, have recommended that its's bid for Item 1 to 10 inclusive, omitting Item 7a, and including the alternate for the 20" pumping unit, and connecting piping of 20" diameter for the total sum of \$130,600.00, be accepted, equipment and sub-contractors being subject to the approval of the consulting Engineers, be it





PL = STA. 80+16.6  
 Δ = 12° 50'  
 E = 30'  
 R = 475.71  
 D = 12° 04'  
 T = 53.52  
 L = 106.35

**ERIE COUNTY HIGHWAY DEPARTMENT**  
 123 WEST EAGLE ST. BUFFALO, N. Y.  
 HARRY GRANITS, SUPERINTENDENT

---

**LAND TO BE PROVIDED FOR RECONSTRUCTION OF  
 DICK ROAD, C. R. NO. 317 FROM THE TOWN OF  
 CHEEKTOWAGA (REPUTED OWNER)  
 TOWN OF CHEEKTOWAGA**

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SCALE: 1" = 50'      DATE: 6-25-54

MADE BY:      TRACED BY: R.O.

APPROVED BY:      FILE NO. SK 155-6

**ERIE COUNTY HIGHWAY DEPARTMENT**

Land to be provided for the reconstruction of Dick Road, C. R. No. 317, from:  
 Town of Cheektowaga (reputed owner)

All that piece or parcel of land known as Parcel No. 7, situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot 12, Township 11, Range 7, of the Holland Land Company's survey and also distinguished as being part of a subdivision street of a certain subdivision filed under Map Cover 976 in the Erie County Clerk's office and more particularly described as follows:

Beginning at a point of intersection between a division line dividing the lands of the Town of Cheektowaga, (reputed owner) on the north and the lands of the New York Central Railroad (reputed owner) on the south and the existing center line of Dick Road, C. R. No. 317, at Station 82+17.60 + -; thence north 6° 58' 30" west and on the said existing center line of Dick Road, C. R. No. 317, a distance of 50.69 + - feet to a point of intersection between a division line dividing the lands of Stanley Frankowski (reputed owner) on the north and the lands of the Town of Cheektowaga (reputed owner) on the south and the said existing center line of Dick Road, C. R. No. 317, at Station 82+88.19 + -; thence north 74° 14' east and on the last mentioned division line dividing the lands of Stanley Frankowski (reputed owner) on the north and the lands of the Town of Cheektowaga (reputed owner) on the south, a distance of 40.48 + - feet to a point, said point being distant 40 feet easterly at right angles to the said existing center line of Dick Road, C. R. No. 317, at Station 82+74.38 + -; thence south 6° 58' 30" east and parallel to the said existing center line of Dick Road, C. R. No. 317, and 40 feet easterly therefrom, a distance of 50.59 + - feet to a point on the first mentioned division line dividing the lands of the Town of Cheektowaga (reputed owner) on the north and the lands of the New York Central Railroad (reputed owner) on the south, said point also being distant 40 feet easterly at right angles to the said existing center line of Dick Road, C. R. No. 317, at Station 82+23.79 + -; thence south 74° 14' west and on the last mentioned division line dividing the lands of the Town of Cheektowaga (reputed owner) on the north and the lands of the New York Central Railroad (reputed owner) on the south, a distance of 40.48 + - feet to the point of beginning and containing a gross area of 0.046 acres more or less and a net area of 0.008 acres more or less.

SK. 155-6  
 June 25, 1954

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

We, the undersigned, comprising the Board of Town of Cheektowaga, New York, do hereby certify that we have designated the following Polling Places in said Town for the days to be held on the 2nd day of October, 1954, from 7 A.M., and on the 9th day of October, 1954, from 1 P. M. to 10 P. M.

- Election Dist. No. 1, at Losson Road School, Losson Rd, near Union Rd.
- Election Dist. No. 2, at Bellevue Fire House, Como Park Blvd., near Bennett Road
- Election Dist. No. 3, at Cayuga Fire Hall, River Road, Depew  
(Personal Registration, October 1, 2 and 8, 10 A. M. to 10 P. M., and October 9, 7 A. M. to 10 P. M.)
- Election Dist. No. 4, at Town Hall, Broadway and Union Road
- Election Dist. No. 5, at U-Crest Fire House, Clover Place and Evergreen Street
- Election Dist. No. 6, at Chapel School Basement, Union Road, near Genesee Street
- Election Dist. No. 7, at Election Booth, Cleveland Dr. near Union Rd.
- Election Dist. No. 8, at Maryvale High School, Maryvale Drive and Union Road
- Election Dist. No. 9, at Maryvale School, Maryvale Drive at Beach Rd.
- Election Dist. No. 10, at Basement Cleveland Heights Christ Church, Union Road, near Cleveland Drive
- Election District No. 11, at Election Booth, Cleveland Drive at Power Line, near Cresthaven Dr.
- Election Dist. No. 12, at Cleveland Hill Fire House, Cleveland Drive at Merrymont Road
- Election Dist. No. 13, at Election Booth, Century Road and Kensington Avenue
- Election Dist. No. 14, at Election Booth, West Cleveland Drive and Century Rd., northwest corner
- Election Dist. No. 15, at Election Booth, Mark Lane, between Cedar Road and Kenville Rd.
- Election Dist. No. 16, at Cleveland Hill School, Mapleview Road
- Election Dist. No. 17, at Cleveland Hill School, Mapleview Road
- Election Dist. No. 18, at Election Booth, South Tiorunda Dr. and 28th Street
- Election Dist. No. 19, at Maryvale Dr. Presbyterian Church Recreation Room, Community Dr.
- Election Dist. No. 20, at Maryvale Dr. Presbyterian Church Recreation Room, Community Dr.
- Election Dist. No. 21, at Pine Hill High School, Delavan Avenue
- Election Dist. No. 22, at Pine Hill High School, Delavan Avenue
- Election Dist. No. 23, at Pine Hill Fire House, Genesee St. at Normandy
- Election Dist. No. 24, at Pine Hill Fire House, Genesee St. at Normandy
- Election Dist. No. 25, at Election Booth, Genesee Street and Geo. Urban Blvd.
- Election Dist. No. 26, at Election Booth, Grand Blvd., between Rosewood Terrace and Midland Drive
- Election Dist. No. 27, at Election Booth, Walden Terrace, near Walden Avenue and Krakus Blvd.
- Election Dist. No. 28, at School No. 10, Alexander Street
- Election Dist. No. 29, at School No. 10, Alexander Street
- Election Dist. No. 30, at Rescue Fire Hall, Pine Ridge Road and Walden Ave.
- Election Dist. No. 31, at Woodrow Wilson School, Halstead Ave., Sloan
- Election Dist. No. 32, at Woodrow Wilson School, Halstead Ave., Sloan
- Election Dist. No. 33, at St. Andrews Church Hall, Gierlach St., Sloan
- Election Dist. No. 34, at Doyle Fire House No. 2, Willowiawn and Griswold Street
- Election Dist. No. 35, at Doyle Fire House No. 1, William and Alaska St.
- Election Dist. No. 36, at Roosevelt School, William and Helen Street
- Election Dist. No. 37, at Roosevelt School, William and Helen Street

Dated: September, 1954.

BENEDICT T. HOLTZ, Supervisor  
HENRY NAGEL, Councilman  
FELIX T. WROBLEWSKI, Councilman  
JOSEPH A. NEIBERT, Councilman  
STANLEY BYSTRAK, Councilman

s30-07

BENNETT

says that he is the

of the

Checkowaga News

Depew, Town of Cheek-

that notice of which the

aid newspaper, is a copy,

rein once a week for

insertion being on the

7th day of

1954, and that not

between any two publi-

Street

Room, Community Dr.

Room, Community Dr.

Walden Ave.

The Town Clerk then proceeded to present to the Town Board the Budget Estimates of Expenses and Revenue from the various Departments in the Town of Cheektowaga for the year 1955 for study and approval.

Copy of same hereto outlined:

OFFICE OF TOWN CLERK

Salary of Town Clerk	\$ 7,500.00
Salary of Deputy Town Clerk	3,500.00
Salary of Second Deputy Town Clerk	3,450.00
Salary of Senior Stenographer	3,200.00
Telephone Operator ( Which should be a Town charge )	3,450.00
Postage, Stationery, etc.,	2,000.00
Office Equipment	<u>300.00</u>

TOTAL ESTIMATED EXPENDITURES 23,400.00

OFFICE OF THE RECEIVER OF TAXES & ASSESSMENTS

Salary of Receiver of Taxes	7,500.00
Salary of Senior Account Clerk	3,500.00
Salary of Accounting Machine Operator	2,800.00
Compensation of Extra Clerks	3,500.00
Office Supplies	400.00
Service Contracts	<u>307.00</u>
	\$18,007.00

County Tax Collection

Postage	500.00
Daily Records	40.00
Tax Notices	40.00
Binding Daily Records	20.00
Envelopes	<u>140.00</u>
	740.00

School Tax Collection

Tax Bills ( Various School Districts )	450.00
Daily Records	40.00
Tax Notices	40.00
Envelopes	140.00
Postage	475.00
Binding Daily Records	<u>20.00</u>
	1,165.00

Equipment

Post Index System	1,120.00
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TOTAL ESTIMATED EXPENDITURES \$21,032.00

OFFICE OF THE BOARD OF ASSESSORS

Salary of Assessors:	
Chairman	5,000.00
2 Assessors @ \$4,300 each	8,600.00
Salary-Addressograph Operator	3,300.00
Salary-Stenographer	3,100.00
Salary-Senior Clerk-Special Assessments	3,550.00
Salary of Clerk to Assessors	4,100.00
Salary of Draftsman	2,050.00
Extra Clerks-Special Assessments	800.00
Office Expense	700.00
Traveling Expense	600.00
Equipment	2,000.00
Handyman	<u>1,800.00</u>
TOTAL ESTIMATED EXPENDITURES	35,600.00

OFFICE OF THE JUSTICE OF THE PEACE

Salary of Justices: 2 @ \$5,200.00 each	\$	10,400.00	
Dockets, postage, legal forms, etc.,		500.00	
Stenographic Services		300.00	
Jurors' Fees		200.00	
Equipment		600.00	
		<u>        </u>	
TOTAL ESTIMATED EXPENDITURES			\$ 12,000.00

POLICE DEPARTMENT

Town Police Force-Salaries		206,700.00	
Telephone Operators-Salaries		16,000.00	
Mechanic Salary		4,000.00	
Town Police Force-Uniforms		4,800.00	
Gasoline & Oil		9,000.00	
Maintenance- Cars & Cycles		5,000.00	
Printing & Stationery		500.00	
Materials & Supplies		1,000.00	
Purchase of Motor Equipment		12,000.00	
Purchase of Equipment-Office		250.00	
Medical Examinations		500.00	
Special Traffic Guards		75.00	
Special Investigations		200.00	
Radio Station:			
Maintenance		1,500.00	
New Equipment		4,200.00	
Travelling Expense		500.00	
Fees in Criminal proceedings		100.00	
Town Lock-Up:			
Meals to prisoners		500.00	
Services of Matron		1,100.00	
		<u>        </u>	
TOTAL ESTIMATED EXPENDITURES			\$267,925.00

ESTIMATE OF GENERAL FUND BUDGET ITEMS

ESTIMATED EXPENDITURES

TOWN BOARD

Salaries of Councilmen (4)		14,400.00	
Salary of Town Attorney		8,500.00	
Senior Stenographer		2,800.00	
Printing briefs, cost of litigation and expense of Town Attorney		1,000.00	
Print and Publishing Reports		800.00	
Office and other expense of Councilmen		1,000.00	28,500.00
		<u>        </u>	

CONTINGENT FUND

Extraordinary legal actions, expenses in legislative matters and other special and professional services			25,000.00
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ADVERTISING AND PUBLISHING NOTICES

3,000.00

SUPERVISOR

Salary of Supervisor		7,500.00	
Salary of Secretary to Supervisor		4,000.00	
Senior Stenographer		3,000.00	
Payroll Clerk		3,200.00	
Office and other expense		1,800.00	19,500.00
		<u>        </u>	

ELECTIONS

Compensation of election inspectors	\$ 10,212.00	
Rental of Polling Places	2,000.00	
Moving Booths, etc.,	<u>5,000.00</u>	\$ 17,212.00

TOWN HOUSE

Electricity, gas & water	4,000.00	
Telephone	6,000.00	
Supplies	3,000.00	
Purchase of equipment-Station Wagon for general Town use	2,200.00	
Repairs	2,000.00	
Cleaning Wages	7,300.00	
Window Cleaning	<u>1,000.00</u>	25,500.00

TRAFFIC REGULATION EXPENSE

School Crossing Guards	21,600.00	
Traffic signal lights	10,200.00	
Street marking & paint	4,500.00	
Traffic signs	<u>1,500.00</u>	37,800.00

INSURANCE AND SURETY BONDS

43,000.00

DOG WARDENS

Salaries (2)	5,900.00	
Other expense	<u>800.00</u>	6,700.00

ATTENDANCE OFFICERS

Salaries (2)	2,800.00	
Supplies	<u>100.00</u>	2,900.00

MISCELLANEOUS REPAIRS & MINOR IMPROVEMENTS

Sidewalks and other repairs and minor improvements	7,500.00	
Veteran Monument-Town Hall Grounds	<u>2,500.00</u>	10,000.00

CONTRIBUTION TO NEW YORK STATE RETIREMENT SYSTEM

For Policemen	15,098.00	
For other Town Employees	<u>41,699.00</u>	56,797.00

DEPARTMENT OF PUBLIC WORKS

Miscellaneous Functions:		
General Foreman	4,200.00	
Principal Clerk	4,100.00	
Maintenance (2)	7,200.00	
Supplies	<u>200.00</u>	15,700.00

SHADE TREE FUND

10,000.00

ZONING BOARD OF APPEALS

Fees of members		2,000.00
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INTEREST ON TEMPORARY LOANS

500.00

REIMBURSEMENT OF ERIE COUNTY TREASURER

Current chargebacks for erroneous taxes	775.28	
Chargebacks relating to Thruway	34,901.32	
Amortized portion of prior chargebacks relating to cemetery property	<u>16,345.18</u>	52,021.78

VETERANS OBSERVANCE

800.00

MISCELLANEOUS

Including expense in connection with paying bonds, coupons, fire wardens, etc.		4,000.00
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PROVISION FOR CIVIL DEFENSE AID

3,000.00

PAYMENT OF NOTE AND INTEREST

Damage Claim		2,486.10
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GENERAL TOWN BONDED DEBT

Principal due in 1955	17,000.00	
Interest due in 1955	<u>3,474.50</u>	20,474.50

TOTAL ESTIMATED EXPENDITURES

\$386,891.38

**LESS: ESTIMATED REVENUE AND REDISTRIBUTED CHARGES**

Revenue other than taxes levied:

Fees of Town Officers	\$ 3,000.00
Mortgage Tax	10,000.00
Dog Tax	5,000.00
Licenses, permits, etc.,	13,000.00
Fines	5,000.00
Per capita assistance for the support of local government	<u>161,006.70</u>
	197,006.70

Redistributed Charges:

Chargebacks by Erie County

Treasurer-Payable by:

Town Health Fund	\$ 3.19
Highway Fund	2,032.14
Lighting District	976.14
Water Hydrant Districts	667.97
Consolidated Garbage Dist.	2,841.68
Sewer Districts	33,735.46
Storm Sewer Dist. No. 2	9,229.06

Payments from Consolidated Garbage District for:

Incineration	55,000.00
Services of Foreman	2,100.00
Services of Clerk	2,050.00

Payment from Sewer Districts for services of Town Attorney

Sewer District No. 3	500.00
Sewer District No. 5	1,000.00

Payment from Sewer Districts for services of Engineer

District No. 3	1,000.00
District No. 5	<u>3,000.00</u>

114,135.64  
311,142.34

Estimated surplus at December 31, 1954

60,000.00

**TOTAL OF ESTIMATED REVENUE AND REDISTRIBUTED CHARGES AVAILABLE FOR GENERAL TOWN PURPOSES IN 1955**

\$371,142.34

RECREATION

Salary-Park and Recreational Director	3,800.00
Secretary to Board	850.00
Extra Labor	9,600.00
Supplies	4,000.00
Umpire and Referees	3,000.00
Purchase of Equipment	3,500.00
Maintenance of parks, etc	6,000.00
Traveling expense	600.00
Playground supervisors	4,700.00
Equipment Operators	7,600.00
Real estate taxes	<u>4,600.00</u>
	48,250.00

TOTAL

Less: Estimated State Aid

TOTAL ESTIMATED EXPENDITURES FOR 1955

4,206.75  
44,043.25

TOWN HEALTH FUND

Salary of Health Officer	4,000.00
Expense of Health Officer	850.00
Erie County Chargebacks	3.19
Estimated 1954 deficit	350.00

REGISTRAR OF VITAL STATISTICS

Fees

TOTAL ESTIMATED EXPENDITURES

125.00  
5,328.19

TOWN HISTORIAN

Maps, records, supplies, etc.,

TOTAL ESTIMATED EXPENDITURES

1,200.00  
1,200.00

BUDGET ESTIMATES FOR SPECIAL DISTRICTS

225

SPREADING COSTS ON AD VALOREM BASIS

<u>WATER HYDRANT DISTRICTS</u>	<u>SERVICE</u>	<u>ESTIMATED SURPLUS DEFICIT 12-31-54</u>	<u>ERIE COUNTY CHARGEBACKS</u>	<u>TOTAL</u>
District No. 1 - Doyle	\$ 8,973.50	\$ 181.20	\$ 53.46	\$ 9,208.16
District No. 2 - Walden	3,767.50	336.75	1.32	3,432.07
District No. 3 - Forks	2,740.00	137.00	20.07	2,623.07
District No. 4 - U-Crest	10,823.00	68.40	268.50	11,023.10
District No. 5 - Pine Hill	5,822.50	102.70	106.41	5,826.21
District No. 6 - Cleveland Hill	15,412.50	256.79	218.21	15,373.92
District No. 7 - French Road	1,507.00	-0-	-0-	1,507.00
District No. 8 - Hyland Road	342.50	-0-	-0-	342.50
District No. 10 - Bellevue	1,370.00	450.91	-0-	919.09
	<u>\$50,758.50</u>	<u>\$1,171.35</u>	<u>\$667.97</u>	<u>\$50,255.12</u>
		<u>AMOUNT TO BE ASSESSED</u>		<u>\$50,255.12</u>

NOTE: District No. 4 includes a charge for rental of ten water hydrants to be spread against property in Peinkofer Extension.

GENERAL LIGHTING DISTRICT

Estimated cost of service	\$105,500.00	
Repairs to standards, etc.	5,000.00	
Erie County chargebacks - Thruway	782.00	
Erie County chargebacks - Current	20.24	
Erie County chargebacks - Cemeteries	173.90	\$111,476.14
Less: Amount due from Village of Sloan	\$ 300.00	
Estimated surplus as of December 31, 1954	6,000.00	6,300.00
	<u>AMOUNT TO BE ASSESSED</u>	
		<u>\$105,176.14</u>

WATER SUPPLY DISTRICTS

<u>Borden Road:</u>		
Bond principal and interest due in 1955	\$ 3,776.00	
Estimated deficit December 31, 1954	<u>1,000.00</u>	\$ 4,776.00
<u>Como Park Extension:</u>		
Bond principal and interest due in 1955		2,750.00
<u>Strasmer Road Extension:</u>		
Bond principal and interest due in 1955		1,375.00
	<u>TOTAL TO BE ASSESSED FOR THE THREE DISTRICTS</u>	
		<u>\$ 8,901.00</u>

FIRE PROTECTION DISTRICTS

<u>District No. 1 - Bommansville</u>		
Estimated payment to outside district for protection		\$ 741.33
<u>District No. 2 - Tio-run-da</u>		
Payment to Cleveland Hill Fire District		
For protection service	\$4,500.00	
For hydrant rental	<u>2,466.00</u>	
	\$6,966.00	
Less: Estimated surplus as of December 31, 1954	<u>500.00</u>	6,466.00
<u>District No. 3 - South Line Volunteer Fire Co.</u>		
For fire protection service		1,800.00
	<u>TOTAL TO BE ASSESSED FOR THE THREE DISTRICTS</u>	
		<u>\$ 9,007.33</u>

ASSESSMENTS OMITTED FROM 1953 ROLLS

FIRE DISTRICT NO. 1

Book 1 - Edward T. Kruszczynski - Cayuga Creek Road (2.4 acres) \$ 16.92

WATER HYDRANT DISTRICT No. 3

Book 1 - Thomas P. Geddes - Grunner Road - (4.2 acres) 2.46

CONSOLIDATED GARBAGE DISTRICT

Book 1 - Victor Reinstein (.76 acres)

TOTAL \$ 33.02  
52.40

FIRE DISTRICTS

Doyle Fire Dist. No. 1	\$21,053.40
Walden No. 2	18,170.00
Forks No. 3	9,916.92
u-Crest No. 4	14,852.35
Pine Hill No. 5	25,600.00
Cleveland Hill No. 6	13,124.79
Urban No. 8	1,025.00

INCINERATOR DEPARTMENT

Purchase of new truck	1,500.00
Salary of Superintendent	4,400.00
Wages of Operators	31,000.00
Extra labor	3,600.00
Supplies	3,000.00
Power, gas and water	3,000.00
Repairs to building	1,500.00
Furnace repairs	3,000.00
Repair Elevator	6,356.00
Maintenance	960.00
<b>TOTAL ESTIMATED EXPENDITURES</b>	<b>48,816.00</b>

ENGINEERING DEPARTMENT

Engineers' Salary	5,100.00
Senior Engineering Aid ( Part Time )	4,000.00
Draftsman	2,050.00
Jr. Engineering Aides	8,200.00
Rodman (Summer Only)	1,000.00
Stenographic Services	3,100.00
Supplies	1,000.00
Gasoline and Oil	500.00
<b>TOTAL ESTIMATED EXPENDITURES</b>	<b>24,950.00</b>

BUILDING AND PLUMBING DEPARTMENT

Building and Plumbing Inspectors Salary	5,000.00
Assistant Building Inspector's Salary	4,700.00
Stenographic Services	2,800.00
Office Supplies and Expense	2,100.00
Use of personal auto for official duties	1,000.00
<b>TOTAL ESTIMATED EXPENDITURES FOR 1955</b>	<b>15,600.00</b>

GARBAGE DISTRICTS

Incinerator - Plant payment	45,000.00
Sanitation helpers	85,558.20
Sanitation drivers	29,611.40
Mechanic	4,350.00
Repair parts, tires, gasoline, oil tools, etc.	26,000.00
Disposal site	2,000.00
One extra helper	4,074.20
Office expense	200.00
Erie County chargebacks	1,900.00
Services of general foreman	4,300.00
Services of principal clerk	4,200.00
Miscellaneous and sick leave	3,000.00
4 extra men 90 days each, for vacation time	5,641.20
Payment of capital note and interest	
<b>TOTAL ESTIMATED EXPENDITURES</b>	<b>215,835.00</b>

HIGHWAY DEPARTMENT

<u>Primary FUND ITEM NO 1</u>	5,200.00	5% increase
LABOR	68,200.00	
Road Oil	22,000.00	
Stone gravel and cement	22,500.00	
Gasoline, oil and grease	6,000.00	
Ready Mix Coldpatch	20,000.00	
Culvert and Sluice pipe	2,000.00	
Hire of Machinery	3,000.00	
Erie County Chargebacks - Current	27.13	
Erie County Chargebacks - Cemeteries	123.00	
Erie County Chargebacks - Thruway	1188 .29	
	<u>149,050 .13</u>	
Less: Estimated State Aid	2,500.00	
	<u>TOTAL</u>	\$147,739.42
<u>BRIDGE FUND ITEM NO 2</u>		
Bridge Work	1,000.00	
Bond Principal and interest due in 1955	3,243.00	
Concrete culvert under French Road in the Village of Depew	<u>3,500.00</u>	7,743.00
<u>MACHINERY FUND - ITEM NO. 3</u>		
Mechanic and extra Labor	5,000.00	
Tires, tubes & repairs	10,000.00	
Repayment of Capital Notes & Interest	11,240.00	
Down Payment on Machinery	<u>13,000.00</u>	39,240.00
<u>MISCELLANEOUS FUND-ITEM NO. 4</u>		
Salary-Superintendent of Highways	6,500.00	
Salary-Principal Clerk	4,500.00	
Snow Removal	10,000.00	
Miscellaneous Labor	18,000.00	
Weed Cutting	600.00	
Snow Fence-Setting & Removing	1,000.00	
Fuel for Heating Plant	1,000.00	
Gasoline & Oil	2,000.00	
Purchase of signs, paint and repair	1,500.00	
Salt & Sand	2,000.00	
Transportation expenses	400.00	
Erie County chargebacks-Current	19.13	
Erie County chargebacks-Cemeteries	24.60	
Erie County chargebacks-Thruway	649.99	
Repair to curbs	1,000.00	
Cleaning Ditches	<u>10,000.00</u>	
	<u>57,593.73</u>	
Less: Revenue (estimated) from County	<u>2,500.00</u>	
		<u>65,743.72</u>
<b>TOTAL FOR ALL HIGHWAY FUNDS</b>		<b>\$260,466.14</b>

Councilman Nagel moved, seconded by Councilman Bystrak, that the Budget Estimates, as submitted by the various departments, be referred to the Town Board for further study.  
CARRIED: AYES: -5-

Item No. 11 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit, be approved, and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same.  
( Warrant No. 1886 to Warrant No. 1929, inclusive, drawn on the Supervisor ).

Item No. 12 Councilman Nagel moved, seconded by Councilman Bystrak, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, on the 4th day of October, 1954, at 2:30 o'clock P.M., E.S.T., there were:

PRESENT: Benedict T. Holtz	Supervisor
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

ABSENT: Henry J. Nagel	Councilman
------------------------	------------

Also present were: Town Clerk Hanley; Town Attorney Doyle; General Foreman Eberl; Town Engineer Kamm and Chief of Police Mersmann.

Item No. 2 The Town Clerk advised the Town Board that a copy of the previous meeting has been placed on their respective desks.

Item No. 3 Communication read from the Police Department recommending that Folssett Avenue be restricted to one side parking. Ordered referred to the Town Attorney.

Item No. 4 This being the time and the place advertised for a public hearing to provide fire protection for Fire Protection District No. 3, Town of Cheektowaga, New York.

The Town Clerk presented proof of the publication of the Notice of the Hearing and the posting thereof, which was duly ordered filed.

No one spoke in opposition to the proposed fire protection for Fire Protection District No. 3, the Supervisor ordered the hearing closed, and the matter was referred to the Town Attorney to draw up a resolution adopting same.

Item No. 5 Councilman Wroblewski moved, seconded by Councilman Bystrak, that the Town Clerk be authorized and directed to issue Building Permits on applications processed by the Petitions Committee after the same have been approved by the Building Inspector.

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

WHEREAS, the Town of Cheektowaga is the owner of a strip of land 25 ft. in width and 140 ft. in depth on Dingens Street between Grover Cleveland School grounds and property belonging to Walter Szymanski, and

WHEREAS, due to the size of the lot, this property could not be used as a building lot and is only useful to the adjoining property owner, and

WHEREAS, Walter Szymanski has agreed to pay to the Town of Cheektowaga the sum of \$150.00 for deed to the aforementioned property, be it

RESOLVED, that his offer be accepted and that the Supervisor is authorized to execute and deliver to Walter Szymanski and wife, a quit claim deed to said premises, upon payment of the said sum of \$150.00. The purchaser must furnish his own search and survey.

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

Supervisor	Benedict T. Holtz	Voting <u>Aye</u>
Councilman	Joseph A. Neibert	Voting <u>Aye</u>
Councilman	Felix Wroblewski	Voting <u>Aye</u>
Councilman	Stanley Bystrak	Voting <u>Aye</u>
Councilman	Henry Nagel	Absent

AYES: -4-

NOES: -0-

ABSENT: -1-

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

WHEREAS, the Street Light Standard No. 204, located on So. Huxley Drive, has been knocked down, apparently by a motor vehicle, but the Police have been unable to locate the person responsible for it, be it

RESOLVED, that the Supervisor be and he is hereby authorized to have said light standard repaired if possible, if not, then have a new one installed, the cost thereof to be charged against the general lighting district.



Item No. 11

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the New York State Gas and Electric Corporation be authorized to make overhead standard globe-type light installations of 2500 lumens on the following streets:

- Sandra Drive - 4
- Kathleen Drive - 3
- Rogers Road - 6
- Alaska Street - 1
- Maryvale Drive - Pole No. 8 & 10

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

Supervisor	Benedict T. Holtz	Voting <u>Aye</u>
Councilman	Joseph A. Neibert	Voting <u>Aye</u>
Councilman	Felix Wroblewski	Voting <u>Aye</u>
Councilman	Stanley Bystrak	Voting <u>Aye</u>
Councilman	Henry Nagel	Voting <u>Aye</u>

AYES: -4-

NOES: -0-

ABSENT: -1-

Item No. 12

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, U-CREST FIRE DISTRICT NO. 4 has requested the installation of fire hydrants, as follows:

1. Wheaton Drive and Crescent Court, (south end).
2. Wheaton Drive and Crescent Court, (north end).
3. Vacant lot south of house No. 79 Wheaton Drive.
4. In front of 54 Crescent Court.

be it

RESOLVED, that the request of the Commissioners of Fire District No. 4 be granted, and the Erie County Water Authority be requested to install the hydrants at the aforementioned locations, and be it further:

RESOLVED, that a certified copy of this resolution be forwarded to the Erie County Water Authority, Ellicott Square Building, Buffalo, New York.

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

Supervisor Holtz,	Voting <u>Aye</u>
Councilman Bystrak,	Voting <u>Aye</u>
Councilman Nagel,	Absent
Councilman Neibert,	Voting <u>Aye</u>
Councilman Wroblewski,	Voting <u>Aye</u>

AYES: -4-

NOES: -0-

ABSENT: -1-

Item No. 13

This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof was duly filed.

	PUBLIC HIGHWAYS TO BE IMPROVED	
NAMES OF HIGHWAYS	FROM	TO
Cedar Road	Sub Lot No. 29	To sub lot No. 118

TYPE OF STREET LIGHTING INSTALLATION

Y-19 Standards Underground Conduit

Item No. 13 Cont'd

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
Cedar Road	Sublot No. 29	Sublot No. 118

TYPE OF STREET LIGHTING INSTALLATION

Y-19 Standards Underground 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 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. Neibert and duly put to a vote which resulted as follows:

Supervisor Holtz	VOTING <u>Aye</u>
Councilman Wroblewski	VOTING <u>Aye</u>
Councilman Neibert	VOTING <u>Aye</u>
Councilman Bystrak	VOTING <u>Aye</u>
	VOTING <u>---</u>

AYES: -4-

NOES: -0-

ABSENT: -1-

STATE OF NEW YORK )  
COUNTY OF ERIE ) SS.

I, KENNETH T. HANLEY, Town Clerk of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town held on the 4th day of October, 1954, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof and that the resolution and orders duly adopted by the said Town Board are on file in my office.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

I FURTHER CERTIFY that a certified copy of such resolution and order was caused by me to be recorded in the office of the Clerk of Erie County, New York, on the 7th day of October, 1954,

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 7th day of October, 1954.

Kenneth T. Hanley  
Town Clerk

(SEAL)

Item No. 14

Councilman Bystrak moved, seconded by Councilman Neibert, that the Supervisor be authorized and directed to purchase from the Westinghouse Manufacturing Corporation Two Y-19 Street Lighting Standards, to be used on Cedar Road Street Lighting District (Sub Lot 29 to Sub Lot No. 118).

CARRIED: AYES: \*4- ABSENT: -1-

Councilman Wroblewski presented the following resolution and moved

WHEREAS, this Town Board has heretofore determined it to be in the public interest to make certain improvements to the Sewage Treatment Plant serving Sanitary Sewer District No. 3 in accordance with proposed contract documents, plans, specifications, and instructions to bidders, prepared by Newell L. Nussbaumer, Irving Clarke and Charles R. Velzy, Consulting Engineers for the Town of Cheektowaga, New York, and

WHEREAS, the preparation of said definite plans and specifications by the Consulting Engineers of the Town of Cheektowaga, New York, have been duly authorized by the Town Board and have been filed with the Town Clerk, the same having been carefully examined by the Town Board and approved, be it

RESOLVED, that sealed proposals be invited for the furnishing of the labor and materials for the doing of the work in connection with the improvements to the Sewage Treatment Plant serving Sanitary Sewer District No. 3 by the publication of a notice thereof at least once in the Cheektowaga Times and the Depew Herald-Cheektowaga News, the official newspapers of the Town, requiring each person who shall offer to do said work to file a sealed proposal or offer to do the work, with a certified check or bid bond in the amount of 5% of the amount of the bid payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney, and be it further

RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga to be held at the Town Hall, Broadway and Union Road, in said Township on the 18th day of October, 1954, at 7:30 o'clock P.M., E.S.T., and be it further

RESOLVED, that said notice to contractors be in substantially the following form:

**NOTICE TO CONTRACTORS  
NOTICE IS HEREBY GIVEN**

that pursuant to a resolution of the Town Board of the Town of Cheektowaga, County of Erie, State of New York, sealed proposals shall be received and considered by said Town Board on the 18th day of October, 1954 at 7:30 o'clock P. M. Eastern Standard Time, in the Town Hall in the Town of Cheektowaga, Erie County, New York, for furnishing all materials and equipment, together with all labor for the construction of a Proposed Storm Overflow Manhole on the 18th Influent Sewer to Sewage Treatment Plant serving Sanitary Sewer District No. 3, in accordance with proposed contract documents, plans, specifications, and instructions to bidders, prepared by Newell L. Nussbaumer, Irving Clarke and Charles R. Velzy, Consulting Engineers, doing business as Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga, New York, and approved by the Town Board of said Town, all of which are on file with the Town Clerk in his office in the Town Hall, where same may be examined during the usual business hours. Copies of the proposed contract documents, plans specifications, and instructions to bidders may be examined or secured at the office of the Consulting Engineers, Nussbaumer, Clarke & Velzy, 327 Franklin Street, Buffalo 2, New York. One copy of said documents may be obtained upon payment of \$25.00. Any bidder, upon returning such copy within thirty (30) days following the receipt of bids, will be refunded \$25.00, and any non-bidder upon so returning such copy will be refunded \$15.00.

Each proposal must be accompanied by a certified check or bid bond in the amount of five (5) per cent of the amount of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Bid for Proposed Storm Overflow Manhole on 18 inch Influent Sewer to Sewage Treatment Plant serving Sanitary Sewer District No. 3".

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in the amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities in, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

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

KENNETH T. HANLEY,

Town Clerk

Dated: October 4, 1954. 07

which resulted as follows:

seconded by Councilman Neibert and duly put to a vote

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Nagel	( Absent )

AYES: -4-

NOES: -0- Absent: -1-

hereto attached is a copy of the notice published in the Cheektowaga Times and The Depew

**NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, County of Erie, State of New York, sealed proposals shall be received and considered by said Town Board on the 18th day of October, 1954 at 7:30 o'clock P.M. Eastern Standard Time, in the Town Hall in the Town of Cheektowaga, Erie County, New York, for furnishing all materials and equipment, together with all labor for the construction of a Proposed Storm Overflow Manhole on the 18-inch Influent Sewer to Sewage Treatment Plant serving Sanitary Sewer District No. 3, in accordance with proposed contract documents, plans, specifications, and instructions to bidders, prepared by Newell L. Nussbaumer, Irving Clarke and Charles R. Velzy, Consulting Engineers, doing business as Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga, New York, and approved by the Town Board of said Town, all of which are on file with the Town Clerk in his office in the Town Hall, where same may be examined during the usual business hours. Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be examined or secured at the office of the Consulting Engineers, Nussbaumer, Clarke & Velzy, 327 Franklin Street, Buffalo 2, New York. One copy may be obtained upon payment of \$25.00. Any bidder, upon returning such copy within thirty (30) days following receipt of bids, will be refunded \$25.00, and any non-bidder upon so returning such copy will be refunded \$15.00.

Each proposal must be accompanied by a certified check or bid bond in the amount of five (5) per cent of the amount of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Bid for Proposed Storm Overflow Manhole on 18-inch Influent Sewer to Sewage Treatment Plant serving Sanitary Sewer District No. 3."

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in the amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities in, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

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

KENNETH T. HANLEY  
Town Clerk

Dated: October 4, 1954 (10-7)

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 OCT 7 1954; last publication OCT 7 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

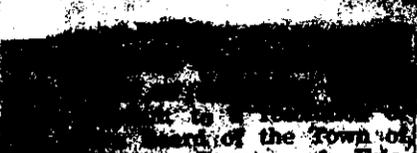
Sworn to before me this.....  
day of OCT 7 1954, 19.....

*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, 1955  
Registered No. 5029

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



part of the Town of  
County of Erie,  
State of New York, sealed propo-  
sals shall be received and consid-  
ered by said Town Board on the  
18th day of October, 1954 at 7:30  
o'clock P. M. Eastern Standard  
Time, in the Town Hall in the  
Town of Cheektowaga, Erie Coun-  
ty, New York, for furnishing all  
materials and equipment, togeth-  
er with all labor for the construc-  
tion of a Proposed Storm Over-  
flow Manhole on the 18th Influent  
Sewer to Sewage Treatment  
Plant serving Sanitary Sewer Dis-  
trict No. 3, in accordance with pro-  
posed contract documents, plans,  
specifications, and instructions to  
bidders, prepared by Newell L.  
Nussbaumer, Irving Clarke and  
Charles R. Velzy, Consulting Engi-  
neers, doing business as Nuss-  
baumer, Clarke & Velzy, Consult-  
ing Engineers for the Town of  
Cheektowaga, New York, and ap-  
proved by the Town Board of said  
Town, all of which are on file with  
the Town Clerk in his office in  
the Town Hall, where same may  
be examined during the usual busi-  
ness hours. Copies of the proposed  
contract documents, plans specifi-  
cations, and instructions to bidders  
may be examined or secured at  
the office of the Consulting Engi-  
neers, Nussbaumer, Clarke & Vel-  
zy, 327 Franklin Street, Buffalo 2,  
New York. One copy of said docu-  
ments may be obtained upon pay-  
ment of \$25.00. Any bidder, upon  
returning such copy within thirty  
(30) days following the receipt of  
bids, will be refunded \$25.00, and  
any non-bidder upon so returning  
such copy will be refunded \$15.00.

Each proposal must be accom-  
panied by a certified check or bid  
bond in the amount of five (5) per-  
cent of the amount of the bid, pay-  
able to the order of Benedict T.  
Holtz, Supervisor of the Town of  
Cheektowaga. The bond shall be  
approved by the Town Attorney.

Proposals shall be submitted in  
sealed envelopes, plainly marked  
on the outside "Bid for Proposed  
Storm Overflow Manhole on 18  
inch Influent Sewer to Sewage  
Treatment Plant serving Sanitary  
Sewer District No. 3".

No bidder may withdraw his bid  
within sixty (60) days after the  
actual date of the opening thereof.

A surety bond by a company sat-  
isfactory to the Town Board and in  
the amount not less than 100% of  
the contract price will be required  
of the successful bidder.

The Town Board reserves the  
right to consider informal any bid  
not prepared and submitted in ac-  
cordance with the provisions of the  
specifications and contract docu-  
ments, and may waive any infor-  
malities in, make an award to oth-  
er than the low bidder, should it  
be in the best interests of the  
Town, or reject any and all bids.

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

KENNETH T. HANLEY,  
Town Clerk

Dated: October 4, 1954. o7

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
one week, the first insertion being on the  
7th day of October, 1954, and  
the last insertion being on the \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_, and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

\_\_\_\_\_ day of  
\_\_\_\_\_, 1954

*Hanley*  
Public in and for Erie County.



IRON WORKS

2265 Bailey Ave., Buffalo  
The Top of Our Trade  
BA 2355  
ELECT MEASUREMENT  
Buffalo, N.Y.  
U.S. PAT. OFF. DES. OFF.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... one ..... week, the first insertion being on the  
..... 7th day of October ....., 1954 and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

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

..... 1954

....., 19.....

*Wm. T. Hanley*

Notary Public in and for Erie County.

tn 51 7779

Notice of Public Hearing Aurora Street Paving

**LEGAL NOTICES**

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 4th day of October, 1954 at 2:30 o'clock P. M. Eastern Standard Time, there were:

**PRESENT:**  
Benedict T. Holtz, Supervisor  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
Stanley Bystrak, Councilman

**ABSENT:**  
Henry Nagel, Councilman  
Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of Aurora Drive extending from Marsdale westerly to the intersection of Leroy Road, a distance of approximately 310 feet, by the construction of a permanent pavement along said highway was filed in the Town Clerk's Office on September 20th, 1954, which petition was presented to this Town Board on the 20th day of September, 1954, and

WHEREAS, EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZYNSKI, Assessors of said Town of Cheektowaga, have certified, in writing, to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and also by resident owners owning more than one-half of the frontage owned by resident owners residing along both sides of said highway proposed to be improved, and

WHEREAS, the maximum amount proposed to be expended for the improvement aforesaid is the sum of Five Thousand Dollars (\$5 000.00), and

WHEREAS, the portion of said highway to be improved is situated entirely in said Town outside of any incorporated village or city therein,

NOW, THEREFORE  
IT IS HEREBY ORDERED, that the Town Board of the Town of Cheektowaga meet at the Town

Hall in said Town of Cheektowaga on the 18th day of October, 1954 at 7:30 o'clock P.M., to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED, that a copy of this order, certified by the Town Clerk, be published at least once in the Cheektowaga Times and the Depew Herald and Cheektowaga News, official newspapers of the Town, and which newspapers are published in and which have a general circulation in said 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 along the said highway to be improved not less than ten nor more than twenty days before the day designated for the hearing as aforesaid.

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

Supervisor Holtz, Voting Aye  
Councilman Neibert, Voting Aye  
Councilman Wroblewski, Voting Aye  
Councilman Bystrak, Voting Aye  
Councilman Nagel, Absent

AYES: 4; NOES: 0; ABSENT: 1.  
State of New York )  
Erie County )  
Office of the Clerk of the ) ss:  
Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 4th day of October, 1954 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 4th day of October, 1954.

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

Posted as follows on the 8th day of October, 1954;

- 1- Post in front of No. 71 Aurora Drive;
- 2- Post in front of No. 34 Aurora Drive;
- 3- Post in front of No. 75 Aurora Drive;
- 4- Post along side of No. 25 Leory Road;
- 5- Post along side of No. 40 Marsdale Road.

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

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, New York on the 4th day of October, 1954 at 2:30 o'clock P.M. Eastern Standard Time, there were:

PRESENT: Benedict T. Holtz, Supervisor Joseph A. Neibert, Councilman Felix Wroblewski, Councilman Stanley Bystrak, Councilman

ABSENT: One Henry Nagel, Councilman Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of Aurora Drive extending from Marsdale westerly to the intersection of Leroy Rd., a distance of approximately 310 feet, by the construction of a permanent pavement along said highway was filed in the Town Clerk's Office on September 20, 1954, which petition was presented to this Town Board on the 20th day of September, 1954, and

WHEREAS, EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZYNSKI, Assessors of said Town of Cheektowaga, have certified, in writing, to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and also by resident owners owning more than one-half of the frontage owned by resident owners residing along both sides of said highway proposed to be improved, and

WHEREAS, the maximum amount to be expended for the improvement aforesaid is the sum of Five Thousand Dollars (\$5,000.00), and

WHEREAS, the portion of said highway to be improved is situated entirely in said Town outside of any incorporated village or city therein,

NOW, THEREFORE, IT IS HEREBY ORDERED, that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 13th day of October, 1954 at 7:30 o'clock P.M., to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED, that a copy of this order, certified by the Town Clerk, be published at least once in the "CHEEKTOWAGA NEWS" and the "Depew Herald and Cheektowaga News," official newspapers of the Town, and which newspapers are published in and which have a general circulation in said 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 along said highway to be improved not less than ten nor more than twenty days before the day designated for the hearing as aforesaid.

Seconded by Councilman Bystrak and duly put to a vote which resulted as follows: Supervisor Holtz, voting Aye. Councilman Neibert voting Aye. Councilman Wroblewski voting Aye. Councilman Bystrak voting Aye. Councilman Henry Nagel, absent. AYES: 4 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 4th day of October, 1954 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 4th day of October, 1954.

KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.  
(SEAL) (10-7)

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 OCT 7 1954; last publication OCT 7 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this OCT 7 1954 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, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

Town Hall in the Town of Cheektowaga, New York on the 4th day of October, 1954 at 2:30 o'clock P. M. Eastern Standard Time, there were:

PRESENT:  
Benedict T. Holtz, Supervisor  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
Stanley Bystrak, Councilman

ABSENT:  
Henry Nagel, Councilman  
Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of Aurora Drive extending from Marsdale westerly to the intersection of Leroy Road, a distance of approximately 310 feet, by the construction of a permanent pavement along said highway was filed in the Town Clerk's Office on September 20th, 1954, which petition was presented to this Town Board on the 20th day of September, 1954, and

WHEREAS, EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZYNSKI, Assessors of said Town of Cheektowaga, have certified, in writing, to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and also by resident owners owning more than one-half of the frontage owned by resident owners residing along both sides of said highway proposed to be improved, and

WHEREAS, the maximum amount proposed to be expended for the improvement aforesaid is the sum of Five Thousand Dollars (\$5,000.00), and

WHEREAS, the portion of said highway to be improved is situated entirely in said Town outside of any incorporated village or city therein,

NOW, THEREFORE  
IT IS HEREBY ORDERED, that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 18th day of October, 1954 at 7:30 o'clock P.M., to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED, that a copy of this order, certified by the Town Clerk, be published at least once in the Cheektowaga Times and the Depew Herald and Cheektowaga News, official newspapers of the Town, and which newspapers are published in and which have a general circulation in said 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 along the said highway to be improved not less than ten nor more than twenty days before the day

designated for the hearing as aforesaid.  
Witness my hand and seal this 4th day of October, 1954, at Cheektowaga, New York.

Supervisor Holtz, Voting Aye  
Councilman Neibert, Voting Aye  
Councilman Wroblewski, Voting Aye  
Councilman Bystrak, Voting Aye  
Councilman Nagel, Absent  
AYES: 4; NOES: 0; ABSENT: 1.  
State of New York )  
Erie County )  
Office of the Clerk of the ) ss:  
Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 4th day of October, 1954 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 (seal) of said Town this 4th day of October, 1954.

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 1st day of October, 1954, and the last insertion being on the day of 1954, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

day of

19

Public in and for Erie County.

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

WHEREAS, the Town Cemetery located on the east side of Union Road, a short distance north of Genesee Street, has been ordered abandoned, pursuant to Section 296 of the Town Law by the Supreme Court of Erie County on September 20, 1954, and

WHEREAS, this property consisting of approximately one acre, is not needed for Town use and it should be sold, be it

RESOLVED, that the aforementioned property be sold at a public auction on the 18th day of October, 1954, at 3 P.M., at the Town Hall, Broadway and Union Road, Cheektowaga, New York, and that the Town Attorney be authorized to offer said property for sale on behalf of the Town of Cheektowaga, New York, subject to the terms and conditions mentioned in the annexed Notice to Bidders which is hereby ordered to be published at least once in the Cheektowaga Times and the Depew Herald-Cheektowaga News, the official newspapers of the Town of Cheektowaga on October 7, 1954.

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

- |                       |            |
|-----------------------|------------|
| Supervisor Holtz      | Voting AYE |
| Councilman Wroblewski | Voting AYE |
| Councilman Neibert    | Voting AYE |
| Councilman Bystrak    | Voting AYE |

( Councilman Nagel-Absent )

Ayes: -4-

Rest: -0-

Absent: -1-

**NOTICE TO BIDDERS**

SALE OF ABANDONED CEMETERY LAND ON THE EAST SIDE OF UNION ROAD, A SHORT DISTANCE NORTH OF GENESEE STREET, CHEEKTOWAGA, NEW YORK.

PLEASE TAKE NOTICE that the undersigned, pursuant to a resolution of the Town Board, duly adopted October 4, 1954, will offer for sale to the highest bidder, a tract of land belonging to the Town of Cheektowaga, located on the east side of Union Road, a short distance north of Genesee Street in the Town of Cheektowaga, New York and more particularly hereinafter described, on the 18th day of October, 1954 at the Council Chamber in the Town Hall located at Broadway and Union Roads, Cheektowaga, New York at 3:00 P. M.:

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. 13, Township 11, Range 7 of the Holland Land Company's Survey, described as follows:

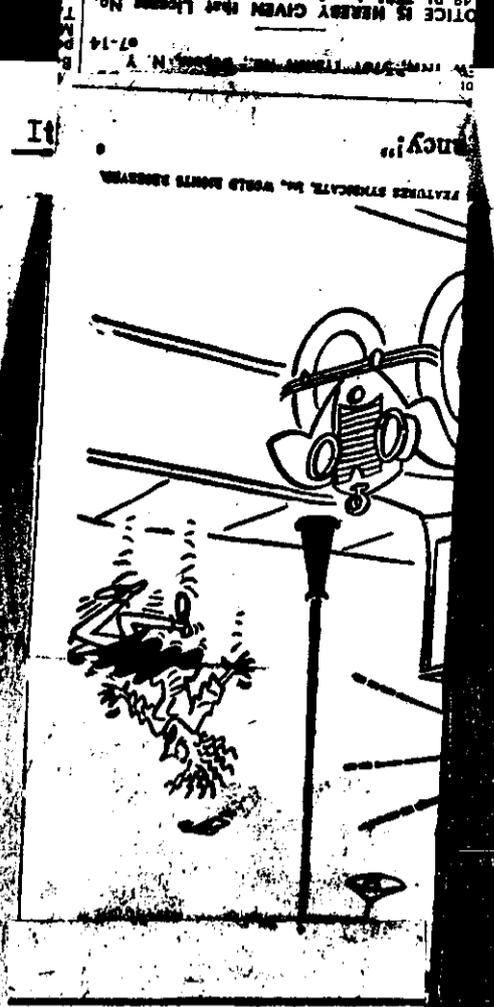
Beginning at a point on the west side of Lot No. 13 near the south center part of the section road in Township 11, Range 7 thirty-two (32) links northeast from a wild cherry tree standing in said section road near opposite of Louis Sugnet's house; thence southerly along the east line of said road three (3) chains sixteen (16) links to a stake and stones; thence easterly at right angles with the east line of said road three (3) chains seventeen (17) links to a stake and stones; thence northerly and parallel with the east line of said road three (3) chains sixteen (16) links to a stake and stones; thence westerly three (3) chains seventeen (17) links to the place of beginning, containing one (1) acre more or less.

The terms of the sale are as follows: 10% to be paid down by the successful bidder when his bid is accepted and the balance of the purchase price in cash or by certified check on November 15, 1954, which is hereby fixed as the closing date. The Town of Cheektowaga will furnish a search of said premises made by the Abstract and Title Insurance Corporation brought down to date, as well as a recently dated survey of said premises. The Town of Cheektowaga reserves the right to reject any and all bids, should it be in the best interest of the Town to do so. Bids submitted to the undersigned will be considered by the Town Board at its meeting to be held October 18, 1954 at 7:30 o'clock P.M.

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

**GEORGE B. DOYLE**  
Town Attorney

07



Ford Dealer

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

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

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
one week, the first insertion being on the  
7th day of October, 1934, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

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

..... 19.....

*Vernon H. Haney*

Notary Public in and for Erie County.

hm-49 5803

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

WHEREAS, the Town Cemetery located on the east side of Union Road, a short distance north of Genesee Street, has been ordered abandoned, pursuant to Section 296 of the Town Law by the Supreme Court of Erie County on September 20, 1954, and

WHEREAS, this property consisting of approximately one acre, is not needed for Town use and it should be sold, be it

RESOLVED, that the aforementioned property be sold at a public auction on the 18th day of October, 1954, at 3 P.M., at the Town Hall, Broadway and Union Road, Cheektowaga, New York, and that the Town Attorney be authorized to offer said property for sale on behalf of the Town of Cheektowaga, New York, subject to the terms and conditions mentioned in the annexed Notice to Bidders which is hereby ordered to be published at least once in the Cheektowaga Times and the Depew Herald-Cheektowaga News, the official newspapers of the Town of Cheektowaga on October 7, 1954.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE

( Councilman Nagel-Absent )

Ayes: -4-

Noes: -0-

Absent: -1-

**NOTICE TO BIDDERS**

**SALE OF ABANDONED CEMETERY LAND ON THE EAST SIDE OF UNION ROAD, A SHORT DISTANCE NORTH OF GENESEE STREET, CHEEKTOWAGA, NEW YORK.**

PLEASE TAKE NOTICE that the undersigned, pursuant to a resolution of the Town Board, duly adopted October 4, 1954, will offer for sale to the highest bidder, a tract of land belonging to the Town of Cheektowaga, located on the east side of Union Road, a short distance north of Genesee Street in the Town of Cheektowaga, New York and more particularly hereinafter described, on the 18th day of October, 1954 at the Council Chamber in the Town Hall located at Broadway and Union Roads, Cheektowaga, New York at 3:00 P. M.:

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. 13, Township 11, Range 7 of the Holland Land Company's Survey, described as follows:

Beginning at a point on the west side of Lot No. 13 near the south center part of the section road in Township 11, Range 7 thirty-two (32) links northeast from a wild cherry tree standing in said section road near opposite of Louis Sugnet's house; thence southerly along the east line of said road three (3) chains sixteen (16) links to a stake and stones; thence easterly at right angles with the east line of said road three (3) chains seventeen (17) links to a stake and stones; thence northerly and parallel with the east line of said road three (3) chains sixteen (16) links to a stake and stones; thence westerly three (3) chains seventeen (17) links to the place of beginning, containing one (1) acre more or less.

The terms of the sale are as follows: 10% to be paid down by the successful bidder when his bid is accepted and the balance of the purchase price in cash or by certified check on November 15, 1954, which is hereby fixed as the closing date. The Town of Cheektowaga will furnish a search of said premises made by the Abstract and Title Insurance Corporation brought down to date, as well as a recently dated survey of said premises. The Town of Cheektowaga reserves the right to reject any and all bids, should it be in the best interest of the Town to do so. Bids submitted to the undersigned will be considered by the Town Board at its meeting to be held October 18, 1954 at 7:30 o'clock P.M.

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

**GEORGE E. DOYLE,**  
Town Attorney

07

**NOTICE TO BIDDERS**

**Sale of Abandoned Cemetery Land**  
on the East Side of Union Road, a Short Distance North of Genesee Street, Cheektowaga, New York.  
PLEASE TAKE NOTICE that the undersigned, pursuant to a resolution of the Town Board, duly adopted October 4, 1954, will offer for sale to the highest bidder, a tract of land belonging to the Town of Cheektowaga, located on the east side of Union Road, a short distance north of Genesee Street in the Town of Cheektowaga, New York and more particularly hereinafter described, on the 18th day of October, 1954 at the Council Chamber in the Town Hall located at Broadway and Union Rd, Cheektowaga, New York, at 3:00 P.M.

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. 13, Township 11, Range 7 of the Holland Land Company's Survey, described as follows:

Beginning at a point on the west side of Lot No. 13 near the south center part of the section road in Township 11, Range 7, thirty-two (32) links northeast from a wild cherry tree standing in said section road near opposite of Louis Sugnet's house; thence southerly along the east line of said road three (3) chains sixteen (16) links to a stake and stones; thence easterly at right angles with the east line of said road three (3) chains seventeen (17) links to a stake and stones; thence northerly and parallel with the east line of said road three (3) chains sixteen (16) links to a stake and stones; thence westerly three (3) chains seventeen (17) links to the place of beginning, containing one (1) acre more or less.

The terms of the sale are as follows: 10% to be paid down by the successful bidder when his bid is accepted and the balance of the purchase price in cash or by certified check on November 15, 1954, which is hereby fixed as the closing date. The Town of Cheektowaga will furnish a search of said premises made by the Abstract and Title Insurance Corporation brought down to date, as well as a recently dated survey of said premises. The Town of Cheektowaga reserves the right to reject any and all bids, should it be in the best interest of the Town to do so. Bids submitted to the undersigned will be considered by the Town Board at its meeting to be held October 18, 1954 at 7:30 o'clock P. M.

By order of the Town Board of the Town of Cheektowaga, New York.  
George B. DOYLE  
Town Attorney

(10-7)

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 ~~two~~ weeks:  
first publication ..... OCT 7 1954 .....  
last publication ..... OCT 7 1954 .....  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
day of ..... OCT 7 1954 ..... 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, 1955  
Registered No. 5029

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

... OF ABOVE...  
... LAND ON THE EAST SIDE  
OF UNION ROAD, A SHORT DIS-  
TANCE NORTH OF GENESEE  
STREET, CHEEKTOWAGA, NEW  
YORK.

PLEASE TAKE NOTICE that  
the under...

... of the...  
... of Cheektowaga, located on the  
... of Union Road, a short  
distance north of Genesee Street  
in the Town of Cheektowaga, New  
York and more particularly here-  
inafter described, on the 18th day  
of October, 1954 at the Council  
Chamber in the Town Hall locat-  
ed at Broadway and Union Roads,  
Cheektowaga, New York at 3:00  
P. M.:

ALL THAT TRACT OR PAR-  
CEL OF LAND situate in the  
Town of Cheektowaga, County  
of Erie and State of New York  
being part of Lot No. 13, Town-  
ship 11, Range 7 of the Holland  
Land Company's Survey, de-  
scribed as follows:

Beginning at a point on the west  
side of Lot No. 13 near the south  
center part of the section road  
in Township 11, Range 7 thirty-  
two (32) links northeast from a  
wild cherry tree standing in said  
section road near opposite of  
Louis Sugnet's house; thence  
southerly along the east line of  
said road three (3) chains six-  
teen (16) links to a stake and  
stones; thence easterly at right  
angles with the east line of said  
road three (3) chains seventeen  
(17) links to a stake and stones;  
thence northerly and parallel  
with the east line of said road  
three (3) chains sixteen (16)  
links to a stake and stones;  
thence westerly three (3) chains  
seventeen (17) links to the place  
of beginning, containing one (1)  
acre more or less.

The terms of the sale are as fol-  
lows: 10% to be paid down by the  
successful bidder when his bid is  
accepted and the balance of the  
purchase price in cash or by certi-  
fied check on November 15, 1954,  
which is hereby fixed as the clos-  
ing date. The Town of Cheekto-  
waga will furnish a search of said  
records made by the Abstract and  
Insurance Corporation  
... down to date, as well as  
a recently dated survey of said  
premises. The Town of Cheekto-  
waga reserves the right to reject  
any and all bids, should it be in the  
best interest of the Town to do so.  
Bids submitted to the undersigned  
will be considered by the Town  
Board at its meeting to be held  
October 18, 1954 at 7:30 o'clock  
P.M.

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

GEORGE B. DOYLE,  
Town Attorney

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for

one week, the first insertion being on the  
7th day of October, 1954, and

the last insertion being on the ... day of  
..., 19..., and that not

more than six days intervened between any two publi-  
cations thereof.

Richard G. Bennett

day of  
..., 19...

in and for Erie County.

Item



**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 7th day of October, 1957, 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  
 OCT 13 1954  
 ....., 19.....

*Kimberly D. Haver*  
 Notary Public in and for Erie County.

tn 51 7779

DECISION  
OF  
ZONING BOARD OF APPEALS

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In the matter of the application of Rumsey, Read and Kimberly, Inc.,  
Loblaw, Inc. and  
Spencer Kellogg & Sons, Inc.

To Rezone From "Residence District" to "First Industrial", with variances  
real property located in the Town of Cheektowaga, New York

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RUMSEY, READ AND KIMBERLY, INC., made application to rezone from "Residence District" to "First Industrial District", with variances property located on the south side of Genesee Street, across from the Buffalo Airport, consisting of approximately forty (40) acres of property. A metes and bounds description of the property is attached hereto and made a part of this decision. There is also attached hereto and made a part of this decision. There is also attached a metes and bounds description of the property to be used by Spencer Kellogg & Sons, Inc., which is marked "Parcel 1".

A public hearing was held before the Zoning Board of Appeals on the 11th day of August, 1954. The petitioner, Rumsey, Read and Kimberly, Inc., was represented at the public hearing and requested that the application for rezoning be amended so as to include the Loblaw, Inc. and Spencer Kellogg & Sons, Inc. as petitioners. The Zoning Board of Appeals granted the request and in its decision is considering the matter as if three applications had been filed, one by Rumsey, Read and Kimberly, Inc., one by Loblaw, Inc., and one by Spencer Kellogg & Sons, Inc.

Its reason for doing so is that representatives of Loblaw, Inc and Spencer Kellogg & Sons, Inc. appeared at the public hearing and stated that these two companies were to become the ultimate owners of the property and intended to use the same. It was brought out at the hearing that Spencer Kellogg & Sons, Inc. was purchasing the easterly portion of the property sought to be zoned and would have a frontage on Tennessee Street of approximately 400 feet, and a depth of approximately 500 feet, together with an easement extending to the rear of the property for a railroad siding.

It was brought out at the hearing that Spencer Kellogg & Sons, Inc. intended to construct on the premises a chemical and physical research and control laboratories and pilot plant, together with warehouses for the storage of vegetable oils and tanks for outside storage of such oils, and railroad sidings so as to connect said premises with the New York Central Railroad.

In remaining property for which zoning is sought with variances, is to be occupied by Loblaw, Inc. for a warehouse for the storage of foods and food products, and other types of merchandise. Its representatives stated at the public hearing that at some future date the company intended to use a portion of the property as a bakery.

The property sought to be rezoned, with variances, for the most part, is located outside the boundaries of Sewer District No. 5. Property owners in the immediate vicinity were much concerned about the storm water situation and the effect it might have if buildings to be built on this property were to be connected with the present facilities of Sewer District No. 5.

Ordinarily, the Zoning Board of Appeals does not concern itself with the availability of utilities for property sought to be rezoned. It feels that this is a matter over which the Town Board has supervision and control. In this particular instance the Zoning Board of Appeals felt that it was its duty to investigate the availability of the sanitary sewer facilities in view of the fact that there is no storm sewer as yet in this area to take care of storm water which, at the present time at wet periods enter the sanitary sewer and cause to back up.

The petitioners were requested to provide the Zoning Board of Appeals with a report from a licensed engineer as to the manner in which the property sought to be rezoned would be connected with the sanitary sewer and of the effect, if any it would have on the storm water situation. Nussbaumer, Clarke & Velzy, licensed engineers have furnished the Zoning Board of Appeals with a written report as to the manner in which the sewer connections are to be made. These engineers are also the consulting engineers for the Town of Cheektowaga, New York. They have been engaged by the Town of Cheektowaga, New York, to prepare definite plans and specifications preparatory to the creation and establishment of a storm water sewer district. They

ITEM NO. 18 Con't.

also called attention the fact that the Town of Cheektowaga is building a pumping station near George Urban Blvd., which may relieve the situation in the area during wet periods. These are matters under the jurisdiction of the Town Board, and we are referring the sewer situation as it presently exists for its consideration.

Buell Avenue is a Town highway and has been recently paved for use by automobile and light trucks. It must be substantially re-built if it is to be used by heavy trucks. We called this fact to the attention of the Town Board for its further consideration.

After the public hearing on rezoning, the members of the Zoning Board of Appeals made a complete survey of all the property in the immediate area. The Buffalo Airport occupies all the land on the north side of Genesee Street, from Cayuga Dick Road, to the property of the Westinghouse Electric Company a large manufacturing plant. No part of the property is used for residence purposes.

Substantial portions of the property located on the south side of Genesee Street east of Cayuga-Dick Road have been used for business and industrial purposes for many years. There is located in the rear of the property the West Shore Railroad. On account of its close proximity to the airport and the railroad, this property is no longer adaptable for residential use.

We recommend to the Town Board the application to rezone the entire premises hereinafter described from "Residence District" to "First Industrial District", with variances, be granted, and that the Town Board approve the recommendation of the Zoning Board of Appeals as to rezoning.

We are not granting any variances to Rumsey, Read and Kimberley, Inc., as it was bought out at the public hearing that that corporation did not intend to use any part of the property.

The Zoning Board of Appeals, pursuant to Paragraph 10 of Section 29 of the Zoning Ordinances of the Town of Cheektowaga, New York, grants to Loblaw, Inc., and to Spencer Kellogg & Sons, Inc., their successors and assigns, and to their tenants, if any, the following variances:

TO LOBLAW, INC.

Permission is hereby granted to construct on that portion of the property retained by it, buildings to be used as a warehouse for receiving, shipping, processing and preparation and storage of food, food products of all kinds, for receiving, shipping and storage of household supplies, drugs, tobacco items and personal property of all kinds, including the construction of buildings to be used as a bakery.

Permission is also granted to construct on the premises railroad sidings for a truck and freight terminal, garages and buildings to house its trucks, and to service the same.

Permission is also granted Loblaw, Inc., to construct and maintain on the premises buildings for private printing and sign painting shop, carpenter shop for the fabrication of store fixtures, with paint and spray shop in connection therewith, and the incidental storage of lumber and building materials used by it in the construction and repair of buildings to be constructed on the premises.

Additional variances are granted to permit Loblaw, Inc. their successors, assigns or tenants, if any, the right and privilege to use the premises for any of the purposes permitted in a First Industrial District, and in addition thereto, to own and operate warehouse buildings for the storage of food and food products and merchandise of all types and description.

Permission is further granted Loblaw, Inc., to engage in the manufacture, preparation and processing of foods, food products, goods, wares and merchandise.

No part of the premises can be used for a lumber yard, junk yard, foundry, manufacture of steel or steel products or metals, slaughter house, rendering works, or any industry which would produce fumes or objectional odors, or create an unusual amount of noise.

TO SPENCER KELLOGG & SONS, INC.

Permission is hereby granted to construct on the premises hereinafter described as "Parcel 1" chemical and physical research and control laboratories and pilot plant and all facilities required in the activities and operations of such laboratories and pilot plant, including indoor and outdoor storage of materials, including inflammable liquids and gases.

Permission is also granted to construct a warehouse or warehouses for the storage of vegetable oils and tanks for outdoor storage of such oils.

Permission is also granted to Spencer Kellogg & Sons, Inc., to construct railroad sidings so as to connect said premises with the New York Central R.R.  
Dated Sept 23, 1954.

Leo Kurnick      Chairman  
Charles G. Hanson  
Lawrence M. Jamszczak  
Michael L. Henfling

LOBLAW INC.

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Farm Lot No. Five (5) Township Eleven (11) and Range Seven (7) of the Holland Land Company's Survey and more particularly described as follows:

BEGINNING at a point in the center line of Genesee Street, 664.95 feet easterly from the point of intersection of the center line of Genesee Street with the westerly line of Lot No. 5, said point being also the northwesterly corner of lands conveyed by Caroline Abt to August Dotterweich and wife of Deed recorded in the Erie County Clerk's Office in Liber 1929 of Deeds, Page 152 on April 19, 1927; running thence southerly, parallel with the westerly line of said Lot No. 5, and along the westerly line of lands conveyed to said Dotterweich by said Deed (being also the easterly line of lands now owned by Rose M. Langendorfer) 422.67 feet more or less to a point in said Dotterweich's westerly line where the same would be intersected by a line drawn parallel with the southerly line of lot No. 5 extended from a point in the easterly line of Buell Avenue, 225 feet south of the southerly line of Genesee Street, measured along said easterly line of Buell Avenue; thence westerly, parallel with said southerly line of Lot No. 5, 595.48 feet more or less to a point in the easterly line of Buell Avenue which is 225 feet south of the southerly line of Genesee Street, measured along said easterly line of Buell Avenue; thence southerly, along said easterly line of Buell Avenue, 422.37 feet more or less to the northerly line of lands conveyed by Rose M. Langendorfer to Frank LoBue by Deed at page 108; thence easterly, along said northerly line of lands so conveyed to LoBue, 150 feet; thence southerly along the easterly line of lands so conveyed to LoBue, 75 feet to the southerly line of Lot No. 5; thence easterly, along said southerly line of Lot No. 5, 1430.82 feet more or less to the intersection of the said southerly line of Lot No. 5 with the northerly line of lands of the West Shore Railroad Co.; thence northwesterly, along the said northerly line of lands of said Railroad, 680 feet more or less to the intersection of said northerly line of lands of said Railroad with the easterly line of lands conveyed to Victor Reinstein by deed recorded in the Erie County Clerk's Office in Liber 4265 of Deeds, Page 76 on January 23, 1948; thence northerly, along the easterly line of lands so conveyed to said Reinstein by said Deed, 1100 feet more or less to the center line of Genesee Street; and thence westerly, along said center line of Genesee Street; 3664.64 feet; more or less to the point or place of beginning.

## ALSO

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Farm Lot No. Four (4), Township Eleven (11) Range Seven (7) of the Holland Land Company's survey and according to map filed in the Erie County Clerk's Office under Cover No. 733 are known and distinguished as Subdivision Lot Nos. 20 through 24, both inclusive.

## Parcel 1

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE Town of Cheektowaga, Erie County, New York, being part of Lot 5, Township 11 and Range 7 of the Holland Land Company's survey, described as follows:

BEGINNING at a point in the southerly line of Genesee Street distant approximately twenty-two hundred forty-five and seventy-six hundredths (2245.76) feet easterly from the intersection of said line of Genesee Street with the easterly line of Buell Avenue, being the northeast corner of lands now owned by Victor Reinstein; running thence southerly along the easterly line of said lands of Victor Reinstein approximately five hundred (500) feet; thence westerly parallel with Genesee Street four hundred (400) feet; thence northerly parallel with the first mentioned boundary five hundred (500) feet to the southerly line of Genesee Street; thence easterly along said line of Genesee Street to the point of beginning, together with a strip of land sufficient for a sidetrack to be constructed from the said premises to the New York Central right of way to the south, which strip of land is to be located approximately along the easterly boundary of the said lands now owned by Victor Reinstein.

It being intended to describe, and this description shall be deemed to refer to, the tract of land to be acquired by Spencer Kellogg and Sons Inc. as finally described in the deed or deeds to it of such tract.

REPORT ON  
SANITARY SEWER FACILITIES  
LOBLAW INC. SITE  
TOWN OF CHERKOTOWAGA  
SOUTH SIDE GENESEE STREET, EAST OF BUELL AVENUE

The land the plant proposes to occupy extends from Buell Avenue, East to the east line of lands formerly owned by Victor Reinstein.

They propose to build a warehouse and garage immediately and a bakery later. Water consumption would be as follows:

Bakery	1,350,000 gal. per mo.
Warehouse	750,000 gal per mo.
Garage	45,000 gal per mo.

This would amount to an average of about 80,000 g.p.d. and 160,000 g.p.d. rate for the daytime shift.

A 10 inch sewer on a 0.28% G.R. has a capacity of about 1.8 M.G.D. On the theory that the allowable sewer load should not exceed the average by 300%, the maximum average capacity permitted in this sewer should not exceed 600,000 g.p.d.

There is a 10 inch sewer in Buell Avenue running south from West Sienkiewick Avenue which, therefore, would be adequate to receive this flow and that from the neighboring domestic residences.

The sewer from the Loblaw plant should enter the 10 inch section of the sewer.

The Spicer Kellogg Company to the east may be able to enter the Genesee Street sewer by gravity. If they cannot, they should make some arrangements with Loblaw to also enter the Buell Avenue sewer.

This sewer and the Genesee Street sewer serving Westinghouse join at Orchard Place and Chapel. Field observations indicate that the Westinghouse sewer and Orchard Place west of this junction are not over-loaded in dry weather.

In wet weather when the sewer load increases several times dry weather flow, this section of the sewer is surcharged, and flooding occurs in the area including the easterly parts of Southcrest, Northcrest, and Chapel, which is the low end of these Streets.

Other flooding occurs in Meadow Place, Evergreen, Woodbine.

A relief pumping station is to be constructed at George Urban Boulevard and Frederick Street to take storm water sewage from the Mildred Street 42 inch trunk sewer and discharge the same into Scajaquada Creek after chlorination. The station capacity is 35 M.G.D. The relief offered by this station should eliminate largeley flooding in the above two areas. Bids are being advertised September 9, 1954.

If the above program is effective as indicated, then no other arrangements are necessary. If it is not sufficiently effective then the following is suggested:

The attached sketch shows the existing sewers and proposed extensions. The sewer extension marked "A" could be built together with "B". This would afford an outlet at the West Shore Railroad and Union Road to which a connection would be made from Union Road and Oriole. This is sufficiently near the center of the present flooding to afford needed relief to avoid surcharging the existing sewers during wet weather. Probably a siphon would be required under the U\*crest Storm Drain.

While these provisions are not exact solutions, we believe the Town would be justified in permitting the Loblaw and Spencer Kellogg Companies to discharge sewage into the Buell Avenue sewer as above described, with the supposition that the George Urban Boulevard Station would afford adequate relief, which can only be ascertained by experience, and if it is not, expect to construct the second alternative.

August 26, 1954

NUSSBAUMER, CLARKE, & VELZY

Item No. 19

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, Loblaw, Inc., has applied to the Town Board as Sewer Commissioners of Sanitary Sewer District No. 5 for permission to connect the facilities of Sewer District No. 5 with its property located on the south side of Genesee Street, east of Buell Avenue, a metes and bounds description, of which is attached to the annexed agreement dated October 4, 1954, which agreement is incorporated in and made a part of this resolution, be it

Item No. 19 Cont'd

RESOLVED, that said agreement be and same is hereby approved and the Supervisor and the members of the Town Board are authorized to execute the same on behalf of the Town of Cheektowaga, New York.

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

Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Nagel	Absent
Supervisor Holtz	Voting AYE

CARRIED: AYES: -4-  
ABSENT: 1-

Item No. 20

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, the Town Board, as Sewer Commissioners of Sanitary Sewer District No. 5 has entered into a contract with Loblaw, Inc., to extend the sewer facilities to property belonging to Loblaw, Inc., on the south side of Genesee Street, east of Buell Avenue, and

WHEREAS, it is necessary to make sewer connections with the present facilities located on Buell Avenue, be it

RESOLVED, that permission is hereby granted Loblaw, Inc. to connect its sanitary sewer lines with the existing sewer lines on Buell Avenue. That attached hereto and made a part of this resolution is an agreement, which is hereby approved, and the Supervisor is authorized to execute the same on behalf of the Town of Cheektowaga, New York.

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

Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting Aye
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting Aye

CARRIED: AYES: -4-  
ABSENT: 1-

**REZONING GRANTED**  
**LEGAL NOTICE**

WHEREAS, the Zoning Board of Appeals held a public hearing on the 11th day of August, 1954, for the purpose of considering the application of Loblaw Inc., and Spencer Kellogg & Sons, Inc., for the rezoning from Residential District to First Industrial District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 23rd day of September, 1954, having rendered its decision granting the application of petitioner to rezone from Residential District to First Industrial District with variances the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 4th day of October, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone premises from Residential District to First Industrial (with variances) district, be and the same is hereby confirmed and approved,

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended entitled "Zoning Ordinance" 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 "First Industrial District" (with Variances).

**DESCRIPTION**

6½ acres, more or less, located on the south side of Genesee Street, Town of Cheektowaga, having approximately 183 feet front, and running south to the West Shore Railroad, all being approximately 3,350 feet east of Dick Road, south of the Buffalo Airport.

33 acres more or less located on the south side of Genesee Street, Town of Cheektowaga, having approximately 1,343 feet frontage and running south to West Shore Railroad, all being approximately 2,000 feet east of Dick Road, south of the Buffalo Airport.  
(Genesee Street, opposite the Buffalo Airport).

Dated: October 4, 1954.

KENNETH T. HANLEY,  
Town Clerk

Posted as follows on the 13th day of October, 1954;

1- Town Hall Bulletin Board.

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

**WHEREAS**, the Zoning Board of Appeals held a public hearing on the 11th day of August, 1954, for the purpose of considering the application of Loblaw Inc, and Spencer Kellogg & Sons, Inc., for the rezoning from Residential District to First Industrial District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

**WHEREAS**, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

**WHEREAS**, the Zoning Board of Appeals on the 23rd day of September, 1954, having rendered its decision granting the application of petitioner to rezone from Residential District to First Industrial District with variances the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 4th day of October, 1954.

**BE IT RESOLVED**, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residential District to First Industrial (with variances) District, be and the same is hereby confirmed and approved.

**NOW, THEREFORE**,  
**BE IT RESOLVED**, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance," 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 "First Industrial District" (with variances).

**DESCRIPTION**  
 6 1/2 acres, more or less, located on the south side of Genesee Street, Town of Cheektowaga, having approximately 183 feet front, and running south to the West Shore Railroad, all being approximately 3,350 feet east of Dick Road, south of the Buffalo Airport.

33 acres more or less located on the south side of Genesee Street, Town of Cheektowaga, having approximately 1,343 feet frontage and running south to West Shore Railroad, all being approximately 2,000 feet east of Dick Road, south of the Buffalo Airport.  
 (Genesee Street, opposite the Buffalo Airport)

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

Dated: October 4, 1954 (10-7)

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 OCT 7 1954  
last publication OCT 7 1954;  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this OCT 7 1954  
day of OCT 7 1954, 1954

*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, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

Appears before the Zoning Board of Appeals on the 11th day of August, 1954, for the purpose of considering the application of Loblaw Inc., and Spencer Kellogg & Sons, Inc., for the rezoning from Residential District to First Industrial District of the property hereinafter described, and the Zoning Map and Ordinance.

On the 23rd day of September, 1954, having rendered its decision granting the application of petitioner to rezone from Residential District to First Industrial District with variances the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 4th day of October, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone premises from Residential District to First Industrial (with variances) district, be and the same is hereby confirmed and approved.

NOW, THEREFORE,  
BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended entitled "Zoning Ordinance" 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 "First Industrial District" (with Variances).

**DESCRIPTION**  
6 1/2 acres, more or less, located on the south side of Genesee Street, Town of Cheektowaga, having approximately 1343 feet front and running south to West Shore Railroad, all being approximately 2000 feet east of Dick Road, south of the Buffalo Airport. (Genesee Street, opposite the Buffalo Airport).

Dated: October 4, 1954.  
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 public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 7th day of October, 1954, 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

19\_\_\_\_

*Hanley*  
Public in and for Erie County.

of new home and new industries  
properties to the town in the for  
continued, "the addition of taxat  
falls to point out," Mr. Koble  
Water Company to the county.  
transfer of the Western N  
New York State Thruway, and t  
property in the construction of t  
that the town has lost taxat  
soften the blow by pointing o  
ved that "the supervisor wishes  
The association president obs  
Hearing Oct. 20  
Public Urged To Attend Budget  
letter read.  
instances for part-time jobs," t  
ves substantial increases, in ma  
the past six years given them  
town. "Town officials have dur  
ent time in total power in t  
the administration is, at the pr  
Mr. Kobleiski pointed out th  
food for thought," he concluded.  
self should give you a great deal  
solidly Democratic. That fact in  
area which heretofore has be  
negative, and that, coming from  
posed increases was tremendous  
declared, "the reaction to the p  
ers and voters, Mr. H

**RICHARD G. BENNETT**

..... duly sworn, deposes and says that he is the

**PUBLISHER**

..... of the

Depew                      Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... one ..... week, the first insertion being on the  
..... 7th day of October ..... 19..... and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

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

Oct 12 1954

....., 19.....

*Verneta Hanley*

Notary Public in and for Erie County.

tn 51 7779

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 6th day of October, 1954, at 2:30 o'clock P.M., E.S.T., there were:

PRESENT: Benedict T. Holtz	Supervisor
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
ABSENT: Henry J. Nagel	Councilman
Stanley R. Bystrak	Councilman

Also present was Town Clerk Hanley and Chief of Police Mersmann.

Item No. 2 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that this Town Board does hereby prepare and approve as the Preliminary Budget of this Town of the Fiscal Year beginning on the 1st day of January, 1955, the itemized statement of the estimated revenues and expenditures hereto attached and made part of this resolution, and

BE IT FURTHER RESOLVED, that such Preliminary Budget shall be filed in the Office of the Town Clerk, where it shall be available for inspection by any interested persons at all reasonable hours, and

BE IT FURTHER RESOLVED, that this Board shall meet at 7:30 P.M., Eastern Standard Time on the 20th day of October, 1954, for the purpose of holding a public hearing upon such Preliminary Budget, and

BE IT FURTHER RESOLVED, that the Town Clerk give notice of such public hearing in the manner provided in Section 113 of the Town Law and that such notice be published in substantially the following form:

**NOTICE OF HEARING ON  
PRELIMINARY BUDGET**

NOTICE IS HEREBY GIVEN that the Preliminary Budget of the Town of Cheektowaga, New York, for the fiscal year beginning January 1, 1955, has been completed and filed in the office of the Town Clerk at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York, where it is available for inspection by any interested person at all reasonable hours.

Further notice is hereby given that the Town Board of the Town of Cheektowaga, New York, will meet and review said Preliminary Budget and hold a public hearing thereon, at the Town Hall, corner of Union Road & Broadway, Cheektowaga, New York, at 7:30 o'clock, P. M., Eastern Standard Time, on the 20th day of October, 1954, and that at such hearing any person may be heard in favor or against the Preliminary Budget as compiled, for or against any item or

Pursuant to Section 113 of the Town Law, the proposed salaries of the following Town Officers are hereby specified as follows:

Supervisor .....	\$7,500.00
Councilman (4) .....	3,600.00
Town Clerk .....	6,000.00
Town Superintendent of Highways .....	6,500.00
Town Attorney .....	8,500.00
Town Engineer .....	9,000.00

By order of the Town Board.  
Dated: October 6th, 1954.  
KENNETH T. HANLEY,  
Town Clerk

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

Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Supervisor Holtz	Voting AYE

Carried: AYES: -3-

NOES: -0-

ABSENT: -2-

The notice of the hearing was posted on the 8th day of October, 1954, in the following places:

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

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

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 two weeks:

first publication ..... OCT 7 1954 .....  
 last publication ..... OCT 14 1954 .....;

and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of OCT 14 1954, 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, 1955  
 Registered No. 5029

**NOTICE IS HEREBY GIVEN** that the Preliminary Budget of the Town of Cheektowaga, New York, for the fiscal year beginning January 1, 1955, has been completed and filed in the office of the Town Clerk at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York, where it is available for inspection by any interested person at all reasonable hours.

**FURTHER NOTICE IS HEREBY GIVEN** that the Town Board of the Town of Cheektowaga, New York, will meet and review said Preliminary Budget and hold a public hearing thereon, at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York, at 7:30 o'clock, P.M., Eastern Standard Time, on the 20th day of October, 1954, and that at such hearing any person may be heard in favor or against the Preliminary Budget as compiled, for or against any item or items therein contained.

**PURSUANT TO SECTION 113** of the Town Law, the proposed salaries of the following Town Officers are hereby specified as follows:

Supervisor .....	\$7500.00
Councilman (4) .... each,	3600.00
Town Clerk .....	6,000.00
Town Superintendent of Highways .....	6500.00
Town Attorney .....	8500.00
Town Engineer .....	9000.00

**BY ORDER OF THE TOWN BOARD**  
 Dated: October 6, 1954.

**KENNETH T. HANLEY**  
 Town Clerk

(29-1,14)

STATE OF NEW YORK  
COUNTY OF CHEEKTOWAGA

**NOTICE**  
that the Preliminary Budget for the Town of Cheektowaga, New York, for the year beginning January 1, 1955, has been completed and filed in the office of the Town Clerk at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York, where it is available for inspection by any interested person at all reasonable hours.

Further notice is hereby given that the Town Board of the Town of Cheektowaga, New York, will meet and review said Preliminary Budget and hold a public hearing thereon, at the Town Hall, corner of Union Road & Broadway, Cheektowaga, New York, at 7:30 o'clock, P. M., Eastern Standard Time, on the 20th day of October, 1954, and that at such hearing any person may be heard in favor or against the Preliminary Budget as compiled, for or against any item or items therein contained.

Pursuant to Section 113 of the Town Law, the proposed salaries of the following Town Officers are hereby specified as follows:

Supervisor	\$7,500.00
Councilman (4)	3,600.00
Town Clerk	6,000.00
Town Superintendent of Highways	6,500.00
Town Attorney	8,500.00
Town Engineer	9,000.00

By order of the Town Board.  
Dated: October 6th, 1954.  
KENNETH T. HANLEY,  
Town Clerk

2014

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for two weeks, the first insertion being on the 7th day of October, 1954, and the last insertion being on the 14th day of October, 1954, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this 18 day of

Oct, 1954

*Stan J. Levek*  
Notary Public in and for Erie County.

STAN J. LEVEK  
Notary Public - State of New York  
Qualified in Erie County  
My commission expires Mar. 30, 1956

Item No. 2- Cont'd

PRELIMINARY BUDGET FOR YEAR 1955

As prepared and approved by the Town Board-

October 6, 1954

( Except Special Districts spreading costs on Benefit  
Part )

10-14-54  
10-14-54

RECEIVED FROM THE TOWN BOARD  
FOR THE YEAR 1955

TOWN OF CHEEKTOWAGA, NEW YORK  
PRELIMINARY BUDGET FOR YEAR 1955

As prepared and approved by Town  
Board - October 6, 1954

(Except Special Districts spreading costs on Benefit Basis)

DETAIL OF ESTIMATED EXPENDITURES

	<u>ESTIMATED AMOUNTS</u>	
	<u>DETAIL</u>	<u>TOTAL</u>
<u>OFFICE OF TOWN CLERK</u>		
Salary of Town Clerk	\$ 6,000.00	
Salary of Deputy Town Clerk	3,200.00	
Salary of Clerk	3,150.00	
Senior Stenographer	3,000.00	
Telephone Operator	2,900.00	
Postage, stationery, etc.	2,500.00	
Office equipment	500.00	
	<u>500.00</u>	\$ 21,250.00
<u>OFFICE OF RECEIVER OF TAXES</u>		
Salary of Receiver of Taxes	\$ 6,000.00	
Salary of Senior Account Clerk	3,500.00	
Salary of Accounting Machine Operator	2,800.00	
Compensation of Extra Clerks	3,500.00	
Equipment	1,120.00	
Service contracts	307.00	
Supplies	400.00	
Expense relating to County tax rolls:		
Postage	\$500.00	
Supplies	<u>240.00</u>	740.00
Expense relating to School tax rolls:		
Postage	\$450.00	
Supplies, etc.	<u>715.00</u>	1,165.00
	<u>1,165.00</u>	19,532.00
<u>BOARD OF ASSESSORS</u>		
Salary of Assessors:		
Chairman	\$ 5,000.00	
2 Assessors @ \$4,300.00 each	8,600.00	
Salary - Addressograph Operator	3,200.00	
Salary - Stenographer	3,000.00	
Salary - Senior Clerk - Special assessments	3,450.00	
Salary of Clerk to Assessors	4,400.00	
Salary of Draftsman	2,200.00	
Extra Clerks - Special assessments	800.00	
Office equipment	2,000.00	
Office expense	700.00	
Traveling expense	600.00	
Handyman	<u>1,800.00</u>	35,750.00
	<u>1,800.00</u>	
<u>JUSTICES OF THE PEACE</u>		
Salary of Justices - 2 @ \$4,500.00 each	\$ 9,000.00	
Dockets, postage, legal forms, etc.	500.00	
Stenographic services	300.00	
Jurors' fees	200.00	
Equipment	<u>600.00</u>	10,600.00
	<u>600.00</u>	

PRELIMINARY BUDGET FOR YEAR 1955 - (Cont'd)

	<u>ESTIMATED AMOUNTS</u>	
	<u>DETAIL</u>	<u>TOTAL</u>
<u>POLICE DEPARTMENT</u>		
Town police force salaries	\$206,700.00	
Telephone operators salaries	16,000.00	
Mechanic's salary	4,000.00	
Town police force uniforms	4,800.00	
Gasoline and oil	9,000.00	
Maintenance of cars and cycles	5,000.00	
Printing and stationery	500.00	
Materials and supplies	1,000.00	
Purchase of motor equipment	12,000.00	
Purchase of office equipment	250.00	
Medical examinations	500.00	
Fees in criminal proceedings	100.00	
Special traffic guards	75.00	
Special investigations	200.00	
Maintenance - Radio station	900.00	
New equipment - " "	4,200.00	
Traveling expenses	500.00	
Meals to prisoners	500.00	
Services of matron	1,100.00	\$267,325.00
<u>RECREATION DEPARTMENT</u>		
Park and Recreation Director	\$ 4,000.00	
Secretary to Board	900.00	
Extra labor	9,600.00	
Supplies	4,000.00	
Umpires and referees	3,000.00	
Purchase of equipment	3,500.00	
Maintenance of parks, etc.	6,000.00	
Traveling expense	600.00	
Playground supervisors	4,700.00	
Equipment operators	7,600.00	
Real estate taxes	4,600.00	
	<u>\$ 48,500.00</u>	
Less: Estimated State Aid	<u>4,206.75</u>	44,293.25
<u>ENGINEERING DEPARTMENT</u>		
Engineer's salary	\$ 9,000.00	
Senior engineering aide: (Part time)	4,000.00	
Draftsman	2,200.00	
Junior engineering aides	8,000.00	
Rodman (Summer only)	1,000.00	
Stenographic services	3,000.00	
Supplies	1,000.00	
Gasoline and oil	500.00	28,700.00
<u>INCINERATION PLANT</u>		
Salary of Superintendent	\$ 4,400.00	
Wages of operators	21,000.00	
Extra labor	3,600.00	
Supplies	3,000.00	
Electricity, gas and water	3,000.00	
Repairs - Building	1,500.00	
" - Furnace	3,000.00	
" - Elevator	6,356.00	
New Truck	1,500.00	
Maintenance	960.00	48,316.00

October 6, 1954  
 (except Special Districts spreading costs on benefits  
 Part's)

As prepared and approved by the Town Board-

October 6, 1954

(. Except Special Districts spreading costs on Benefit

REVENUES 1954

REVENUES 1955

REVENUES 1956

Item No. 3  
adjourn.

Councilman Neibert moved, seconded by Councilman Wroblewski, to

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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 18th day of October, 1954, at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	"
Joseph A. Neibert	"
Stanley R. Bystrak	"

Also present were: Town Clerk Hanley; Town Attorney Doyle; Chief of Police Mersmann; Town Engineer Kamm Building & Plumbing Inspector Roehm and Highway Superintendent Zablotny.

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

Item No. 3 Petition presented protesting the flooding of a drainage ditch at Huth Road and Susan Lane. Ordered referred to the Supervisor and the Town Engineer.

Item No. 4 Petition presented protesting the flooding of a drainage ditch between Gardenvale Drive and Oehman Boulevard. Ordered referred to the Supervisor and the Town Engineer.

Item No. 5 Supervisor Holtz advised the audience that the Town Board will meet on November 12, 1954, at 7:30 P.M., to discuss the new proposed storm relief sewer for the northern part of the Town.

Item No. 6 Petition presented for the improvement of Lana Avenue and Vincent Street, by the construction of a highway in said streets. Ordered referred to the Assessors for a property check.

Item No. 7 Petition presented for the improvement of Loretto Drive and Parish Drive by the installation of street lighting equipment in said highways. Ordered referred to the Assessors for a property check.

Item No. 8 Petition presented for the improvement of Farmingdale Road by the installation of street lighting equipment. Ordered referred to the Assessors for a property check.

Item No. 9 Petition presented for the installation of a traffic signal light at the intersection of Harlem Avenue and Huth Road. Ordered referred to the Supervisor and the Town Attorney.

Item No. 10 At the request of the Chairman the decision of the Zoning Board of Appeals denying the application of John Glian to rezone the north-east corner of Union Road and New Walden Avenue from Residence District to Business District, be referred back to the Zoning Board of Appeals for further study and investigation.

Item No. 11 This being the time and the place advertised for a public hearing for the improvement of both sides of Aurora Drive, extending from Marsdale Road, westerly to the intersection of Leory Road, a distance of approximately 310 feet, by the construction of a permanent highway in said street.

The Town Clerk presented proof of the publication of the public hearing and the posting thereof.

No one appearing in opposition to the proposed improvement, Councilman Nagel moved, seconded by Councilman Neibert, that the matter be referred to the Town Attorney to draw up a resolution approving the same.

Item No. 12 This being the time and the place advertised for the receiving of bids for the furnishing of all materials and equipment, together with all labor for the construction of a proposed Storm Overflow Manhole on the 18th Influent Sewer to Sewage Treatment Plant serving Sanitary Sewer District No. 3, in accordance with proposed contract documents, plans, specifications and instructions to bidders, prepared by Nussbaumer, Clarke and Velzy, Consulting Engineers for the Town of Cheektowaga, New York.

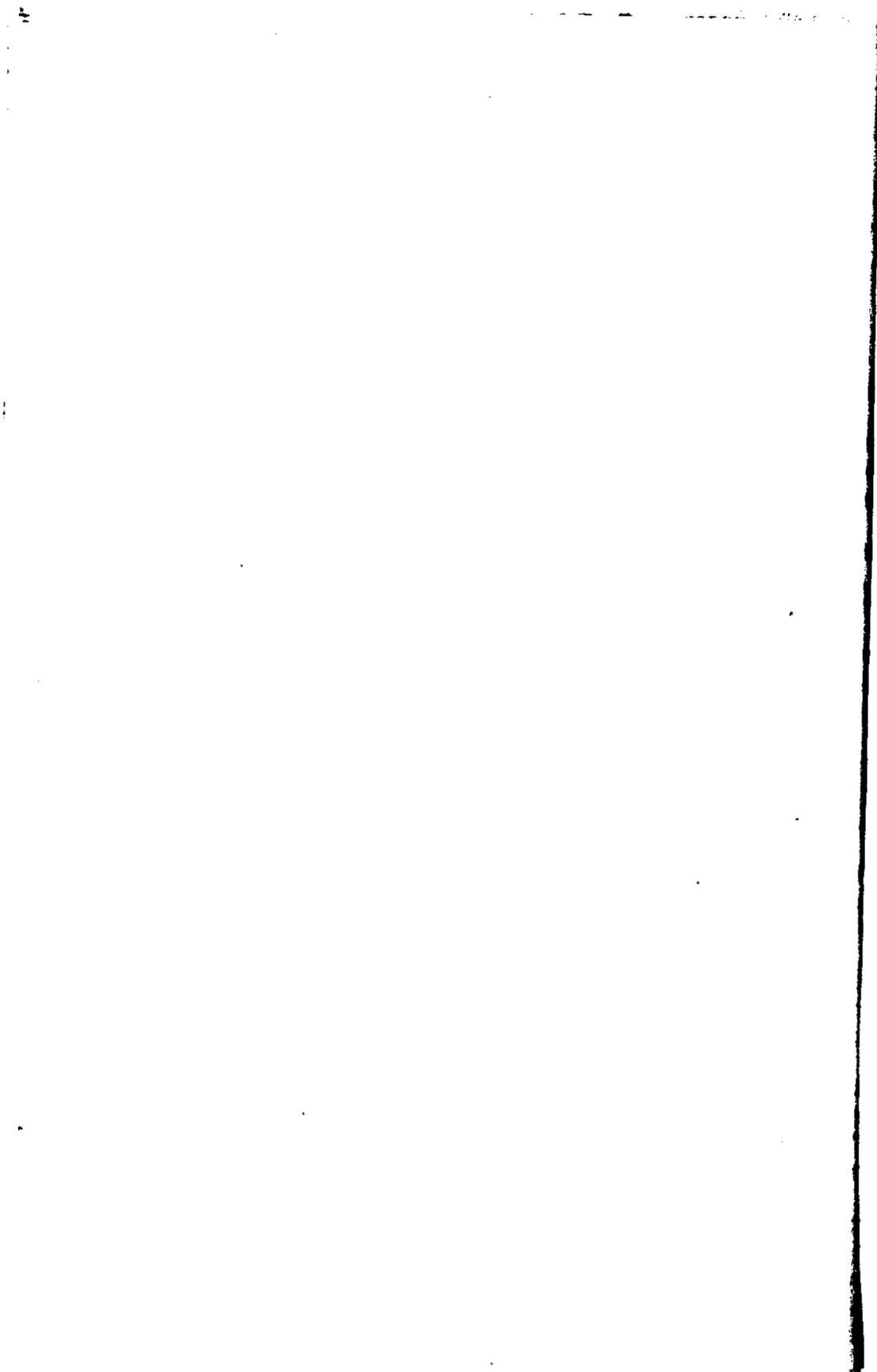
Item No. 12-Cont'd

Notice to Contractors.

The Town Clerk presented proof of the publication of the

Councilman Nagel moved, seconded by Councilman Neibert, that  
the Town Clerk be authorized and directed to open the sealed bids on hand.

Hereto attached is a summary of the bids received:



Councilman Nagel moved, seconded by Councilman Neibert, that  
the bids be referred to the Engineers for analysis and tabulation, and that they  
report back to this Board their findings as soon as reasonably possible.

Item No. 13 Councilman Wroblewski moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to issue Building Permits on applications processed by the Petitions Committee on October 9th and 16th, 1954, after same have been approved by the Building Inspector. 211

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

RESOLVE, to request Charles Waters, District State Superintendent of Highways and Bertram Tallamy, Chairman of the Thruway Authority to consider the feasibility of extending Rossler Street to Clinton Street. The present plans are to erect a bridge on Rossler Street over the Thruway and to build Rossler Street from Dingen Street to Griswold Street, thus releasing heavy traffic on the residential streets in Clinton Gardens. However, the Town Board feels that Rossler Street should be extended to Clinton Street which is a main thoroughfare and able to stand heavy influx of traffic more so than streets such as Griswold, Meadowbrook Parkway, Willowlawn Parkway, Pleasant Parkway, and Shanley Street. We trust and hope that this request will be given immediate attention.

Seconded by Councilman Bystrak.

Carried: Ayes: -5-.

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

RESOLVED, that the bid of Alvin W. Wise to purchase the cemetery site on the east side of Union Road a short distance north of Genesee Street for the sum of \$15,500, said bid being the highest one made at the public bidding held on October 18, 1954, at 3 P.M., be accepted and the Town Attorney is authorized to complete the sale of said premises and the Supervisor is authorized to execute a deed to said premises to the purchaser upon payment of the purchase price.

Seconded by Councilman Wroblewski.

Carried: Ayes: -5-.

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

RESOLVED, that the Niagara Mohawk Power Corporation be authorized to install overhead globe type lights of 2500 lumens each on the following street light poles:

Doat Street- Pole No. 73, 76 and N.Y. Telephone Pole No. 613;  
Woodell Avenue-Pole No. 82;  
Gualbert Street-Pole No. 106;  
Genesee Street-Pole No. 164;

Seconded by Councilman Nagel.

Carried: Ayes: -5-.

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

RESOLVED, that George Santin of No. be appointed a School Crossing Guard at an hourly rate of \$1.05 and that he be directed to report to the Chief of Police for assignment of duties.

Seconded by Councilman Nagel.

Carried: Ayes; -5-.

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

RESOLVED, that Mathew Serwacki of No. doing business under Clinton Collision be added to the list of Town Official Towing Service, to take effect immediately.

Seconded by Councilman Wroblewski.

Carried: Ayes: -5-.

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

RESOLVED, that Joseph W. Eznik, of No. be provisionally appointed Operator, Grade 2 and assigned to Disposal Plant No. 5 at an annual salary of \$3,700, payable in semi-monthly installments, and be it further

RESOLVED, that the Personnel Director of Erie County be requested to hold a qualifying examination for such position.

Seconded by Councilman Wroblewski.

Carried: Ayes: -5-.

The Town Clerk presented proof of the publication of the Notice to Contractors.

Councilman Nagel moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to open the sealed bids on hand. Hereto attached is a summary of the bids received:

Page 2 - 10/22/54 - Mr. Holtz

All of the contractors who bid are experienced and reliable contractors. A good job would be done by any of them.

Under the circumstances, there are two courses of action for the Town Board as follows:

1. Declare the bid of Herbert F. Darling informal because it was officially submitted after 8 P.M., and then make an award to C. E. Knowles for bid items 1 & 2 in the sum of \$12,870.00.
2. The notice to contractors states that the Town Board reserves the right to "waive any informalities, make an award to other than the low bidder", etc. The Board can make the Darling bid formal by waiving the lateness of submission, in which case they would be low, and then make an award to H. F. Darling for bid items 1 & 2 in the amount of \$10,635.00.

From the engineering standpoint, either action would be acceptable.

Very truly yours,

NUSSBAUMER, CLARKE & VELZY

*Newell L. Nussbaumer*  
Newell L. Nussbaumer

NLN:BF

Councilman Nagel moved, seconded by Councilman Neibert, that the bids be referred to the Engineers for analysis and tabulation, and that they report back to this Board their findings as soon as reasonably possible.

Item No. 20  
adoption:

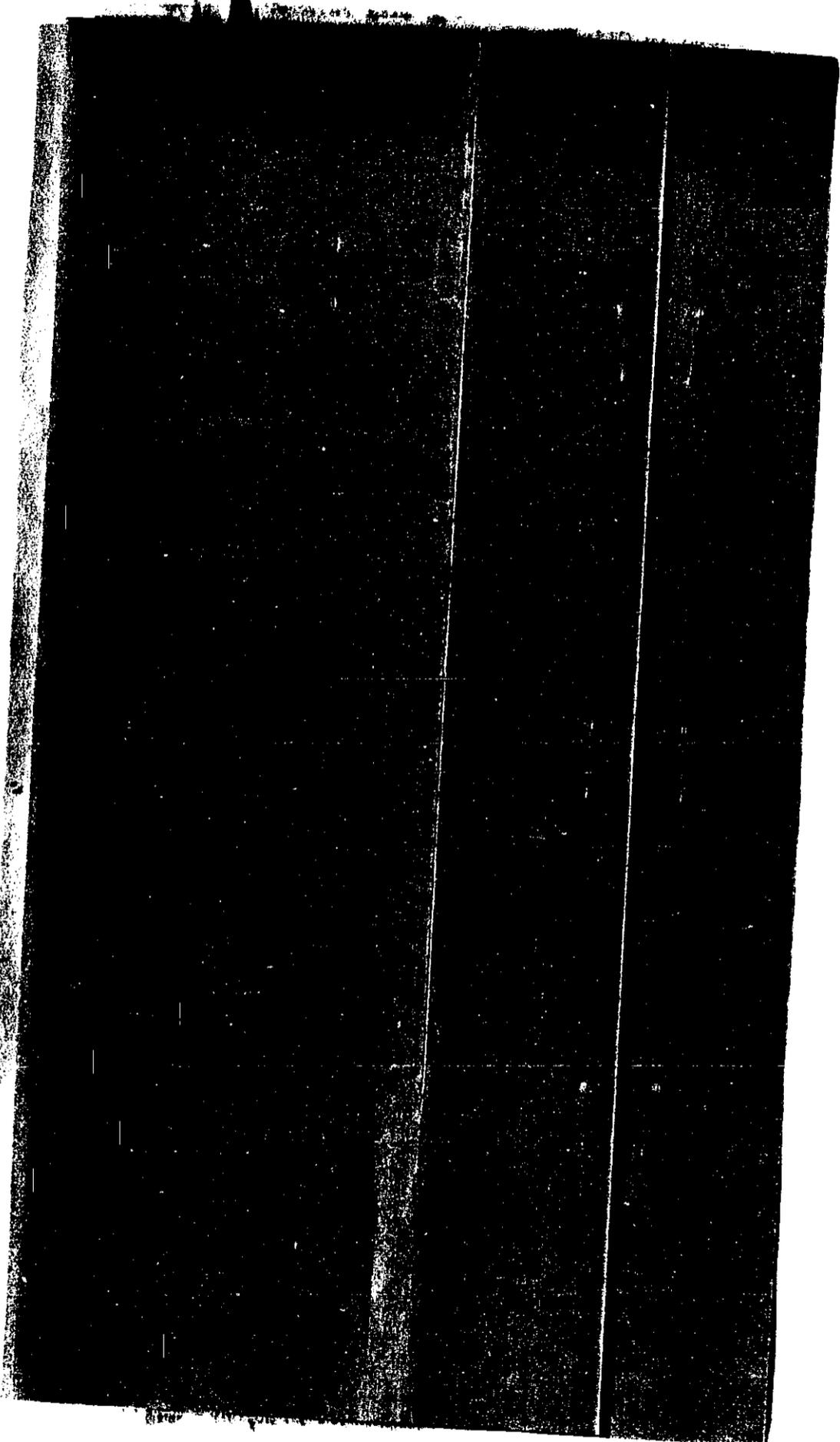
Councilman Nagel presented the following resolution and moved its

WHEREAS, the Town of Cheektowaga, New York, is desirous of constructing, as part of its sewer system, certain sewer line connections and manholes in the Town of Amherst, as are shown upon the exhibit attached to the annexed agreement by the Town of Cheektowaga and the Town of Amherst, which agreement is attached to and made a part of this resolution and has been read and approved by the Town Board of the Town of Cheektowaga, New York, be it

RESOLVED, that the Supervisor and the Town Highway Superintendent of the Town of Cheektowaga, be and they are hereby authorized to execute said agreement on behalf of the Town of Cheektowaga, New York.

Seconded by Councilman Neibert

Carried: Ayes: -5-.



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

RESOLVED, that the Niagara Mohawk Power Corporation be authorized to install three (3) Y-20 lighting standards on Furlong Street, Cheektowaga, New York, and seven (7) Y-20 lighting standards on Kendale Road, Cheektowaga, New York, to be charged against the Special Lighting District.

Seconded by Councilman Wroblewski. Carried: Ayes: -5-.

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

WHEREAS, the Board of Fire Commissioners of Cleveland Hill Fire District No. 6 has requested the Town Board to prohibit parking or standing of automobiles on the east side of Foisset Drive, commencing at Cleveland Drive and extending southerly to Mapleview Road to provide a fire lane, and

WHEREAS, this request has been approved by the Police Department, be it

RESOLVED, that the request of the Board of Fire Commissioners of Cleveland Hill Fire District No. 6 be granted, and be it further

RESOLVED, that the parking or standing of automobiles on the east side of Foisset Drive be prohibited, and be it further

RESOLVED, that the Chief of Police be authorized to erect appropriate "NO PARKING" signs on the east side of Foisset Drive, commencing at Cleveland Drive and extending in a southerly direction to Mapleview Road.

Seconded by Councilman Wroblewski. Carried: Ayes: -5-.

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

RESOLVED, that the Town of Cheektowaga, New York, request Mr. Harry Crafts, Erie County Highway Superintendent, for permission to erect an actuated traffic signal light combined with a pedestrian push button at the intersection of Dingsens and Rossler Streets.

Seconded by Councilman Wroblewski. Carried: Ayes: -5-.

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

RESOLVED, that the Reynders Electric Company be authorized to install an actuated traffic signal light at the intersection of Walden Avenue and Reo Street, approval therefor having been previously received from the Erie County Highway Department.

Seconded by Councilman Wroblewski. Carried: Ayes: -5-.

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

WHEREAS, the Board of Education of Union Free School District No. 3 of the Town of Cheektowaga, in Erie County, New York, has requested a conveyance of property hereinafter described to the School District in order that the school site located on Community Road near Maryvale Drive may be enlarged so as to more adequately serve the needs of the new elementary school building being erected on such site, and

WHEREAS, this Town Board has indicated that it is willing to have the Town of Cheektowaga convey such hereinafter described land to the School District for the consideration of \$25.00, as such conveyance is in the best interests of the community and the Town of Cheektowaga; NOW, THEREFORE,

BE IT RESOLVED, that the Town of Cheektowaga shall convey to Union Free School District No. 3 of the Town of Cheektowaga, in Erie County, New York, in consideration of the payment to the Town of Cheektowaga of the sum of \$25.00, the following described land:

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. 26, Township 11 and Range 7 of the Holland Land Companys' Survey and further distinguished as Subdivision Lots Numbers 330, 331 and 332, as shown on map filed in the Erie County Clerks' Office under cover number 1683, and Subdivision Lot Number 492, as shown on map filed in the Erie County Clerks' Office under Cover No. 1685.

A G R E E M E N T

THIS AGREEMENT, made this 1st day of November, 1954, by and between the TOWN OF CHEEKTOWAGA, in the County of Erie and State of New York, a municipal corporation and a subdivision of the said State of New York, Party of the First Part, and TOWN OF AMHERST, in the County of Erie and State of New York, a municipal corporation and a subdivision of the said State of New York, Party of the Second Part.

WHEREAS, the First Party is desirous of constructing, as a part of its sewer system, certain sewer lines, connections and manholes within the territory limits of the Party of the Second Part, as shown upon the attached map or plan, marked "Exhibit A" and made a part hereof by reference; and

WHEREAS, such sewer shall have its outlet through the said sewer system of the Party of the First Part, and the Party of the First Part is willing to give complete sewage service through said system to property and property owners within the Town of Amherst abutting upon said sewer lines or any connections thereof within the said territory limits of the Second Party.

NOW, THEREFORE, WITNESSETH THIS AGREEMENT:

The First Party agrees to completely construct sewer lines, connections and manholes within the territory limits of the Party of the Second Part, as more fully described and referred to in "Exhibit A", above mentioned, such sewer lines, connections and manholes to be tight so that no water or sewage passing through the same can leak therefrom, and the First Party further agrees that when said sewer lines, connections and manholes have been fully completed, to connect same with the sewage system of the First Party and throughout the continuance of this agreement to repair and maintain such sewer

ment on behalf of the town of Cheektowaga, New York  
Seconded by Councilman Neibert

lines, connections and manholes in first class condition so that the same will, at all times, be in strict compliance with the Laws of the State of New York, Ordinances of the Second Party and the rules and regulations of any and all of their respective officers, bodies or boards.

The First Party further agrees that the owners of all property fronting on the south side of Wehrle Drive, the various streets and highways running south from said Wehrle Drive, and along said sewer or sewers, and the property fronting on the north side of said Wehrle Drive, commencing at a point ten (10) feet west of the easterly line of Cresthaven Drive and extending thence easterly approximately 313 feet along Wehrle Drive to a point seventy (70) feet westerly of the easterly right of way of Crestview Drive as extended, all within the territorial limits of the Second Party, may make connections to said sewer and have free use of said sewer for their purposes, throughout the term of this agreement so long as all connections and the said use is in complete compliance with the laws of the State of New York, the Ordinances, rules and regulations, including standard specifications for street and sewer construction, of the Town of Amherst. The use herein given by the First Party to the said property and property owners shall be without charge or expense as against said property, property owners or the Second Party throughout the continuance of this agreement.

The First Party agrees that in constructing, repairing and maintaining said sewer lines, connections and manholes, it will replace and/or restore all property upon, over or through which any work is performed, to substantially the same condition as existed prior thereto.

The First Party further agrees that in the event it fails at any time to construct and/or maintain the said sewer lines, connections and manholes in the manner above provided,

AND BE IT FURTHER RESOLVED, that the Supervisor be and he hereby is authorized and directed to execute a deed on behalf of the Town of Cheektowaga to said School District conveying to it said premises.

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

Councilman Henry J. Nagel	Voting AYE
Councilman Felix T. Wroblewski	Voting AYE
Councilman Joseph A. Neibert	Voting AYE
Councilman Stanley R. Bystrak	Voting AYE
Supervisor Benedict T. Holtz	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -0-

The following order and resolution was offered by Mr. Neibert, who moved its adoption, seconded by Mr. Nagel, *et al*:

**BOND RESOLUTION, DATED OCTOBER 18, 1954, AUTHORIZING THE ISSUANCE OF \$15,000 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.**

WHEREAS, the Water District No. 9, hereinafter described, is a water district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such, has constructed, maintained and operated a water supply system within said District in accordance with Article 12 of the Town Law of New York, and the purpose, hereinafter described, is a special improvement authorized by said Article 12; NOW THEREFORE, 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 \$15,000, 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") is the construction of a water supply system in the territory included in the extension of said Water District No. 9 made by an order adopted by the Town Board of said Town on February 15, 1954, pursuant to the provisions of Section 194 of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$15,000, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 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" and the "Cheektowaga Times", the official newspapers of 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.

on shall take effect immediately upon its adoption.

The Bond Resolution published herewith has been adopted on the 18th day of October, 1954, 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, New York

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The resolution was duly adopted, the vote being as follows:

Supervisor Benedict T. Holtz	Voting AYE
Councilman Felix Wroblewski	Voting AYE
Councilman Stanley Bystrak	Voting AYE
Councilman Henry Nagel	Voting AYE
Councilman Joseph A. Neibert	Voting AYE

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

**BOND RESOLUTION**  
 BOND RESOLUTION, DATED OCTOBER 18, 1954, AUTHORIZING THE ISSUANCE OF \$15,000 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

WHEREAS, the Water District No. 9, hereinafter described, is a water district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such, has constructed, maintained and operated a water supply system within said District in accordance with Article 12 of the Town Law of New York, and the purpose, hereinafter described, is a special improvement authorized by said Article 12; NOW, THEREFORE,

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 \$15,000, 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") is the construction of a water supply system in the territory included in the extension of said Water District No. 9 made by an order adopted by the Town Board of said Town on February 15, 1954, pursuant to the provisions of Section 194 of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$15,000, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 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 "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," the official newspapers of said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the 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 18th day of October, 1954, 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, New York

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for ~~two~~ weeks;  
 first publication ..... OCT 21 1954 .....  
 last publication ..... OCT 21 1954 .....  
 and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
 day of ..... OCT 28 1954 ..... 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, 1955  
 Registered No. 5029

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

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

**BOND**  
**OCTOBER 18, 1954**  
**THE TOWN OF CHEEKTOWAGA, IN**  
**THE COUNTY OF ERIE, PUR-**  
**SUANT TO THE LOCAL FIN-**  
**ANCE LAW.**

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER of the

Depew Cheektowaga  
**Herald and News**

public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,

WHEREAS, the Water District No. 9, hereinafter described, is a water district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such, has constructed, maintained and operated a water supply system within said District in accordance with Article 12 of the Town Law of New York, and the purpose, hereinafter described, is a special improvement authorized by said Article 12; NOW THEREFORE,  
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 \$15,000, pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

was inserted and published therein once a week for one week, the first insertion being on the 21st day of October, 1954, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

Section 2. The specific purpose (hereinafter referred to as "purpose") is the construction of a water supply system in the territory included in the extension of said Water District No. 9 made by an order adopted by the Town Board of said Town on February 15, 1954, pursuant to the provisions of Section 194 of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$15,000, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid

Richard G. Bennett

by assessments upon benefited real property in an amount less than the area of said Town.

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 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" and the "Cheektowaga Times", the official newspapers of 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 shall take effect immediately upon its adoption.

The Bond Resolution published herewith has been adopted on the 18th day of October, 1954, 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, New York

The resolution was duly adopted, the vote being as follows:

Supervisor Benedict T. Holtz	Voting AYE
Councilman Felix Wroblewski	Voting AYE
Councilman Stanley Bystrak	Voting AYE
Councilman Henry Nagel	Voting AYE
Councilman Joseph A. Neibert	Voting AYE

Cheektowaga Times:

Hereto attached is a copy of the notice published in the

**BOND RESOLUTION**  
 BOND RESOLUTION, DATED OCTOBER 18, 1954, AUTHORIZING THE ISSUANCE OF \$15,000 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.  
 WHEREAS, the Water District No. 9, hereinafter described, is a water district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such, has constructed, maintained and operated a water supply system within said District in accordance with Article 12 of the Town Law of New York, and the purpose, hereinafter de-

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 ~~two~~ weeks;  
 first publication ..... OCT 21 1954 .....  
 last publication ..... OCT 21 1954 .....  
 and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
 day of ..... OCT 28 1954 ..... 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, 1955  
 Registered No. 5029

Attached is a copy of the Notice published in the  
news:

Woman Arrives was ringbearer  
at home of church held in Our Lady  
the couple left for a motor trip to  
Canada, visiting Montreal and Que-  
bec.  
Photo by Don Day



RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER of the

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

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
one week, the first insertion being on the  
21st day of October, 1954, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

Sworn to before me this ..... day of  
OCT 30 1954  
19.....

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

The following order and resolution was offered by Mr. Neibert, who moved its adoption, seconded by Mr. Nagel, to wit:

**BOND RESOLUTION, DATED  
OCTOBER 18, 1954, AUTHORIZ-  
ING THE ISSUANCE OF \$30,000  
SERIAL BONDS OF THE TOWN  
OF CHEEKTOWAGA, IN THE  
COUNTY OF ERIE, PURSUANT  
TO THE LOCAL FINANCE  
LAW.**

WHEREAS, the Water District No. 9, hereinafter described, is a water district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such, has constructed, maintained and operated a water supply system within said District in accordance with Article 12 of the Town Law of New York, and the purpose, hereinafter described, is a special improvement authorized by said Article 12; NOW, THEREFORE,

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 \$30,000, 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") is the construction of a water supply system in the territory included in the extension of said Water District No. 9 made by an order adopted by the Town Board of said Town on February 15, 1954, pursuant to the provisions of Section 194 of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$30,000, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 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" and the "Cheektowaga Times", the official newspapers of 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 shall take effect immediately upon its adoption.

This Resolution published hereinafter has been adopted on the 18th day of October, 1954, 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, New York

o21

The resolution was duly adopted, the vote being as follows:

Supervisor Benedict T. Holtz	Voting AYE
Councilman Felix Wroblewski	Voting AYE
Councilman Stanley Bystrak	Voting AYE
Councilman Henry Nagel	Voting AYE
Councilman Joseph A. Neibert	Voting AYE

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

**BOND RESOLUTION**  
**BOND RESOLUTION, DATED**  
**OCTOBER 18, 1954, AUTHORIZING**  
**THE ISSUANCE OF \$30,000 SERIAL**  
**BONDS OF THE TOWN OF**  
**CHEEKTOWAGA, IN THE COUN-**  
**TY OF ERIE, PURSUANT TO THE**  
**LOCAL FINANCE LAW.**

WHEREAS, the Water District No. 9, hereinafter described, is a water district of the County of Erie, duly established by the Town Board of said Town and, as such, has constructed, maintained and operated a water supply system within said District in accordance with Article 12 of the Town Law of New York, and the purpose, hereinafter described, is a special improvement authorized by said Article 12; NOW, THEREFORE, 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 \$30,000, 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") is the construction of a water supply system in the territory included in the extension of said Water District No. 9 made by an order adopted by the Town Board of said Town on February 15, 1954, pursuant to the provisions of Section 194 of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board, is \$30,000, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 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 "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," the official newspapers of 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 shall take effect immediately upon its adoption.

The Bond Resolution published herewith has been adopted on the 18th day of October, 1954, 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, New York

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 adoption

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...*Three*...weeks;  
 first publication ..... OCT 21 1954 .....  
 last publication ..... OCT 21 1954 .....  
 and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of ..... OCT 28 1954 ..... 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, 1955  
 Registered No. 5029

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

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**BOND RESOLUTION**  
OCTOBER 18, 1954, AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

WHEREAS, the Water District No. 9, hereinafter described, is a water district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such, has constructed, maintained and operated a water supply system within said District in accordance with Article 12 of the Town Law

of New York, and the purpose, hereinafter described, is a special improvement authorized by said Article 12; NOW, THEREFORE,

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 \$30,000, 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") is the construction of a water supply system in the territory included in the extension of said Water District No. 9 made by an order adopted by the Town Board of said Town on February 15, 1954, pursuant to the provisions of Section 194 of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$30,000, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 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" and the "Cheektowaga Times", the official newspapers of 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 shall take effect immediately upon its adoption.

The Bond Resolution published herewith has been adopted on the 18th day of October, 1954, 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, New York

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 21st day of October, 1954, 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  
OCTOBER 1954

Public in and for Erie County.

The following order and resolution ~~was~~ offered by Mr. Neibert, who moved its adoption, seconded by Mr. Nagel, to wit:

**LEGAL NOTICE**

BOND RESOLUTION. DATED OCTOBER 18, 1954, AUTHORIZING THE ISSUANCE OF \$40,000 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

WHEREAS, Sewer District No. 3, hereinafter described, is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such, has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York, and the purpose, hereinafter described, is a special improvement authorized by said Article 12; NOW, THEREFORE,

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 \$40,000 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") is the construction of improvements to the sewage disposal plant in said Sewer District No. 3, authorized by a resolution adopted by the Town Board of said Town on February 15, 1954, pursuant to the provisions of Section 202-b of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$40,000, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. It is hereby determined 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. 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" and the "Cheektowaga Times", the official newspapers of 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 shall take effect immediately upon its adoption.

The said resolution published herewith has been adopted on the 18th day of October, 1954, 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, New York

o21

hereto attached is a copy of the Notice published in the  
aga News:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

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

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... one week, the first insertion being on the  
21st day of October, 1954, and  
the last insertion being on the ..... day of  
..... 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

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

..... 1954

..... 19.....

*Kenneth D. Hanley*

Notary Public in and for Erie County.

hn-49 5803

**Chest Campaign In  
Full Swing With**

into neighborhood  
currence can be prevented by not  
connecting into sanitary sewers un-  
til cellars were complete and the  
houses covered.  
Barrier Florian Mazurek of 918  
Sherwood Ct. told the board that  
his cellar was flooded by water  
from the street. He asked  
children will be held on Friday  
evening, Oct. 29th. The stant cos-  
tume parade for the tots and teen-  
agers of the Lancaster area will  
start at 7 p.m. on Legion Parkway  
and finish at the Moose Home  
where the children will be enter-  
tained by the Depew-Lancaster  
Moose Lodge and the Mothers Club  
of Lancaster, assisted by the Wo-  
men of the Moose.  
A fine program is being arrang-  
ed for the children, with dancing  
for the teenagers from 9 to 11  
o'clock. Refreshments will be ser-  
ved to all youngsters participating.  
As in past year, pledge cards will  
be distributed to all the children  
through the local schools. These  
cards pledge each child on his or  
her honor, not to mutilate, deface

The following order and resolution ~~was~~ offered by Mr. Neibert, who moved its adoption, seconded by Mr. Nagel, to wit:

**LEGAL NOTICE**

BOND RESOLUTION, DATED OCTOBER 18, 1954, AUTHORIZING THE ISSUANCE OF \$40,000 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

WHEREAS, Sewer District No. 3, hereinafter described, is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such, has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York, and the purpose, hereinafter described, is a special improvement authorized by said Article 12; NOW, THEREFORE,

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 \$40,000 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") is the construction of improvements to the sewage disposal plant in said Sewer District No. 3, authorized by a resolution adopted by the Town Board of said Town on February 15, 1954, pursuant to the provisions of Section 202-b of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$40,000, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. It is hereby determined 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. 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" and the "Cheektowaga Times", the official newspapers of 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 shall take effect immediately upon its adoption.

The said resolution published herewith has been adopted on the 18th day of October, 1954, 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, New York

o21

The resolution was duly adopted, the vote being as follows:

Supervisor Benedict T. Holtz	Voting AYE
Councilman Felix Wroblewski	Voting AYE
Councilman Stanley Bystrak	Voting AYE
Councilman Henry Nagel	Voting AYE
Councilman Joseph A. Neibert	Voting AYE

Cheektowaga Times:

Hereto attached is a copy of the Notice published in the

**BOND RESOLUTION**  
 BOND RESOLUTION, DATED  
 OCTOBER 18, 1954, AUTHORIZING  
 THE ISSUANCE OF \$40,000 SERIAL  
 BONDS OF THE TOWN OF  
 CHEEKTOWAGA, IN THE COUN-  
 TY OF ERIE, PURSUANT TO THE  
 LOCAL FINANCE LAW.

WHEREAS, Sewer District No. 3, hereinafter described, is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such, has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York, and the purpose, hereinafter described, is a special improvement authorized by said Article 12; NOW, THEREFORE, 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 \$40,000, 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") is the construction of improvements to the sewage disposal plant in said Sewer District No. 3, authorized by a resolution adopted by the Town Board of said Town on February 15, 1954, pursuant to the provisions of Section 202-b of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$40,000, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. It is hereby determined 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. 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 "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," the official newspapers of 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 shall take effect immediately upon its adoption.

The Bond Resolution published herewith has been adopted on the 18th day of October, 1954, 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  
 (10-21) of Cheektowaga, New York

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for ~~one~~ weeks:  
 first publication ..... OCT 21 1954 .....  
 last publication ..... OCT 21 1954 .....  
 and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of ..... OCT 28 1954 ..... 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, 1955  
 Registered No. 5029

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

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

**BOND RESOLUTION**  
OF THE  
SERIAL BONDS OF THE TOWN  
OF CHEEKTOWAGA, IN THE  
COUNTY OF ERIE, PURSUANT  
TO THE LOCAL FINANCE  
LAW.

WHEREAS, Sewer District No. 3, hereinafter described, is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such, has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York, and the purpose, hereinafter described, is a special improvement authorized by

and Article 12: NOW, THEREFORE

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 \$40,000 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") is the construction of improvements to the sewage disposal plant in said Sewer District No. 3, authorized by a resolution adopted by the Town Board of said Town on February 15, 1954, pursuant to the provisions of Section 202-b of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$40,000, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. It is hereby determined 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. 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" and the "Cheektowaga Times", the official newspapers of 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 shall take effect immediately upon its adoption.

The Bond Resolution published herewith has been adopted on the 11th day of October, 1954, 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, New York

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy,

was inserted and published therein once a week for

one week, the first insertion being on the 21st day of October, 1954, 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  
54 19\_\_\_\_  
and for Erie County.

The resolution was duly adopted, the vote being as follows:

Supervisor Benedict T. Holtz	Voting AYE
Councilman Felix Wroblewski	Voting AYE
Councilman Stanley Bystrak	Voting AYE
Councilman Henry Nagel	Voting AYE
Councilman Joseph A. Neibert	Voting AYE

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

**BOND RESOLUTION**  
 BOND RESOLUTION, DATED OCTOBER 18, 1954, AUTHORIZING THE ISSUANCE OF \$40,000 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

WHEREAS, Sewer District No. 3, hereinafter described, is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such, has constructed, maintained and operated a sanitary trunk

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 ..... OCT 21 1954 .....  
 last publication ..... OCT 21 1954 .....  
 and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of ..... OCT 28 1954 ..... 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, 1955  
 Registered No. 5029

Herald

is a copy of the Notice published in the Depew

TO HOSPITAL WEDNESDAY  
 JUDGE BLACKMON TAKEN  
 Peace Justice Myron Blackmon  
 of Lancaster was rushed to Meyer  
 Memorial Hospital yesterday, Wed-  
 nesday morning. He was stricken  
 ill Saturday in his home, 567  
 Broadway, and took a turn for the  
 worse this week.

Mr. Gottschalk will talk about  
 old Lancaster, its businesses and  
 residents. He will welcome all  
 his old friends and anyone who  
 cares to join him in his reminis-  
 cences of the good, old days.

TO HOSPITAL WEDNESDAY  
 JUDGE BLACKMON TAKEN

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
 towaga, Erie County, New York, that notice of which the  
 annexed printed slip taken from said newspaper, is a copy,  
 was inserted and published therein once a week for  
one week, the first insertion being on the  
31st day of October, 1954, and  
 the last insertion being on the ..... day of  
 ..... 19....., and that not  
 more than six days intervened between any two publi-  
 cations thereof.

*Richard G. Bennett*

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

OCT 30 1954

*Kenneth T. Healy*

Notary Public in and for Erie County.

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, the Bond Resolutions hereinafter referred to have taken effect in accordance with law and the Town Board desires to make provision for the issuance of the bonds authorized by said Bond Resolutions: NOW, THEREFORE,

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

(1) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$15,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, dated October 18, 1954, authorizing the issuance of \$15,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law", which was adopted by the Town Board on October 18, 1954. Said bonds shall be designated "Serial Water District No. 9 Bonds, Series A", and shall consist of fifteen bonds of the denomination of \$1,000 each, numbered from 1 to 15, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows: viz.: \$1,000 in each of the years 1955 to 1969, inclusive.

(2) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$26,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, dated September 20, 1954, authorizing the issuance of \$60,000.00 Serial Sewer District No. 5 Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law", which was adopted by the Town Board on September 20, 1954. Said bonds shall be designated "Serial Sewer District No. 5 Bonds, Series A", and shall consist of Twenty-six bonds of the denomination of \$1,000 each, numbered from 1 to 26, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on October 1 in each year as follows: viz.: \$1,000 in each of the years 1955 to 1980, inclusive.

(3) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$40,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, dated October 18, 1954, authorizing the issuance of \$40,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law", which was adopted by the Town Board on October 18, 1954. Said bonds shall be designated "Serial Sewer District No. 3 Bonds", and shall consist of forty bonds of the denomination of \$1,000 each, numbered from 1 to 40, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on October 1 in each year as follows, viz.: \$2,000 in each of the years 1955 to 1974, inclusive.

(4) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$23,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, dated September 30, 1954, authorizing the issuance of \$35,000.00 Serial Sewer District No. 5 Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law", which was adopted by the Town Board on September 20, 1954. Said bonds shall be designated "Serial Sewer District No. 5 Bonds, Series B", and shall consist of twenty-three bonds of the denomination of \$1,000 each, numbered from 1 to 23, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on October 1 in each year as follows, viz.: \$1,000 in each of the years 1955 to 1977, inclusive.

(5) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$30,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, dated October 18, 1954, authorizing the issuance of \$30,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law", which was adopted by the Town Board on October 18, 1954. Said bonds shall be designated "Serial Water District No. 9 Bonds, Series B", and shall consist of thirty bonds of the denomination of \$1,000 each, numbered from 1 to 30, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$2,000 in each of the years 1955 to 1969, inclusive.

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 middle aged woman wanted for all-  
 round restaurant work. Call TA  
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 address wanted for this Friday  
 and Saturday. Call TA 9738. 028  
 along  
 to the  
 Item

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
 towaga, Erie County, New York, that notice of which the  
 annexed printed slip taken from said newspaper, is a copy,  
 was inserted and published therein once a week for  
 one week, the first insertion being on the  
 28th day of October, 1957, and  
 the last insertion being on the ..... day of  
 ....., 19....., and that not  
 more than six days intervened between any two publi-  
 cations thereof

*Richard G. Bennett*

Sworn to before me this ..... day of  
 OCT 30 1954  
 ..... 19.....

*Walter D. Hane*  
 Notary Public in and for Erie County.  
 In-45803

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, the Bond Resolutions hereinafter referred to have taken effect in accordance with law and the Town Board desires to make provision for the issuance of the bonds authorized by said Bond Resolutions: NOW, THEREFORE,

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

(1) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$15,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, dated October 18, 1954, authorizing the issuance of \$15,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law", which was adopted by the Town Board on October 18, 1954. Said bonds shall be designated "Serial Water District No. 9 Bonds, Series A", and shall consist of fifteen bonds of the denomination of \$1,000 each, numbered from 1 to 15, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows: viz.: \$1,000 in each of the years 1955 to 1969, inclusive.

(2) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$26,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, dated September 20, 1954, authorizing the issuance of \$60,000.00 Serial Sewer District No. 5 Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law", which was adopted by the Town Board on September 20, 1954. Said bonds shall be designated "Serial Sewer District No. 5 Bonds, Series A", and shall consist of Twenty-six bonds of the denomination of \$1,000 each, numbered from 1 to 26, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on October 1 in each year as follows: viz.: \$1,000 in each of the years 1955 to 1980, inclusive.

(3) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$40,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, dated October 18, 1954, authorizing the issuance of \$40,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law", which was adopted by the Town Board on October 18, 1954. Said bonds shall be designated "Serial Sewer District No. 3 Bonds", and shall consist of forty bonds of the denomination of \$1,000 each, numbered from 1 to 40, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on October 1 in each year as follows, viz.: \$2,000 in each of the years 1955 to 1974, inclusive.

(4) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$23,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, dated September 30, 1954, authorizing the issuance of \$35,000.00 Serial Sewer District No. 5 Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law", which was adopted by the Town Board on September 20, 1954. Said bonds shall be designated "Serial Sewer District No. 5 Bonds, Series B", and shall consist of twenty-three bonds of the denomination of \$1,000 each, numbered from 1 to 23, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on October 1 in each year as follows, viz.: \$1,000 in each of the years 1955 to 1977, inclusive.

(5) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$30,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, dated October 18, 1954, authorizing the issuance of \$30,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law", which was adopted by the Town Board on October 18, 1954. Said bonds shall be designated "Serial Water District No. 9 Bonds, Series B", and shall consist of thirty bonds of the denomination of \$1,000 each, numbered from 1 to 30, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$2,000 in each of the years 1955 to 1969, inclusive.

(6) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$6,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, dated August 2, 1954, authorizing the issuance of \$6,000.00 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the construction of sidewalks", which was adopted by the Town Board on August 2, 1954. Said Bonds shall be designated "Serial Woodridge Avenue Sidewalk Bonds", and shall consist of Two bonds of the denomination of \$500 each, numbered 1 and 3, and five bonds of the denomination of \$1,000 each, numbered 2 and 4 to 7, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1, in each year as follows, viz.: \$1,500 in 1955 and 1956 and \$1,000 in each of the years 1957 to 1959, inclusive.

(7) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$4,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, dated June 7, 1954, authorizing the issuance of \$5,500 Serial Bonds of the Town of Cheektowaga, in the County of Erie pursuant to the Local Finance Law, to finance the construction of sidewalks", which was adopted by the Town Board on June 7, 1954. Said bonds shall be designated "Serial Peinkofer Drive Sidewalk Bonds", and shall consist of four bonds of the denomination of \$1,000 each, numbered from 1 to 4, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on October 1 in each year as follows, viz.: \$1,000 in each of the years 1955 to 1958, inclusive.

(8) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$5,500 shall be issued pursuant to the bond resolution entitled "Bond Resolution, dated December 7, 1953, authorizing the issuance of \$5500.00 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the construction of a lateral sewer", which was adopted by the Town Board on December 7, 1953. Said bonds shall be designated "Serial Sewer District No. 5 Bonds, Series C", and shall consist of three bonds of the denomination of \$500 numbered 1, 3, and 5, and four bonds of the denomination of \$1,000 each, numbered 2, 4, 6 and 7, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on October 1 in each year as follows, viz.: \$1,500 in each of the years 1955 to 1957, inclusive, and \$1,000 in the year 1958.

(9) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$5,500 shall be issued pursuant to the bond resolution entitled "Bond Resolution, dated October 19, 1953, authorizing the issuance of \$5500.00 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the construction of a lateral sewer", which was adopted by the Town Board on October 19, 1953. Said bonds shall be designated "Serial Sewer District No. 5 Bonds, Series D", and shall consist of three bonds of the denomination of \$500 numbered 1, 3, and 5, and four bonds of the denomination of \$1,000 each, numbered 2, 4, 6 and 7, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on October 1 in each year as follows: viz.: \$1,500 in each of the years 1955 to 1957, inclusive, and \$1,000 in the year 1958.

(10) All of said bonds shall be dated October 1, 1954 and shall bear interest from their date at a rate which shall not exceed five per centum (5%) per annum. Such interest shall be payable semi-annually on April 1 and October 1 as to \$104,000 of such bonds and semi-annually on January 1 and July 1 as to \$51,000 thereof.

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

(12) Each of said bonds shall be payable to bearer with coupons attached for the payment of interest to bearer and such bond shall be convertible into a registered bond. Each of said bonds shall be executed by the Town Supervisor of said Town and shall be attested by the Town Clerk of said Town. Each of said bonds shall be sealed with the seal of the said Town. Each of the interest coupons to be attached to said bonds shall be authenticated by the facsimile signature of said Town Supervisor.

(13) The power to prescribe the terms, form the contents of said Serial Bonds, subject to the provisions of this resolution, and all powers pertaining or incidental to the sale and issuance of said Serial Bonds, are hereby delegated to the Town Supervisor. Said bonds shall bear interest at the rate specified in the proposal to purchase said bonds which shall be accepted by the Town Supervisor at the public sale of said bonds.

(14) The faith and credit of the Town are hereby pledged to the payment of said bonds and the interest thereon as the same become due and payable.

Seconded by Councilman Nagel and duly put to a vote, which resulted as follows:

<u>Supervisor Holtz</u>	Voting Aye
<u>Councilman Nagel</u>	Voting Aye
<u>Councilman Wroblewski</u>	Voting Aye
<u>Councilman Neibert</u>	Voting Aye
<u>Councilman Bystrak</u>	Voting Aye

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 29

Councilman Nagel moved, seconded by Councilman Neibert, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. (Warrant No. 1985 to No. 2089, inclusive, drawn on the Supervisor).

Item No. 30

Councilman Nagel moved, seconded by Councilman Bystrak, that this meeting be adjourned in the memory and respect of Dect. Sgt. Frank Zaleski, a Policeman for the Town of Cheektowaga for a period of thirty years, who passed away on October 17, 1954.

Kenneth T. Hanley  
Town Clerk

SEAL

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 20th day of October, 1954, at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

Also present were: Town Clerk Hanley; Town Attorney Doyle; Building & Plumbing Inspector Roehm and Chief of Police Mersmann.

Item No. 2 Supervisor Holtz stated that a notice has been published in the Cheektowaga Times and the Depew Herald-Cheektowaga News, the official newspapers of the Town of Cheektowaga, calling for a public hearing on the annual estimates of revenue and expenditures for the year 1955, by the various departments of the Town of Cheektowaga and declared that the hearing was now open to any persons or persons favoring or objecting to the said estimates of expenditures and such other business that may come before the Town Board.

The Town Clerk presented proof of publication and posting of a Notice of Hearing and followed by reading the proposed budget by the various departments in the Town of Cheektowaga.

The Chairman then asked if there were any objections to the estimates and expenditures as read.

The following named persons spoke in favor:

Carl Maundrell of the Twin Coach Corporation;  
C.H. Peterson, president of the Cheektowaga Chamber of Commerce and the U.S. Rubber Reclaiming Corporation;  
Frederick Stevens, Attorney at Law, ;  
Edward Demblewski, co-owner of the Harlem-Bowl Inn.

The following named persons spoke in objection to some phases of the proposed 1955 budget;

Thomas L. Hart, representing the Council of Cheektowaga Homeowners Associations;

Henry Buck, ;  
Max Szatkowski, representing the Beverly Hills Association;  
Leo Redmond, ;  
Edward Ozark, representing the Town Park Homeowners Association;  
Steven Bylebyl, ;  
John Kobielski, representing the Como Park Taxpayers Association;  
Dr. Victor Reinstein, .  
Communication read from the Town Park Homeowners Association objecting to the proposed 1955 Budget.

The Chairman ordered the hearing closed and decision was reserved until 3:00 o'clock P.M., on October 21, 1954.

Item No. 3 Mr. Edward Demblewski owner of property at the north-west corner of Walden Avenue and Reo Street was granted the floor and requested that the traffic signal light proposed for the intersection of Walden Avenue and Reo Street be changed to the intersection of Walden Avenue and Ridge Park Avenue. Ordered referred to the Supervisor.

Item No. 4 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that Bernice Greulick of No. be appointed School Traffic Guard at a salary of \$1.05 per hour and that the said Bernice Greulick report to the Chief of Police for assignment of duties.  
Seconded by Councilman Neibert. Carried: Ayes: -5-.

Item No. 5 Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that the Supervisor be authorized to execute on behalf of the Town of Cheektowaga a contract with the County of Erie for the removal of snow and ice and the erection of snow fences on certain roads located in the Town of Cheektowaga, New York.

Seconded by Councilman Wroblewski. Carried: Ayes: -5-.

Item No. 6

( Polling Places )

Item No. 7

Councilman Nagel moved, seconded by Councilman Neibert, to adjourn. 254

SEAL

Kenneth T. Hanley, Town Clerk.

Item No. 7

Councilman Nagel moved, seconded by Councilman Neibert, to adjourn. 254

SEAL

Kenneth T. Hanley, Town Clerk.

~~TABLE OF POLLING PLACES~~

~~TABLE OF POLLING PLACES~~

Item No. 7

Councilman Nagel moved, seconded by Councilman Neibert, to adjourn.

254

SEAL

Kenneth T. Hanley, Town Clerk.

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 21st day of October, 1954, at 3:00 O'clock P.M., Eastern Standard Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	"
Joseph A. Neibert	"
Stanley R. Bystrak	"

Also present were: Town Clerk Hanley and Recreational Director Janiak.

Item No. 2 Councilman Bystrak moved, seconded by Councilman Wroblewski, RESOLVED that in the 1955 Preliminary Budget under Police Department the item of Town Police Force Uniforms in the amount of \$4,800 be deleted, that in the Office of Building & Plumbing Inspector the position of Surveyor in the amount of \$5,000 be deleted, that in the Highway Superintendents Budget, in Item No. 4, the item of Cleaning Ditches be reduced from \$10,000 to \$5,000 and the item Repairs to Curbs and Sidewalks be reduced from \$10,000 to \$5,000, that in the Consolidated Garbage District Budget the item Repair parts, tires, gasoline, oil, tools, etc., be reduced from \$25,000 to \$20,000, and that the Item Disposal Site be reduced from \$2,000 to \$1,500. CARRIED: AYES: -5-.

Item No. 3

-ooOoo-

## BUDGET FOR THE YEAR 1955

## TOWN OF CHEEKTOWAGA

-ooOoo-

Cheektowaga, New York  
November 16, 1954

I, the undersigned, Town Clerk of the Town of Cheektowaga, Erie County, New York, do hereby certify that at a meeting of the Town Board of the Town of Cheektowaga, New York, held October, 21, 1954, resolutions were adopted directing the Supervisor to make application to the Erie County Board of Supervisors to have levied and spread against taxable property liable therefor the following amounts for the purposes stated, said sums when collected to be paid to said Supervisor.

SUMMARY

General Town Government		\$ 503,419.29
Town Health Fund		5,328.19
Highway		
Item No. 1-Primary Fund	\$147,738.42	
Item No. 2-Bridge Fund	7,743.00	
Item No. 3-Machinery Fund	39,240.33	
Item No. 4-Miscellaneous Fund	<u>55,743.72</u>	250,465.47
General Lighting District		105,176.14
Water Hydrant Districts		50,255.12
Water Supply Districts		8,401.00
Fire Protection Districts		9,007.33
Consolidated Garbage District		215,926.68
Sewer Districts		366,629.34
Storm Sewer Districts		25,335.06
Lateral Sanitary Sewer Districts		18,223.84
Sidewalk Districts		6,527.40
Curbing Districts		3,079.06
Paving Districts		8,535.28
Street Lighting Improvements Districts		5,427.91
Fire Districts		103,742.46
Omitted 1954 Assessments		<u>93.17</u>
	TOTAL TO BE LEVIED	\$1,685,572.74

And, I do hereby further certify that the following is a true and complete copy of that portion of the Minutes of the Town Board at said meeting of October 21, 1954, relating to the final adoption of the Budget for the year 1955.

\* On motion of Councilman Neibert, seconded by Councilman Nagel, the following resolution was adopted and carried.

WHEREAS, Benedict T. Holtz and persons in charge of the various departments of the Town Government have submitted estimates of revenues and expenditures for the year 1955; and whereas the Town Board has adopted certain estimates as its preliminary budgets; and whereas public hearings have been duly held in relation to such preliminary budgets as provided by law.

NOW, THEREFORE, BE IT RESOLVED, that the following estimates of revenues and expenditures be adopted as the 1955 Budget for the Town of Cheektowaga and the respective districts therein.\*

TOWN OF CHEEKTOWAGA

DETAIL OF ESTIMATED EXPENDITURES

year 1955

GENERAL FUND	ESTIMATED AMOUNTS	
	DETAIL	TOTAL
<u>OFFICE OF TOWN CLERK</u>		
Salary of Town Clerk	\$ 6,000.00	
Salary of Deputy Town Clerk	\$ 3,200.00	
Salary of Clerk	3,150.00	
Senior Stenographer	3,000.00	
Telephone Operator	2,900.00	
Postage, stationery, etc.	2,500.00	
Office equipment	500.00	\$ 21,250.00
<u>OFFICE OF RECEIVER OF TAXES</u>		
Salary of Receiver of Taxes	\$ 6,000.00	
Salary of Senior Account Clerk	3,500.00	
Salary of Accounting Machine Operator	2,800.00	
Compensation of Extra Clerks	3,500.00	
Equipment	1,120.00	
Service contracts	307.00	
Supplies	400.00	
Expense relating to County tax rolls:		
Postage	\$500.00	
Supplies	240.00	740.00
Expense relating to School tax rolls:		
Postage	\$450.00	
Supplies	715.00	1,165.00
		19,532.00
<u>BOARD OF ASSESSORS</u>		
Salary of Assessors:		
Chairman	\$ 5,000.00	
2 Assessors @ \$4,300.00 each	8,600.00	
Salary - Addressograph Operator	3,200.00	
Salary- Stenographer	3,000.00	
Salary - Senior Clerk- Special assessments	3,450.00	
Salary of Clerk to Assessors	4,400.00	
Salary of Draftsman	2,200.00	
Extra Clerks - Special assessments	800.00	
Office equipment	2,000.00	
Office expense	700.00	
Traveling expense	600.00	
Handyman	1,800.00	35,750.00

GENERAL FUND CON't

ESTIMATED AMOUNTS

256

DETAIL      TOTALJustices of The Peace

Salary of Justices - 2 @ \$4,500.00 each	\$ 9,000.00	
Dockets, postage, legal forms, etc.	500.00	
Stenographic services	300.00	
Jurors' fees	200.00	
Equipment	600.00	\$ 10,600.00

POLICE DEPARTMENT

Town police force salaries	\$206,700.00	
Telephone operators salaries	16,000.00	
Mechanic's salary	4,000.00	
Gasoline and oil	9,000.00	
Maintenance of cars and cycles	5,000.00	
Printing and stationery	500.00	
Materials and supplies	1,000.00	
Purchase of motor equipment	12,000.00	
Purchase of office equipment	250.00	
Medical examinations	500.00	
Fees in criminal proceedings	100.00	
Special traffic guards	75.00	
Special investigations	200.00	
Maintenance - Radio station	900.00	
New equipment	4,200.00	
Traveling expenses	500.00	
Meals to prisoners	500.00	
Services of matron	1,100.00	\$262,525.00

RECREATION DEPARTMENT

Park and Recreation Director	\$ 4,000.00	
Secretary to Board	900.00	
Extra labor	9,600.00	
Supplies	4,000.00	
Umpires and referees	3,000.00	
Purchase of equipment	3,500.00	
Maintenance of parks, etc.	6,000.00	
Traveling expense	600.00	
Playground supervisors	4,700.00	
Equipment operators	7,600.00	
Real estate taxes	4,600.00	
	\$ 48,500.00	
Less: Estimated State Aid	4,206.75	44,293.25

ENGINEERING DEPARTMENT

Engineers salary	\$ 9,000.00	
Senior engineering aide (Part time)	4,000.00	
Draftsman	2,200.00	
Junior engineering aides	8,000.00	
Rodman (Summer only)	1,000.00	
Stenographic services	3,000.00	
Supplies	1,000.00	
Gasoline and oil	500.00	28,700.00

INCINERATION PLANT

Salary of Superintendent	\$ 4,400.00	
Wages of operators	21,000.00	
Extra labor	3,600.00	
Supplies	3,000.00	
Electricity, gas and water	3,000.00	
Repairs - Building	1,500.00	
"    - Furnace	3,000.00	
"    - Elevator	6,356.00	
New Truck	1,500.00	
Maintenance	960.00	48,316.00

GENERAL FUND * CONT'D	ESTIMATED AMOUNTS	
	DETAIL	TOTAL
<u>TOWN HISTORIAN</u>		
Maps , records; supplies, etc.	\$ 1,200.00	
Appropriation for distributing information setting forth the progress of the Town of Cheektowaga and advantages to be obtained here	<u>1,500.00</u>	\$ 2,700.00
<u>TOWN BOARD</u>		
Salaries of Councilman (4)	\$ 14,400.00	
Salary of Town Attorney	8,500.00	
Senior Stenographer	2,800.00	
Printing breifx, cost of litigation and expense of Town Attorney	1,000.00	
Printing and publishing reports	800.00	
Office and other expense of Councilman	<u>1,000.00</u>	28,500.00
<u>CONTINGENT FUND</u>		
Extraordinary legal actions, expenses in legislative matters and other special and professional services		25,000.00
<u>ADVERTISING AND PUBLISHING NOTICES</u>		
		3,000.00
<u>SUPERVISOR</u>		
Salary of Supervisor	\$ 7,500.00	
Salary of Secretary to Supervisor	4,000.00	
Senior Stenographer	3,000.00	
Payroll Clerk	3,200.00	
Office and other expense	<u>1,800.00</u>	19,500.00
<u>ELECTIONS</u>		
Compensation of election inspectors	\$ 11,716.00	
Rent of polling places	2,000.00	
Moving booths; etc.	<u>5,000.00</u>	18,716.00
<u>TOWN HOUSE</u>		
Electricity, gas and water	\$ 4,000.00	
Telephone	6,000.00	
Supplies	3,000.00	
Purchase of equipment - Station Wagon for general Town use	2,200.00	
Repairs	2,000.00	
Cleaning Wages	7,300.00	
Window cleaning	<u>1,000.00</u>	25,500.00
<u>TRAFFIC REGULATION EXPENSE</u>		
Traffic signal lights	\$ 10,200.00	
Street marking and paint	4,500.00	
School crossing guards	21,600.00	
Traffic signs	<u>1,500.00</u>	37,800.00
<u>INSURANCE AND SURETY BONDS</u>		
		43,000.00
<u>DOG WARDENS</u>		
Salaries (2)	\$ 5,900.00	
Other expense	<u>800.00</u>	6,700.00
<u>ATTENDANCE OFFICERS</u>		
Salaries (2)	\$ 2,800.00	
Supplies	<u>100.00</u>	\$ 2,900.00

	ESTIMATED AMOUNTS	
	DETAIL	TOTAL
<u>GENERAL FUND * CONT'D</u>		
<u>MISCELLANEOUS REPAIRS AND MINOR IMPROVEMENTS</u>		
Sidewlks and other repairs and minor improvements	\$ 7,500.00	
Vetrans monument - Town Hall grounds	2,500.00	\$ 10,000.00
<u>CONTRIBUTION TO NEW YORK STATE RETIREMENT SYSTEM</u>		
For Policemen	\$ 15,098.00	
For other employees	41,699.00	56,797.00
<u>DEPARTMENT OF PUBLIC WORKS.</u>		
<u>Miscellaneous Functions:</u>		
General Foreman	\$ 4,200.00	
Principal Clerk	4,100.00	
Maintenance men (2)	7,200.00	
Supplies	200.00	15,700.00
<u>SHADE TREE EXPENSE</u>		
		10,000.00
<u>BUILDING AND PLUMBING DEPARTMENT</u>		
Salary of Building and Plumbing Inspector	\$ 4,500.00	
Salary of Assistant Building Inspector	4,200.00	
Stenogrphic service	2,800.00	
Office supplies and expense	1,000.00	12,500.00
<u>ZONING BOARD OF APPEALS</u>		
Fees of members		2,000.00
<u>INTEREST ON TEMPORARY LOANS.</u>		
		500.00
<u>REIMBURSEMENT OF ERIE COUNTY TREASURER</u>		
Current chargebacks for erroneous taxes	\$ 775.28	
Chargebacks relating to Thruway	34,901.32	
Portion of prior chargebacks relating to cemetery property	16,345.18	52,021.78
<u>VETERANS OBSERVANCE</u>		
		800.00
<u>MISCELLANEOUS</u>		
Including expense in connection with paying bonds, coupons, fire wardens, etc.		4,000.00
<u>PROVISION FOR CIVIL DEFENSE AID</u>		
		3,000.00
<u>REPAYMENT OF CAPITAL NOTE AND INTEREST</u>		
Damage Claim		2,486.10
<u>GENERAL TOWN BONDED DEBT</u>		
Principal due in 1955	17,000.00	
Interest due in 1955	3,474.50	20,474.50
TOTAL ESTIMATED GENERAL FUND EXPENDITURES		\$874,561.63
<u>LESS: ESTIMATED REVENUE AND REDISTRIBUTED CHARGES</u>		
<u>REVENUE OTHER THAN TAXES LEVIED:</u>		
Fees of Town Officers	3,000.00	
Mortgage Tax	10,000.00	
Dog Tax	5,000.00	
Licenses, permits, etc.,	13,000.00	
Fines	5,000.00	
Per capita assistance for the support of local government	161,006.70	
	197,006.70	
<u>Redistributed Charges:</u>		
<u>Chargebacks by Erie C unty</u>		
<u>Treasurer-Payable by:</u>		
Town Health Fund	\$ 3.19	
Highway Fund	2,032.14	
Lighting District	976.14	
Water Hydrant Districts	667.97	
Consolidated Garbage District	2,841.68	
Sewer Districts	33,735.46	



DETAIL OF ESTIMATED EXPENDITURES-Cont'd

HIGHWAY DEPARTMENT- Cont'd

ITEM NO. 4-MISCELLANEOUS FUND

	<u>ESTIMATED AMOUNTS</u>	
	<u>DETAIL</u>	<u>TOTAL</u>
Salary-Superintendent of Highways	\$ 6,500.00	
Salary-Principal Clerk	4,500.00	
Snow removal	10,000.00	
Miscellaneous labor	18,000.00	
Weed cutting	600.00	
Snow-Fence- Setting and removing	1,000.00	
Fuel for heating plant	1,000.00	
Gasoline and oil	2,000.00	
Purchase of signs, paint and repair	1,500.00	
Salt and sand	2,000.00	
Transportation expenses	400.00	
Erie County chargebacks-Current	19.13	
Erie County chargebacks-Cemeteries	24.60	
Erie County Chargebacks-Thruway	649.99	
Office supplies	50.00	
Cleaning ditches	5,000.00	
Repairs to curbs and sidewalks	5,000.00	
	<u>\$58,243.72</u>	
LESS: Estimated Revenue from County	2,500.00	
NET ESTIMATED REQUIREMENT FOR ITEM NO. 4	<u>\$55,743.72</u>	
TOTAL FOR ALL HIGHWAY FUNDS		<u>\$250,465.47</u>

SPECIAL DISTRICTS

GENERAL LIGHTING DISTRICT

Estimated cost of service	\$105,500.00	
Repairs to standards, etc.	5,000.00	
Erie County chargebacks - Thruway	782.00	
Erie County chargebacks - Current	20.24	
Erie County chargebacks - Cemeteries	173.90	
	<u>\$111,476.14</u>	
Less: Charge to Village of Sloan	\$ 300.00	
Estimated surplus as of December 31, 1954	6,000.00	6,300.00
	<u>AMOUNT TO BE ASSESSED</u>	<u>\$105,176.14</u>

WATER HYDRANT DISTRICTS

District No. 1 - Doyle	\$ 9,208.16	
District No. 2 - Walden	3,432.07	
District No. 3 - Forks	2,623.07	
District No. 4 - U-Crest	11,023.10	
District No. 5 - Pine Hill	5,826.21	
District No. 6 - Cleveland Hill	15,373.92	
District No. 7 - French Road	1,507.00	
District No. 8 - Hyland Road	342.50	
District No.10 - Bellevue	919.09	
	<u>AMOUNT TO BE ASSESSED</u>	<u>50,255.12</u>

WATER SUPPLY DISTRICTS

Borden Road:		
Bond principal and interest due in 1955	\$3,776.00	
Estimated deficit December 31, 1954	<u>1,000.00</u>	4,776.00
Como Park Extension:		
Bond principal and interest due in 1955		2,750.00
Strasmer Road Estension:		
Bond principal and interest due in 1955		<u>875.00</u>
TOTAL TO BE ASSESSED FOR THE THREE DISTRICTS		<u>8,401.00</u>

SPECIAL DISTRICTS CONT'DESTIMATED AMOUNTS  
DETAIL      TOTALFIRE PROTECTION DISTRICTSDistrict No. 1 - BowmansvilleEstimated payment to outside district  
for protection

\$ 741.33

District No. 2 - Tio-run-da

Payment to Cleveland Hill Fire District

For protection service

\$4,500.00

For Hydrant rental

2,466.00

\$6,966.00Less: Estimated surplus as of  
December 31, 1954500.00

6,466.00

District No. 3 - South Line Volunteer  
Fire Co.

For fire protection service

1,800.00

TOTAL TO BE ASSESSED FOR THE TREE DISTRICTS

\$ 9,007.33

CONSOLIDATED GARBAGE DISTRICT

Incineration

\$ 55,000.00

Sanitation helpers

85,558.20

Sanitation drivers

29,611.40

4 Extra men for vacation time

5,641.20

Mechanic

4,350.00

Repair parts, tires, gasoline, oil, tools, etc.

20,000.00

Disposal site

1,500.00

Office expense

200.00

Erie County chargebacks

2,841.68

One extra helper

4,074.20

Payments to General Fund:

For services of General Foreman

2,100.00

For services of Principal Clerk

2,050.00

Miscellaneous and sick leave

3,000.00

\$215,926.68

Less: Estimated surplus as of December 31, 1954

-0-

TOTAL TO BE ASSESSED

\$215,926.68

SEWER DISTRICTSDistrict No. 1

Rent to City of Buffalo

\$ 586.08

Installment on old balance

150.00

Interest on old balance

33.39

\$ 769.47District No. 2

Rent payable to District No. 5

\$ 4,000.00

Maintenance

900.00

To be raised by assessment

\$ 4,900.00District No. 3

Bond principal and interest due in 1955

\$ 29,663.95

Operation of Disposal Plant

34,525.00

Real Estate taxes - 1955

6,000.00

Maintenance of sewers

3,000.00

Services of Superintendent

1,500.00

Services of Engineer

1,000.00

Services of Town Attorney

500.00

Erie County chargebacks - Thruway

2,095.12

Erie County chargebacks - Current

1.96

TOTAL EXPENSE FOR 1955

\$ 78,286.03

Less: Rentals:

William Street tie-in

\$ 300.00

Franklin Street tie-in

1,250.00

Special fixed charges

22,000.00

To be raised by assessment

23,550.00

\$ 54,736.03

## SEWER DISTRICT CONT'D

ESTIMATED AMOUNTS	
DETAIL	TOTAL

District No. 4

Rent payable to District No. 5	\$ 4,500.00	
Operation of pump station	1,700.00	
Maintenance	500.00	
TOTAL EXPENSE FOR 1955	\$ 6,700.00	
Less: Amount payable out of District's Reserve Fund		1,000.00
To be raised by assessment	\$ 5,700.00	

District No. 5

Bond principal and interest due in 1955	\$161,330.46	
Operation of Disposal Plant	99,625.00	
Maintenance of sewers	12,000.00	
Services of Superintendent	3,000.00	
Services of Engineer	3,000.00	
Services of Town Attorney	500.00	
Erie County chargebacks - Thruway	2,095.12	
Erie County chargebacks - Current	1.96	
TOTAL EXPENSE FOR 1955	\$ 78,286.03	
Less: Rentals:		
William Street Tie-in	\$300.00	
Franklin Street Tie-in	1,250.00	
Special Fixed charges	22,000.00	23,550.00
To be raised by assessment	\$54,736.03	

District No. 4

Rent payable to District No. 5	\$ 4,500.00	
Operation of pump station	1,700.00	
Maintenance	500.00	
TOTAL EXPENSE FOR 1955	\$ 6,700.00	
Less: Amount payable out of District's Reserve Fund		1,000.00
To be raised by assessment	\$ 5,700.00	

District No. 5

Bond principal and interest due in 1955	\$161,330.46	
Operation of Disposal Plant	99,625.00	
Maintenance of sewers	12,000.00	
Services of Superintendent	3,000.00	
Services of Engineer	3,000.00	
Services of Town Attorney	1,000.00	
Erie County chargebacks - Current	570.07	
Erie County chargebacks - Thruway	24,681.88	
Erie County chargebacks - Cemeteries	6,386.43	
TOTAL EXPENSE FOR 1955	\$311,593.84	
Less: Revenue from charges to:		
Josephine Asmondus	75.00	
City of Buffalo	12,000.00	
Sewer District No. 2	4,000.00	
Sewer District No. 4	4,500.00	
Sewer District No. 6	23,200.00	43,775.00
To be raised by assessment	\$267,818.84	

## RETAIL OF ESTIMATED EXPENDITURES - Cont'd

SEWER DISTRICT No. 5 - Walden Extension

Bond principal and interest due in 1955	\$ 5,561.00
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District No. 5 - Peinkofer Extension

Bond principal and interest due in 1955	\$ 1,650.00
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District No. 6

Bond principal and interest due in 1955	\$ 2,294.00
Rent - Payable to District No. 5	22,000.00
Maintenance - Payable to District No. 5	1,200.00
To be raised by assessment	\$ 25,494.00

TOTAL FOR ALL SIX SEWER DISTRICTS

\$366,629.34

## STORM SEWER DISTRICTS

District No. 1

Maintenance	\$ -0-
To be raised by assessment	-0-

District No. 2

Erie County chargebacks - Cemeteries	\$ 9,229.06
Maintenance	1,100.00
To be raised by assessment	\$ 10,329.06

Item No. 3 Cont'd DETAIL OF ESTIMATED EXPENDITURES \* Continued

ESTIMATED AMOUNTS

SEWER DISTRICTS - Cont'd

District No. 3

Bond principal and interest due in 1955	\$ 7,056.00	
Maintenance	200.00	
To be raised by assessment	<u>7,256.00</u>	

District No. 4

Bond principal and interest due in 1955	9,050.00	
Maintenance	200.00	
	<u>\$ 9,250.00</u>	

Less: Amount payable out of District's Reserve Fund	1,500.00	
To be raised by assessment	<u>\$ 7,750.00</u>	

TOTAL FOR ALL FOUR STORM SEWER DISTRICTS

\$ 25,335.06

LATERAL SEWER DISTRICTS (SANITARY)

Arthur Street	313.13	
Roycroft Blvd.	227.54	
Maryvale Drive	678.80	
W. Grand Blvd.	561.72	
Cleveland Drive	752.33	
S. Huxley	583.90	
Woodland - (Formerly Commodore Terrace)	1,573.10	
Darwin Drive	908.79	
Homesgarth Avenue	920.40	
Toelsin Road	3,162.00	
Cresthaven	1,639.78	
Sugnet	2,001.88	
Walton	1,310.47	
Abeles, Vincent and Lena	900.00	
Floral Place	1,000.00	
Mapleview Drive	<u>\$ 1,690.00</u>	

\$ 18,223.84

SIDEWALK DISTRICTS

Evergreen	1,896.22	
Wallworth	620.76	
Clover	911.90	
Rossler	998.52	
Woodridge	1,500.00	
Peinkofer	600.00	
To be raised by assessment	<u>600.00</u>	

\$ 6,527.40

CURBING DISTRICTS

Olcott		
Principal and interest due in 1955	\$ 3,200.00	
Less: Amount payable out of District's Reserve Fund	<u>120.94</u>	

3,079.06

PAVING DISTRICTS

Darwin Drive	3,576.94	
Walton Drive	1,816.44	
Cresthaven Drive	1,327.86	
Sugnet Road	1,814.04	
To be raised by assessment	<u>1,814.04</u>	

8,535.28

STREET LIGHTING IMPROVEMENT

GROUP (8)

Principal and interest due in 1955:		
Highview Court	128.22	
S. Century Road	313.92	
To be raised by assessment	<u>442.14</u>	

GROUP (9)

Principal and interest due in 1955:		
Cunard Drive	594.55	
Mapleview Road	286.00	
Briarcliffe Road	494.20	
To be raised by assessment	<u>\$ 1,374.75</u>	

GROUP (10)

Principal and interest due in 1955:		
S. Roycroft Blvd.	308.35	
To be raised by assessment	<u>\$308.35</u>	

ITEM NO. 3-Cont'd  
DETAIL OF ESTIMATED EXPENDITURES-Cont'd

ESTIMATED AMOUNTS 260

STREET LIGHTING IMPROVEMENT

GROUP (11)

Principal and interest due in 1955:	
W. Grand Blvd.	\$ 222.48
Merrymont Dr.	593.28
McNaughton Ave.	420.24
To be raised by assessment	1,236.00

GROUP (12)

Principal and interest due in 1955:	
Chesterfield Dr.	413.33
Verdun Pl.	268.67
Carol Dr.	537.33
Mafalda Dr.	847.34
To be raised by assessment	2,066.67

TOTAL TO BE ASSESSED FOR ALL FIVE GROUPS \$5,427.91

FIRE DISTRICTS

District No. 1-Doyle	21,053.40
District No. 2-Walden	18,170.00
District No. 3-Forks	9,916.92
District No. 4-U-Crest	14,852.35
District No. 5-Pine Hill	25,600.00
District No. 6-Cleveland Hill	13,124.79
District No. 8-Hyland (Urban)	1,025.00

TOTAL TO BE ASSESSED FOR THE SEVEN DISTRICTS \$103,742.46

ESTIMATED AMOUNTS  
DETAIL      TOTAL

OMITTED 1954 ASSESSMENTS

\$ 93.17

TOTAL NET BUDGET FOR ALL TOWN PURPOSES

\$1,685,572.74

and,

BE IT FURTHER RESOLVED, that the Supervisor be and he is hereby directed to make application to the Board of Supervisors of the County of Erie to have levied and spread against the taxable property liable therefor, the amounts hereinbefore stated and that such sums when collected be paid to the Supervisor of the Town of Cheektowaga as provided by law.

ADOPTED: AYES: -5-      NOES: -0-      ABSENT: -0-

Item No. 4 Councilman Bystrak moved, seconded by Councilman Wroblewski, to adjourn.

Kenneth T. Hanley, Town Clerk

SEAL

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 28th day of October, 1954, at 11:30 o'clock A.M., Eastern Standard Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

Also present was Elizabeth Biniasz.

Item No. 2 Councilman Wroblewski moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to issue Building Permits on Applications processed by the Petitions Committee on October 23 and October 28, 1954, after same have been approved by the Building Inspector.

Item No. 3 Councilman Wroblewski moved, seconded by Councilman Neibert, that the ten (10) Building Permits on Alaska Street for R.J. Perfetto Corporation, be approved.

Carried: Ayes: -5-.

Item No. 4 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, competitive bids were received October 18, 1954, for the Project known as Overflow Pump Station Sewer District No. 3 and the lowest bid was submitted by Herbert F. Darling in the sum of \$10,635.00, be it  
RESOLVED, that the bid of Herbert F. Darling in said sum of \$10,635.00 be accepted and that the Consulting Engineers and Town Attorney be authorized to prepare contract in accordance with plans and specifications made a part of this bid.

Seconded by Councilman Neibert and duly put to a vote which resulted as follows:

Councilman Nagel	Voting AYE
Councilman Wroblewski	" "
Councilman Neibert	" "
Councilman Bystrak	" "
Supervisor Holtz	" "

Carried: Ayes: -5-.

Item No. 5 Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that Jerome Schneider be appointed Detective Sargeant in the Police Department in place of Frank Zalemski, deceased, effective November 1, 1954.  
Seconded by Councilman Neibert.

At the request of Councilman Bystrak the resolution was tabled until November 15, 1954.

Item No. 6 Councilman Neibert moved, seconded by Councilman Wroblewski, to adjourn.

Elizabeth Biniasz, Deputy Town Clerk.

SEAL

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, New York, on the 1st day of November, 1954, at 2:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

Also present were: Town Clerk Hanley; Town Attorney Doyle; Chief of Police Mersmann; General Foreman Eberl; Town Engineer Kamm; Assistant Building Inspector Trafalski; and Town Historian Julia B. Reinstein.

Item No. 2 The Town Clerk advised the Board that a copy of the minutes of the previous meeting has been placed on their desk in the Council Chamber.

Item No. 3 Communication read from the State of New York, Department of Public Works, relating to a School Bus Station sign on Broadway, Route 30, in the Town of Cheektowaga, in the vicinity of its intersection with Dick Road. Ordered referred to the Chief of Police by the Chairman.

Item No. 4 Communication read from the State of New York Public Service Commission relating to Case 16822 Petition of Niagara Frontier Transit System, Inc., for a certificate of public convenience and necessity for the operation of omnibus lines. PETITION TO EXTEND BROADWAY ROUTE IN TOWN OF CHEEKTOWAGA AND VILLAGE OF SLOAN.

Councilman Bystrak protested vigorously against the Commission's order that no Village of Sloan residents can be carried on buses from the City Line to Michael Avenue in the Village.

Ordered received and filed by the Chairman.

Item No. 5 Petition presented for the improvement of Mapleview Road, from Birkdale Road to the Niagara Mohawk Power Lines by the construction of a pavement in said highway. Ordered referred to the Assessors for a property check by the Chairman.

Item No. 6 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Supervisor be authorized to execute on behalf of the Town of Cheektowaga, New York, application for a permit to erect a traffic actuated stop and go signal at the intersection of Rossler and Dingen Street, and that he further be authorized to enter into a contract with Reynders Electric Company to install the signal.

Seconded by Councilman Wroblewski.

Carried: Ayes: -5-.

Item No. 7 Councilman Bystrak moved, RESOLVE to authorize the New York State Gas & Electric Company to install 2 Globe Type 2500 lumen on the following poles; 571 on Union Road; near William Street; 25 on William Street at Union Road; Seconded by Councilman Wroblewski.

Carried: Ayes: -5-.

Item No. 8 Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, the sanitary sewer in Kenview Road, a Town Highway, required emergency repairs and the Town Engineer engaged Straco, Inc., to furnish the necessary materials, equipment and labor to make the repairs, and the cost thereof amounts to \$399.53, be it

RESOLVED, that the payment of \$399.53 to Straco, Inc., for making said repairs is hereby approved upon recommendation of the Town Engineer.

Seconded by Councilman Wroblewski.

Carried: Ayes: -5-.

Item No. 9 Councilman Wroblewski moved, seconded by Councilman Nagel, that the following named persons be appointed Dog Enumerators for the Town of Cheektowaga, New York:

Anna Slisz;  
Eleanor Frey;  
Frank Lawriszak;  
Charlotte Nawrocki;

Carried: Ayes: -5-.

Item No. 10 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that Evelyn Cichy of No. \_\_\_\_\_ be temporarily appointed a School Guard at an hourly salary of \$1.05, and that she be directed to report to the Chief of Police for assignment of duties, and be it further

RESOLVED, that Stanley Cwiklinski be appointed a School Guard at an hourly salary of \$1.05 and that he be assigned to St. Josephat School and Church under the supervision of the Chief of Police.

Seconded by Councilman Neibert.

Carried: Ayes: -5-.

Item No. 11 Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that Arthur H. Deabold of No. \_\_\_\_\_; Richard T. Sindzinski of No. \_\_\_\_\_ and John J. Czajka of No. \_\_\_\_\_ be

appointed Patrolmen of the Town of Cheektowaga, New York, at an annual salary of \$3,900 payable in semi-monthly installments, their names having been certified as eligible for appointment by the Personnel Officer of Erie County from an eligible list established June 24, 1952. This resolution shall become effective November 16, 1954.

Seconded by Councilman Wroblewski.

Carried: Ayes: -5-.

Item No. 12 Councilman Wroblewski moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to issue Building Permits on Applications processed by the Petitions Committee on October 30, 1954, after same have been approved by the Building Inspector.

Carried: Ayes: -5-.

Item No. 13 Councilman Wroblewski moved, seconded by Neibert, WHEREAS this Town Board has received bids on three (3) Police Cars, be it

RESOLVED, that the bids be rejected.

Carried: Ayes: -5-.

Item No. 14 Patrick Solmaine Rezoning Request Granted ( Lots No. 3 and No. 4 on Dingen Street)

**LEGAL NOTICE  
REZONING GRANTED**

WHEREAS, the Zoning Board of Appeals held a public hearing on the 13th day of October, 1954, for the purpose of considering the application of Patrick Solmaine for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 26th day of October, 1954, having rendered its decision granting the application of petitioner to rezone from Residential District to Business District the property hereinafter described and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 1st day of November, 1954,

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone premises from Residential District to Business District, be and the same is hereby confirmed and approved,

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended entitled "Zoning Ordinance" 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**

Lot No. 3 and 4, Dingen Street  
KENNETH T. HANLEY,  
Town Clerk,  
Town of Cheektowaga, New York  
Dated: November 1, 1954



Item No. 10 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that Evelyn Cichy of No. \_\_\_\_\_ be temporarily appointed a School Guard at an hourly salary of \$1.05, and that she be directed to report to the Chief of Police for assignment of duties, and be it further RESOLVED, that Stanley Cwiklinski be appointed a School Guard at an hourly salary of \$1.05 and that he be assigned to St. Josephat School and Church under the Supervision of the Chief of Police.

Seconded by Councilman Neibert.

Carried: Ayes: -5-.

Item No. 11 Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that Arthur H. Deabold of No. \_\_\_\_\_ and John J. Czajka of No. \_\_\_\_\_ appointed Patrolmen of the Town of Cheektowaga, New York, at an annual salary of \$3,900 payable in semi-monthly installments, their names having been certified as eligible for appointment by the Personnel Officer of Erie County from list established June 24, 1952. This resolution shall become effective November 1, 1954.

Seconded by Councilman Wroblewski.

Carried

Item No. 12 Councilman Wroblewski moved, seconded by Councilman Neibert Town Clerk be authorized and directed to issue Building Permits on Applications by the Petitions Committee on October 30, 1954, after same have been approved by Building Inspector.

Carried

Item No. 13 Councilman Wroblewski moved, seconded by Neibert, WHEREAS has received bids on three (3) Police Cars, be it

RESOLVED, that the bids be rejected.

Carried

Item No. 14 Patrick Solmaine Rezoning Request Granted ( Lots No. 3 and

**LEGAL NOTICE**  
**REZONING GRANTED**

WHEREAS, the Zoning Board of Appeals held a public hearing on the 13th day of October, 1954, for the purpose of considering the application of Patrick Solmaine for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 26th day of October, 1954, having rendered its decision granting the application of petitioner to rezone from Residential District to Business District the property hereinafter described and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 1st day of November, 1954,

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone premises from Residential District to Business District, be and the same is hereby confirmed and approved.

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended entitled "Zoning Ordinance" 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**

Lot No. 3 and 4, Dingen Street  
KENNETH T. HANLEY,  
Town Clerk,  
Town of Cheektowaga, New York  
Dated November 1, 1954.

The aforementioned notice was posted as follows on the 15th day of November, 1954:

- 1- Town Hall Bulletin Board.

Here-to attached is a copy of the notice published in the Cheektowaga Times:

**Whereas** the Zoning Board of Appeals held a public hearing on the 15th day of October, 1954, for the purpose of considering the application of Patrick Solmaine for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

**WHEREAS**, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

**WHEREAS**, the Zoning Board of Appeals on the 20th day of October, 1954, having rendered its decision granting the application of petitioner to rezone from Residential District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 1st day of November, 1954.

**BE IT RESOLVED**, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone from Residential District to Business District, be and the same is hereby confirmed and approved.

**NOW, THEREFORE**,

**BE IT RESOLVED**, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended entitled - "Zoning Ordinance" 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**  
Lot No. 3 and 4 on Dingen Street.  
**KENNETH T. HANLWY,**  
Town Clerk  
Town of Cheektowaga, N. Y.  
Dated November 1, 1954

... held a public hearing on the day of October, 1954, for the purpose of considering the application of Patrick Solman for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such

... District to Business District the property hereinafter described and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 1st day of November, 1954,

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone premises from Residential District to Business District, be and the same is hereby confirmed and approved,

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended entitled "Zoning Ordinance" 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  
 Lot No. 3 and 4, Dingen Street.  
 KENNETH T. HANLEY,  
 Town Clerk,  
 Town of Cheektowaga, New York  
 Dated: November 1, 1954. n11

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for

... *one* ... week, the first insertion being on the

... *11th* day of *November*..., 19*54*, 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*

NOV 16 1954  
19

*Kenneth T. Hanley*  
 Notary Public in and for Erie County

Item No. 15 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved, and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. ( Warrant No. 2090 to 2169, inclusive, drawn on the Supervisor).

Item No. 16 Councilman Nagel moved, seconded by Councilman Neibert, to adjourn.

Kenneth T. Hanley, Town Clerk.

SEAL

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 15th day of November, 1954, at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

Also present were: Town Clerk Hanley; Town Attorney Doyle; Chairman of the Board of Assessors Jerzewski; Town Engineer Kamm; Town Historian Julia B. Reinstein; Building & Plumbing Inspector Roehm and Chief of Police Mersmann.

Item No. 2 The Town Clerk advised the Board that a copy of the minutes of the previous meeting has been placed on their desk in the Council Chamber.

Item No. 3 Communication read from the State Traffic Commission relating to speed being restricted to 35 MPH over Route US 20 and 78 Transit Road, S.H. 9217 between the southerly line of the Village of Depew and a point 3168 feet south of that line. Ordered received and filed by the Chairman.

Item No. 4 Petition presented for the installation of wooden pole street lighting equipment on Norine Drive, from Beach Road to end of street. Ordered referred to Councilman Bystrak by Supervisor Holtz.

Item No. 5 Petitions presented for street lighting equipment for the following named streets:

St. Lucian Court;  
Carolyn Drive;  
Robert Court;  
St. Paul Court;  
Lucille Drive;  
Danbury Drive;

Ordered referred to the Board of Assessors for a property check by Supervisor Holtz.

Item No. 6 Petition presented for the improvement of Yorktown Street by the installation of street pavement and lateral sewer insaid highway. Ordered referred to the Assessors for a property check by Supervisor Holtz.

Item No. 7 Councilman Wroblewski moved, seconded by Councilman Neibert, that Lieut. William H. Graham of the Cheektowaga Police Department be authorized and directed to attend New York State Division of the International Association to be held at Utica N.Y. on November 15, 1954, expenses incurred to be a General Town Charge.  
Carried: Ayes: -5-.

Item No. 8 Councilman Nagel moved, seconded by Councilman Neibert, that Patrolman Jerome Schneider be appointed a Detective Sargeant in the Police Department. Councilman Bystrak moved, seconded by Councilman Wroblewski, that the following amendment be substituted for the above resolution,  
RESOLVED, that no appointments be made in the Detective Department at this time.

Duly put to a vote which resulted as follows:

Councilman Nagel	Voting NAYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting NAYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

Carried: Ayes: -3-

Nayes: -2-.

Item No. 9 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVE, to request the Erie County Highway Superintendent for permission to install 2 NO PARKING signs on the south side of William Street, between Richard Drive and Colton Street.

Seconded by Councilman Neibert.

Carried: Ayes: -5-.

Item No. 10 Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, tha the request of the Board of Supervisors for permission to use Police Station at the Town Hall for the installation of a radio transmitter in connection with the Erie County Fire Radio System granting to the County and its employees that it have control and access to said transmitter, be granted.

This resolution is passed in compliance with request contained in resolution of Board of Supervisors passed by it on September 15, 1954.

Seconded by Councilman Wroblewski.

Carried: AYES: -5-.

Item No. 11 Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that the cost of advertising Town Serial Bonds in the Bond Buyer of New York City in the sum of \$196.00 be audited and ordered paid to Kenneth W. Kitzinger, Attorney, to whom the cost was billed.

Seconded by Councilman Neibert.

Carried: Ayes: -5-.

Item No. 12 The following resolution was offered by Mr. Neibert, who moved its adoption, seconded by Mr. Nagel, to wit:

WHEREAS, the Town Board desires to make further provision for the issuance of the \$155,000 Serial Bonds to be issued in accordance with the resolution adopted by the Town Board on October 18, 1954; NOW, THEREFORE,

BE IT RESOLVED, by the Town Board of the Town of Cheektowaga, in the County of Erie, as follows:

(1) Notwithstanding anything contained in the resolution adopted by the Town Board on October 18, 1954, the \$15,000 Serial Water District No. 9 Bonds, Series A, the \$30,000 Serial Water District No. 9 Bonds, Series B, and the \$6,000 Serial Woodridge Avenue Sidewalk Bonds, described in said resolution shall be dated January 1, 1954, and the interest payable thereon shall be payable semi-annually on January 1 and July 1.

(2) Notwithstanding anything contained in the resolution adopted by the Town Board on October 18, 1954, the \$26,000 Serial Sewer District No. 5 Bonds, Series A, the \$40,000 Serial Sewer District No. 3 Bonds, the \$23,000 Serial Sewer District No. 5 Bonds, Series B, the \$4,000 Serial Peinkofer Drive Sidewalk Bonds, the \$5,500 Serial Sewer District No. 5 Bonds, Series C, and the \$5,500 Serial Sewer District No. 5 Bonds, Series D, described in said resolution shall be dated October 1, 1954, and the interest payable thereon shall be payable semiannually on April 1 and October 1.

The resolution was duly adopted, the vote being as follows:

Supervisor Benedict T. Holtz	Voting AYE
Councilman Felix T. Wroblewski	Voting AYE
Councilman Stanley Bystrak	Voting AYE
Councilman Henry Nagel	Voting AYE
Councilman Joseph A. Neibert	Voting AYE

Item No. 13 Councilman Wroblewski moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to issue Building Permits on applications processed by the Petitions Committee on November 6th and 13th, 1954, after same have been approved by the Building Inspector.

Carried: Ayes: -5-.

Item No. 14 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Supervisor be authorized to enter into a contract with the Erie County Water Authority for the installation of fire hydrants, and to be charged against the Cleveland Hill Water District No. 6;

1- One on the corner of Delmar and Cleveland Drive;

2- One in front of 56 Delmar Avenue;

3- One in front of No. 39 Wilshire Road;

4- One on the corner of Norine and Beach Road;

5- One at either 38 or 75 Norine Drive;

6- One on the corner of Burdette and Princess Street;

7- One in front of 9 Queens Drive;

8- One on Princeton Court, 100 feet South of Cleveland Drive.

Seconded by Councilman Neibert.

Carried: Ayes: -5-.

Item No. 15 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Supervisor be authorized to purchase through Westinghouse Electric Corporation, 14 Y-20's to be installed at the Cheektowaga Town Park and to be charged against the General Lighting Fund.

Seconded by Councilman Nagel.

Carried: Ayes: -5-.

Application of the Town Board of the Town of Cheektowaga, Erie County,  
New York, for the permission of the State Comptroller to establish  
Water District No. 10 in said Town.

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In the Matter  
of the

Application of the Town Board of the  
Town of Cheektowaga, Erie County, New  
York, for the permission of the State  
Comptroller to establish Water District  
No. 10 in said town.

**FILED**

TOWN CLERK'S OFFICE

11-5-54

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*Walter T. Hendy*  
TOWN CLERK  
CHEEKTOWAGA

STATE OF NEW YORK - DEPARTMENT OF AUDIT AND CONTROL

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In the Matter  
of the  
Application of the Town Board of the Town of Cheektowaga, Erie County,  
New York, for the permission of the State Comptroller to establish Water  
District No. 10 in said town.

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WHEREAS, application has been duly made to the undersigned by the town board of the Town of Cheektowaga, Erie County, New York, by its Supervisor, pursuant to section 194 of the Town Law, for the permission of the State Comptroller to establish Water District No. 10 in said town, in accordance with such application and a resolution of said board adopted on September 13, 1954, and

WHEREAS, notice of such application to the State Comptroller has been duly given to the Clerk of the Board of Supervisors of Erie County, New York, by the State Comptroller in the manner prescribed by section 194 of the Town Law, and

WHEREAS, the undersigned has duly examined such application,

NOW, THEREFORE, pursuant to such examination and upon such application of the town board of the Town of Cheektowaga, the undersigned does hereby find and determine, after due deliberation:

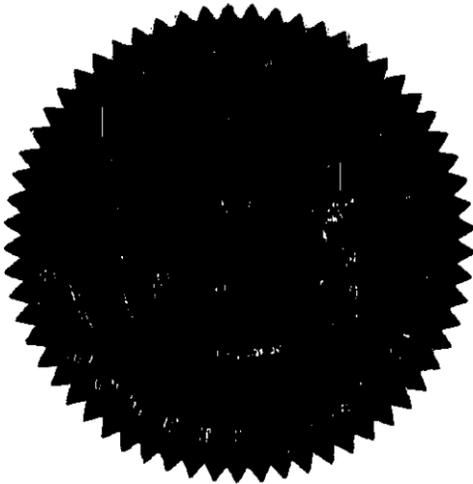
- (1) That the public interest will be served by the establishment of Water District No. 10 in the Town of Cheektowaga in accordance with such application.
- (2) That the cost of the proposed district will not be an undue burden upon the property of the proposed district.

I, J. RAYMOND McGOVERN, Comptroller of the State of New York, do hereby order that such application of the town board of the Town of Cheektowaga for permission to establish Water District No. 10 be, and the same hereby is, granted, and I do permit the establishment of said district in accordance with the following description:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, and being more particularly bounded and described as follows:

**BEGINNING** at a point in the southerly line of the West Shore Railroad property, said point being the intersection of the westerly line of the lands conveyed to the Scharell Corporation and the southerly line of the West Shore Railroad property; thence north-easterly along the southerly line of the West Shore Railroad property 2775 feet more or less to the point of intersection of the southerly line of the West Shore Railroad property and a line through the lands conveyed to the Ernst Construction Corporation, said line being 270 feet more or less, measured at right angles, east of and parallel to the westerly line of the lands conveyed to the Ernst Construction Corporation; thence southerly along said line through the Ernst Construction Corporation 1306 feet more or less, to the point of intersection of said line and the center line of New Walden Avenue; thence southwesterly along the center line of New Walden Avenue 1976 feet more or less; thence westerly 575 feet more or less, along a line parallel to, and 75 feet more or less, measured at right angles, south of the southerly line of lands conveyed to the Scharell Corporation to a point on the westerly line of the Scharell Corporation property extended southerly; thence northerly 360 feet more or less, easterly 50 feet more or less, and northerly 256 feet more or less, along the westerly property line of the Scharell Corporation property to the point of beginning.

Executed in duplicate under my hand and the seal of the Comptroller of the State of New York, at the City of Albany, New York, this 3<sup>d</sup> day of November, 1954.



J. RAYMOND McGOVERN  
State Comptroller

By

*William J. Ambler*  
William J. Ambler  
Deputy Comptroller

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, the owners of taxable real property situated within the Town of Cheektowaga, in the County of Erie, presented to the Town Board of said Town, at a meeting of said Town Board held on the 2nd day of August, 1954, a petition requesting that Water District No. 10 of said Town be created to include the following tract or parcel of land:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, and being more particularly bounded and described as follows:

BEGINNING at a point in the southerly line of the West Shore Railroad property, said point being the intersection of the westerly line of the lands conveyed to the Scharell Corporation and the southerly line of the West Shore Railroad property; thence northeasterly along the southerly line of the West Shore Railroad property 2775 feet more or less to the point of intersection of the southerly line of the West Shore Railroad property and a line through the lands conveyed to the Ernst Construction Corporation, said line being 270 feet more or less, measured at right angles, east of and parallel to the westerly line of the lands conveyed to the Ernst Construction Corporation; thence southerly along said line through the Ernst Construction Corporation 1306 feet more or less, to the point of intersection of said line and the center line of New Walden Avenue; thence southwestwardly along the center line of New Walden Avenue 1976 feet more or less; thence westerly 575 feet more or less, along a line parallel to, and 75 feet more or less, measured at right angles, south of the southerly line of lands conveyed to the Scharell Corporation to a point on the westerly line of the Scharell Corporation property extended southerly; thence northerly 360 feet more or less, easterly 50 feet more or less, and northerly 256 feet more or less, along the westerly property line of the Scharell Corporation property to the point of beginning.

and,

WHEREAS, said petition also requests that there be constructed in said proposed Water District, certain water mains, distribution pipes, hydrants, and other facilities in accordance with a map and plan referred to in said petition and now on file in the office of the Town Clerk of said Town, wholly at the expense of the Water District, and

WHEREAS, said Town Board duly adopted, on the 2nd day of August, 1954, an order providing that said Town Board shall meet at the Town Hall, corner of Broadway and Union Road, in said Town, on the 13th day of September, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, to consider said petition and to hear all persons interested in the subject thereof concerning the same, and certified copies of said order have been duly published and posted as prescribed by law, and said Town Board, has, at the time and place specified in said order, duly met and considered said petition and heard all persons interested in the subject thereof, who appeared at such time and place, concerning the same; and

WHEREAS, the Town Board did, by resolution duly adopted on the 13th day of September, 1954, determine that (1) said petition is signed and acknowledged or proved as required by law and is otherwise sufficient; (2) all property and property owners within said proposed district are benefited thereby; (3) all property and property owners benefited are included within the limits of said proposed district; and (4) it is in the public interest to grant in whole the relief sought in and by said petition; and also did approve the proposed water district to include the territory described in said petition and in this resolution, and the construction of said water mains, distribution pipes, hydrants and other facilities in said proposed district in accordance with the map and plan hereinbefore described; and

WHEREAS, the Supervisor of said Town duly filed on the 1st day of October, 1954, a certified copy of said resolution in duplicate, in the office of the State Department of Audit and Control, at Albany, New York, together with an application, in duplicate, for permission to create said district, duly executed by the Town Supervisor of said Town and complying in all respects with Section 194 of the Town Law of New York, and the Comptroller of the state of New York, did, on the 3rd day of November, 1954, duly make and order granting permission for the creation of said district in accordance with said petition, and has heretofore duly filed said order in the manner required by Section 194 of the Town Law of New York, and

WHEREAS, the Town Board desires to create said district in accordance with said petition;

NOW, THEREFORE,

BE IT ORDERED by the Town Board of the Town of Cheektowaga, in the County of Erie, that the relief sought by said petition be and it hereby is granted and that said district be and it hereby is created so as to include the territory in said Town hereinbefore described; and be it further

ORDERED, that there shall be constructed in said territory water mains, distribution pipes, hydrants and other facilities in accordance with the map and plan hereinbefore referred to at a cost not exceeding Forty Five Thousand (\$45,000.00), and be it further

ORDERED, that the Town Clerk be and he is hereby directed to record a certified copy of this order in the office of the Clerk of the County of Erie, and to file a certified copy of this order in the office of the Comptroller of the State of New York.

Seconded by Councilman Wroblewski and duly put to a vote which resulted as follows:

Supervisor	Benedict T. Holtz	Voting AYE
Councilman	Joseph A. Neibert	Voting AYE
Councilman	Felix Wroblewski	Voting AYE
Councilman	Stanley Bystrak	Voting AYE
Councilman	Henry Nagel	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 17  
its adoption:

Councilman Nagel presented the following resolution and moved

WHEREAS, this Town Board approved by resolution duly adopted by the Town Board on the 15th day of November, 1954, the creation of Water District No. 10 in the Town of Cheektowaga, New York, to include the following described property:

DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, and being more particularly bounded and described as follows:

BEGINNING at a point in the southerly line of the West Shore Railroad property, said point being the intersection of the westerly line of the lands conveyed to the Scharell Corporation and the southerly line of the West Shore Railroad property; thence northeasterly along the southerly line of the West Shore Railroad property 2775 feet more or less to the point of intersection of the southerly line of the West Shore Railroad property and a line through the lands conveyed to the Ernst Construction Corporation, said line being 270 feet more or less, measured at right angles, east of and parallel to the westerly line of the lands conveyed to the Ernst Construction Corporation, thence southerly along said line through the Ernst Construction Corporation 1306 feet more or less, to the point of intersection of said line and the center line of New Walden Avenue; thence southwesterly along the center line of New Walden Avenue 1976 feet more or less; thence westerly 575 feet more or less, along a line parallel to, and 75 feet more or less, measured at right angles, south of the southerly line of lands conveyed to the Scharell Corporation to a point on the Westerly line of the Scharell Corporation property extended southerly; thence northerly 360 feet more or less, easterly 50 feet more or less, and northerly 256 feet more or less, along the westerly property line of the Scharell Corporation property to the point of beginning, and,

WHEREAS, the Comptroller of the State of New York approved the creation of said Water District on the 3rd day of November, 1954, and

WHEREAS, this Town Board is desirous of having the work performed as soon as possible, and

WHEREAS, Nussbaumer, Clarke and Velzy, Consulting Engineers for the Town of Cheektowaga have prepared definite plans and specifications and made a careful estimate of the expense and with the assistance of the Town Attorney have prepared a proposed contract for the execution of said work; and such plans, and specifications, estimate and proposed contract having been presented to this Board and likewise filed with the Town Clerk; and the same having been carefully examined and approved by this Board, NOW THEREFORE

BE IT RESOLVED, that the estimate for said creation in the sum of Forty-five Thousand Dollars (\$45,000.00) be and the same hereby is approved, and

BE IT FURTHER RESOLVED, that sealed bids be invited for the furnishing of material and labor for the doing of the work for the creation of Water District No. 10 as above described in accordance with said plans and specifications estimate, and proposed contract heretofore approved, by publication of Notice thereof at least once in the Cheektowaga Times and the Depew Herald-Cheektowaga News, the official newspapers of this Town.

Each proposal must be accompanied by a certified check for a sum equal to not less than 5% of the amount of bid or bids for the improvements, payable

to the order of the Supervisor, or a bond with sufficient sureties, to be approved by the Supervisor, of equal amount, conditioned that if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further securities as may be required for the faithful performance of the contract.

BE IT FURTHER RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga, New York, at the Town Hall in said Town of the 29th day of November, 1954, at 7:30 o'clock P.M., Eastern Standard Time, and

BE IT FURTHER RESOLVED, that said Notice to Contractors be in substantially the following form, to wit:

#### NOTICE TO CONTRACTORS

Notice is hereby given that pursuant to a Resolution of the Town Board of Cheektowaga, Erie County, New York, sealed proposals will be received and considered by said Town Board on the 29th day of November, 1954 at 7:30 p.m., Eastern Standard Time, in the Town Hall, Broadway at Union Road, Cheektowaga, New York for furnishing all materials, equipment, and labor for the construction of approximately 2,700 feet of twelve inch cast iron water mains on New Walden Avenue in Water District No. 10, together with master meter pit, valves, hydrants, and all accessory construction.

All work is to be in accordance with the Contract Documents therefor, including plans, specifications, instructions to bidders, etc., prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers, of the Town of Cheektowaga, New York, and approved by the Town Board of said Town, 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 usual business hours.

Copies of the proposed contract documents, plans, specifications, and instructions to bidders may also be secured and examined at the office of Nussbaumer, Clarke & Velzy, Consulting Engineers, 327 Franklin Street, Buffalo 2, New York.

One copy of said proposed documents may be obtained upon payment of \$20.00. Any bidder, upon returning such plans and contract documents in good condition, within 20 days following the taking of bids, will be refunded the full amount of his deposit; non-bidders will similarly be refunded only one-half of their deposit.

The Town Board of the Town of Cheektowaga, 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 not less than 5% of the amount of bid or bids for the improvements, payable to the order of the Supervisor, or a bond with sufficient sureties, to be approved by the Supervisor, of equal amount, conditioned that if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further securities as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within sixty (60) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of bids.

KENNETH T. HANLEY,

Dated: November 15, 1954

Seconded by Councilman Wroblewski and duly put to a vote which resulted as follows:

Supervisor Benedict T. Holtz	Voting AYE
Councilman Joseph A. Neibert	" "
Councilman Felix Wroblewski	" "
Councilman Stanley Bystrak	" "
Councilman Henry Nagel	" "

AYES: -5-

NOES: -0-

ABSENT: -0-

Hereto attached is a copy of the notice published in the Cheektowaga Times:

**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 the Town Board on the 29th day of November, 1954, at 7:30 P.M., Eastern Standard Time, in the Town Hall, Broadway and Union Road, Cheektowaga, New York for furnishing of materials, equipment and labor for the construction of approximately 2,700 feet of twelve-inch cast iron water mains on New Walden Avenue in Water District No. 10, together with master meter pit, valves, hydrants, and all accessory construction.

All work is to be in accordance with the Contract Documents therefor, including plans, specifications, instructions to bidder, etc., prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers, of the Town of Cheektowaga, New York, and approved by the Town Board of the said Town, 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 be secured and examined at the office of Nussbaumer, Clarke & Velzy, Consulting Engineers, 327 Franklin St., Buffalo 2, New York.

One copy of said proposed documents may be obtained upon payment of \$20.00. Any bidder, upon returning such plans and contract documents in good condition within 20 days following the taking of bids, will be refunded the full amount of his deposit; non-bidders will similarly be refunded only one-half of their deposit.

The Town Board of the Town of Cheektowaga, 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 not less than 5% of the amount of bid or bids for the improvements, payable to the order of the Supervisor, or a bond with sufficient sureties, to be approved by the Supervisor, of equal amount, conditioned that if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further securities as may be required for the faithful performance of the contract.

Each bidder shall have the right and privilege to bid separately on each of the highways to be improved.

No bidder may withdraw his bid within sixty (60) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of bids.

KENNETH T. HANLEY  
Town Clerk

Dated: November 15, 1954. (11-18)

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~~ <sup>one</sup> week:  
first publication ..... NOV 18 1954 .....  
last publication ..... NOV 18 1954 .....  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

NOV 18 1954

day of ....., 19.....

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

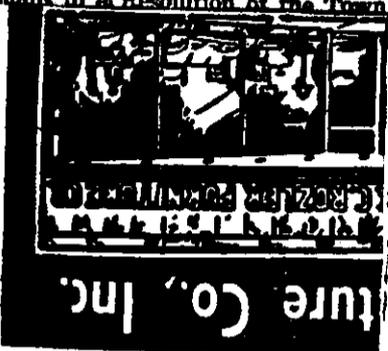
EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029

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



Company had a crew of men work-  
this time the Field Engineering  
accommodated there. Also about  
it was, only a select few were  
ished to receive guests, and when  
pew Inn was not completely fur-  
Lancaster to be housed, as the De-  
various plants, all had to come to  
who had executive positions at the  
out lots and their salesmen, men  
real estate men who were laying  
to Lancaster as surveying crews,  
1888 to 1894 brought a big boom  
The activity in Depew from  
23, 1894.  
ported as a village until July  
mad rush. Depew was not incor-  
men each surveying during this  
gineer, had four crews of those  
uated from Cornell as a class  
Lancaster boy had just

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
... *one* ... week, the first insertion being on the  
*18th* day of *November*, 19*04*, and  
the last insertion being on the ..... day of

....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.  
*Richard G. Bennett*

Sworn to before me this ..... day of  
..... 1904

....., 19.....  
*Herbert T. Hanley*  
Notary Public in and for Erie County

H 18

**LEGAL NOTICE**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 15th day of November, 1954 at 7:30 o'clock P.M. Eastern Standard Time, there were:

**PRESENT:**

- Benedict T. Holtz, Supervisor
- Joseph A. Neibert, Councilman
- Felix Wroblewski, Councilman
- Stanley Bystrak, Councilman
- Henry Nagel, Councilman

**ABSENT: —0—**

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Town Board on the 20th day of September, 1954, adopted an Ordinance to be known as Ordinance No. 3 of the General Ordinances of the Town of Cheektowaga, New York, which Ordinance makes it unlawful for any person, firm or corporation to make an excavation upon any Town property or upon any portion of the Right-of-Way of a Town highway without first obtaining a permit to do so, and

WHEREAS, the fee for the issuance of such permit was fixed in said Ordinance at Fifty Dollars (\$50.00), which amount in the judgment of the Town Board is excessive and should be changed from Fifty Dollars (\$50.00) to Fifteen Dollars (\$15.00), if deemed advisable after a public hearing, be it

RESOLVED, that the Town Board shall meet on the 6th day of December, 1954 at 2:30 o'clock P.M. at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York for the purpose of considering the advisability of changing the fee for the issuance of a permit from Fifty Dollars (\$50.00) to Fifteen Dollars (\$15.00) as specified in Ordinance No. 3 of the General Ordinances of the Town of Cheektowaga, New York and that said Ordinance shall not in any wise be repealed or amended, and be it further,

RESOLVED, that at such public hearing, all persons interested in the subject matter shall be given an opportunity to be heard, and be it further,

RESOLVED, that the Town Clerk be and he is hereby ordered and directed to published a certified copy of this resolution and order in the Depew Herald and Cheektowaga News and the Cheektowaga Times, newspapers having a general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him

at the entrance of the Town Clerk's Office, a certified copy of this resolution and order.

Seconded by Councilman Neibert and duly put to a vote which resulted as follows:

- Supervisor Holtz, Voting Aye
- Councilman Neibert, Voting Aye
- Councilman Wroblewski,

Voting Aye

- Councilman Bystrak, Voting Aye
- Councilman Nagel, Voting Aye

AYES: 5; NOES: 0; ABSENT: 0

State of New York )  
 Erie County ) ss:  
 Office of the Clerk of the )  
 Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 15th day of November, 1954, 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 15th day of November, 1954.

KENNETH T. HANLEY,  
Clerk of the Town Board  
Town of Cheektowaga, N. Y.

n18

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 29th day of November, 1954, at 7:30 p.m., Eastern Standard Time, in the Town Hall, Broadway at Union Road, Cheektowaga, New York for furnishing all materials, equipment, and labor for the construction of approximately 2,700 feet of twelve inch cast iron water mains on New Walden Avenue in Water District No. 10, together with master meter pit, valves, hydrants, and all accessory construction.

All work is to be in accordance with the Contract Documents therefor, including plans, specifications, instructions to bidders, etc., prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers, of the Town of Cheektowaga, New York, and approved by the Town Board of said Town, 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 usual business hours.

Copies of the proposed contract documents, plans, specifications, and instructions to bidders may also be secured and examined at the office of Nussbaumer, Clarke & Velzy, Consulting Engineers, 37 Franklin Street, Buffalo 2, New York.

One copy of said proposed documents may be obtained upon payment of \$20.00. Any bidder desiring such plans and contract documents in good condition, within 20 days following the taking of bids, will be refunded the full amount of his deposit; non-bidders will similarly be refunded only one-half of their deposit.

The Town Board, of the Town of Cheektowaga, 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 not less than 5% of the amount of bid or bids for the improvements, payable to the order of the Supervisor, or a bond with sufficient sureties, to be approved by the Supervisor, of equal amount, conditioned that if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further securities as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within sixty (60) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of bids.

KENNETH T. HANLEY,  
Town Clerk

Dated: November 15, 1954. n18

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for *one* week, the first insertion being on the *18th* day of *November*, 1954, 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

1954

*Hanley*

Public in and for Erie County

Item No. 18-Cont'd

Posted as follows on the 22nd day of November, 1954:

- 1- Town Hall Bulletin Board;
- 2- U-Crest Fire Hall-Clover Place and Evergreen Street;
- 3- Pine Hill Fire House Bulletin Board-Genesee Street and Normandy Avenue;
- 4- Rescue Fire Hall Bulletin Board-Pine Ridge Road near Walden Avenue;
- 5- Doyle Fire Hall No. 1 Bulletin Board- William at Alaska Street.

Cheektowaga Times;

Hereto attached is a copy of the notice published in the

**NOTICE OF HEARING  
Amendment to Ordinance**

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 15th day of November, 1954 at 7:30 o'clock P.M., Eastern Standard Time, there were:

**PRESENT:**

- Benedict T. Holtz, Supervisor
- Joseph A. Neibert, Councilman
- Felix Wroblewski, Councilman
- Stanley Bystrak, Councilman
- Henry Nagel, Councilman

**ABSENT:** None

Councilman Wroblewski presented the following resolution and moved its adoption:

**WHEREAS**, the Town Board on the 20th day of September, 1954, adopted an Ordinance to be known as Ordinance No. 3 of the General Ordinances of the Town of Cheektowaga, New York, which Ordinance makes it unlawful for any person, firm or corporation to make an excavation upon any Town property or upon any portion of the Right-of-Way of a Town highway without first obtaining a permit to do so, and

**WHEREAS**, the fee for the issuance of such permit was fixed in said Ordinance at Fifty Dollars (\$50.00), which amount in the judgment of the Town Board is excessive and should be changed from Fifty Dollars (\$50.00) to Fifteen Dollars (\$15.00), if deemed advisable after a public hearing, be it

**RESOLVED**, that the Town Board shall meet on the 6th day of December, 1954 at 2:30 o'clock P.M. at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York for the purpose of considering the advisability of changing the fee for the issuance of a permit from Fifty Dollars (\$50.00) to Fifteen Dollars (\$15.00), as specified in Ordinance No. 3 of the General Ordinances of the Town of Cheektowaga, New York and that said Ordinance shall not in any wise be repealed or amended, and be it further

**RESOLVED**, that at such public hearing, all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

**RESOLVED**, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," newspapers having a general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order.

Seconded by Councilman Neibert and duly put to a vote which resulted as follows:

Supervisor Benedict T. Holtz voting Aye.

Councilman Joseph A. Neibert voting Aye.

Councilman Felix Wroblewski voting Aye.

Councilman Stanley Bystrak voting Aye.

Councilman Henry Nagel voting Aye.

AYES: 5 NOES: 0 ABSENT: 0

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, Elizabeth Biniasz Deputy Clerk of the Town of Cheektowaga, in 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 15th day of November, 1954 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 15th day of November, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

STATE OF NEW YORK  
COUNTY OF ERIE } ss.  
TOWN OF CHEEKTOWAGA }

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks;  
first publication ..... NOV 18 1954 .....  
last publication ..... NOV 18 1954 .....  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

NOV 18 1954

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, 1955  
Registered No. 5029



Hereto attached is a copy of the notice published in the Depew Herald-Cheektowaga News:

STATE OF NEW YORK } ss.:  
COUNTY OF ERIE }

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 12th day of November, 1954, 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*

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 15th day of November, 1954 at 7:30 o'clock P.M. Eastern Standard Time, there were:

PRESENT:  
Benedict T. Holtz, Supervisor  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
Stanley Bystrak, Councilman  
Henry Nagel, Councilman

ABSENT: —0—  
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Town Board on the 20th day of September, 1954, adopted an Ordinance to be known as Ordinance No. 3 of the General Ordinances of the Town of Cheektowaga, New York, which Ordinance makes it unlawful for any person, firm or corporation to make an excavation upon any Town property or upon any portion of the Right-of-Way of a Town highway without first obtaining a permit to do so, and

WHEREAS, the fee for the issuance of such permit was fixed in said Ordinance at Fifty Dollars (\$50.00), which amount in the judgment of the Town Board is excessive and should be changed from Fifty Dollars (\$50.00) to Fifteen Dollars (\$15.00), if deemed advisable after a public hearing, be it

RESOLVED, that the Town Board shall meet on the 6th day of December, 1954 at 2:30 o'clock P.M. at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York for the purpose of considering the advisability of changing the fee for the issuance of a permit from Fifty Dollars (\$50.00) to Fifteen Dollars (\$15.00) as specified in Ordinance No. 3 of the General Ordinances of the Town of Cheektowaga, New York and that said Ordinance shall not in any wise be repealed or amended, and be it further,

RESOLVED, that at such public hearing, all persons interested in the subject matter shall be given an opportunity to be heard, and be it further,

RESOLVED, that the Town Clerk be and he is hereby ordered and directed to published a certified copy of this resolution and order in the Depew Herald and Cheektowaga News and the Cheektowaga Times, newspapers having a general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order.

Seconded by Councilman Neibert and duly put to a vote which resulted as follows:  
Supervisor Holtz, Voting Aye  
Councilman Neibert, Voting Aye  
Councilman Wroblewski, Voting Aye  
Councilman Bystrak, Voting Aye  
Councilman Nagel, Voting Aye  
AYES: 5; NOES: 0; ABSENT: 0.

State of New York )  
Erie County ) ss:  
Office of the Clerk of the )  
Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 15th day of November, 1954, 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 15th day of November, 1954.

KENNETH T. HANLEY,  
Clerk of the Town Board  
n18 Town of Cheektowaga, N Y.

..... day of  
19.....  
*J. Hanley*  
Public in and for Erie County

NOTICE OF PUBLIC HEARING STREET LIGHTING IMPROVEMENT LAMARCK DRIVE FROM CLEVELAND DRIVE TO AMHERST TOWN LINE.

LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 15th day of November, 1954 at 7:30 o'clock P.M. Eastern Standard Time, there were:

PRESENT:

- Benedict T. Holtz, Supervisor
Henry Nagel, Councilman
Felix Wroblewski, Councilman
Joseph A. Neibert, Councilman
Stanley Bystrak, Councilman

ABSENT: —0—

Mr. Bystrak offered the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on th 13th day of November, 1954,

PUBLIC HIGHWAYS TO BE IMPROVED

Lamarck Drive from Cleveland Drive to Amherst Town Line.

TYPE OF STREET LIGHTING INSTALLATION

Fourteen No. 1348 Light Standards-Underground Conduit.

WHEREAS, Edward B. Jerzewski, Eugene Rudzinski and Andrew H. Schwenk, Assessors of said Town of Cheektowaga have certified in writing to this board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of each of said highways to be improved, as aforesaid, and

WHEREAS, the portions of said highways to be improved are situated entirely in said Town outside of any incorporated village or city therein,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 6th day of December, 1954, at 2:30 P. M., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED THAT a copy of this order, certified by the Town Clerk, be published at least once in the Depew Herald and Cheektowaga News, and the Cheektowaga Times, the official newspapers of the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this

order be posted conspicuously in five public places on each of the said highways to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

Seconded by Councilman Neibert and duly put to a vote which resulted as follows:

- Supervisor Holtz, Voting Aye
Councilman Neibert, Voting Aye
Councilman Wroblewski,

- Voting Aye
Councilman Bystrak, Voting Aye
Councilman Nagel, Voting Aye

AYES: 5; NOES: 0; ABSENT: 0.

State of New York )
Erie County ) ss:
Office of the Clerk of the )
Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 15th day of November, 1954, 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 15th day of November, 1954.

(Seal) KENNETH T. HANLEY, Clerk of the Town Board

n18 Town of Cheektowaga, N. Y.

Posted as follows on the 22nd day of November, 1954;

- 1- Tree in front of No. 550 Lamarck Drive;
- 2- Tree in front of No. 485 " "
- 3- Tree in front of No. 472 " "
- 4- Tree in front of No. 455 " "
- 5- Tree in front of No. 442 " "

Cheektowaga Times;

Hereto attached is a copy of the notice published in the

**NOTICE OF HEARING**

**Street Lighting Petitions**

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 15th day of November, 1954, at 7:30 o'clock P.M., Eastern Standard Time, there were:

- PRESENT:**
- Benedict T. Holtz, Supervisor
  - Henry J. Nagel, Councilman
  - Felix T. Wroblewski, Councilman
  - Joseph A. Neibert, Councilman
  - Stanley R. Bystrak, Councilman

**ABSENT: 0**  
Mr. Bystrak offered the following resolution and moved its adoption:

**WHEREAS**, a petition for the improvement of both sides of the public highways situated in 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 13th day of November, 1954.

**PUBLIC HIGHWAYS TO BE IMPROVED**

Lamarck Drive from Cleveland Dr. to Amherst Town Line.

**TYPE OF STREET LIGHTING INSTALLATION**

Fourteen No. 1348 Light Standards - Underground Conduit.

**WHEREAS**, EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZINSKI, 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 6th day of December, 1954, at 2:30 o'clock P.M., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

**IT IS FURTHER ORDERED** that a copy of this order, certified by the Town Clerk, be published at least once in the Cheektowaga Times, the official newspaper of the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five public places on each of the said highways to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

Seconded by Councilman Nagel and duly put to a vote, which resulted as follows:  
Councilman Nagel voting Aye.  
Councilman Wroblewski voting Aye.  
Councilman Neibert voting Aye.  
Council Bystrak voting Aye.  
Supervisor Holtz voting Aye.  
**AYES: 5 NOES: 0 ABSENT: 0**

**STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA**

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 15th day of November, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereto set my hand and affixed the seal of said Town this 15th day of November, 1954.

**KENNETH T. HANLEY,**  
Clerk of the Town Board.  
Town of Cheektowaga, N. Y.

**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 NOV 18 1954  
last publication NOV 18 1954  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of NOV 18 1954 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, 1955  
Registered No. 5029

Hereto attached is a copy of the notice published in the Depew Herald-Cheektowaga News:

STATE OF NEW YORK } ss.:  
COUNTY OF ERIE }

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 15th day of November, 1954 at 7:30 o'clock P.M. Eastern Standard Time, there were:  
PRESENT:  
Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman  
ABSENT: —0—

Mr. Bystrak offered the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 13th day of November, 1954,

**PUBLIC HIGHWAYS TO BE IMPROVED**  
Lamarck Drive from Cleveland Drive to Amherst Town Line.  
**TYPE OF STREET LIGHTING INSTALLATION**  
Fourteen No. 1348 Light Standards-Underground Conduit.

WHEREAS, Edward B. Jerzewski, Eugene Rudzinski and Andrew H. Schwenk, Assessors of said Town of Cheektowaga have certified in writing to this board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of each of said highways to be improved, as aforesaid, and

WHEREAS, the portions of said highways to be improved are situated entirely in said Town outside of any incorporated village or city therein,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 6th day of December, 1954, at 2:30 P. M., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED THAT a copy of this order, certified by the Town Clerk, be published at least once in the Depew Herald and Cheektowaga News, and the Cheektowaga Times, the official newspapers of the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five public places on each of the said highways to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

Seconded by Councilman Neibert and duly put to a vote which resulted as follows:  
Supervisor Holtz, Voting Aye  
Councilman Neibert, Voting Aye  
Councilman Wroblewski, Voting Aye  
Councilman Bystrak, Voting Aye  
Councilman Nagel, Voting Aye  
AYES: 5; NOES: 0; ABSENT: 0.

State of New York )  
Erie County ) ss:  
Office of the Clerk of the )  
Town of Cheektowaga )  
This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 15th day of November, 1954, 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 15th day of November, 1954.  
KENNETH T. HANLEY,  
Clerk of the Town Board  
Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 14th day of November, 1954, 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 \_\_\_\_\_, 19\_\_\_\_  
*T. Hanley*  
Clerk of the Town of Cheektowaga, Erie County

**LEGAL NOTICE**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 15th day of November, 1954 at 7:30 o'clock P.M. Eastern Standard Time, there were:

**PRESENT:**

Benedict T. Holt, Supervisor  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
Stanley Bystrak, Councilman  
Henry Nagel, Councilman

**ABSENT: —0—**

Mr. Bystrak offered the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 16th day of October, 1954.

**PUBLIC HIGHWAYS TO BE IMPROVED**

Farmingdale Road from Fairhaven Road to Newport and Greenway Road.

**TYPE OF STREET LIGHTING INSTALLATION**

Eight Y-19 Standards-Underground Conduit.

WHEREAS, Edward B. Jerzewski, Eugene A. Rudzinski and Andrew H. Schwenk, Assessors of said Town of Cheektowaga have certified in writing to this board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of each of said highways to be improved, as aforesaid, and

WHEREAS, the portions of said highways to be improved are situated entirely in said Town outside of any incorporated village or city therein,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 6th day of December, 1954, at 2:30 P.M., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Depew Herald and Cheektowaga News and the Cheektowaga Times, the official newspapers of the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be

posted conspicuously in five public places on each of the said highways to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid,

Seconded by Councilman Nagel and duly put to a vote which resulted as follows:

Supervisor Holtz, Voting Aye  
Councilman Neibert, Voting Aye  
Councilman Wroblewski,

Voting Aye  
Councilman Eyrstrak, Voting Aye  
Councilman Nagel, Voting Aye  
AYES: 5; NOES: 0; ABSENT: 0.

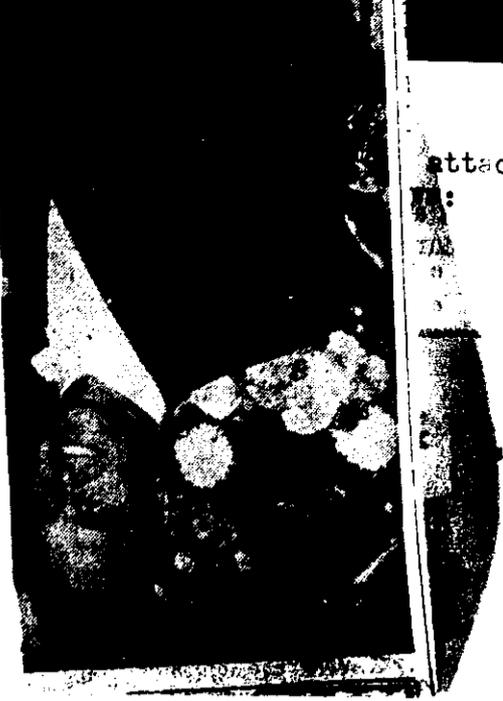
State of New York )  
Erie County )  
Office of the Clerk of the ) ss:  
Town of Cheektowaga )

This is to certify that I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 15th day of November, 1954, 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 (seal) said Town this 15th day of November, 1954.

KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

It  
De



attached is a copy of the notice published in the

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

<sup>Depew</sup> **Herald and News** <sup>Cheektowaga</sup>

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for *one* week, the first insertion being on the *18th* day of *November*, 19*27*, 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

*1934*

19.....

*Kenneth T. Hanley*  
Notary Public in and for Erie County

hn 1031

**LEGAL NOTICE**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 15th day of November, 1954 at 7:30 o'clock P.M. Eastern Standard Time, there were:

**PRESENT:**

- Benedict T. Holt, Supervisor
- Joseph A. Neibert, Councilman
- Felix Wroblewski, Councilman
- Stanley Bystrak, Councilman
- Henry Nagel, Councilman

**ABSENT: —0—**

Mr. Bystrak offered the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 16th day of October, 1954.

**PUBLIC HIGHWAYS TO BE IMPROVED**

Farmingdale Road from Fairhaven Road to Newport and Greenway Road.

**TYPE OF STREET LIGHTING INSTALLATION**

Eight Y-19 Standards-Underground Conduit.

WHEREAS, Edward B. Jerzewski, Eugene A. Rudzinski and Andrew H. Schwenk, Assessors of said Town of Cheektowaga have certified in writing to this board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of each of said highways to be improved, as aforesaid, and

WHEREAS, the portions of said highways to be improved are situated entirely in said Town outside of any incorporated village or city therein,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 6th day of December, 1954, at 2:30 P.M., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Depew Herald and Cheektowaga News and the Cheektowaga Times, the official newspapers of the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be

posted conspicuously in five public places on each of the said highways to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

Seconded by Councilman Nagel and duly put to a vote which resulted as follows:

- Supervisor Holtz, Voting Aye
- Councilman Neibert, Voting Aye
- Councilman Wroblewski,

Voting Aye

- Councilman Bystrak, Voting Aye
- Councilman Nagel, Voting Aye

**AYES: 5; NOES: 0; ABSENT: 0.**

State of New York )  
Erie County )  
Office of the Clerk of the ) ss:  
Town of Cheektowaga )

This is to certify that I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 15th day of November, 1954, 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 15th day of November, 1954.

**KENNETH T. HANLEY,**  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

Posted as follows on the 22nd day of November, 1954;

- 1- Post in front of No. 52 Farmingdale Road;
- 2- Telephone Pole No. 3-6 Farmingdale Road;
- 3- Post in front of No. 64 Farmingdale Road;
- 4- Post in front of No. 72 Farmingdale Road;
- 5- Post in front of No. 80 Farmingdale Road.

Hereto attached is a copy of the notice published in the Cheektowaga Times:

**NOTICE OF HEARING**  
**Street Lighting Petition**

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 15th day of November, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

- PRESENT:**
- Benedict T. Holtz, Supervisor
  - Henry J. Nagel, Councilman
  - Felix T. Wroblewski, Councilman
  - Joseph A. Neibert, Councilman
  - Stanley Bystrak, Councilman

**ABSENT:** None  
Mr. Bystrak presented the following resolution and moved its adoption:

**WHEREAS**, a petition for the improvement of both sides of the public highways 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 **PUBLIC HIGHWAYS TO BE IMPROVED** 16th day of October, 1954.

Farmingdale Road from Fairhaven Road to Newport and Greenway Rd  
**TYPE OF STREET LIGHTING INSTALLATION**

Eight Y-19 Standards — Underground Conduit.

**WHEREAS**, EDWARD B. JERZEWSKI, ANDREW W. SCHWENK and EUGENE RUDZINSKI, 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 6th day of December, 1954, at 2:30 o'clock P.M., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject hereof 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, the official newspaper of the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five (5) 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 Nagel and duly put to a vote which resulted as follows:

- Councilman Nagel, voting Aye.
- Councilman Wroblewski, voting Aye.
- Councilman Neibert, voting Aye.
- Councilman Bystrak, voting Aye.
- Supervisor Holtz, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This 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 15th day of November, 1954, 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 15th day of November, 1954.

KENNETH T. HANLEY  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

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 NOV 18 1954; last publication NOV 18 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this NOV 18 1954 day of NOV 18 1954, 1954

*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, 1955  
Registered No. 5029

Hereto attached is a copy of the notice published in the Depew Herald-Cheektowaga News:

STATE OF NEW YORK }  
COUNTY OF ERIE }

held at the Town Hall in the said Town of Cheektowaga, New York, on the 15th day of November, 1954 at 7:30 o'clock P.M. Eastern Standard Time, there were:  
PRESENT:  
Benedict T. Holt, Supervisor  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
Stanley Bystrak, Councilman  
Henry Nagel, Councilman  
ABSENT: —0—

Mr. Bystrak offered the following resolution and moved its adoption:  
WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 16th day of October, 1954.

**PUBLIC HIGHWAYS TO BE IMPROVED**  
Farmingdale Road from Fairhaven Road to Newport and Greenway Road.

**TYPE OF STREET LIGHTING INSTALLATION**  
Eight Y-19 Standards-Underground Conduit.

WHEREAS, Edward B. Jerzewski, Eugene A. Rudzinski and Andrew H. Schwenk, Assessors of said Town of Cheektowaga have certified in writing to this board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of each of said highways to be improved, as aforesaid, and

WHEREAS, the portions of said highways to be improved are situated entirely in said Town outside of any incorporated village or city therein,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 6th day of December, 1954, at 2:30 P.M., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Depew Herald and Cheektowaga News and the Cheektowaga Times, the official newspapers of the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five public places on each of the said highways to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

Seconded by Councilman Nagel and duly put to a vote which resulted as follows:  
Supervisor Holtz, Voting Aye  
Councilman Neibert, Voting Aye  
Councilman Wroblewski, Voting Aye  
Councilman Bystrak, Voting Aye  
Councilman Nagel, Voting Aye  
AYES: 5; NOES: 0; ABSENT: 0.

State of New York )  
Erie County )  
Office of the Clerk )  
Town of Cheektowaga )  
This is to certify that 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 15th day of November, 1954, and that the same is a correct and true transcript of such original resolution in its whole tenor.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town, this 15th day of November, 1954.  
KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the PUBLISHER of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 18th day of November, 1954, 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 19.....

and for Erie County

- Posted as follows on the 22nd day of November, 1954;
- 1- Post in front of No. 52 Farmingdale Road;
  - 2- Telephone Pole No. 3-6 Farmingdale Road;
  - 3- Post in front of No. 64 Farmingdale Road;
  - 4- Post in front of No. 72 Farmingdale Road;
  - 5- Post in front of No. 80 Farmingdale Road.

Hereto attached is a copy of the notice published in the Cheektowaga Times:

**NOTICE OF HEARING**  
**Street Lighting Petition**

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 15th day of November, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

**PRESENT:**

- Benedict T. Holtz, Supervisor
- Henry J. Nagel, Councilman
- Felix T. Wroblewski, Councilman
- Joseph A. Neibert, Councilman
- Stanley Bystrak, Councilman

**ABSENT:** None

Mr. Bystrak presented the following resolution and moved its adop-

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 ..... NOV 18 1954 .....  
last publication ..... NOV 18 1954 .....;

and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of NOV 18 1954, 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, 1956  
Registered No. 5029

is a copy of the notice published in the

**BRETON'S MONDAY NITE**

Depew Lesson at 7:30

17	10	Nash Sales & Service
17	10	Besch & Nuwer Hdwe.
16	11	Parkside Dairy Bar
16	11	Liray Inn
15	12	Nu-Way Cleaners
15	12	Transit Cleaners
13 1/2	13	Henter Construction
13	14	Nuwers Meat
10 1/2	16 1/2	Schultz Lodge
3	24	Ralph's Market
3	24	Nuwers Lodge
3	24	Won Los

**League Standings**

5-7 Barbara Beyer.  
 Price; 6-10 Helen Krzyzanowski and  
 Split pick-ups were: 4-7 Doro  
 of 138.  
 Estelle Igelski has high average  
 game total.  
 Ralph's Market hold team hon  
 ors of 689 single and 1957 three  
 place by 7 1/2 games.  
 Schultz Lodge is trailing first  
 place tie with Liray Inn.  
 Bar dropping Parkside into a 7th  
 place.

(First row) Maynard Schmidt, M  
 Gnagarelli, Bill Mundis, Larry Sch  
 John Wrobel, Fran Dalconzo, Tom  
 Joe Foyle, Tom Rohl, Harold Hutcl  
 Brian Doman, Gerald Rogacki, R

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

..... of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
... *one* ... week, the first insertion being on the  
... *18th* ... day of *November* ... 19*57*, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

Sworn to before me this ..... day of

*DECEMBER* 19*54* .....

*Herbert T. Hanley*

Notary Public in and for Erie County

Item No. 21 Trustee Frank Kotlowski of the Village of Sloan was granted the floor and advised the Board that the people of Sloan were against the decision of the Public Service Commission in regard to "NO RIDERS" on N.F.T. buses from the Buffalo City line to the Michael Street turn-around in the Village of Sloan.

Councilman Bystrak moved, seconded by Councilman Wroblewski, that the Town Board request the Public Service Commission to strike out of their decision that "NO RIDERS" be carried on N.F.T. buses from the Buffalo City Line to the Michael Street turn-around.

At the request of Supervisor Holtz the resolution was tabled until the December 6th, 1954 Town Board meeting.

Item No. 22 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. ( Warrant No. 2170 to No. 2487, inclusive, drawn on the Supervisor).

Item No. 23 Councilman Nagel moved, seconded by Councilman Bystrak, to adjourn.

Kenneth T. Hanley, Town Clerk.

SEAL.

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga on the 24th day of November, 1954, at 4:00 o'clock P.M., E.S.T., there were:

PRESENT:	Benedict T. Holtz	Supervisor
	Henry J. Nagel	Councilman
	Felix T. Wroblewski	"
	Joseph A. Neibert	"
	Stanley R. Bystrak	"

Also present were: Town Clerk Hanley; Town Attorney Doyle; Highway Superintendent Zablony and Town Engineer Kamm.

Item No. 2 BOND ANTICIPATION NOTE RESOLUTION  
DATED NOVEMBER 24, 1954, AUTHORIZING  
THE ISSUANCE OF \$40,000 BOND ANTICIPATION  
NOTES OF THE TOWN OF CHEEKTOWAGA, ERIE  
COUNTY, NEW YORK, PURSUANT TO THE LOCAL  
FINANCE LAW.

Councilman Neibert presented the following resolution and moved its adoption:

BE IT RESOLVED, by the Town Board of the Town of Cheektowaga, Erie County, New York, as follows:

Section 1. The Town of Cheektowaga, in the County of Erie, New York, shall issue its Bond Anticipation Notes of the aggregate principal amount of Forty Thousand Dollars (\$40,000) pursuant to the Local Finance Law of New York, in order to finance the specific object or purpose hereinafter described in anticipation of the issuance of Forty Thousand Dollars (\$40,000) Serial Bonds authorized by the Bond Resolution entitled " Bond Resolution dated October 18, 1954, authorizing the issuance of \$40,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law".

Section 2. The specific purpose ( hereinafter referred to as "purpose") is the construction of ~~improvements~~ to the sewage disposal plant in said Sewer District No. 3, authorized by a resolution adopted by the Town Board of said Town on February 15, 1954, pursuant to the provisions of Section 202-b of the Town Law of New York.

Section 3. As required by said Local Finance Law, it is hereby stated that (a) there are no outstanding Bond Anticipation Notes issued in anticipation of the sale of said Serial Bonds and (b) the notes authorized by this resolution are not renewal notes, and (c) the notes authorized by this resolution shall mature within one year from the date of their issue and (d) such notes are not issued in anticipation of bonds for an assessable improvement.

Section 4. The power to prescribe the terms, form and contents of said Bond Anticipation Notes, subject to the provisions of this resolution and to sell and deliver said Bond anticipations Notes is hereby delegated to the Supervisor. The Supervisor is hereby directed to sign any bond anticipation notes issued pursuant to this resolution and the Town Clerk is hereby directed to affix such notes the corporate seal of the Town of Cheektowaga, New York.

This resolution shall take effect immediately upon its adoption.

Seconded by Councilman Nagel and duly put to a vote which resulted as follows:

Supervisor Benedict T. Holtz	Voting AYE
Councilman Joseph A. Neibert	Voting "
Councilman Felix T. Wroblewski	Voting "
Councilman Stanley R. Bystrak	Voting "
Councilman Henry J. Nagel	Voting "

AYES: -5-

NOES: -0-

ABSENT: -0-

\$40,000

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay the bearer of this note the sum of-

----- FORTY THOUSAND DOLLARS----- (\$40,000)

on the 24th day of May, 1955, together with interest thereon from the date hereof at the rate of Two Percent (2%) per annum, payable May 24, 1955, and annually thereafter.

Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This note is one of an authorized issue, the aggregate principal amount of which is Forty Thousand Dollars (\$40,000).

This note is issued pursuant to the provisions of a Bond Anticipation Note Resolution dated November 24, 1954, authorizing the issuance of Bond Anticipation Notes of the Town of Cheektowaga, New York, in the amount of Forty Thousand Dollars (\$40,000), in anticipation of the sale of Serial Bonds authorized for the construction of improvements to the sewage disposal plant in said Sewer District No. 3, authorized by a resolution adopted by the Town Board of said Town on February 15, 1954, pursuant to the provisions of Section 202-b of the Town Law of New York.

The faith and credit of such Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this note according to its terms.

It is hereby certified and recited that all conditions, acts and things, required by the Constitution and Statutes of the State of New York, to exist, to have happened and to have been performed precedent to and in the issuance of this note, exist, have happened and have been performed, and that this note, together with all other indebtedness of such Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this note to be signed by its Supervisor, and its corporate seal to be hereunto affixed and attested by its Town Clerk and this note to be dated as of the 24th day of November, 1954.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.  
BY: BENEDICT T. HOLTZ, SUPERVISOR

ATTEST:

KENNETH T. HANLEY, TOWN CLERK.

Item No. 3 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Supervisor, the Town Attorney and G.E. Holloway be authorized to attend a meeting in Albany, New York, of the State Board of Equalization and present testimony opposing the equalization rate established by it for the Town of Cheektowaga, New York, and be it further

RESOLVED, that the Town Attorney be authorized to forward to the State Board of Equalization a notice of the Towns' opposition to the established equalization rating.

The form and contents of the notice to the State Board of Equalization a copy of which is hereto attached, is hereby approved.

Seconded by Councilman Nagel and duly put to a vote which resulted as follows:

Supervisor Holtz	Voting AYE
Councilman Nagel	" "
Councilman Wroblewski	" "
Councilman Neibert	" "
Councilman Bystrak	" "

AYES: -5-

NOES: -0-

ABSENT: -0-

C O P Y

November 24, 1954

State Board of Equalization  
107 Washington Avenue  
Albany, New York

Gentlemen:

Please be advised that the Town of Cheektowaga, Erie County, New York, objects to the equalization rate established by you and intends to submit testimony in opposition thereto at your meeting to be held in the City of Albany, New York, on December 2, 1954.

If there is any change in the date of the meeting, would you kindly advise me.

This letter is sent to you pursuant to a resolution of the Town Board duly adopted at a special meeting held November 24, 1954.

Yours very truly,

George B. Doyle, Town Attorney.

Item No. 4 Councilman Neibert moved, seconded by Councilman Wroblewski, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk.

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 29th day of November, 1954, at 7:30 o'clock P.M., E.S.T., there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	"
Joseph A. Neibert	"

ABSENT: Stanley R. Bystrak	Councilman
----------------------------	------------

Also present were: Deputy Town Clerk Elizabeth Biniasz; Town Attorney George B. Doyle and Town Engineer Kamm.

Item No. 2 This being the time and the place advertised for the receiving of sealed bids for furnishing all materials, equipment, and labor for the construction of approximately 2,700 feet of 12 inch cast iron water mains on New Walden Avenue in Water District No. 10, together with master meter pit, valves, hydrants, and all accessory construction.

The Town Clerk presented proof of the publication of the Notice to Contractors and the posting thereof.

Councilman Nagel moved, seconded by Councilman Wroblewski, that the Clerk be authorized and directed to open the sealed bids on hand.

Hereto attached is a copy of the bids received:

# SUMMARY OF BIDS WATER MAINS & APPURTENANCES, NEW WALDEN AVE. TOWN OF CHEEKTOWAGA, ERIE COUNTY N. Y.

BIDS OPENED: 7:30 P.M. E.S.T., NOVEMBER 29, 1954

NUSSBAUMER, CLARKE & VELZY, BUFFALO, N.Y.

NO.	DESCRIPTION OF BID ITEM	QUAN.	UNIT	VOGEL CONST. CO.		RALPH D. YOUNG		FAGO BROS. CONT. CO. INC.		W. J. IRWIN & SONS INC.		RIEFLER BROS. & BENNETT		HERBERT F. DARLING	
				UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
1	12" DIAMETER CEMENT LINED CAST IRON PIPE CLASS 150	2720	LF	7.49	20,264. <sup>00</sup>	7.30	19,864. <sup>00</sup>	9.10	25,024. <sup>00</sup>	9.00	26,112. <sup>00</sup>	9.00	26,656. <sup>00</sup>	10.90	29,648. <sup>00</sup>
1A	10" DIAMETER CEMENT LINED CAST IRON PIPE CLASS 150	2720	LF	6.50	17,680. <sup>00</sup>	6.45	17,000. <sup>00</sup>	7.95	20,536. <sup>00</sup>	8.00	23,392. <sup>00</sup>	8.25	22,440. <sup>00</sup>	9.25	25,160. <sup>00</sup>
2	6" DIAMETER CEMENT LINED CAST IRON PIPE CLASS 150	200	LF	3.85	770. <sup>00</sup>	3.75	746. <sup>00</sup>	4.94	908. <sup>00</sup>	7.30	1,440. <sup>00</sup>	5.00	1,000. <sup>00</sup>	7.70	1,540. <sup>00</sup>
3	4" FIRE HYDRANTS	6	EA.	170. <sup>00</sup>	1,020. <sup>00</sup>	250. <sup>00</sup>	1,500. <sup>00</sup>	228. <sup>00</sup>	1,368. <sup>00</sup>	200. <sup>00</sup>	1,200. <sup>00</sup>	200. <sup>00</sup>	1,200. <sup>00</sup>	240. <sup>00</sup>	1,440. <sup>00</sup>
4	12" DIAMETER GATE VALVE	1	EA.	175. <sup>00</sup>	175. <sup>00</sup>	200. <sup>00</sup>	200. <sup>00</sup>	235. <sup>00</sup>	235. <sup>00</sup>	220. <sup>00</sup>	220. <sup>00</sup>	235. <sup>00</sup>	235. <sup>00</sup>	275. <sup>00</sup>	275. <sup>00</sup>
5	6" DIAMETER GATE VALVE	7	EA.	45. <sup>00</sup>	315. <sup>00</sup>	60. <sup>00</sup>	420. <sup>00</sup>	71. <sup>00</sup>	497. <sup>00</sup>	75. <sup>00</sup>	525. <sup>00</sup>	60. <sup>00</sup>	560. <sup>00</sup>	100. <sup>00</sup>	700. <sup>00</sup>
6	CAST IRON PIPE FITTINGS CLASS 'D'	5000	#	0.20	1,000. <sup>00</sup>	0.15	750. <sup>00</sup>	0.18	900. <sup>00</sup>	0.25	1,250. <sup>00</sup>	0.20	2,000. <sup>00</sup>	0.24	1,200. <sup>00</sup>
7	CAST IRON VALVE BOX	9	EA.	15. <sup>00</sup>	135. <sup>00</sup>	25. <sup>00</sup>	225. <sup>00</sup>	20.75	186.75	20. <sup>00</sup>	180. <sup>00</sup>	20. <sup>00</sup>	180. <sup>00</sup>	15. <sup>00</sup>	135. <sup>00</sup>
8	BITUMINOUS MACADAM PAVEMENT REPLACEMENT	50	Sq. Yd.	9. <sup>00</sup>	450. <sup>00</sup>	7. <sup>00</sup>	350. <sup>00</sup>	3. <sup>00</sup>	100. <sup>00</sup>	4. <sup>00</sup>	200. <sup>00</sup>	3. <sup>00</sup>	400. <sup>00</sup>	7. <sup>00</sup>	370. <sup>00</sup>
9	GRAVEL BACKFILL	50	CUYD	4. <sup>00</sup>	200. <sup>00</sup>	5. <sup>00</sup>	250. <sup>00</sup>	5. <sup>00</sup>	250. <sup>00</sup>	3. <sup>00</sup>	150. <sup>00</sup>	4. <sup>00</sup>	200. <sup>00</sup>	4.70	235. <sup>00</sup>
10	REINFORCED CONCRETE METER PIT	LUMP	SUM		1,500. <sup>00</sup>		2,000. <sup>00</sup>		2,000. <sup>00</sup>		2,800. <sup>00</sup>		2,700. <sup>00</sup>		2,100. <sup>00</sup>
TOTAL FOR BID ITEMS 1 THRU 10					25,829. <sup>00</sup>		26,025. <sup>00</sup>		31,470. <sup>00</sup>		34,077. <sup>00</sup>		35,131. <sup>00</sup>		37,623. <sup>00</sup>
TOTAL FOR BID ITEMS 1A THRU 10					23,245. <sup>00</sup>		23,441. <sup>00</sup>		26,581. <sup>00</sup>		31,357. <sup>00</sup>		30,915. <sup>00</sup>		33,135. <sup>00</sup>
BID SECURITY						THE TRAVELERS IND. CO.	STANDARD ACCIDENT INS. CO.	NEW AMSTERDAM CASUALTY COMPANY	NEW AMSTERDAM CASUALTY COMPANY	FIDELITY & DEPOSIT CO.	FIDELITY & DEPOSIT CO.				

\* CORRECTION

DWG. No. A-623

Item No. 2-Cont'd

Councilman Nagel moved, seconded by Councilman Wroblewski, that the bids be referred to the Town Engineer for tabulation and analysis and that the said Town Engineer report back to this Board his findings as soon as reasonably possible.

Item No. 3 Communication read from the Buffalo Transit Company, Inc., requesting permission to operate buses for the transportation of passengers on Union Road between William Street and Como Park Boulevard, on Union Road between Broadway and Maryvale Drive, on Maryvale Drive between Beach Road and Rosary Boulevard, on Rosary Boulevard between Maryvale Drive and Danbury Drive, on Danbury Drive between Rosary Boulevard and Heather Road and on Heather Road between Danbury Drive and Huth Road.  
Ordered referred to the Town Attorney by Supervisor Holtz.

Item No. 4 Communication read from the Highway Superintendent realting to the acceptance of the following Town Highways:  
Hillside Avenue 500 feet west of Birkdale, 1100 feet of Delray Drive; 800 feet of Miami Parkway; 900 feet of Cherokee Drive; 700 feet of Dania Drive; 700 feet of North Pleasant Parkway; 700 feet of North Meadowbrook Parkway; 617 feet of Aurora Drive; west of Sugnet Road and 1200 feet of Ontario Drive.  
Ordered referred to the Town Attorney by Supervisor Holtz.

Item No. 5 Communication read from the Highway Superintendent realting to various Town Highways which have been affected by the New York State Thruway.  
Ordered referred to the Board of Assessors, by Supervisor Holtz.

Item No. 6 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVE to authorize the New York State Gas and Electric Company to install 6-2500 lumen globe type street lights on regular wooden poles on Norine Drive, also install 1-2500 lumen light on Pole 7 on Peoria Street, also install 1-4000 lumen light on Harlem Avenue first pole from William Street, south-east corner.

Seconded by Councilman Nagel and duly put to a vote which resulted as follows:

Supervisor Holtz	Voting AYE
Councilman Nagel	" "
Councilman Wroblewski	" "
Councilman Neibert	" "
Councilman Bystrak	Absent

Carried: Ayes: -4-, Noes: -0-, Absent: -1-.

Improvement of both sides of Yorktown Street by the construction of a permanent pavement in accordance with Town specifications, extending from its intersection with Fairhaven Road and extending to its intersection with Farmingdale Road, a distance of about 650 feet, was filed in the Town Clerk's Office on Nov. 15, 1964, and

WHEREAS, EDWARD B. JERZAWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZYNSKI, Assessors of said Town of Cheektowaga have certified, in writing, to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and also by resident owners owning more than one-half of the frontage owned by resident owners residing along both sides of said highway proposed to be improved, and

WHEREAS, the maximum amount proposed to be expended for the improvement aforesaid is the sum of \$8,100.00, and

WHEREAS, the portion of said highway to be improved is situated entirely in said Town outside of any incorporated village or city therein, NOW THEREFORE,

IT IS HEREBY ORDERED, that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 20th day of December, 1964, at 7:30 o'clock P.M. Eastern Standard Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Cheektowaga Times and the Depew Herald and Cheektowaga News, official newspapers of the Town having a general circulation in said 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 along the said highway to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

Seconded by Councilman Wroblewski and duly put to a vote which resulted as follows:

Supervisor Holtz, Voting Aye,  
Councilman Nelbert, Voting Aye  
Councilman Wroblewski, Voting Aye

Cheektowaga Board, Assessor  
Town of Cheektowaga, Ohio  
Notary Public

Item No. 7-Cont'd

Posted as follows on the 10th day of December, 1954;

- 1- Town Hall Bulletin Board;
- 2- Post 10 feet east of Farmingdale Road;
- 3- " 20 " " " " "
- 4- " 100 " " " " "
- 5- " 120 " " " " "
- 6- " 150 " " " " "

Times:

Hereto attached is a copy of the notice published in the Cheektowaga

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, New York, on the 29th day of November, 1954 at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT:

- Benedict T. Holtz, Supervisor
- Joseph A. Neibert, Councilman
- Felix Wroblewski, Councilman
- Henry Nagel, Councilman

ABSENT:

- Stanley Bystrak, Councilman
- Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of Yorktown Street by the construction of a permanent pavement in accordance with Town specifications, extending from its intersection with Fairhaven Road and extending to its intersection with Farmingdale Road, a distance of about 650 feet, was filed in the Town Clerk's Office on November 13, 1954, and

WHEREAS, EDWARD B. JERZEWski, ANDREW H. SCHWENK and EUGENE A. RUDZYNSKI, Assessors of said Town of Cheektowaga have certified in writing, to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and also by resident owners owning more than one-half of the frontage owned by resident owners residing along both sides of said highway proposed to be improved, and

WHEREAS, the maximum amount proposed to be expended for the improvement aforesaid is the sum of \$8,100.00, and

WHEREAS, the portion of said highway to be improved is situated entirely in said Town outside of any incorporated village or city therein, NOW THEREFORE,

IT IS HEREBY ORDERED, that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 20th day of December, 1954, at 7:30 o'clock, P.M. Eastern Standard Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the CHEEKTOWAGA TIMES and the "Depew Herald and Cheektowaga News," official newspapers of the Town having a general circulation in said 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 along the said highway to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

Seconded by Councilman Wroblewski and duly put to a vote which resulted as follows:

Supervisor Benedict T. Holtz voting Aye.

Councilman Joseph A. Neibert voting Aye.

Councilman Felix Wroblewski voting Aye.

Councilman Henry Nagel voting Aye.

AYES: 4 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, ELIZABETH BINIASZ, Deputy 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 29th day of November, 1954, 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 7th day of December, 1954.

ELIZABETH BINIASZ  
Deputy Clerk of the Town Board,  
(12-9) Town of Cheektowaga, N. Y.

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 Dec. 9, 1954; last publication Dec. 9, 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 10th

day of December, 1954

*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, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF CHEEKTOWAGA

At a special meeting of the 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 29th day of November, 1954 at 7:30 o'clock P.M. Eastern Standard Time, there were:

PRESENT:  
Benedict T. Holtz, Supervisor  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
Henry Nagel, Councilman

ABSENT:  
Stanley Bystrak, Councilman

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of Yorktown Street by the construction of a permanent pavement in accordance with Town specifications, extending from its intersection with Fairhaven Road and extending to its intersection with Farmingdale Road, a distance of about 650 feet, was filed in the Town Clerk's Office on Nov. 15, 1954, and

WHEREAS, EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZYNSKI, Assessors of said Town of Cheektowaga have certified, in writing, to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and also by resident owners owning more than one-half of the frontage owned by resident owners residing along both sides of said highway proposed to be improved, and

WHEREAS, the maximum amount proposed to be expended for the improvement aforesaid is the sum of \$3,100.00, and

WHEREAS, the portion of said highway to be improved is situated entirely in said Town outside of any incorporated village or city therein; NOW THEREFORE,

IT IS HEREBY ORDERED, that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 20th day of December, 1954, at 7:30 o'clock P.M. Eastern Standard Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Cheektowaga Times and the Depew Herald and Cheektowaga News, official newspapers of the Town having a general circulation in said 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 along the said highway to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

Seconded by Councilman Wroblewski and duly put to a vote which resulted as follows:

Supervisor Holtz, Voting Aye,  
Councilman Neibert, Voting Aye  
Councilman Wroblewski,  
Voting Aye

Councilman Bystrak, Absent  
Councilman Nagel, Voting Aye  
AYES: 4; 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, Elizabeth Biniasz, Deputy Town 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 29th day of November, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the

annexed printed slip taken from said newspaper, is a copy,

was inserted and published therein once a week for

one week, the first insertion being on the

9th day of December, 1954, 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

*Henry*  
and for Erie County

STATE OF NEW YORK  
COUNTY OF CHEEKTOWAGA

At a special meeting of the 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 29th day of November, 1954 at 7:30 o'clock P.M. Eastern Standard Time, there were:

PRESENT:  
Benedict T. Holtz, Supervisor  
Joseph A. Nelbert, Councilman  
Felix Wroblewski, Councilman  
Henry Nagel, Councilman

ABSENT:  
Stanley Bystrak, Councilman  
Councilman Nelbert presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of Yorktown Street by the construction of a permanent pavement in accordance with Town specifications, extending from its intersection with Fairhaven Road and extending to its intersection with Farmingdale Road, a distance of about 650 feet, was filed in the Town Clerk's Office on Nov. 15, 1954, and

WHEREAS, EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZYNSKI, Assessors of said Town of Cheektowaga have certified, in writing, to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and also by resident owners owning more than one-half of the frontage owned by resident owners residing along both sides of said highway proposed to be improved, and

WHEREAS, the maximum amount proposed to be expended for the improvement aforesaid is the sum of \$8,100.00, and

WHEREAS, the portion of said highway to be improved is situated entirely in said Town outside of any incorporated village or city therein, NOW THEREFORE,

IT IS HEREBY ORDERED, that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 20th day of December, 1954, at 7:30 o'clock P.M. Eastern Standard Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Cheektowaga Times and the Depew Herald and Cheektowaga News, official newspapers of the Town having a general circulation in said 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 along the said highway to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

Seconded by Councilman Wroblewski and duly put to a vote which resulted as follows:

Supervisor Holtz, Voting Aye,  
Councilman Nelbert, Voting Aye  
Councilman Wroblewski, Voting Aye  
Councilman Bystrak, Absent  
Councilman Nagel, Voting Aye

AYES: 4; 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, Elizabeth Binasz, Deputy Town 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 29th day of November, 1954, 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 3rd day of December, 1954.  
ELIZABETH BINIASZ,  
Deputy Town Clerk of the Town Board, Town of Cheektowaga,  
49 N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the

indexed printed slip taken from said newspaper, is a copy, as inserted and published therein once a week for

one week, the first insertion being on the 9th day of December, 1954, 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

*Wroblewski*  
and for Erie County

Plans, Brick front, Choice of  
2 and 3 bedroom, one-story

**\$10,500 and up**  
**CUSTOM BUILT**  
**NEW HOMES**

**PAINTING**  
Commercial & Residential  
R. INGERSOLL RE 1895

ached is a copy of the Notice published in the  
stat

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... *one* ..... week, the first insertion being on the  
... *9th* ... day of *December* ..., 19*54*, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

Sworn to before me this ..... day of

1954

19.....

*Herbert T. Healey*  
Notary Public in and for Erie County

hn 10131

was filed with said Board for the improvement of Yorktown Street with the construction of a lateral sewer, extending from its intersection with Fairhaven Road and extending to its intersection with Farmingdale Road, a distance of about 650 feet, so as to serve both sides thereof, and

WHEREAS, it duly appears that such petition has been duly signed by owners of real estate fronting or abutting on both sides of said highways to be improved as aforesaid owning at least one-half of the frontage or bounds on both sides of the public highways to be improved and was signed by resident owners residing along said highways proposed to be improved, owning not less than one-half of the aggregate frontage owned by resident owners, 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 highways, as stated in the petition is the sum of \$5,000.00, and

WHEREAS, said highways to be improved are located in Sewer District No. 5 of the Town of Cheektowaga, New York and are entirely in said Town,

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 Union Road and Broadway, in said Town, on the 20th day of December, 1934 at 7:30 o'clock P. M. Eastern Standard Time, of that day for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the Cheektowaga Times and the Depew Herald and Cheektowaga News, official newspapers of the Town, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post conspicuously or cause to be posted conspicuously certified copies of this order in five (5) public places along the said portion of said highways to be improved.

Seconded by Councilman Nagel and duly put to a vote which resulted as follows:

Supervisor Holtz, Voting Aye,  
Councilman Nebert, Voting Aye  
Councilman Wroblewski,

Voting Aye

Item No. 8-Cont'd Posted as follows on the 10th day of December, 1954:

270

- 1- Post 10 feet east of Farmingdale Road;
- 2- " 20 " " " " "
- 3- " 100 " " " " "
- 4- " 120 " " " " "
- 5- " 150 " " " " "

Times:

Hereto attached is a copy of the Notice published in the Cheektowaga

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 29th day of November, 1954 at 7:30 o'clock P.M., Eastern Standard Time, there were:

**PRESENT:**  
 Benedict T Holtz, Supervisor  
 Joseph A. Neibert, Councilman  
 Felix Wroblewski, Councilman  
 Henry Nagel, Councilman

**ABSENT:**  
 Stanley Bystrak, Councilman  
 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, a written petition was filed with this Board for the improvement of Yorktown Street with the construction of a lateral sewer, extending from its intersection with Fairhaven Road and extending to its intersection with Farmingdale Road, a distance of about 650 feet, so as to serve both sides thereof, and

WHEREAS, it duly appears that such petition has been duly signed and attested on both sides of said highway owners of real estate fronting or ways to be improved as aforesaid owning at least one-half of the frontage or bounds on both sides of the public highways to be improved and was signed by resident owners residing along said highways proposed to be improved, owning not less than one-half of the aggregate frontage owned by resident owners, and

WHEREAS, such petition was duly acknowledged or approved 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 highways, as stated in the petition is the sum of \$5,000.00, and

WHEREAS, said highways to be improved are located in Sewer District No. 5 of the Town of Cheektowaga, New York and are entirely in said Town,

**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 Union Road and Broadway, in said Town, on the 20th day of December, 1954 at 7:30 o'clock P.M., Eastern Standard Time, of that day for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and be it further

**RESOLVED AND ORDERED,** that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," official newspapers of the Town, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post conspicuously or cause to be posted conspicuously certified copies of this order in five (5) public places along the said portion of said highways to be improved.

Seconded by Councilman Nagel and duly put to a vote which resulted as follows:

Supervisor Benedict T Holtz voting Aye.  
 Councilman Joseph A. Neibert voting Aye.  
 Councilman Felix Wroblewski voting Aye.  
 Councilman Henry Nagel voting Aye.

AYES: 4 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, ELIZABETH BINIASZ, Deputy 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 29th day of November, 1954, 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 7th day of December, 1954.

ELIZABETH BINIASZ  
 Deputy Clerk of the Town Board,  
 (12-9) Town of Cheektowaga, N. Y.

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 Dec. 9, 1954: last publication Dec. 9, 1954: and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 10<sup>th</sup>

day of December, 1954

*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, 1955  
 Registered No. 5029

Item No. 8-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.:

waga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 29th day of November, 1954 at 7:30 o'clock P.M. Eastern Standard Time, there were:

**PRESENT:**  
Benedict T. Holtz, Supervisor  
Joseph A. Nelbert, Councilman  
Felix Wroblewski, Councilman  
Henry Nagel, Councilman

**ABSENT:**  
Stanley Bystrak, Councilman

... extending from its intersection with Fairhaven Road and extending to its intersection with Farmingdale Road, a distance of about 650 feet, so as to serve both sides thereof, and

**WHEREAS**, it duly appears that such petition has been duly signed by owners of real estate fronting or abutting on both sides of said highways to be improved as aforesaid owning at least one-half of the frontage or bounds on both sides of the public highways to be improved and was signed by resident owners residing along said highways proposed to be improved, owning not less than one-half of the aggregate frontage owned by resident owners, 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 highways as stated in the petition is \$10,000.00, and

... said highways to be

**IT RESOLVED**, pursuant to the provisions of Section 196 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 Union Road and Broadway, in said Town, on the 20th day of December, 1954 at 7:30 o'clock P. M. Eastern Standard Time, of that day for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and be it further

**RESOLVED AND ORDERED**, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the Cheektowaga Times and the Depew Herald and Cheektowaga News, official newspapers of the Town, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date be posted conspicuously in the cases to be posted conspicuously certified copies of this order

... by Councilman Nagel and that he is a vote which resulted as follows:

Supervisor Holtz, Voting Aye,  
Councilman Nelbert, Voting Aye  
Councilman Wroblewski,  
Voting Aye

Councilman Bystrak, Absent  
Councilman Nagel, Voting Aye

AYES: 4; 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, Elizabeth Binasz, Deputy Town 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 29th day of November, 1954, 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 2nd day of December, 1954.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ... week, the first insertion being on the ... day of December, 1954, 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

19...

... in and for Erie County

WHEREAS, it is deemed in the public interest to adopt an Ordinance, to be known as Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York, regulating the construction and height of fences, and also in regulating the height of shrubbery located within twenty-five feet of any corner or intersection, be it

RESOLVED, that the Town Board shall meet on the 20th day of December, 1954, at 7:30 o'clock P. M., Eastern Standard Time, at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York, for the purpose of considering the advisability of adopting an ordinance regulating the construction and height of fences, and also in regulating the height of shrubbery located within twenty-five feet of any corner or intersection, to be known as Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York, which Ordinance shall provide as follows:

**ORDINANCE NO. 10  
CONSTRUCTION OF FENCES,  
HEIGHT OF SHRUBBERY AT  
STREET CORNERS**

(1) No person shall erect, maintain or own a fence, wall or similar structure intended to be located at or within four (4) feet of his lot line, which shall be more than five (5) feet in height.

If such fence, wall or structure is constructed of lumber, each piece thereof shall be not wider than six (6) inches, leaving an opening space between each piece of at least two (2) inches.

Such fence, wall or structure shall be not constructed so as to create a nuisance to adjoining property.

(2) The growth of shrubbery at street corners shall be trimmed so as not to extend above the ground more than two (2) feet, providing said shrubbery is located within twenty-five (25) feet of any corner or intersection.

Any person violating the provisions of this Ordinance shall be punished by a fine not to exceed Fifty Dollars (\$50.00), or be imprisoned for a term not exceeding six (6) months.

and be it further  
RESOLVED, that at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, and that on or before said date he post or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order.

Seconded by Councilman Neibert and duly put to a vote which resulted as follows:

Supervisor Holtz, Voting Aye,  
Councilman Neibert, Voting Aye  
Councilman Wroblewski,

Walter Aye  
Councilman Neibert, Voting Aye  
Councilman Wroblewski, Voting Aye

Item  
Herald

To give the general public an opportunity to join in honoring the football season  
**Public This Year**

ched is a copy of the Notice published in the Depew

**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 public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 7th day of December, 1954, 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

DEC 28 1954

19.....

*Herbert D. Barley*

Notary Public in and for Erie County

hn 10131

WHEREAS, it is deemed to be in the public interest to adopt an Ordinance, to be known as Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York, regulating the construction and height of fences, and also in regulating the height of shrubbery located within twenty-five feet of any corner or intersection, be it

RESOLVED, that the Town Board shall meet on the 20th day of December, 1954, at 7:30 o'clock P. M., Eastern Standard Time, at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York, for the purpose of considering the advisability of adopting an ordinance regulating the construction and height of fences, and also in regulating the height of shrubbery located within twenty-five feet of any corner or intersection, to be known as Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York, which Ordinance shall provide as follows:

**ORDINANCE NO. 10  
CONSTRUCTION OF FENCES,  
HEIGHT OF SHRUBBERY AT  
STREET CORNERS**

(1) No person shall erect, maintain or own a fence, wall or similar structure intended to be located at or within four (4) feet of his lot line, which shall be more than five (5) feet in height.

If such fence, wall or structure is constructed of lumber, each piece thereof shall be not wider than six (6) inches, leaving an opening space between each piece of at least two (2) inches.

Such fence, wall or structure shall be not constructed so as to cause a nuisance to adjoining property.

(2) The growth of shrubbery at street corners shall be trimmed so as not to extend above the ground more than two (2) feet. Growing said shrubbery is located within twenty-five (25) feet of any corner or intersection.

Any person violating the provisions of this Ordinance shall be punished by a fine not to exceed Fifty Dollars (\$50.00), or be imprisoned for a term not exceeding six (6) months, and be it further

RESOLVED, that at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, and that on or before said date he post or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order.

Seconded by Councilman Neibert and duly put to a vote which resulted as follows:

Supervisor Holtz, Voting Aye,  
Councilman Neibert, Voting Aye  
Councilman Wroblewski,

Voting Aye

Item No. 10- Cont'd  
of December, 1954.

Posted on the Town Hall Bulletin Board on the 10th day

Cheektowaga Times:

Hereto attached is a copy of the notice published in the

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, New York, on the 29th day of November, 1954 at 7:30 o'clock P.M., Eastern Standard Time, there were:

**PRESENT:**  
Benedict T. Holtz, Supervisor  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
Henry Nagel, Councilman

**ABSENT:**  
Stanley Bystrak, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

**WHEREAS**, it is deemed in the public interest to adopt an Ordinance, to be known as Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York, regulating the construction and height of fences, and also in regulating the height of shrubbery located within twenty-five feet of any corner or intersection, be it

**RESOLVED**, that the Town Board shall meet on the 20th day of December, 1954, at 7:30 o'clock P.M. Eastern Standard Time, at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York, for the purpose of considering the advisability of adopting an ordinance regulating the construction and height of fences, and also in regulating the height of shrubbery located within twenty-five feet of any corner or intersection, to be known as Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York, which Ordinance shall provide as follows:

**Ordinance No. 10**

**Construction of Fences, Walls or Shrubby at Street Corners**

(1) No person shall erect, maintain or own a fence, wall or similar structure intended to be located at or within four (4) feet of his lot line, which shall be more than five (5) feet in height.

If such fence, wall or structure is constructed of lumber, each piece thereof shall be not wider than six (6) inches, leaving an opening space between each piece of at least two (2) inches.

Such fence, wall or structure shall be not constructed so as to cause a nuisance to adjoining property.

(2) The growth of shrubbery at street corners shall be trimmed so as not to extend above the ground more than two (2) feet, providing said shrubbery is located within twenty-five (25) feet of any corner or intersection.

Any person violating the provisions of this Ordinance shall be punished by a fine not to exceed Fifty Dollars (\$50.00) or be imprisoned for a term not exceeding six (6) months and be it further

**RESOLVED**, that at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

**RESOLVED**, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order

Seconded by Councilman Neibert and duly put to a vote which resulted as follows:

Supervisor Benedict T. Holtz voting Aye.  
Councilman Joseph A. Neibert voting Aye.  
Councilman Felix Wroblewski voting Aye.  
Councilman Henry Nagel voting Aye.

AYES: 4 NOES: 0 ABSENT: 1

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 DEC 9 1954  
last publication DEC 9 1954  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 24th day of January, 1955

*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, 1955  
Registered No. 5029

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, ELIZABETH BINIASZ, Deputy 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 29th day of November, 1954, 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 7th day of December, 1954.

ELIZABETH BINIASZ  
Deputy Clerk of the Town Board,  
(12-9) Town of Cheektowaga, N. Y.

STATE OF NEW YORK } ss.:  
COUNTY OF ERIE }

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 29th day of November, 1954 at 7:30 o'clock P.M. Eastern Standard Time, there were:

PRESENT:  
Benedict T. Holtz, Supervisor  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
Henry Nagel, Councilman

ABSENT:  
Stanley Bystrak, Councilman  
Councilman Wroblewski present

and moved the following resolution and moved its adoption:  
WHEREAS, it is deemed in the public interest to adopt an Ordinance, to be known as Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York, regulating the construction and height of fences, and also in regulating the height of shrubbery located within twenty-five feet of any corner or intersection, be it

RESOLVED, that the Town Board shall meet on the 20th day of December, 1954, at 7:30 o'clock P. M., Eastern Standard Time, at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York, for the purpose of considering the advisability of adopting an ordinance regulating the construction and height of fences, and also in regulating the height of shrubbery located within twenty-five feet of any corner or intersection, to be known as Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York, which ordinance shall provide as follows:

**CONSTRUCTION AND HEIGHT OF FENCES, AND OF SHRUBBERY AT STREET CORNERS**

Any person shall erect, maintain or use a fence, wall or similar structure intended to be located at or within four (4) feet of his lot line, which shall be more than five (5) feet in height.

If such fence, wall or structure is constructed of lumber, each piece thereof shall be not wider than six (6) inches, leaving an opening space between each piece of at least two (2) inches.

Such fence, wall or structure shall be not constructed so as to cause a nuisance to adjoining property.

(2) The growth of shrubbery at street corners shall be trimmed so as not to extend above the ground more than two (2) feet, providing said shrubbery is located within twenty-five (25) feet of any corner or intersection.

Any person violating the provisions of this Ordinance shall be punished by a fine not to exceed Fifty Dollars (\$50.00), or be imprisoned for a term not exceeding six (6) months.

and be it further  
RESOLVED, that at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, and that on or before said date he post or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order.

Seconded by Councilman Neibert and duly put to a vote which resulted as follows:  
Supervisor Holtz, Voting Aye,  
Councilman Neibert, Voting Aye,

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the

annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for

one week, the first insertion being on the 9th day of December, 1954, and

the last insertion being on the day of 1954, and that not

more than six days intervened between any two publications thereof.

*Richard G. Bennett*

day of 28 1954

*Ernest T. Henry*  
and for Erie County



RESOLVED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, and that on or before said date he post or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order.

Seconded by Councilman Neibert and duly put to a vote which resulted as follows:

Supervisor Holtz, Voting Aye,  
Councilman Neibert, Voting Aye  
Councilman Wroblewski,  
Voting Aye

Councilman Bystrak, Absent  
Councilman Nagel, Voting Aye

AYES: 4; 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, Elizabeth Biniasz, Deputy Town 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 29th day of November, 1954, 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 3rd day of December, 1954.

ELIZABETH BINIASZ,  
Deputy Town Clerk of the Town Board, Town of Cheektowaga,  
49 N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the

annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for

..... week, the first insertion being on the

..... 9th day of December, 1954, and

the last insertion being on the ..... day of

....., 19....., and that not

more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this ..... day of

19 28 1954

*Herbert T. Hendry*  
Notary Public in and for Erie County

Item No. 11 Notice of Public Hearing for the improvement of Lena Avenue and Vincent Avenue, by the construction of a permanent highway in said street:

avenue by the construction of a permanent pavement in accordance with Town specifications, extending from Harlem Road east to Vincent Avenue, a distance of 608 feet; and the public highway in said Town known as Vincent Avenue extending from Lena Avenue north to Abeles Avenue a distance of 246 feet, was filed in the Town Clerk's Office on October 11, 1954, and WHEREAS, EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZYNSKI, Assessors of said Town of Cheektowaga have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and also by resident owners owning more than one-half of the frontage owned by resident owners residing along both sides of said highway proposed to be improved, and

WHEREAS, the maximum amount proposed to be expended for the improvement aforesaid is the sum of \$10,000.00, and

WHEREAS, the portion of said highway to be improved is situated entirely in said Town outside of any incorporated village or city therein, NOW THEREFORE,

IT IS HEREBY ORDERED, that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 20th day of December, 1954, at 7:30 o'clock P. M. Eastern Standard Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Cheektowaga Times and the Depew Herald and Cheektowaga News, official newspapers of the Town having a general circulation in said Town, not less than ten (10) nor more than (20) days before the date set herein for the hearing aforesaid, and that copies of this order be posted conspicuously in five public places along the said highway 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 Nelbert and duly put to a vote which resulted as follows:

Supervisor Holtz, Voting Aye,  
Councilman Nelbert, Voting Aye  
Councilman Wroblewski, Voting Aye

Posted as follows on the 10th day of December, 1954:

- 1- Post on Lena Avenue 10 feet east of Harlem Road;
- 2- " " " " 25 " " " " "
- 3- " " " " 40 " " " " "
- 4- " " " " 50 " " " " "
- 5- " " " " 75 " " " " "

- 1- Post at the corner of Vincent and Abeles Avenue;
- 2- Post on Vincent Avenue, 20 feet south of Abeles Avenue;
- 3- " " " " 50 " " " " "
- 4- " " " " 100 " " " " "
- 5- " " " " at the corner of Lena Avenue.

**NOTICE OF HEARING**

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, New York, on the 29th day of November, 1954 at 7:30 o'clock P.M., Eastern Standard Time, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
Henry Nagel, Councilman

**ABSENT:**

Stanley Bystrak, Councilman  
Councilman Nagel presented the following resolution and moved its adoption.

**WHEREAS**, a petition for the improvement of both sides of Lena Avenue by the construction of a permanent pavement in accordance with Town specifications, extending from Harlem Road east to Vincent Avenue, a distance of 508 feet; and the public highway in said Town known as Vincent Avenue extending from Lena Avenue north to Abeles Avenue a distance of 246 feet, was filed in the Town Clerk's Office on October 11, 1954, and

**WHEREAS**, EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZYNSKI, Assessors of said Town of Cheektowaga have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and also by resident owners owning more than one-half of the frontage owned by resident owners residing along both sides of said highway to be improved, and

**WHEREAS**, the maximum amount proposed to be expended for the improvement aforesaid is the sum of \$10,000.00, and

**WHEREAS**, the portion of said highway to be improved is situated entirely in said Town outside of any incorporated village or city therein,  
**NOW THEREFORE**,

**IT IS HEREBY ORDERED**, that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 20th day of December, 1954, at 7:30 o'clock P.M., Eastern Standard Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

**IT IS FURTHER ORDERED** that a copy of this order, certified by the Town Clerk, be published at least once in the **CHEEKTOWAGA TIMES** and the "Depew Herald and Cheektowaga News," official newspapers of the Town having a general circulation in said 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 along the said highway to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

Seconded by Councilman Neibert and duly put to a vote which resulted as follows:

Supervisor Benedict T. Holtz voting Aye.

Councilman Joseph A. Neibert voting Aye.

Councilman Felix Wroblewski voting Aye.

Councilman Henry Nagel voting Aye.

**AYES: 4 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, ELIZABETH BINIASZ, Deputy 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 29th day of November, 1954, 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 7th day of December, 1954.

**ELIZABETH BINIASZ**  
Deputy Clerk of the Town Board.  
(12-9) Town of Cheektowaga, N. Y.

**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 two weeks: first publication Dec. 9, 1954: last publication Dec. 9, 1954: and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 10<sup>th</sup>

day of December, 1954

*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, 1955  
Registered No. 5029

STATE OF NEW YORK }  
COUNTY OF ERIE }

At a meeting of the 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 29th day of November, 1954 at 7:30 o'clock P.M. Eastern Standard Time, there were:

PRESENT:  
Benedict T. Holtz, Supervisor  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
Henry Nagel, Councilman

ABSENT:  
Stanley Bystrak, Councilman

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of Lena Avenue by the construction of a permanent pavement in accordance with Town specifications, extending from Harlem Road east to Vincent Avenue, a distance of 508 feet; and the public highway in said Town known as Vincent Avenue extending from Lena Avenue north to Abeles Avenue a distance of 246 feet, was filed in the Town Clerk's Office on October 11, 1954, and

WHEREAS, EDWARD B. JERZIEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZYNSKI, Assessors of said Town of Cheektowaga have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and also by resident owners owning more than one-half of the frontage owned by resident owners residing along both sides of said highway proposed to be improved, and

WHEREAS, the maximum amount proposed to be expended for the improvement aforesaid is the sum of \$10,000.00, and

WHEREAS, the portion of said highway to be improved is situated entirely in said Town outside of any incorporated village or city therein, NOW THEREFORE,

IT IS HEREBY ORDERED, that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 20th day of December, 1954, at 7:30 o'clock P. M. Eastern Standard Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Cheektowaga News and the Depew Herald and

and also be published in a newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 9th day of December, 1954, and the last insertion being on the day of December, 1954, and that not more than six days intervened between any two publications thereof.

Seconded by Councilman Neibert and duly put to a vote which resulted as follows:

Supervisor Holtz, Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Wroblewski, Voting Aye

Councilman Bystrak, Absent  
Councilman Nagel, Voting Aye  
AYES: 4; 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, Elizabeth Biniasz, Deputy Town 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, Erie County of Erie, on the 29th day of November, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof I have hereto set my (seal) hand and affixed the seal of the Town this 3rd day of December, 1954.

ELIZABETH BINIASZ,  
Deputy Town Clerk of the Town Board, Town of Cheektowaga,  
39 N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-

towaga, Erie County, New York, that notice of which the

annexed printed slip taken from said newspaper, is a copy,

was inserted and published therein once a week for

one week, the first insertion being on the

9th day of December, 1954, and

the last insertion being on the day of

December, 1954, and that not

more than six days intervened between any two publi-

cations thereof.

Richard G. Bennett

day of

December 1954

in and for Erie County

THEY HAVE ACQU

ART'S  
STATI  
and Aurora St.

attached is a copy of the notice published in the  
WS:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... *one* ... week, the first insertion being on the  
... *9th* ... day of *December* ..., 19...*54* and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

Sworn to before me this ..... day of

19...*28* 1954

*Henry T. Stanley*  
Notary Public in and for Erie County

hn 10131

Item No. 12 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. (Warrant No. 2488 to No. 2539, inclusive, drawn on the Supervisor).

Item No. 13 Councilman Wroblewski moved, seconded by Councilman Neibert, that all Building Permit Applications processed by the Petitions Committee on December 20th and December 27th, 1954, be approved and that the Town Clerk be authorized and directed to issue same after same have been approved by the Building Inspector.

Item No. 14 Councilman Nagel moved, seconded by Councilman Neibert, to adjourn.

SEAL

Elizabeth Biniasz,  
Deputy 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 6th day of December, 1954, at 2:30 P.M., E.S.T., there were:

PRESENT: Councilman Henry J. Nagel  
" Felix T. Wroblewski  
" Joseph A. Neibert  
Supervisor Benedict T. Holtz

ABSENT: -1- Councilman Stanley R. Bystrak

Also present were: Town Attorney Doyle, Deputy Town Clerk Elizabeth Biniasz; Town Engineer Kamm; Highway Superintendent Zablony; Assessor Jerzewski; Assistant Building Inspector Trafalsi, Building & Plumbing Inspector Roehm and Chief of Police Mersmann.

Item No. 2 The Clerk advised the Board that a copy of the minutes of the last meeting was on their desk in the Council Chamber.

Item No. 3 At the request of the Supervisor the matter of approving both sides of Aurora Road by the construction of a pavement in said highway was referred to the Town Attorney.

Item No. 4 NOTICE TO BIDDERS FOR THE PURCHASE OF 3 POLICE AUTOMOBILES

WHEREAS, the Town of Cheektowaga, Erie County, New York, is desirous of purchasing three (3) Police automobiles for use by the Police Department and it is necessary to solicit bids for the same, be it

RESOLVED, that the Town of Cheektowaga purchase for the Police Department new 1955 Police automobiles to meet the specifications referred to in the Notice to Bidders and the Town Clerk be directed to publish the annexed Notice to Bidders in the Cheektowaga News and the Depew Herald and Cheektowaga News, official newspapers of the Town of Cheektowaga, on the 9th day of December, 1954. That sealed bids be received not later than 7:30 o'clock P. M. on December 20, 1954 at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union, Town of Cheektowaga, New York. That the Notice to Bidders to be published shall be in substantially the following form:

The purchase of three (3) Police automobiles for use by the Police Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file.

The Police Department of the Town of Cheektowaga now owns 3 used automobiles which are to be accepted in their present condition as part payment of the price of the new Police automobiles. These used automobiles may be inspected at all reasonable hours at the Cheektowaga Town Hall.

Copies of the specifications are made available for all prospective bidders. Sealed bids must be received for all prospective bidders. Sealed bids must be received not later than 7:30 o'clock p.m. on December 20, 1954 at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union, Cheektowaga, New York.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.  
Dated: December 6, 1954.  
ELIZABETH BINIASZ,  
Deputy Town Clerk  
Seconded by Councilman Nagel  
and duly put to a vote which resulted as follows:  
Supervisor Holtz, Voting Aye.  
Councilman Neibert, Voting Aye.  
Councilman Wroblewski,  
Voting Aye.

Councilman Bystrak, Absent.  
Councilman Kamm, Voting Aye.  
Councilman Trafalsi, Voting Aye.  
Councilman Zablony, Voting Aye.  
Supervisor Holtz, Voting Aye.

Item No. 4- Cont'd

Posted as follows on the 9th day of December, 1954:

- 1- Town Hall Bulletin Board;
- 2- Bulletin Board Forks Fire Hall Broadway & Union Road;
- 3- Bulletin Board U-Crest Fire Hall Clover Place & Evergeen Street;
- 4- Bulletin Board Pine Hill Fire House Genesee Street and Normandy Ave.
- 5- Rescue Fire Hall Bulletin Board Pine Ridge Road.

Times:

Hereto attached is a copy of the notice published in the Cheektowaga

**NOTICE TO BIDDERS**

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 December, 1954, at 2:30 o'clock P.M., Eastern Standard Time, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
Henry Nagel, Councilman

**ABSENT:**

Stanley Bystrak, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

**WHEREAS**, three (3) new 1955 Police automobiles are needed for the Police Department and it is necessary to solicit bids for the same, be it

**RESOLVED**, that the Town of Cheektowaga purchase for the Police Department new 1955 Police automobiles to meet the specifications referred to in the Notice to Bidders and the Town Clerk be directed to publish the annexed Notice to Bidders in the CHEEKTOWAGA TIMES and the "Depew Herald and Cheektowaga News," official newspapers of the Town of Cheektowaga, on the 9th day of December, 1954. That sealed bids be received not later than 7:30 o'clock P.M. on December 20, 1954 at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union, Town of Cheektowaga, New York. That the Notice to Bidders to be published shall be in substantially the following form:

**Notice to Bidders**

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of three (3) 1955 Police automobiles for use by the Police Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file.

The Police Department of the Town of Cheektowaga now owns used automobiles which are to be accepted in their present condition as part payment of the price of the new Police automobiles. These used automobiles may be inspected at all reasonable hours at the Cheektowaga Town Hall.

Copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 7:30 o'clock P.M. on December 20, 1954 at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union, Cheektowaga, New York.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: December 6, 1954

**ELIZABETH BINIASZ**  
Deputy Town Clerk

Seconded by Councilman Nagel and duly put to a vote which resulted as follows:

Supervisor Benedict T. Holtz voting Aye.

Councilman Joseph A. Neibert voting Aye.

Councilman Felix Wroblewski voting Aye.

Councilman Henry Nagel voting Aye.

AYES: 4 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, ELIZABETH BINIASZ, Deputy 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 6th day of December, 1954, 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 7th day of December, 1954.

**ELIZABETH BINIASZ**  
Deputy Clerk of the Town Board,  
(12-9) Town of Cheektowaga, N. Y.

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 Dec. 9, 1954: last publication Dec. 9, 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 10<sup>th</sup>

day of December, 1954

*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 55  
Registered No. 5029

STATE OF NEW YORK }  
COUNTY OF CHEEKTOWAGA } ss.:

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 December, 1954, at 2:30 o'clock P.M. Eastern Standard Time, there were:

**PRESENT:**  
Benedict T. Holtz, Supervisor  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
Henry Nagel, Councilman

**ABSENT:**  
Stanley Bystrak, Councilman  
Councilman Wroblewski present

ed the following resolution and moved its adoption:

**WHEREAS**, three (3) new 1955 Police automobiles are needed for the Police Department and it is necessary to solicit bids for the same, be it

**RESOLVED**, that the Town of Cheektowaga purchase for the Police Department new 1955 Police automobiles to meet the specifications referred to in the Notice to Bidders and the Town Clerk be directed to publish the annexed Notice to Bidders in the Cheektowaga Times and the Depew Herald and Cheektowaga News, official newspapers of the Town of Cheektowaga, on the 9th day of December, 1954. That sealed bids be received not later than 7:30 o'clock P. M. on December 20, 1954 at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union, Town of Cheektowaga, New York. That the Notice to Bidders to be published shall be in substantially the following form:

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of three (3) 1955 Police automobiles for use by the Police Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file.

The Police Department of the Town of Cheektowaga now owns 3 used automobiles which are to be accepted in their present condition as part payment of the price of the new Police automobiles. These used automobiles may be inspected at all reasonable hours at the Cheektowaga Town Hall.

Copies of the specifications are made available for all prospective bidders. Sealed bids must be received for all prospective bidders. Sealed bids must be received not later than 7:30 o'clock p.m. on December 20, 1954 at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union, Cheektowaga, New York.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.  
Dated: December 6, 1954.

ELIZABETH BINIASZ,  
Deputy Town Clerk

Seconded by Councilman Nagel and duly put to a vote which resulted as follows:

Supervisor Holtz, Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Wroblewski,  
Voting Aye,

Councilman Bystrak, Absent,  
Councilman Nagel, Voting Aye,  
AYES: 4; 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, Elizabeth Biniasz, Deputy Town 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 6th day of December, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof I have hereunto set my (seal) hand and affixed the seal of said Town this 7th day of December, 1954.

ELIZABETH BINIASZ,  
Deputy Town Clerk of the Town Board, Town of Cheektowaga,  
d9 N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the

annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for

..... week, the first insertion being on the 7th day of December, 1954, 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  
..... 1954

in and for Erie County

Item No. 4- Cont'd

Posted as follows on the 9th day of December, 1954:  
1- Town Hall Bulletin Board;  
2- Bulletin Board Forks Fire Hall Broadway & Union Road;  
3- Bulletin Board U-Crest Fire Hall Clover Place & Evergeen Street;  
4- Bulletin Board Pine Hill Fire House Genesee Street and Normandy Ave.  
5- Rescue Fire Hall Bulletin Board Pine Ridge Road.  
Hereto attached is a copy of the notice published in the Cheektowaga

Times:

**NOTICE TO BIDDERS**

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 December, 1954, at 2:30 o'clock P.M. Eastern Standard Time, there

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 Dec. 9, 1954; last publication Dec. 9, 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 10<sup>th</sup>

day of December, 1954

*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 55  
Registered No. 5029

Item No.  
Depew Her

The Angel Gabriel's App  
Magnificat; The Naming  
Appearance of the Angel  
Presentation in the Temp  
The Decree of Herod to

The eye and ear  
effects as the various  
enrich the drama with  
A large costume  
the Bible scenes of S

Written by: Rev. A. J.  
'In dialogue, w

"The  
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is a copy of the Notice published in the

255

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... week, the first insertion being on the  
..... day of December, 1954, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

Sworn to before me this ..... day of

19 1954

*Kenneth D. Harley*

Notary Public in and for Erie County

hn 10131



Times:

Hereto attached is a copy of the notice published in the Cheektowaga

**ORDINANCE AMENDED**

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 December, 1954 at 2:30 o'clock P.M., Eastern Standard Time, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
Henry Nagel, Councilman

**ABSENT:**

Stanley Bystrak, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Town Board on the 20th day of September, 1954, adopted an Ordinance to be known as Ordinance No. 3 of the General Ordinances of the Town of Cheektowaga, New York, which Ordinance makes it unlawful for any person, firm or corporation to make an excavation upon any Town property or upon any portion of the Right-of-Way of a Town highway without first obtaining a permit to do so, and

WHEREAS, the fee for the issuance of such permit was fixed in said Ordinance at Fifty Dollars (\$50.00), which amount in the judgment of the Town Board is excessive and should be changed from Fifty Dollars (\$50.00) to Fifteen Dollars (\$15.00) and

WHEREAS, on the 15th day of November, 1954, the Town Board adopted a resolution that the Town Board meet on the 6th day of December, 1954, at 2:30 o'clock P.M. at the Town Hall, corner of Broadway and Union, Cheektowaga, New York, for the purpose of considering the advisability of changing the fee for the issuance of a permit from Fifty Dollars (\$50.00) to Fifteen Dollars (\$15.00), as specified in Ordinance No. 3 and that said Ordinance shall not in any wise be repealed or amended, and

WHEREAS, notice of such public hearing was duly published and posted as required by law, and

WHEREAS, at the time and place specified in said notice, the Town Board of the Town of Cheektowaga, New York, did meet and considered the advisability of amending the Ordinance above described and all persons interested in the subject matter were given an opportunity to be heard, i.e. it

**RESOLVED**, that General Town Ordinance No. 3 of the Town of Cheektowaga, New York, be and it is hereby amended so as to provide that the fee of the issuance of the permit therein authorized to be issued, be fixed in the sum of Fifteen Dollars (\$15.00) and that no other changes or amendments be made to said Ordinance and that said Ordinance, except as herein amended, shall in all respects be approved and adopted, and be it further

**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 "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," newspapers having a general circulation in the said Town and being official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavits of the publication and posting thereof shall be filed with the Town Clerk.

This Ordinance shall take effect ten (10) days after such publication and posting, but such ordinance shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

Seconded by Councilman Neibert and duly put to a vote which resulted as follows:

Supervisor Benedict T. Holtz voting Aye.

Councilman Joseph A. Neibert voting Aye.

Councilman Felix Wroblewski voting Aye.

Councilman Henry Nagel voting Aye.

AYES: 4 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, ELIZABETH BINIASZ, Deputy 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 6th day of December, 1954, 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 7th day of December, 1954.

ELIZABETH BINIASZ  
Deputy Clerk of the Town Board,  
(12-9) Town of Cheektowaga, N. Y.

STATE OF NEW YORK  
COUNTY OF ERIE } ss.  
TOWN OF CHEEKTOWAGA }

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks: first publication Dec. 9, 1954: last publication Dec. 9, 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 10<sup>th</sup>

day of December, 1954

*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 55  
Registered No. 5029

Item No. 5- 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.:

That I, the undersigned, do hereby certify that the following resolution was adopted by the Town Board of the Town of Cheektowaga, New York, on the 6th day of December, 1954, at 2:30 o'clock P.M., Eastern Standard Time, there were:

**PRESENT:**  
Benedict T. Holtz, Supervisor  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
Henry Nagel, Councilman

**ABSENT:**  
Stanley Bystrak, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Town Board on the 20th day of September, 1954, adopted an Ordinance to be known as Ordinance No. 3 of the General Ordinances of the Town of Cheektowaga, New York, which Ordinance makes it unlawful for any person, firm or corporation to make an excavation upon any Town property or upon any portion of the Right-of-Way of a Town highway without first obtaining a permit to do so, and

and WHEREAS, the fee for the issuance of such permit was fixed by said Ordinance at Fifty Dollars (\$50.00), which amount is the amount of the Town Board's estimate of the cost of the permit and should be changed from Fifty Dollars (\$50.00) to Fifteen Dollars (\$15.00);

and WHEREAS, on the 11th day of November, 1954, the Town Board adopted a resolution that the Town Board meet on the 6th day of December, 1954, at 2:30 o'clock P.M. at the Town Hall, corner of Broadway and Union, Cheektowaga, New York, for the purpose of considering the advisability of changing the fee for the issuance of a permit from Fifty Dollars (\$50.00) to Fifteen Dollars (\$15.00), as specified in Ordinance No. 3 and that said Ordinance shall not in any wise be repealed or amended, and

WHEREAS, notice of such public hearing was duly published and posted as required by law, and

WHEREAS, at the time and place specified in said notice, the Town Board of the Town of Cheektowaga, New York, did meet and considered the advisability of amending the Ordinance above described and all persons interested in the subject matters were given an opportunity to be heard, be it

**RESOLVED**, that General Town Ordinance No. 3 of the Town of Cheektowaga, New York, be and it is hereby amended so as to provide that the fee for the issuance of the permit therein authorized to be issued, be fixed in the sum of Fifteen Dollars (\$15.00) and that no other changes or amendments be made to said Ordinance and that said Ordinance, except as herein amended, shall in all respects be approved and adopted, and be it further

**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 Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers having a general circulation in said Town, and being the official newspapers thereof. 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 days (10) days after such publication and posting, but such ordinance shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk, upon the corporate seal of

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the ..... day of December, 1954, 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

..... 19.....

*Hank*  
.....  
Public in and for Erie County

Item No. 6 Councilman Nagel moved, seconded by Councilman Wroblewski. to accept Five Dollars (\$5.00) from Patrick Kearns for an old Reznor Automatic Heater from the Highway Department, and that the said Five Dollars be turned over to the Supervisor's Office.

Carried: Ayes: -4-, Absent: -1-.

Item No. 7 Mr. Pottinier representing Robert Hall Clothing Company requested permission to have Santa Claus land in a helicopter at the Airport Plaza.

Councilman Neibert moved, seconded by Councilman Wroblewski, that the request be granted providing that there is adequate liability insurance in case of a mishap.

Carried; Ayes: -4-, Absent: -1-.

Item No. 8 Councilman Wroblewski moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to issue Building Permits on Applications processed by the Petitions Committee on December 22nd and 29th, 1954, after same have been approved by the Building Inspector.

Carried: Ayes: -4-, Absent: -1-.

Item No. 9 Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, John J. O'Day and Margaret M. O'Day, his wife, have constructed a garage on premises known as \_\_\_\_\_ in the Town of Cheektowaga, New York, which building is located close to the street line of 14th Avenue and the southerly portion thereof extends onto the public right-of-way on the southerly side, approximately 2.85 feet as more particularly shown on the survey to the proposed easement, and

WHEREAS, said building in no wise interferes with the use of the public on 14th Avenue, be it

RESOLVED, that the Supervisor be and he is hereby authorized to execute the easement granting John J. O'day and Margaret M. O'DAY, his wife, which will permit the portion of the building as it is now situated to remain upon that portion of the street known as 14th Avenue, as it now exists.

Seconded by Councilman Neibert.

Carried: Ayes: -4-, Absent: -1-.

Item No. 10 Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, it was necessary as an emergency to repair 8 open joints and a broken wye on Cayuga Road, Cheektowaga, New York, across from the Trap & Field Club, and

WHEREAS, Straco, Inc., made the necessary repairs and the same have been inspected by the Town Engineer and approved at a cost of \$196.97, be it

RESOLVED, that the Town of Cheektowaga, New York, pay to Straco, Inc., the sum of \$196.97 in full payment of the work performed by them as above stated.

Seconded by Councilman Neibert.

Carried: Ayes: -4-, Absent: -1-.

Item No. 11 Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that Sloan Service be appointed as a tower of the Town of Cheektowaga, New York. Sloan Collision Service is located at 1937 Harlem Road in the Town of Cheektowaga and is owned by Victor W. Rydzynski. to take effect immediately.

Seconded by Councilman Wroblewski.

Carried: Ayes: -4-, Absent: -1-.

Item No. 12 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVE, to authorize the Chief of Police to post as follows:

2 Boulevard Stop Signs at the intersection of Woodridge Avenue and Seton Road, traffic to stop for Woodridge;

2 No Parking Signs This Side on south side of William Street between Richard Drive and Colton Street;

Seconded by Councilman Nagel.

Carried: Ayes: -4-, Absent: -1-.

Item No. 13 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, after public advertising bids were received on November 29, 1954, for the construction of water mains in Water District No. 10, and

WHEREAS, Ralph D. Young submitted a bid in the sum of \$26,025.00 for 12 in. mains, and

Item No. 5- Cont'd Hereto attached is a copy of the notice published in the  
Dewey Herald-Cheektowaga News:

**Item with the Town Clerk**

This Ordinance shall take effect ten days (10) days after such publication and passing, but shall be deemed to have effect from the date of its passage or adoption, if the same shall be passed with a majority of the members of the Town Board, and the date of its passage and adoption shall be entered into the minutes.

Seconded by Councilman Neibert and duly put to a vote which resulted as follows:

- Supervisor Heltz, Voting Aye
  - Councilman Neibert, Voting Aye
  - Councilman Wroblewski, Voting Aye
  - Councilman Bystrak, Absent
  - Councilman Nagel, Voting Aye
- AYES: 4; NOES: 0; ABSENT: 1

State of New York )  
Erie County )  
Office of the Clerk of the ) as:  
Town of Cheektowaga )

This is to certify that I, Elizabeth Binasz, Deputy Town 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 6th day of December, 1954, 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 the seal of said Town on the 6th day of December, 1954.

ELIZABETH BINASZ,  
Deputy Town Clerk of the Town Board, Town of Cheektowaga,  
d9 N. Y.

Item No. 6 Councilman Nagel moved, seconded by Councilman Wroblewski. to accept Five Dollars (\$5.00) from Patrick Kearns for an old Reznor Automatic Heater from the Highway Department, and that the said Five Dollars be turned over to the Supervisor's Office.

Carried: Ayes: -4-, Absent: -1-.

Item No. 7 Mr. Pottinier representing Robert Hall Clothing Company requested permission to have Santa Claus land in a helicopter at the Airport Plaza.

Councilman Neibert moved, seconded by Councilman Wroblewski, that the request be granted providing that there is adequate liability insurance in case of a mishap.

Carried: Ayes: -4-, Absent: -1-.

Item No. 8 Councilman Wroblewski moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to issue Building Permits on Applications processed by the Petitions Committee on December 22nd and 29th, 1954, after same have been approved by the Building Inspector.

Carried: Ayes: -4-, Absent: -1-.

Item No. 9 Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, John J. O'Day and Margaret M. O'Day, his wife, have constructed a garage on premises known as \_\_\_\_\_ in the Town of Cheektowaga, New York, which building is located close to the street line of 14th Avenue and the southerly portion thereof extends onto the public right-of-way on the southerly side, approximately 2.85 feet as more particularly shown on the survey to the proposed easement, and

WHEREAS, said building in no wise interferes with the use of the public on 14th Avenue, be it

RESOLVED, that the Supervisor be and he is hereby authorized to execute the easement granting John J. O'day and Margaret M. O'DAY, his wife, which will permit the portion of the building as it is now situated to remain upon that portion of the street known as 14th Avenue, as it now exists.

Seconded by Councilman Neibert.

Carried: Ayes: -4-, Absent: -1-.

Item No. 10 Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, it was necessary as an emergency to repair 8 open joints and a broken wye on Cayuga Road, Cheektowaga, New York, across from the Trap & Field Club, and

WHEREAS, Straco, Inc., made the necessary repairs and the same have been inspected by the Town Engineer and approved at a cost of \$196.97, be it

RESOLVED, that the Town of Cheektowaga, New York, pay to Straco, Inc., the sum of \$196.97 in full payment of the work performed by them as above stated.

Seconded by Councilman Neibert.

Carried: Ayes: -4-, Absent: -1-.

Item No. 11 Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that Sloan Service be appointed as a tower of the Town of Cheektowaga, New York. Sloan Collision Service is located at 1937 Harlem Road in the Town of Cheektowaga and is owned by Victor W. Rydzynski. to take effect immediately.

Seconded by Councilman Wroblewski.

Carried: Ayes: -4-, Absent: -1-.

Item No. 12 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVE, to authorize the Chief of Police to post as follows:

2 Boulevard Stop Signs at the intersection of Woodridge Avenue and Seton Road, traffic to stop for Woodridge;

2 No Parking Signs This Side on south side of William Street between Richard Drive and Colton Street;

Seconded by Councilman Nagel.

Carried: Ayes: -4-, Absent: -1-.

Item No. 13 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, after public advertising bids were received on November 29, 1954, for the construction of water mains in Water District No. 10, and

WHEREAS, Ralph D. Young submitted a bid in the sum of \$26,025.00 for 12 in. mains, and

attached is a copy of the notice published in the

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the ... 9th day of December, 1957, and the last insertion being on the ..... day of ....., 19....., and that not more than six days intervened between any two publi-

cations thereof.  
*Richard G. Bennett*

Sworn to before me this ..... day of

....., 19.....

*James T. Hanley*

Notary Public in and for Erie County

hn 10131

Thanksgiving evening  
the bonds of holy wedlock  
Emma Drankhahn were united  
Mr. Thomas G. Sharpe and Miss  
Grant and Hampshire St., Buffalo  
opened a shop at the corner of  
shop in the McGuire building and  
John Krzywicki sold his barber  
city of unstamped railroad tickets  
reward was a considerable quan  
then raising the lower sash. The  
lights in the office window—am  
by breaking in one of the upper  
Valley depot gaining an entrance  
Thieves broke into the Lehigh  
December 1, 1904  
50 YEARS AGO  
An article titled 20 years ago  
stated that William Kanehl, while  
driving his team on William St.  
was struck by a falling trolley wire  
which gave him a severe electric  
shock, rendering his unconscious.  
Overcoats were on sale at the  
New York Store, Lancaster, from  
\$12.75 to \$29.00.  
The marriage of Miss Dorothy  
Green to Mr. Casimer Bedner  
was solemnized.  
The destroyed it.  
by injured, that the SPCA authori

Item No. 13- Cont'd  
WHEREAS, the Town Engineer has recommended to the Town Board that Ralph D. Young is a responsible contractor and that the work previously done by him for the Town has been satisfactory, BE IT  
RESOLVED, that the bid of Ralph D. Young to construct the 12 in. mains in Water District No. 10 be accepted, said bid being regarded by the Town Board as submitted by the lowest responsible bidder, and be it further  
RESOLVED, that the Consulting Engineers and the Town Attorney prepare the necessary contract for the construction of said water mains.  
Seconded by Councilman Neibert.

Carried: Ayes: -4-  
Absent: -1-

Item No. 14

adoption: Councilman Nagel presented the following resolution and moved its

WHEREAS, the Town Superintendent of Highways and the Town Engineer have certified to the Town Board that the following highways have been completed in accordance with the specifications of the Town Highway Superintendent and the regulations of the Town of Cheektowaga, and have recommended in writing that the same be accepted as town highways, be it

RESOLVED, that the following highways be accepted as town highways, subject to future maintenance by the Town Highway Superintendent;

Hillside Avenue, commencing 500 feet west of Birkdale Drive, extending to Dania Drive;

Delray Drive, commencing at Huth Road, extending to Hillside Avenue, a distance of approximately 1100 feet;

Miami Parkway, commencing at Geo. Urban Blvd., and extending to Pecan Drive, a distance of approximately 800 feet;

Cherokee Drive, commencing at Geo. Urban Blvd., in a westerly direction, to the end of the street, a distance of approximately 1780 feet;

Dania Drive, commencing at Hillside Avenue, in a southerly direction, to the end of the Street. a distance of approximately 700 feet;

North Pleasant Parkway, commencing at Dingens Street, in a northerly direction to the end of the street, a distance of approximately 700 feet;

North Meadowbrook Parkway, commencing at Dingens Street, in a northerly direction to the end of the street, a distance of approximately 700 feet;

Aurora Drive, commencing at Sugnet Drive to the end of the street, a distance of approximately 617 feet;

Foisset Avenue, commencing at Huth Road, extending to Ontario Drive, a distance of approximately 900 feet; and be it further

RESOLVED, that said highways having been completed in accordance with the specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, the contractors entering into contracts with the Town of Cheektowaga relating to the construction of said highways, and their sureties are hereby responsibility or liability in connection with said highways, and their sureties are hereby likewise relieved from any further responsibility or liability in connection with said highways, only to the extent of the length of the highways as hereinabove stated.

Seconded by Councilman Wroblewski.

Carried: Ayes: -4-  
Absent: -1-

Item No. 15

adoption: Councilman Neibert presented the following resolution and moved its

RESOLVED, that the Supervisor be and he is hereby authorized to execute on behalf of the Town of Cheektowaga a Quir Claim Deed conveying the Paper Street known as Dorunda Court to Pelvion Land Company, Inc., said street having never been accepted by the Town of Cheektowaga as a public highways.

Seconded by Councilman Nagel.

Carried: Ayes: -4-  
Absent: -1-

Item No. 16 Councilman Wroblewski presented the following resolution and moved its adoption: 258

WHEREAS, the telegraph pole located at No. 132 David Avenue, Cheektowaga, New York, is obstructing the use of the driveway at said address, and  
WHEREAS, the people owning the vacant lot on the east side of the driveway are planning to build a home thereon, and

WHEREAS, the said driveway is going to be used by both homes, be it  
RESOLVED, that the Niagara Mohawk Power Corporation be authorized to move the telegraph pole located at No. 132 David Avenue, Cheektowaga, New York, four feet east of its present location, at no expense to the Town of Cheektowaga.

Seconded by Councilman Nagel.

Carried: Ayes: -4-  
Absent: -1-

Item No. 17 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 order of the Supervisor such proof was duly filed.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Lamarck Drive	Cleveland Drive	Amherst Town Line

TYPE OF STREET LIGHTING INSTALLATION

Fourteen (14) No. 1348 Light Standards-Underground 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 ordered the hearing closed.

Mr. Nagel 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 setforth, by the installation of street lighting equipment hereinafter particularly described.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Lamarck Drive	Cleveland Drive	Amherst Town Line

Type of Street Lighting Equipment

Fourteen (14) No. 1348 Light Standards-Underground 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 whol 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 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 Nagel	Voting AYE
" Wroblewski	" "
" Neibert	" "
Supervisor Holtz	" "

AYES: -4-

NOES: -0-

ABSENT: -1-

Item No. 17-Cont'd

STATE OF NEW YORK ) SS.  
COUNTY OF ERIE )

I, Kenneth T. Hanley, Town Clerk of the Town of Cheektowaga, Erie County, New York, do hereby certify that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town held on the 6th day of December, 1954, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof; and that the resolutions and orders duly adopted by the said Town Board are on file in my office.

I further certify that all members of said Town Board had due notice of said meeting.

I further certify that a certified copy of such resolution and order was caused by me to be recorded in the Office of the Clerk of Erie County, New York, on the 27th day of December, 1954.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga this 27th day of December, 1954.  
SEAL

Kenneth T. Hanley, Town Clerk.

Item No. 17-Cont'd Councilman Nagel moved, seconded by Councilman Wroblewski, that the Supervisor be authorized and directed to purchase fourteen (14) No. 1348 Light Standards Underground Conduit to be installed on Lamarck Drive from Cleveland Drive to Amherst Town Line.

Carried: Ayes: -4-  
Noes: -0-  
Absent: -1-

Item No. 18 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 order of the Supervisor, such proof was duly filed.

PUBLIC HIGHWAYS TO BE IMPROVED		
NAMES OF HIGHWAYS	FROM	TO
Farmingdale Road	Fairhaven Road	Greenway Road

TYPE OF STREET LIGHTING INSTALLATION

Eight (8) Y-19 Standards-Underground 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. Nagel 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
Farmingdale Road	Fairhaven Road	Greenway Road

TYPE OF STREET LIGHTING INSTALLATION

Eight Y-19 Standards-Underground 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 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:

Supervisor Holtz	Voting AYE
Councilman Nagel	" "
Councilman Wroblewski	" "
Councilman Neibert	" "

Carried: Ayes: -4-

Noes: -0-

Absent: -1-

STATE OF NEW YORK )  
COUNTY OF ERIE ) SS.

I, KENNETH T. HANLEY, Town Clerk of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town held on the 6th day of December, 1954, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof; and that the resolutions and orders duly adopted by the said Town Board are on file in my office.

I FURTHER CERTIFY, that all members of said Town Board had due notice of said meeting.

I FURTHER CERTIFY that a certified copy of such resolution and order was caused by me to be recorded in the Office of the Clerk of Erie County, New York, on the 27th day of December, 1954.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 27th day of December, 1954.

SEAL

Kenneth T. Hanley, Town Clerk.

Item No. 18-Cont'd Councilman Wroblewski moved, seconded by Councilman Neibert, that the Supervisor be authorized and directed to purchase Eight (8) Y-19 Standards-Underground Conduit, to be installed on Farmingdale Road from Fairhaven Road to Newport and Greenway Road.

Carried: Ayes: -4-, Absent: -1-

Item No. 19 At the request of Supervisor Holtz the matter of the N.F.T. bus situation extending its route to Broadway and Michael Street in the Village of Sloan was tabled until further notice due to the absence of Councilman Bystrak.

Item No. 20 At the request of the Sloan Village Officials the Supervisor called a meeting between to Town Board and the Village Board to be held at 7:30 P.M., on December 10, 1954, in relation to the above mentioned matter in item No. 19.

Item No. 21 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved, and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same.  
( Warrant No. 2540 to No. 2656, inclusive, drawn on the Supervisor.)

Item No. 22 Councilman Nagel moved, seconded by Councilman Wroblewski, to adjourn.

SEAL.

Elizabeth Biniasz, Deputy 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 20th day of December, 1954, at 7:30 P.M., E.S.T., there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	"
Joseph A. Nelbert	"
Stanley R. Bystrak	"

Also present were: Town Clerk Hanley; Town Attorney Doyle; Town Engineer Kamm; Highway Superintendent Zablotny; Town Historian Julia Reinstein; Recreational Director Janiak; Chief of Police Mersmann; and Justice of the Peace Pysaczynski.

Item No. 2 The Town Clerk advised the Board that a copy of the minutes of the previous meeting has been placed on the respective desk in the Council Chamber.

Item No. 3 This being the time and the place advertised for a public hearing for the improvement of Yorktown Street by the construction of a lateral sewer in said street, extending from its intersection with Fairhaven Road and extending to its intersection with Farmingdale Road.

The Town Clerk presented proof that the Notice of Hearing has been duly published and posted.

The Supervisor announced that the Board would hear all persons interested in the subject of the hearing, and no person appearing in opposition thereof, Councilman Bystrak moved, seconded by Councilman Nagel, that the matter be referred to the Town Attorney. Carried: Ayes: -5-.

Item No. 4 This being the time and the place advertised for a public hearing for the improvement of Yorktown Street by the construction of a permanent pavement in said highway.

The Town Clerk presented proof that the Notice of Hearing has been duly published and posted.

The Supervisor announced that the Board would hear all persons interested in the subject of the hearing, and no person appearing in opposition. Councilman Bystrak moved, seconded by Councilman Nagel, that the matter be referred to the Town Attorney. Carried: Ayes: -5-.

Item No. 5 This being the time and the place advertised for a public hearing for the improvement of Lena Avenue by the construction of a permanent pavement in said Street.

The Town Clerk presented proof that the Notice of the Hearing has been duly published and posted.

The Supervisor announced that the Board would hear all persons interested in the subject of the hearing, and no person appearing in opposition thereof, Councilman Nagel moved, seconded by Councilman Wroblewski, that the Matter be referred to the Town Attorney.

Item No. 6 This being the time and the place advertised for a public hearing to adopt an Ordinance to be known as Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga. ( Copy hereto attached).

*and Vincent's corner*

(1) The growth of shrubbery at street corners shall be trimmed so as not to extend above the ground more than two (2) feet, providing said shrubbery is located within twenty-five (25) feet of any corner or intersection.

(2) Each fence, wall or structure shall be not constructed so as to form a nuisance to adjoining property.

(3) The growth of shrubbery at street corners shall be trimmed so as not to extend above the ground more than two (2) feet, providing said shrubbery is located within twenty-five (25) feet of any corner or intersection.

Item No. 6-Cont'd The Supervisor announced that the Board would hear all persons interested in the subject of the hearing, and no person appearing in opposition thereof, Councilman Wroblewski moved, seconded by Councilman Neibert, that the matter be referred to the Town Attorney.

Carried: Ayes: -5-

Item No. 7 The following order and resolution was offered by Mr. Wroblewski who moved its adoption, seconded by Mr. Nagel.

**Bond Resolution Dated December 20, 1954, Authorizing the Issuance of \$950,000.00 Serial Sewer District No. 5 Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law.**

WHEREAS, Sewer District No. 5, hereinafter described is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, and as such has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York, and the purpose hereinafter described, is a special improvement authorized by said Article 12:

NOW, THEREFOR,

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 \$950,000.00 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") is the construction of an interception and overflow chamber and pumping station to service the existing trunk sewer on the north side of George Urban Blvd., including a diversion pipe connecting such chamber with such pumping station and a discharge main connecting such pumping station with Scajaguada Creek, including the original equipment, machinery and apparatus suitable therefor, and the reconstruction of and construction of additions to the existing sewage treatment plant of said District, including the original equipment, machinery or apparatus suitable therefor and the replacement of existing equipment, machinery or apparatus, in accordance with an Order and Resolution authorizing said improvements, made by the Town Board of said Town on June 28, 1954, pursuant to the provisions of Article 12 of the Town Law of New York in order to increase and improve facilities of said Sewer District No. 5.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board is \$950,000.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such

beneficial real property in an area less than the area of said Town.

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 4 of Paragraph (a) of Section 11.0 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty (30) 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 Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers published and having a general circulation in said Town and which are the official newspapers of 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 (20) days after the date of such publication; or if such obligation 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 20th day of December, 1954 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, New York

d23

Item No. 7-Cont'd. Duly put to a vote which resulted as follows:

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Supervisor Holtz	Voting AYE
Councilman Nagel	" "
" Wroblewski	" "
" Neibert	" "
" Bystrak	" Naye

Ayes: -4-, Nays: -1-. Absent: -0-.

Hereto attached is a copy of the notice published in the Cheektowaga Times:

**BOND RESOLUTION**  
BOND RESOLUTION, DATED DECEMBER 20, 1954, AUTHORIZING THE ISSUANCE OF \$950,000.00 SERIAL SEWER DISTRICT NO. 5 BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

WHEREAS, Sewer District No. 5, hereinafter described, is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such, has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York, and the purpose, hereinafter described, is a special improvement authorized by said Article 12; NOW, THEREFORE, 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 \$950,000.00 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") is the construction of an interception and overflow chamber and pumping station to service the existing trunk sewer on the north side of George Urban Blvd., including a diversion pipe connecting such chamber with such pumping station and a discharge main connecting such pumping station with Scajaguada Creek, including the original equipment, machinery and apparatus suitable therefor, and the reconstruction of and construction of additions to the existing sewage treatment plant of said District, including the original equipment, machinery or apparatus suitable therefor and the replacement of existing equipment, machinery or apparatus, in accordance with an Order and Resolution authorizing said improvements, made by the Town Board of said Town on June 28, 1954, pursuant to the provisions of Article 12 of the Town Law of New York in order to increase and improve facilities of said Sewer District No. 5.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$950,000.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. It is hereby determined 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. 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 "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," the official newspapers of said Town. The va-

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for.....1.....weeks: first publication Dec. 23, 1954: last publication Dec. 23, 1954: and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 24th

day of December, 1954

*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, 1955  
Registered No. 5029

Item No. 6-Cont'd The Supervisor announced that the Board would hear all persons interested in the subject of the hearing, and no person appearing in opposition thereof, Councilman Wroblewski moved, seconded by Councilman Neibert, that the matter be referred to the Town Attorney. Carried: Ayes: -5-

Item No. 7 The following order and resolution was offered by Mr. Wroblewski who moved its adoption, seconded by Mr. Nagel, that the Board of the Town of Cheektowaga, Erie, New York, be authorized to issue bonds for the purpose of financing a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York, and the purpose hereinafter described, is a special improvement authorized by said Article 12:

**Bond Resolution Dated December 20, 1954, Authorizing the Issuance of \$950,000.00 Serial Sewer District No. 5 Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law.**

WHEREAS, Sewer District No. 5, hereinafter described is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, and as such has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York, and the purpose hereinafter described, is a special improvement authorized by said Article 12:

NOW, THEREFOR,

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 \$950,000.00 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") is the construction of an interception and overflow chamber and pumping station to service the existing trunk sewer on the north side of George Urban Blvd., including a diversion pipe connecting such chamber with such pumping station and a discharge main connecting such pumping station with Scajaquada Creek, including the original equipment, machinery and apparatus suitable therefor, and the reconstruction of and construction of additions to the existing sewage treatment plant of said District, including the original equipment, machinery or apparatus suitable therefor and the replacement of existing equipment, machinery or apparatus, in accordance with an Order and Resolution authorizing said improvements, made by the Town Board of said Town on June 28, 1954, pursuant to the provisions of Article 12 of the Town Law of New York in order to increase and improve facilities of said Sewer District No. 5.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board is \$950,000.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such

erty in an area less than the area of said Town.

Section 4. It is hereby determined that said purpose is an object of purpose described in Subdivision 4 of Paragraph (a) of Section 11.0 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty (30) 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 Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers published and having a general circulation in said Town and which are the official newspapers of 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 (20) days after the date of such publication; or if such obligation 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 20th day of December, 1954 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, New York

Supervisor Holtz	Voting AYE
Councilman Nagel	" "
" Wroblewski	" "
" Neibert	" "
" Bystrak	" Naye

Ayes: -4-, Nays: -1-. Absent: -0-.

Town Board of said Town on June 28, 1954, pursuant to the provisions of Article 12 of the Town Law of New York in order to increase and improve facilities of said Sewer District No. 5.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$950,000.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 4. It is hereby determined 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. 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 "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," the official newspapers of 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 shall take effect immediately upon its adoption.

The Bond Resolution published herewith has been adopted on the 29th day of December, 1954, 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, New York

(12-23)

a copy of the notice published in the

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for.....1.....weeks:  
first publication Dec. 23, 1954  
last publication Dec. 23, 1954  
and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 24th

day of December, 1954

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, 1955  
Registered No. 5029

Item No. 7-Cont'd Here-to attached is a copy of the notice published in the Depew Herald-Cheektowaga News:

STATE OF NEW YORK }  
COUNTY OF ERIE } ss.:

**RESOLUTION**  
The Town Board of the Town of Cheektowaga, Erie County, New York, in and for said County, do hereby resolve, pursuant to the Local Finance Law of New York, that the sewer district described in Section 5 of the Sewer District No. 5, hereinafter described is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, and as such has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York, and the purpose...

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 \$950,000.00 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

**Section 2.** The specific purpose (hereinafter referred to as "purpose") is the construction of an interception and overflow chamber and pumping station to service the existing trunk sewer on the north side of George Urban Blvd., including a diversion pipe connecting such chamber with such pumping station and a discharge main connecting such pumping station with Scajaguada Creek, including the original equipment, machinery and apparatus suitable therefor, and the reconstruction of and construction of additions to the existing sewage treatment plant of said District, including the original equipment, machinery or apparatus suitable therefor and the replacement of existing equipment, machinery or apparatus, in accordance with an Order and Resolution authorizing said improvements, made by the Town Board of said Town on June 28, 1954, pursuant to the provisions of Article 12 of the Town Law of New York in order to increase and improve facilities of said Sewer District No. 5.

**Section 3.** It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board is \$950,000.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

**Section 4.** It is hereby determined that said purpose is an object of purpose described in Subdivision 4 of Paragraph (a) of Section 11.0 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty (30) 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 Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers published and having a general circulation in said Town and which are the official newspapers of 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 incur...

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 23 day of December, 1954, 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 \_\_\_\_\_, 1954

*D. Hanley*  
Public in and for Erie County

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 20th day of December, 1954, at 7:30 o'clock, P. M. Eastern Standard Time, there were:

PRESENT:

- Benedict T. Holtz, Supervisor
- Joseph A. Neibert, Councilman
- Felix T. Wroblewski, Councilman
- Henry Nagel, Councilman
- Stanley Bystrak, Councilman

ABSENT:—0—

Councilman Wroblewski, presented the following resolution and moved its adoption:

WHEREAS, it is deemed in the public interest to consider the advisability of amending the provisions of the Building Code to regulate the issuance of building permits in the Town of Cheektowaga, New York, be it

RESOLVED, that the Town Board of the Town of Cheektowaga, New York meet at the Town Hall, corner Broadway and Union Road in said Town of Cheektowaga, on the 3rd day of January, 1955, at 2:30 o'clock P.M. Eastern Standard Time for the purpose of considering the advisability of amending Section 1, of the Building Code entitled "Administration" by adding thereto Paragraph 8, to provide substantially as follows:

No building permit shall hereafter be issued for the construction of a building upon any property located within the boundaries of any existing sanitary sewer district or extension thereof, unless the highway adjoining the property upon which said structure is to be placed has the following improvements:

1. A highway constructed and complete to comply with specifications of the Town Highway Superintendent, and other regulations of the Town of Cheektowaga, New York.
2. A lateral sanitary sewer in the highway, connected with the sanitary sewer system of the sanitary sewer district in which the property is located.
3. A water line in the highway or on private property constructed to conform with the rules and regulations of the Erie County Water Authority. Satisfactory proof of the existence of the water line shall be filed with the application for the building permit.

Proof must also be submitted with the application that there exists upon the highway, as well as the premises upon which the structure is to be located adequate provisions for drainage of surface water, to comply with the rules and regulations of the Erie County Board of Health and the Town of Cheektowaga, New York.

In the event that all of the aforementioned utilities are not installed at the time the application for the building permit is made, the Town Board may issue a permit provided the applicant for the permit enters into a contract with the Town of Cheektowaga, New York to construct the highway and to install the lateral sewers and to install

Amended provisions of this Ordinance

The Town Board shall require the applicant to furnish the Town of Cheektowaga with a Surety Bond in an amount to be fixed by the Town Board, conditioned that the highway, the lateral sanitary will be constructed within six months after the issuance of the building permit, and that all other provisions of this Ordinance will be fully complied with.

No building permit shall be issued under the provisions of this Ordinance unless satisfactory proof is filed with the application that a water line has already been constructed to conform with the rules and regulations of the Erie County Water Authority, or that a contract has been entered into with the Erie County Water Authority for such construction. Either a copy of the contract with the Erie County Water Authority must be filed with the application or in lieu thereof satisfactory proof of the existence of the contract.

That at such public hearing all persons interested in the subject matter of shall be given an opportunity to be heard, and be it further

RESOLVED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the Cheektowaga "Times" and the "Dewey Herald and Cheektowaga News", newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, and that on or before said date, he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order. Also that he post or cause to be posted such Notice in five (5) conspicuous places in said Town.

Seconded by Councilman Neibert and duly put to a vote which resulted as follows:

- Supervisor Holtz, Voting Aye,
  - Councilman Neibert, Voting Aye,
  - Councilman Wroblewski, Voting Aye
  - Councilman Bystrak, Voting Aye,
  - Councilman Nagel, Voting Aye,
- AYES: 5; NOES: 0; ABSENT: 0.
- State of New York )  
 Erie County )  
 Office of the Clerk of the ) ss:  
 Town of Cheektowaga )

This is to certify that I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 20th day of December, 1954, 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 (seal) and affixed the seal of said Town this 20th day of December, 1954.

KENNETH T. HANLEY,  
Clerk of the Town Board, Town of Cheektowaga, N. Y.

...shall be in the Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers published and having a general circulation in said Town and which are the official newspapers of 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 (20) days after the date of such publication; or if such obligation 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 20th day of December, 1954 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, New York

d23

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the  
PUBLISHER of the

Depew Cheektowaga  
**Herald and News**

public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 23 day of December, 1954, 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 ....., 1954

*T. Hanley*  
Tary Public in and for Erie County

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 20th day of December, 1954, at 7:30 o'clock, P. M. Eastern Standard Time, there were:

**PRESENT:**

- Benedict T. Holtz, Supervisor
- Joseph A. Neibert, Councilman
- Felix T. Wroblewski, Councilman
- Henry Nagel, Councilman
- Stanley Bystrak, Councilman

**ABSENT:—0—**

Councilman Wroblewski, presented the following resolution and moved its adoption:

**WHEREAS**, it is deemed in the public interest to consider the advisability of amending the provisions of the Building Code to regulate the issuance of building permits in the Town of Cheektowaga, New York, be it

**RESOLVED**, that the Town Board of the Town of Cheektowaga, New York meet at the Town Hall, corner Broadway and Union Road in said Town of Cheektowaga, on the 3rd day of January, 1955, at 2:30 o'clock P.M. Eastern Standard Time for the purpose of considering the advisability of amending Section 1, of the Building Code entitled "Administration" by adding thereto Paragraph 8, to provide substantially as follows:

No building permit shall hereafter be issued for the construction of a building upon any property located within the boundaries of any existing sanitary sewer district or extension thereof, unless the highway adjoining the property upon which said structure is to be placed has the following improvements:

1. A highway constructed and complete to comply with specifications of the Town Highway Superintendent, and other regulations of the Town of Cheektowaga, New York.
2. A lateral sanitary sewer in the highway, connected with the sanitary sewer system of the sanitary sewer district in which the property is located.
3. A water line in the highway or on private property constructed to conform with the rules and regulations of the Erie County Water Authority. Satisfactory proof of the existence of the water line shall be filed with the application for the building permit.

Proof must also be submitted with the application that there exists upon the highway, as well as the premises upon which the structure is to be located adequate provisions for drainage of surface water, to comply with the rules and regulations of the Erie County Board of Health and the Town of Cheektowaga, New York.

In the event that all of the aforementioned utilities are not installed at the time the application for the building permit is made, the Town Board may issue a permit provided the applicant for the permit enters into a contract with the Town of Cheektowaga, New York to construct the highway and to install the lateral sewer and to all the

**Amended provisions of this Ordinance**

The Town Board shall require the applicant to furnish the Town of Cheektowaga with a Surety Bond in an amount to be fixed by the Town Board, conditioned that the highway, the lateral sanitary will be constructed within six months after the issuance of the building permit, and that all other provisions of this Ordinance will be fully complied with.

No building permit shall be issued under the provisions of this Ordinance unless satisfactory proof is filed with the application that a water line has already been constructed to conform with the rules and regulations of the Erie County Water Authority, or that a contract has been entered into with the Erie County Water Authority for such construction. Either a copy of the contract with the Erie County Water Authority must be filed with the application or in lieu thereof satisfactory proof of the existence of the contract.

That at such public hearing all persons interested in the subject matter of shall be given an opportunity to be heard, and be it further

**RESOLVED**, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the Cheektowaga "Times" and the "Dewey Herald and Cheektowaga News", newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, and that on or before said date, he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order. Also that he post or cause to be posted such Notice in five (5) conspicuous places in said Town.

Seconded by Councilman Neibert and duly put to a vote which resulted as follows:

- Supervisor Holtz, Voting Aye,
  - Councilman Neibert, Voting Aye,
  - Councilman Wroblewski, Voting Aye
  - Councilman Bystrak, Voting Aye,
  - Councilman Nagel, Voting Aye,
- AYES: 5; NOES: 0; ABSENT: 0.
- State of New York )  
 Erie County )  
 Office of the Clerk of the ) ss:  
 Town of Cheektowaga )

This is to certify that I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 20th day of December, 1954, 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 (seal) and affixed the seal of said Town this 20th day of December, 1954.

KENNETH T. HANLEY,  
Clerk of the Town Board, Town of Cheektowaga, New York

Item No. 8-Cont'd

Posted as follows on the 24th day of December, 1954:  
Town Hall Bulletin Board;  
Doyle Fire Hall No. 1-William and Alaska Street;  
Rescue Fire Hall- Pine Ridge Road;  
U-Crest Fire Hall-Evergreen Street & Clover Place;  
Forks Fire Hall-Broadway & Union Road.

Hereto attached is a copy of the notice published in the Cheektowaga Times:

**NOTICE OF HEARING**  
Building Code Amendment.

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 20th day of December, 1954, at 7:30 o'clock P.M., Eastern Standard Time, there were:

**PRESENT:**  
Benedict T. Holtz, Supervisor  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
Henry Nagel, Councilman  
Stanley Bystrak, Councilman

**ABSENT:** None

**AYES:** 5 **NOES:** 0 **ABSENT:** 0  
Councilman Wroblewski presented the following resolution and moved its adoption:

**WHEREAS,** it is deemed in the public interest to consider the advisability of amending the provisions of the Building Code to regulate the issuance of building permits in the Town of Cheektowaga, New York, be it

**RESOLVED,** that the Town Board of the Town of Cheektowaga, New York meet at the Town Hall, corner Broadway and Union Road in said Town of Cheektowaga, on the 3rd day of January, 1955, at 2:30 o'clock P.M., Eastern Standard Time for the purpose of considering the advisability of amending Section 1, of the Building Code entitled "Administration" by adding thereto Paragraph 8, to provide substantially as follows:

No building permit shall hereafter be issued for the construction of a building upon any property located within the boundaries of any existing sanitary sewer district or extension thereof, unless the highway adjoining the property upon which said structure is to be placed has the following improvements:

1. The highway constructed and complete to comply with specifications of the Town Highway Superintendent, and other regulations of the Town of Cheektowaga, New York.

2. A lateral sanitary sewer in the highway, connected with the sanitary sewer system of the sanitary sewer district in which the property is located.

3. A water line in the highway or on private property constructed to conform with the rules and regulations of the Erie County Water Authority. Satisfactory proof of the existence of the water line shall be filed with the application for the building permit.

Proof must also be submitted with the application that there exists upon the highway, as well as the premises upon which the structure is to be located adequate provisions for the drainage of surface water, to comply with the rules and regulations of the Erie County Board of Health and the Town of Cheektowaga, New York.

In the event that all of the aforementioned utilities are not installed at the time the application for the building permit is made, the Town Board may issue a permit provided the applicant for the permit enters into a contract with the Town of Cheektowaga, New York to construct the highway and to install the lateral sewers and in all respects comply with the aforementioned provisions of this Ordinance.

The Town shall require the applicant to furnish the Town of Cheektowaga with a Surety Bond in an amount to be fixed by the Town Board, conditioned that the highway, the lateral sanitary sewer will be constructed within six months after the issuance of the building permit, and that all other provisions of this Ordinance will be fully complied with.

No building permit shall be issued under the provisions of this Ordinance unless satisfactory proof is filed with the application that a water line has already been constructed to conform with the rules and regulations of the Erie County Water Authority, or that a contract has been entered into with the Erie County Water Authority for such construction. Either a copy of the contract with the Erie County Water Authority must be filed with the application or in lieu thereof satisfactory proof of the existence of the contract.

That at such public hearing all persons interested in the subject matter thereof shall be given an op-

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.....1.....weeks;  
first publication *Dec. 23, 1954*;  
last publication *Dec. 23, 1954*;  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this *24th* day of *December*, 19*54*

*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, 1955  
Registered No. 5029

STATE OF NEW YORK }  
COUNTY OF ERIE } ss.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the

annexed printed slip taken from said newspaper, is a copy,

was inserted and published therein once a week for

one week, the first insertion being on the

29th day of December, 1954 and

the last insertion being on the \_\_\_\_\_ day of

\_\_\_\_\_, 19\_\_\_\_, and that not

more than six days intervened between any two publi-

cations thereof.

*Richard G. Bennett*

\_\_\_\_\_ day of \_\_\_\_\_ 1954

19\_\_\_\_\_

*Haney*  
in and for Erie County

Board of the Town of Cheektowaga,  
Erie County, New York, at the  
Town Hall in the said  
Cheektowaga, New York, on the  
\_\_\_\_\_ day of \_\_\_\_\_, 1954,  
at \_\_\_\_\_ o'clock P. M. Eastern Standard  
Time, there were:

- PRESENT:  
Benedict T. Holtz, Supervisor  
Joseph A. Neibert, Councilman  
Felix T. Wroblewski, Councilman  
Henry Nagel, Councilman  
Stanley Bystrak, Councilman

ABSENT: \_\_\_\_\_  
Councilman Wroblewski, pre-  
sented the following resolution and  
caused its adoption:

WHEREAS, it is deemed in the  
public interest to consider the ad-  
visability of amending the provi-  
sions of the Building Code to regu-  
late the issuance of building per-  
mits in the Town of Cheektowaga,  
New York, be it

RESOLVED, that the Town Board  
of the Town of Cheektowaga, New  
York meet at the Town Hall, corner  
Broadway and Union Road in said  
Town of Cheektowaga, on the 3rd  
day of January, 1955, at 2:30  
o'clock P.M. Eastern Standard Time  
for the purpose of considering the  
advisability of amending Section 1,  
of the Building Code entitled "Ad-  
ministration" by adding thereto  
Paragraph 8, to provide substan-  
tially as follows:

No building permit shall here-  
after be issued for the construction  
of a building upon any property  
located within the boundaries of  
any existing sanitary sewer district  
or extension thereof, unless the  
highway adjoining the property  
upon which said structure is to be  
placed has the following improve-  
ments:

1. A highway constructed and  
complete to comply with specifica-  
tions of the Town Highway Super-  
intendent, and other regulations of  
the Town of Cheektowaga, New  
York.

2. A lateral sanitary sewer in  
the highway, connected with the  
sanitary sewer system of the sani-  
tary sewer district in which the  
property is located.

3. A water line in the highway  
on private property constructed  
to conform with the rules and reg-  
ulations of the Erie County Water  
Authority. Satisfactory proof of the  
existence of the water line shall be  
filed with the application for the  
building permit.

Proof must also be submitted  
with the application that there  
exists upon the highway, as well  
as the premises upon which the  
structure is to be located adequate  
provisions for drainage of surface  
water, to comply with the rules and  
regulations of the Erie County  
Board of Health and the Town of  
Cheektowaga, New York.

In the event that all of the afore-  
mentioned utilities are not installed  
at the time the application for the  
building permit is made, the Town  
Board may issue a permit provided  
the applicant for the permit en-  
ters into a contract with the Town  
of Cheektowaga, New York to con-  
struct the highway and to install  
the lateral sewers and in all re-  
spects comply with the aforemen-  
tioned provisions of this Ordinance.

The Town Board shall require  
the applicant to furnish the Town  
of Cheektowaga with a Surety  
Bond in an amount to be fixed by  
the Town Board, conditioned that  
the highway, the lateral sanitary  
will be constructed within six  
months after the issuance of the  
building permit, and that all other  
provisions of this Ordinance will  
be fully complied with.

No building permit shall be is-  
sued under the provisions of this  
Ordinance unless satisfactory proof  
is filed with the application that a

Posted as follows on the 24th day of December, 1954:  
Town Hall Bulletin Board;  
Doyle Fire Hall No. 1-William and Alaska Street;  
Rescue Fire Hall- Pine Ridge Road;  
U-Crest Fire Hall-Evergreen Street & Clover Place;  
Forks Fire Hall-Broadway & Union Road.

Cheektowaga Times:

Hereto attached is a copy of the notice published in the

**NOTICE OF HEARING**  
**Building Code Amendment.**

No building permit shall be issued under the provisions of this Ordinance unless satisfactory proof is filed with the application that a water line has already been constructed to conform with the rules and regulations of the Erie County Water Authority, or that a contract has been entered into with the Erie County Water Authority for such construction. Either a copy of the contract with the Erie County Water Authority must be filed with the application or in lieu thereof satisfactory proof of the existence of the contract.

That at such public hearing all persons interested in the subject matter thereof shall be given an opportunity to be heard, and be it further

**RESOLVED**, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News" newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order. Also that he post or cause to be posted such Notice in five (5) conspicuous places in said Town.

Seconded by Councilman Neibert and duly put to a vote which resulted as follows:

Supervisor Holtz, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Bystrak, voting Aye.  
Councilman Nagel, voting Aye.  
AYES: 5 NOES: 0 ABSENT: 0

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 20th day of December, 1954, 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 December, 1954.

KENNETH T. HANLEY  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

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.....1.....weeks; first publication Dec. 23, 1954; last publication Dec. 23, 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

sworn to before me this 24th day of December, 1954

*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, 1955  
Registered No. 5029

the Town Board shall require the applicant to furnish the Town of Cheektowaga with a Surety Bond in an amount to be fixed by the Town Board, conditioned that the highway, the lateral sanitary will be constructed within six months after the issuance of the building permit, and that all other provisions of this Ordinance will be fully complied with.

No building permit shall be issued under the provisions of this Ordinance unless satisfactory proof is filed with the application that a water line has already been constructed to conform with the rules and regulations of the Erie County Water Authority, or that a contract has been entered into with the Erie County Water Authority for such construction. Either a copy of the contract with the Erie County Water Authority must be filed with the application, or in lieu thereof

RESOLVED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the Cheektowaga "Times" and the "Depew Herald and Cheektowaga News", newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, and that on or before said date he post or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order. Also that he post or cause to be posted such Notice in five (5) conspicuous places in said Town.

Secoeded by Councilman Neibert and duly put to a vote which resulted as follows:  
Supervisor Holtz, Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Wroblewski,  
Voting Aye  
Councilman Bystrak, Voting Aye,  
Councilman Nagel, Voting Aye,  
AYES: 5; NOES: 0; ABSENT: 0.  
State of New York )  
Erie County )  
Office of the Clerk of the ) ss:  
Town of Cheektowaga )

This is to certify that I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 20th day of December, 1954, 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 (seal) and affixed the seal of said Town this 20th day of December, 1954.

KENNETH T. HANLEY,  
Clerk of the Town Board, Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

public newspaper published at Depew, Town of Cheek-

towaga, Erie County, New York, that notice of which the

annexed printed slip taken from said newspaper, is a copy,

was inserted and published therein once a week for

one week, the first insertion being on the

27th day of December, 1954, and

the last insertion being on the ..... day of

....., 19....., and that not

more than six days intervened between any two publi-

cations thereof.

Richard G. Bennett

day of 20 1954

19.....

Hanley

in and for Erie County

Item N/

attached is a copy of the notice published in the

**BOND RESOLUTION**  
 Bond Resolution Dated December 20, 1954, Authorizing the issuance of \$950,000.00 Serial Sewer District No. 5 Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law.  
 WHEREAS, Sewer District No. 5, hereinafter described is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, and as such has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York, and the purpose hereinafter described, is a special improvement authorized by said Article 12;

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

One hundred and ninety-five Christmas Party held by Depew Lodge, Order of the Eastern Star in Laner, Restivities began at 7 o'clock by Wurlitzer accordianists directed by Dennis Miller, Richard Sojya, Paul Gitts, oranges and candy were distributed and dancing followed. Edward J. Sp Howard comprised the arrangements

A public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for

one week, the first insertion being on the 27th day of December, 1954 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*

arket  
 store  
 ICE CREAM

Sworn to before me this ..... day of ..... 1954

..... 19.....  
*Kenneth T. Hanley*  
 Notary Public in and for Erie County

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 20th day of December, 1954, at 7:30 o'clock, P.M., Eastern Standard Time, there were

PRESENT:

- Benedict T. Holtz, Supervisor
- Joseph A. Neibert, Councilman
- Felix Wroblewski, Councilman
- Henry Nagel, Councilman
- Stanley Bystrak, Councilman

ABSENT: --0--

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, by a resolution adopted October 18, 1954 authorized the conveyance of the following described real property to Union Free School District No. 3, of the Town of Cheektowaga, Erie County, New York, in consideration of the payment to the Town of Cheektowaga, New York, of the sum of Twenty-five Dollars (\$25.00) and authorized and directed the Supervisor to execute a deed on behalf of said Town to said school district and convey to it the said premises, and

WHEREAS, pursuant to said resolution the Supervisor did on October 18, 1954 execute on behalf of the Town of Cheektowaga a deed to said school district conveying said premises and delivered the same to said school district and said deed has been recorded in the Erie County Clerk's Office on October 29, 1954 in Liber 5633 of Deeds at page 446 and this Town has received from said school district the sum of Twenty-five Dollars (\$25.00), and

WHEREAS, Subdivision 2 of Section 64 of the Town Law provides that the Town Board may, upon the adoption of a resolution, convey real property in the name of the Town, which resolution shall be subject to a permissive referendum,

NOW, THEREFORE, be it

RESOLVED, that this Town Board does hereby confirm the action taken by it in the said resolution adopted October 18, 1954 and further confirms the action of the Supervisor in executing on behalf of the Town of Cheektowaga, New York, a deed to Union Free School District No. 3, of the Town of Cheektowaga, New York of the following described real property:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number 26, Township 11 and Range 7 of the Holland Land Company's Survey and further distinguished as Subdivision Lots Numbers 330, 331 and 332, as shown on map filed in the Erie County Clerk's Office under Cover Number 1683, and Subdivision Lot Number 492, as shown on map filed in the Erie County Clerk's Office under Cover Number 1685.

and be it further RESOLVED, that within ten days after the adoption of this resolution the Town Clerk shall cause a notice thereof to be published in the Cheektowaga "Times" and the "Depew Herald and Cheektowaga News", the official newspapers of said Town, or cause the same to be posted in five (5) conspicuous

RESOLVED, that such Notice shall be in substantially the following form, to wit:

NOTICE OF ADOPTION OF RESOLUTION SUBJECT TO A PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN

that the Town Board of the Town of Cheektowaga, Erie County, New York, at a regular meeting held on the 20th day of December, 1954 adopted a resolution subject to a permissive referendum confirming the resolution adopted October 18, 1954 wherein and whereby it was resolved that the Town of Cheektowaga, New York, shall convey to Union Free School District No. 3, of the Town of Cheektowaga, New York, in consideration of the payment to the Town of Cheektowaga, of the sum of Twenty-five Dollars (\$25.00), the following described property:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number 26, Township 11 and Range 7 of the Holland Land Company's Survey and further distinguished as Subdivision Lots Numbers 330, 331 and 332, as shown on map filed in the Erie County Clerk's Office under Cover Number 1683, and Subdivision Lot Number 492, as shown on map filed in the Erie County Clerk's Office under Cover Number 1685.

and confirms the action of the Supervisor as authorized in said resolution adopted October 18, 1954 in executing and delivering to said school district a deed in the name of and on behalf of the Town of Cheektowaga, of said premises.

Dated: December 20, 1954.

BY ORDER OF THE TOWN BOARD, TOWN OF CHEEKTO-WAGA, NEW YORK.

KENNETH T. HANLEY,  
Town Clerk

Seconded by Councilman Neibert and duly put to a vote which resulted as follows:

Supervisor Holtz, Voting Aye  
Councilman Neibert, Voting Aye  
Councilman Wroblewski,

Voting Aye

Councilman Bystrak, Voting Aye  
Councilman Nagel, Voting Aye

AYES: 5; NOES: 0; ABSENT: 0.

State of New York )

County of Erie ) ss

Town of Cheektowaga )

I, Kenneth T. Hanley, Town Clerk, of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original resolution adopted by the Town Board of the Town of Cheektowaga at a meeting of said Board held on the 20th day of December, 1954, and that the foregoing is a true and correct transcript from said original resolution and the whole thereof, and that said original resolution is on file in my office.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

IN WITNESS WHERE-

OF, I have hereunto set

my hand and seal of the

(seal) Town of Cheektowaga,

December 20, 1954.

KENNETH T. HANLEY,

Town Clerk

Item No. 9-Cont'd

Posted as follows on the 24th day of December, 1954:  
Town Hall Bulletin Board;  
Doyle Fire Hall-William and Alaska Street;  
Rescue Fire Hall-Pine Ridge Road;  
U-Crest Fire Hall-Evergreen Street and Clover Place;  
Forks Fire Hall- Broadway & Union Road.

294

Cheektowaga Times:

Hereto attached is a copy of the notice published in the

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

**LEGAL NOTICE**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 20th day of December, 1954, at 7:30 o'clock P.M., Eastern Standard Time, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
Henry Nagel, Councilman  
Stanley Bystrak, Councilman

**ABSENT:** None

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, by a resolution adopted October 18, 1954 authorized the conveyance of the following described real property to Union Free School District No. 3, of the Town of Cheektowaga, Erie County, New York, in consideration of the payment to the Town of Cheektowaga, New York, of the sum of Twenty-five Dollars (\$25.00) and authorized and directed the Supervisor to execute a deed on behalf of said Town to said school district and convey to it the said premises, and

WHEREAS, pursuant to said resolution the Supervisor did on October 18, 1954 execute on behalf of the Town of Cheektowaga a deed to said premises and delivered the same to said school district and said deed has been recorded in the Erie County Clerk's Office on October 29, 1954 in Liber 5633 of Deeds at page 446 and this Town has received from said school district the sum of Twenty-five Dollars (\$25.00), and

WHEREAS, Subdivision 2 of Section 64 of the Town Law provides that the Town Board may, upon the adoption of a resolution, convey real property in the name of the Town, which resolution shall be subject to a permissive referendum,

NOW, THEREFORE, be it

RESOLVED, that this Town Board does hereby confirm the action taken by it in the said resolution adopted October 18, 1954 and further confirms the action of the Supervisor in executing on behalf of the Town of Cheektowaga, New York, a deed to Union Free School District No. 3, of the Town of Cheektowaga, New York of the following described real property:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number 26, Township 11 and Range 7 of the Holland Land Company's Survey and further distinguished as Subdivision Lots Numbers 330, 331 and 332, as shown on map filed in the Erie County Clerk's Office under Cover Number 1683, and Subdivision Lot Number 492, as shown on map filed in the Erie County Clerk's Office under Cover Number 1685.

and be it further  
RESOLVED, that within ten days after the adoption of this resolution the Town Clerk shall cause a notice thereof to be published in the "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," the official newspapers in this Town and shall post copies of such Notice, or cause the same to be posted in five (5) conspicuous places in said Town, and be it further

RESOLVED, that such Notice shall be in substantially the following form, to wit:

Notice of Adoption of Resolution Subject to a Permissive Referendum

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, Erie County, New York, at a regular meeting held on the 20th day of December, 1954 adopted a resolution subject to a permissive referendum confirming the resolution adopted October 18, 1954 wherein and whereby it was resolved that the Town of Cheektowaga, New York, shall convey to Union Free School District No. 3, of the Town of Cheektowaga, New York, in consideration of the payment to the Town of Cheektowaga, of the sum of Twenty-five Dollars (\$25.00), the following described property:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and

ARD 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 the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for.....1.....weeks; the first publication Dec. 23, 1954; the last publication Dec. 23, 1954; and that no more than six days intervened between said publications.

*Richard C. Allis*

Subscribed before me this 24th

December, 1954

*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, 1955  
Registered No. 5029

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 20th day of December, 1954, at 7:30 o'clock, P.M., Eastern Standard Time, there were

PRESENT: Benedict T. Holtz, Supervisor Joseph A. Neibert, Councilman Felix Wroblewski, Councilman Henry Nagel, Councilman Stanley Bystrak, Councilman

ABSENT: --0--

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, by a resolution adopted October 18, 1954 authorized the conveyance of the following described real property to Union Free School District No. 3, of the Town of Cheektowaga, Erie County, New York, in consideration of the payment to the Town of Cheektowaga, New York, of the sum of Twenty-five Dollars (\$25.00) and authorized and directed the Supervisor to execute a deed on behalf of said Town to said school district and convey to it the said premises, and

WHEREAS, pursuant to said resolution the Supervisor did on October 18, 1954 execute on behalf of the Town of Cheektowaga a deed to said school district conveying said premises and delivered the same to said school district and said deed has been recorded in the Erie County Clerk's Office on October 29, 1954 in Liber 5633 of Deeds at page 446 and this Town has received from said school district the sum of Twenty-five Dollars (\$25.00), and

WHEREAS, Subdivision 2 of Section 64 of the Town Law provides that the Town Board may, upon the adoption of a resolution, convey real property in the name of the Town, which resolution shall be subject to a permissive referendum,

NOW, THEREFORE, be it

RESOLVED, that this Town Board does hereby confirm the action taken by it in the said resolution adopted October 18, 1954 and further confirms the action of the Supervisor in executing on behalf of the Town of Cheektowaga, New York, a deed to Union Free School District No. 3, of the Town of Cheektowaga, New York of the following described real property:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number 26, Township 11 and Range 7 of the Holland Land Company's Survey and further distinguished as Subdivision Lots Numbers 330, 331 and 332, as shown on map filed in the Erie County Clerk's Office under Cover Number 1683, and Subdivision Lot Number 492, as shown on map filed in the Erie County Clerk's Office under Cover Number 1685.

and be it further RESOLVED, that within ten days after the adoption of this resolution the Town Clerk shall cause a notice thereof to be published in the Cheektowaga "Times" and the "Depew Herald and Cheektowaga News", the official newspapers of such Town, or cause the same to be posted in five (5) conspicuous

RESOLVED, that such Notice shall be in substantially the following form, to wit:

NOTICE OF ADOPTION OF RESOLUTION SUBJECT TO A PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, Erie County, New York, at a regular meeting held on the 20th day of December, 1954 adopted a resolution subject to a permissive referendum confirming the resolution adopted October 18, 1954 wherein and whereby it was resolved that the Town of Cheektowaga, New York, shall convey to Union Free School District No. 3, of the Town of Cheektowaga, New York, in consideration of the payment to the Town of Cheektowaga, of the sum of Twenty-five Dollars (\$25.00), the following described property:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number 26, Township 11 and Range 7 of the Holland Land Company's Survey and further distinguished as Subdivision Lots Numbers 330, 331 and 332, as shown on map filed in the Erie County Clerk's Office under Cover Number 1683, and Subdivision Lot Number 492, as shown on map filed in the Erie County Clerk's Office under Cover Number 1685.

and confirms the action of the Supervisor as authorized in said resolution adopted October 18, 1954 in executing and delivering to said school district a deed in the name of and on behalf of the Town of Cheektowaga, of said premises.

Dated: December 20, 1954.

BY ORDER OF THE TOWN BOARD, TOWN OF CHEEKTO-WAGA, NEW YORK.

KENNETH T. HANLEY, Town Clerk

Seconded by Councilman Neibert and duly put to a vote which resulted as follows:

Supervisor Holtz, Voting Aye Councilman Neibert, Voting Aye, Councilman Wroblewski,

Voting Aye Councilman Bystrak, Voting Aye Councilman Nagel, Voting Aye

AYES: 5; NOES: 0; ABSENT: 0.

State of New York ) County of Erie ) ss Town of Cheektowaga )

I, Kenneth T. Hanley, Town Clerk, of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original resolution adopted by the Town Board of the Town of Cheektowaga at a meeting of said Board held on the 20th day of December, 1954, and that the foregoing is a true and correct transcript from said original resolution and the whole thereof, and that said original resolution is on file in my office.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the (seal) Town of Cheektowaga, Erie County, New York, December 20, 1954.

KENNETH T. HANLEY, Town Clerk

Posted as follows on the 24th day of December, 1954:  
Town Hall Bulletin Board;  
Doyle Fire Hall-William and Alaska Street;  
Rescue Fire Hall-Pine Ridge Road;

and Subdivisions shown on map filed in the Erie County Clerk's Office under Cover Number 1685.

and be it further RESOLVED, that within ten days after the adoption of this resolution the Town Clerk shall cause a notice thereof to be published in the "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," the official newspapers in this Town and shall post copies of such Notice, or cause the same to be posted in five (5) conspicuous places in said Town, and be it further

RESOLVED, that such Notice shall be in substantially the following form, to wit:

Notice of Adoption of Resolution Subject to a Permissive Referendum

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, Erie County, New York, at a regular meeting held on the 20th day of December, 1954 adopted a resolution subject to a permissive referendum confirming the resolution adopted October 18, 1954 wherein and whereby it was resolved that the Town of Cheektowaga, New York, shall convey to Union Free School District No. 3, of the Town of Cheektowaga, New York, in consideration of the payment to the Town of Cheektowaga, of the sum of Twenty-five Dollars (\$25.00), the following described property:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number 23, Township 11 and Range 7 of the Holland Land Company's Survey and further distinguished as Subdivision Lots Numbers 330, 331 and 332, as shown on map filed in the Erie County Clerk's Office under Cover Number 1683, and Subdivision Lot Number 492, as shown on map filed in the Erie County Clerk's Office under Cover Number 1685 and confirms the action of the Supervisor as authorized in said resolution adopted October 18, 1954 in executing and delivering to said school district a deed in the name of and on behalf of the Town of Cheektowaga, of said premises.

Dated: December 20, 1954  
By Order of the Town Board  
Town of Cheektowaga, New York  
KENNETH T. HANLEY  
Town Clerk

Seconded by Councilman Neibert and duly put to a vote which resulted as follows:

- Supervisor Holtz, voting Aye.
- Councilman Neibert, voting Aye.
- Councilman Wroblewski, voting Aye.
- Councilman Bystrak, voting Aye.
- Councilman Nagel, voting Aye.

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

I, KENNETH T. HANLEY, Town Clerk, of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original resolution adopted by the Town Board of the Town of Cheektowaga, at a meeting of said Board held on the 20th of December, 1954 and that the foregoing is a true and correct transcript from said original resolution and the whole thereof, and that said original resolution is on file in my office.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Town of Cheektowaga, this 20th day of December, 1954.

KENNETH T. HANLEY  
Town Clerk  
(12-23)

set and Clover Place;  
on Road.

notice published in the

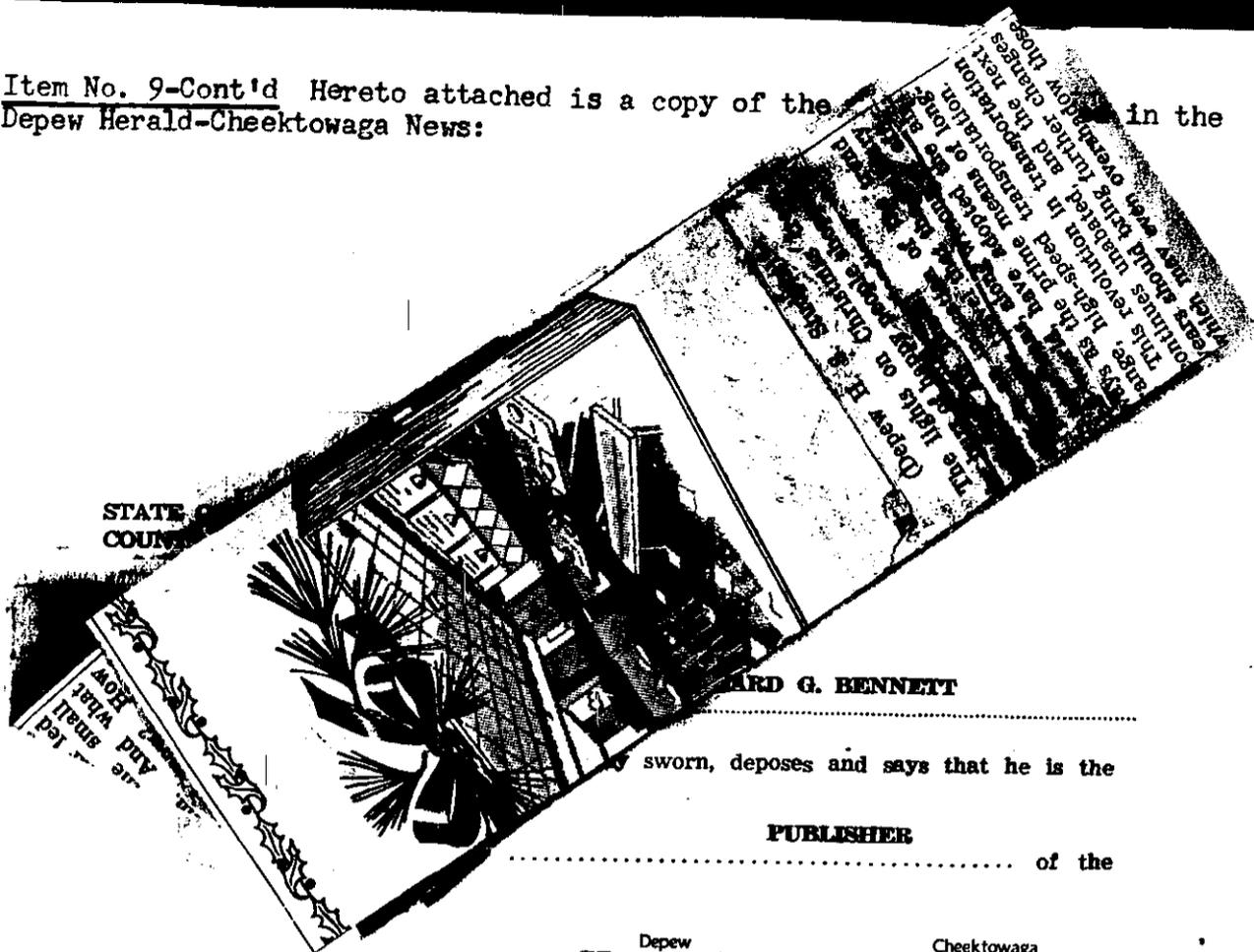
NEW YORK  
ERIE } ss.  
CHEEKTOWAGA }

E. J. ALLIS, of the Town of Cheektowaga, Erie County of Erie, being duly sworn, says that he is the publisher of the Cheektowaga Times, a public newspaper published daily in said Town; that the notice, of the annexed printed slip, taken from said newspaper, was inserted and published once a week for.....1.....weeks:  
Date Dec. 23, 1954.  
Date Dec. 23, 1954.  
No more than six days intervened between the publications.

*E. J. Allis*  
to before me this 24th  
December, 1954  
*E. 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, 1955  
Registered No. 5029

Item No. 9-Cont'd Hereto attached is a copy of the  
Depew Herald-Cheektowaga News:



sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... week, the first insertion being on the  
..... day of *December* 19*54*, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof

*Richard G. Bennett*

Sworn to before me this ..... day of

....., 19..... *23* 1954

*Henry T. Hanley*

Notary Public in and for Erie County

hn 10131

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 20th day of December, 1954, at 7:30 o'clock, P.M., Eastern Standard Time, there were:

**PRESENT:**  
Benedict T. Holtz, Supervisor  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
Henry Nagel, Councilman  
Stanley Bystrak, Councilman

**ABSENT:—0—**

Councilman Nagel presented the following resolution and moved its adoption:

**WHEREAS**, this Town Board, by a resolution adopted February 1, 1954 authorized the conveyance of certain real property to Union Free School District No. 10, of the Town of Cheektowaga, Erie County, New York, in consideration of the conveyance by said school district of sub-lots Nos. 45 and 46, as shown on a sub-division map filed in the Erie County Clerk's Office, under cover 998, together with easement for highway purposes, along two strips of land representing the extension northerly of Alexander Avenue and Ridge Park Avenue adjacent to the present site of school district, and authorized and directed the Supervisor to execute a deed on behalf of said Town to said school district and convey to it the said premises, and

**WHEREAS**, pursuant to said resolution the Supervisor did on February 2, 1954, execute on behalf of the Town of Cheektowaga a deed to said school district conveying said premises and delivered the same to said school district and said deed has been recorded in the Erie County Clerk's Office on March 24, 1954 in Liber 5503 of Deeds at page 47 and this Town has received from said school district conveyance of real property as set forth above and,

**WHEREAS**, Subdivision 2 of Section 64 of the Town Law provides that the Town Board may, upon the adoption of a resolution, convey real property in the name of the Town, which resolution shall be subject to a permissive referendum,

**NOW, THEREFORE**, be it **RESOLVED**, that this Town Board does hereby confirm the action taken by it in the said resolution adopted February 1, 1954 and further confirms the action of the Supervisor in executing on behalf of the Town of Cheektowaga, New York, a deed to Union Free School District No. 10 of the real property as described in the deed to said school district recorded in the Erie County Clerk's Office on March 24, 1954 in Liber 5503 of Deeds at page 47, and be it further

**RESOLVED**, that within ten days after the adoption of this resolution the Town Clerk shall cause a Notice thereof to be published in the Cheektowaga "Times" and the "Depew Herald and Cheektowaga News" the official newspapers in this Town and shall post copies of said Notice in conspicuous places in said Town, and be it further

**RESOLVED**, that such Notice shall be in substantially the following form, to wit:

**NOTICE OF ADOPTION OF RESOLUTION SUBJECT TO A PERMISSIVE REFERENDUM**

**NOTICE IS HEREBY GIVEN** that the Town Board of the Town of Cheektowaga, Erie County, New York, at a regular meeting held on the 20th day of December, 1954 adopted a resolution subject to a permissive referendum confirming the resolution adopted February 1, 1954, wherein and whereby it was resolved that the Town of Cheektowaga, New York, should convey certain real property to Union Free School District No. 10 of the Town of Cheektowaga, Erie County, New York, in consideration of the conveyance to the Town of Cheektowaga, New York, of sub-lots Nos. 45 and 46, as shown on sub-division map filed in the Erie County Clerk's Office, under cover 998, together with easement for highway purposes along two strips of land representing the extension northerly of Alexander Avenue and Ridge Park Ave. right adjacent to the present site of school dist., the real property conveyed to said school district being described in a deed recorded on March 24, 1954 in the Erie County Clerk's Office in Liber 5503 of Deeds at page 47, and which resolution further confirms the action of the Supervisor as authorized in said resolution adopted February 1, 1954 in execution and delivering to said school district a deed in the name of and on behalf of the Town of Cheektowaga of said premises.

By Order of the Town Board  
Town of Cheektowaga, New York  
Dated: December 20, 1954.

Kenneth T. Hanley,  
Town Clerk

Seconded by Councilman Wroblewski and duly put to a vote which resulted as follows:

Supervisor Holtz, Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Wroblewski,  
Voting Aye,  
Councilman Bystrak, Voting Aye,  
Councilman Nagel, Voting Aye.  
AYES: 5; NOES, 0; ABSENT: 0.

State of New York )  
County of Erie )ss:  
Town of Cheektowaga )

I, KENNETH T. HANLEY, Town Clerk, of the Town of Cheektowaga, Erie County, New York, do hereby certify that I have compared the foregoing with the original resolution adopted by the Town Board of the Town of Cheektowaga, at a meeting of said Board held on the 20th day of December, 1954, and that the foregoing is a true and correct transcript from said original resolution and the whole thereof, and that said original resolution is on file in my office.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Town of Cheektowaga, this 20th day of December, 1954.

(Seal)

Item No. 9-Cont'd Hereto attached is a copy of the notice published in the Depew Herald-Cheektowaga News:

STATE OF NEW YORK  
COUNTY OF ERIE

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 20th day of December, 1954, at 7:30 o'clock, P.M., Eastern Standard Time, there were  
PRESENT:  
Benedict T. Holtz, Supervisor  
Joseph A. Nebert, Councilman  
Felix Wroblewski, Councilman  
Henry Nagel, Councilman  
Stanley Bystrak, Councilman

Felix Wroblewski present-  
the following resolution and  
moved its adoption:

WHEREAS, this Town Board, by a resolution adopted October 18, 1954 authorized the conveyance of the following described real property to Union Free School District No. 3, of the Town of Cheektowaga, Erie County, New York, in consideration of the payment to the Town of Cheektowaga, New York, of the sum of Twenty-five Dollars (\$25.00) and authorized and directed the Supervisor to execute a deed on behalf of said Town to said school district and convey to it the said premises, and

WHEREAS, pursuant to said resolution the Supervisor did on October 18, 1954 execute on behalf of the Town of Cheektowaga a deed to said school district conveying said premises and delivered the same to said school district and said deed has been recorded in the Erie County Clerk's Office on October 29, 1954 in Liber 5633 of Deeds at page 446 and this Town has received from said school district the sum of Twenty-five Dollars (\$25.00), and

WHEREAS, Subdivision 2 of Section 64 of the Town Law provides that the Town Board may, upon the adoption of a resolution, convey real property in the name of the Town, which resolution shall be subject to a permissive referendum,

NOW, THEREFORE, be it RESOLVED, that this Town Board does hereby confirm the action taken by it in the said resolution adopted October 18, 1954 and further confirms the action of the Supervisor in executing on behalf of the Town of Cheektowaga, New York, a deed to Union Free School District No. 3, of the Town of Cheektowaga, New York of the following described real property:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number 26, Township 11 and Range 7 of the Holland Land Company's Survey and further distinguished as Subdivision Lots Numbers 330, 331 and 332, as shown on map filed in the Erie County Clerk's Office under Cover Number 1683, and Subdivision Lot Number 492, as shown on map filed in the Erie County Clerk's Office under Cover Number 1685.

and be it further RESOLVED, that within ten days after the adoption of this resolution the Town Clerk shall cause a notice thereof to be published in the Cheektowaga "Times" and the "Depew Herald and Cheektowaga News" the official newspapers in this Town and shall post copies of such Notice, or cause the same to be posted in five (5) conspicuous places in said Town, and be it further

RESOLVED, that such Notice shall be in substantially the following form, to wit:  
NOTICE OF ADOPTION OF RESOLUTION SUBJECT TO A PERMISSIVE REFERENDUM  
NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, Erie County, New York, at a regular meeting held on the 20th day of December, 1954

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 23rd day of December 1954, 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

19..... 23 1954

*Handwritten*  
public in and for Erie County

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 20th day of December, 1954, at 7:30 o'clock, P.M., Eastern Standard Time, there were:

PRESENT: Benedict T. Holtz, Supervisor Joseph A. Neibert, Councilman Felix Wroblewski, Councilman Henry Nagel, Councilman Stanley Bystrak, Councilman

ABSENT:—0—

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, this Town Board, by a resolution adopted February 1, 1954 authorized the conveyance of certain real property to Union Free School District No. 10, of the Town of Cheektowaga, Erie County, New York, in consideration of the conveyance by said school district of sub-lots Nos. 45 and 46, as shown on a sub-division map filed in the Erie County Clerk's Office, under cover 998, together with easement for highway purposes, along two strips of land representing the extension northerly of Alexander Avenue and Ridge Park Avenue adjacent to the present site of school district, and authorized and directed the Supervisor to execute a deed on behalf of said Town to said school district and convey to it the said premises, and

WHEREAS, pursuant to said resolution the Supervisor did on February 2, 1954, execute on behalf of the Town of Cheektowaga a deed to said school district conveying said premises and delivered the same to said school district and said deed has been recorded in the Erie County Clerk's Office on March 24, 1954 in Liber 5503 of Deeds at page 47 and this Town has received from said school district conveyance of real property as set forth above and,

WHEREAS, Subdivision 2 of Section 64 of the Town Law provides that the Town Board may, upon the adoption of a resolution, convey real property in the name of the Town, which resolution shall be subject to a permissive referendum,

NOW, THEREFORE, be it RESOLVED, that this Town Board does hereby confirm the action taken by it in the said resolution adopted February 1, 1954 and further confirms the action of the Supervisor in executing on behalf of the Town of Cheektowaga, New York, a deed to Union Free School District No. 10 of the real property as described in the deed to said school district recorded in the Erie County Clerk's Office on March 24, 1954 in Liber 5503 of Deeds at page 47, and be it further

RESOLVED, that within ten days after the adoption of this resolution the Town Clerk shall cause a Notice thereof to be published in the Cheektowaga "Times" and the "Depew Herald and Cheektowaga News" the official newspapers in this Town and shall post copies of

such notices in public places in said Town,

RESOLVED, that such Notice shall be in substantially the following form, to wit:

**NOTICE OF ADOPTION OF RESOLUTION SUBJECT TO A PERMISSIVE REFERENDUM**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, Erie County, New York, at a regular meeting held on the 20th day of December, 1954 adopted a resolution subject to a permissive referendum confirming the resolution adopted February 1, 1954, wherein and whereby it was resolved that the Town of Cheektowaga, New York, should convey certain real property to Union Free School District No. 10 of the Town of Cheektowaga, Erie County, New York, in consideration of the conveyance to the Town of Cheektowaga, New York, of sub-lots Nos. 45 and 46, as shown on sub-division map filed in the Erie County Clerk's Office, under cover 998, together with easement for highway purposes along two strips of land representing the extension northerly of Alexander Avenue and Ridge Park Ave. right adjacent to the present site of school dist., the real property conveyed to said school district being described in a deed recorded on March 24, 1954 in the Erie County Clerk's Office in Liber 5503 of Deeds at page 47, and which resolution further confirms the action of the Supervisor as authorized in said resolution adopted February 1, 1954 in execution and delivering to said school district a deed in the name of and on behalf of the Town of Cheektowaga of said premises.

By Order of the Town Board  
Town of Cheektowaga, New York  
Dated: December 20, 1954.

Kenneth T. Hanley,  
Town Clerk

Seconded by Councilman Wroblewski and duly put to a vote which resulted as follows:

Supervisor Holtz, Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Wroblewski,

Voting Aye,  
Councilman Bystrak, Voting Aye,  
Councilman Nagel, Voting Aye.

AYES: 5; NOES: 0; ABSENT: 0.

State of New York )  
County of Erie )ss:  
Town of Cheektowaga )

I, KENNETH T. HANLEY, Town Clerk, of the Town of Cheektowaga, Erie County, New York, do hereby certify that I have compared the foregoing with the original resolution adopted by the Town Board of the Town of Cheektowaga, at a meeting of said Board held on the 20th day of December, 1954, and that the foregoing is a true and correct transcript from said original resolution and the whole thereof, and that said original resolution is on file in my office.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Town of Cheektowaga, this 20th day of December, 1954.

(Seal)

Item No. 9-Cont'd Hereto attached is a copy of the notice published in the Depew Herald-Cheektowaga News:

RESOLVED, that such Notice shall be in substantially the following form, to wit:

**NOTICE OF ADOPTION OF RESOLUTION SUBJECT TO A PERMISSIVE REFERENDUM**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, Erie County, New York, at a regular meeting held on the 20th day of December, 1954 adopted a resolution subject to a permissive referendum confirming the resolution adopted October 18, 1954 wherein and whereby it was resolved that the Town of Cheektowaga, New York, shall convey to Union Free School District No. 3, of the Town of Cheektowaga, New York, in consideration of the payment to the Town of Cheektowaga, of the sum of Twenty-five Dollars (\$25.00), the following described property:

of the State of New York, in the County of Erie, Erie County Clerk's Office under Cover Number 1683, and Subdivision Lot Number 492, as shown on map filed in the Erie County Clerk's Office under Cover Number 1685.

and confirms the action of the Supervisor as authorized in said resolution adopted October 18, 1954 in executing and delivering to said school district a deed in the name of and on behalf of the Town of Cheektowaga, of said premises.

Dated: December 20, 1954.  
BY ORDER OF THE TOWN BOARD, TOWN OF CHEEKTO-WAGA, NEW YORK.

KENNETH T. HANLEY,  
Town Clerk  
Seconded by Councilman Nelbert and duly put to a vote which resulted as follows:  
Supervisor Holtz, Voting Aye  
Councilman Nelbert, Voting Aye.  
Councilman Wroblewski,

*Yates, etc.*  
Councilman Sytrak, Voting Aye  
Councilman ...  
State of ...  
County of ...  
( )

I have compared the foregoing with the resolution adopted by the Town Board of the Town of Cheektowaga at a meeting of said Board held on the 20th day of December, 1954, and that the foregoing is a true and correct transcript from said original resolution and the whole thereof, and that said original resolution is on file in my office.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the (seal) Town of Cheektowaga, this 20th day of December, 1954.  
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 public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ... week, the first insertion being on the ... day of December, 1954, 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

1954

*Hanley*  
in and for Erie County

Item No. 10-Cont'd.

Posted as follows on the 24th day of December, 1954; Town Hall Bulletin Board; Doyle Fire Hall No. 1-William and Alaska Street; Rescue Fire Hall-Pine Ridge Road; U-Crest Fire Hall-Evergreen Street and Clover Place; Forks Fire Hall-Broadway & Union Road.

Cheektowaga Times;

Hereto attached is a copy of the notice published in the

CLERK  
TOWAGA

**LEGAL NOTICE**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 20th day of December, 1954, at 7:30 o'clock P.M., Eastern Standard Time, there were:

**PRESENT:**  
Benedict T. Holtz, Supervisor  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
Henry Nagel, Councilman  
Stanley Bystrak, Councilman

**ABSENT:** None  
Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, this Town Board, by resolution adopted February 1, 1954 authorized the conveyance of certain real property to Union Free School District No. 10, of the Town of Cheektowaga, New York, in consideration of the conveyance by said school district of sub-lots Nos. 45 and 46, as shown on a sub-division map filed in the Erie County Clerk's Office, under cover 593, together with easement for highway purposes, along two strips of land representing the extension northerly of Alexander Avenue and Ridge Park Avenue adjacent to the present site of school district, and authorized and directed the Supervisor to execute a deed on behalf of said Town to said school district and convey to it the said premises, and

WHEREAS, pursuant to said resolution the Supervisor did on February 2, 1954 execute on behalf of the Town of Cheektowaga a deed to said school district conveying said premises and delivered the same to said school district and said deed has been recorded in the Erie County Clerk's Office on March 24, 1954 in Liber 553 of Deeds at page 47 and this Town has received from said school district conveyance of real property as set forth above and,

WHEREAS, Subdivision 2 of Section 64 of the Town Law provides that the Town Board may, upon the adoption of a resolution, convey real property in the name of the Town, which resolution shall be subject to a permissive referendum,

NOW, THEREFORE, be it **RESOLVED**, that this Town Board does hereby confirm the action taken by it in the said resolution adopted February 1, 1954 and further confirms the action of the Supervisor in executing on behalf of the Town of Cheektowaga, New York, a deed to Union Free School District No. 10 of the real property as described in the deed to said school district recorded in the Erie County Clerk's Office on March 24, 1954 in Liber 553 of Deeds at page 47, and be it further

**RESOLVED**, that within ten days after the adoption of this resolution the Town Clerk shall cause a Notice thereon to be published in the "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News" the official newspapers in this Town and shall post copies of such Notice, or cause the same to be posted in five (5) conspicuous places in said Town, and be it further

**RESOLVED**, that such Notice shall be in substantially the following following form, to wit:

**NOTICE OF ADOPTION OF RESOLUTION SUBJECT TO A PERMISSIVE REFERENDUM**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, Erie County, New York, at a regular meeting held on the 20th day of December, 1954 adopted a resolution subject to a permissive referendum confirming the resolution adopted February 1, 1954 wherein and whereby it was resolved that the Town of Cheektowaga, New York should convey certain, real property to Union Free School District No. 10 of the Town of Cheektowaga, Erie County, New York, in consideration of the conveyance to the Town of Cheektowaga, New York of sub-lots Nos. 45 and 46, as shown on sub-division map filed in the Erie County Clerk's Office, under cover 593, together with easement for highway purposes along two strips of land representing the extension northerly of Alexander Ave. and Ridge Park Ave. right adjacent to the present site of school district, the real property conveyed

of the Town of Cheektowaga, Erie, being duly sworn, that he is the publisher of the Cheektowaga Times, a public newspaper published in the Town of Cheektowaga, Erie County, New York; that the notice, of the foregoing, printed slip, taken from said newspaper, was inserted and published

for a week for.....1.....weeks:  
Dec. 23, 1954  
Dec. 23, 1954;

and that more than six days intervened between the date of the publication of the notice and the date of the meeting of the Town Board.

*E. J. Allis*

this 24th day of

December, 1954

*E. J. Allis*

Clerk for Erie County, N. Y.

E. J. ALLIS  
C. STATE OF NEW YORK  
in Erie County  
Expires March 30, 1955  
Record No. 5029

Item No. 10-Cont'd Hereto attached is a copy of the notice published in the 296  
 Depew Herald-Cheektowaga News:

STATE OF NEW YORK } ss.:  
 COUNTY OF ERIE }

RICHARD G. BENNETT

ing duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

A public newspaper published at Depew, Town of Cheek-  
 towaga, Erie County, New York, that notice of which the  
 annexed printed slip taken from said newspaper, is a copy,  
 was inserted and published therein once a week for  
 ... week, the first insertion being on the  
 ... day of December, 1954, and  
 the last insertion being on the ... day of  
 ..., 19..., and that not  
 more than six days intervened between any two publi-  
 cations thereof.

*Richard G. Bennett*

PRINTED SLIP FROM NEWSPAPER

24	20%	12%
23	20%	18%
22	20%	18%
21	20%	18%
20	20%	18%
19	20%	18%
18	20%	18%
17	20%	18%
16	20%	18%
15	20%	18%
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13	20%	18%
12	20%	18%
11	20%	18%
10	20%	18%
9	20%	18%
8	20%	18%
7	20%	18%
6	20%	18%
5	20%	18%
4	20%	18%
3	20%	18%
2	20%	18%
1	20%	18%

Stan Kubik and Richard Kufel  
 remained on top in the ladder tour-  
 nament in the Intermediate and  
 Junior divisions respectively. Gor-  
 don Keller, Jim Takacs, George Al-  
 brecht, and Bob Dawson follow Ku-  
 bik while Joe Wasielewski, Joe  
 Kurzawski, Wayne Konkle and  
 Stan Lewek are closing in on Ku-

PLNG PONG  
 strong defensive game.

Sworn to before me this ... day of

DEC 28 1954

*Kenneth D. Hanley*

Notary Public in and for Erie County

hn 10131

Item No. 10-Cont'd.

Posted as follows on the 24th day of December, 1954;  
Town Hall Bulletin Board;  
Doyle Fire Hall No. 1-William and Alaska Street;  
Rescue Fire Hall-Pine Ridge Road;  
U-Crest Fire Hall-Evergreen Street and Clover Place;  
Forks Fire Hall-Broadway & Union Road.

Cheektowaga Times;

Hereto attached is a copy of the notice published in the

the Town of Cheektowaga premises.

By Order of the Town Board  
Town of Cheektowaga, New York  
Dated: December 20, 1954

**KENNETH T. HANLEY**  
Town Clerk

Seconded by Councilman Wroblewski and duly put to a vote which resulted as follows:

Supervisor Holtz, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Bystrak, voting Aye.  
Councilman Nagel, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

I, **KENNETH T. HANLEY**, Town Clerk, of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original resolution adopted by the Town Board of the Town of Cheektowaga, at a meeting of said Board held on the 24th of December, 1954 and that the foregoing is a true and correct transcript from said original resolution and the whole thereof, and that said original resolution is on file in my office.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Town of Cheektowaga, this 20th day of December, 1954.

**KENNETH T. HANLEY**  
Town Clerk

(12-23)

STATE OF NEW YORK }  
COUNTY OF ERIE } ss.:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga

**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... week, the first insertion being on the  
..... day of *December*, 19*54*, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

day of

DEC 28 1954

19.....

in and for Erie County

Town Board of the  
Town of Cheektowaga, New York,  
held at the Town Hall in the  
Town of Cheektowaga, New York,  
on the 20th day of December, 1954,  
at 7:30 o'clock P.M., Eastern  
Standard Time, there were:  
PRESENT:  
Joseph F. Hahn, Supervisor  
Joseph A. Mahoney, Councilman  
Stanley Nagel, Councilman  
Stanley Bystrak, Councilman  
ABSENT:—0—  
Councilman Nagel presented the  
following resolution and moved its  
adoption:  
WHEREAS, this Town Board, by  
a resolution adopted February 1,  
1954 authorized the conveyance of  
certain real property to Union Free  
School District No. 10, of the Town  
of Cheektowaga, Erie County, New  
York, in consideration of the con-  
veyance by said school district of  
lots Nos. 45 and 46, as shown  
on a subdivision map filed in the  
Erie County Clerk's Office, under  
cover 906, together with easement  
for highway purposes, along two  
strips of land representing the ex-  
tension northerly of Alexander  
Avenue and Ridge Park Avenue ad-  
jacent to the present site of school  
district, and authorized and di-  
rected the Supervisor to execute a  
deed on behalf of said Town to  
said school district and convey to  
it the said premises, and  
WHEREAS, pursuant to said res-  
olution the Supervisor did on Feb-  
ruary 2, 1954, execute on behalf  
of the Town of Cheektowaga a deed  
to said school district conveying  
said premises and delivered the  
same to said school district and  
said deed has been recorded in the  
Erie County Clerk's Office on  
March 24, 1954 in Liber 5503 of  
Deeds at page 47 and this Town  
has received a copy of said deed  
as set forth above and  
WHEREAS, Subdivision 2 of Sec-  
tion 64 of the Town Law provides  
that the Town Board may, upon the  
adoption of a resolution, convey  
real property in the name of the  
Town, which resolution shall be  
subject to a permissive referen-  
dum,  
NOW, THEREFORE, be it  
RESOLVED, that this Town  
Board does hereby confirm the ac-  
tion taken by it in the said resolu-  
tion adopted February 1, 1954 and  
further confirms the action of the  
Supervisor in executing on behalf  
of the Town of Cheektowaga, New  
York, a deed to Union Free School  
District No. 10 of the real property  
as described in the deed to said  
school district recorded in the Erie  
County Clerk's Office on March 24,  
1954 in Liber 5503 of Deeds at page  
47, and be it further  
RESOLVED, that within ten days  
after the adoption of this resolu-  
tion the Town Clerk shall cause a  
Notice thereof to be published in  
the Cheektowaga "Times" and the  
"Depew Herald and Cheektowaga  
News" the official newspapers in  
this Town and shall post copies of  
such Notice, or cause the same to  
be posted in five (5) conspicuous  
places in said Town, and be it fur-  
ther  
RESOLVED, that such Notice  
shall be in substantially the follow-  
ing form, to wit:  
NOTICE OF ADOPTION OF  
RESOLUTION SUBJECT TO A  
PERMISSIVE REFERENDUM  
NOTICE IS HEREBY GIVEN that  
the Town Board of the Town of  
Cheektowaga, Erie County, New  
York, at a regular meeting held on  
the 20th day of December, 1954  
adopted a resolution subject to a  
permissive referendum confirming  
the resolution adopted February 1,  
1954, wherein and whereby it was  
resolved that the Town of Cheek-

Item N

Cheektow

day of December, 1954;

and Alaska Street;

Road;

Street and Clover Place;

Iron Road.

the notice published in the

PK

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.....1.....weeks; first publication *Dec. 23, 1954*.....; last publication *Dec. 23, 1954*.....; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this *24th*.....

day of *December*....., 19*54*

*Eve J. Allis*

Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
 NOTARY PUBLIC, STATE OF NEW YORK  
 in Erie County  
 My Commission Expires March 30, 1955  
 Registered No. 5029

**NOTICE OF ADOPTION OF  
RESOLUTION SUBJECT TO A  
PERMISSIVE REFERENDUM**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, Erie County, New York, at a regular meeting held on the 20th day of December, 1954 adopted a resolution subject to a permissive referendum confirming the resolution adopted February 1, 1954, wherein and whereby it was resolved that the Town of Cheektowaga, New York, should convey certain real property to Union Free School District No. 10 of the Town of Cheektowaga, Erie County, New York, in consideration of the conveyance to the Town of Cheektowaga, New York, of sub-lots Nos. 45 and 46, as shown on sub-division map filed in the Erie County Clerk's Office, under cover 988, to be used for highway purposes along two strips of land representing the extension northward of Alexander Avenue and Ridge

5062 of Books at page 47, and which resolution further confirms the action of the Supervisor as authorized in said resolution adopted February 1, 1954 in execution and delivering to said school district a deed in the name of and on behalf of the Town of Cheektowaga of said premises.

By Order of the Town Board  
Town of Cheektowaga, New York  
Dated: December 20, 1954.

Kenneth T. Hanley,  
Town Clerk

Seconded by Councilman Wroblewski and duly put to a vote which resulted as follows:

Supervisor Holtz, Voting Aye,  
Councilman Gilbert, Voting Aye,  
Councilman Wroblewski,  
Voting Aye,

Councilman Bystrak, Voting Aye,  
Councilman Nagel, Voting Aye.  
AYES: 5; NOES: 0; ABSENT: 0.

State of New York )  
County of Erie ) ss:  
Town of Cheektowaga )

I, KENNETH T. HANLEY, Town Clerk, of the Town of Cheektowaga, Erie County, New York, do hereby certify that I have compared the foregoing with the original resolution adopted by the Town Board of the Town of Cheektowaga, at a meeting of said Board held on the 20th day of December, 1954, and that the foregoing is a true and correct transcript from said original resolution and the whole thereof, and that said original resolution is on file in my office.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Town of Cheektowaga, this 20th day of December, 1954.

(Seal)  
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 public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the

annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for

one week, the first insertion being on the 23 day of December, 1954, 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  
DEC 28 1954

in and for Erie County

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 20th day of December, 1954, at 7:30 o'clock, P.M. Eastern Standard Time, there were:

PRESENT:

- Benedict T. Holtz, Supervisor
- Joseph A. Neibert, Councilman
- Felix Wroblewski, Councilman
- Henry Nagel, Councilman
- Stanley Bystrak, Councilman

ABSENT:—0—

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board, pursuant to Section 296 of the Town Law, has taken all necessary steps for the abandonment of a certain Town cemetery, located on the east side of Union Road, a short distance north of Genesee Street and said cemetery has been duly abandoned as a cemetery, and

WHEREAS, this Town Board advertised the sale of the real property owned by the Town of Cheektowaga, New York and formerly constituting said Town cemetery by public auction, which sale was held on October 18, 1954, at the Town Hall, at which time the highest bid received for the purchase of same was the sum of Fifteen Thousand Five Hundred Dollars (\$15,500.00) bid by Alvin W. Wise, and

WHEREAS, this Town Board on October 19, 1954 accepted the bid of said Alvin W. Wise and authorized the Town Attorney to complete the sale of said premises and further authorized the Supervisor to execute a deed to said purchaser upon payment of the purchase price, and

WHEREAS, the Town Attorney has advised this Town Board that a question of title has been raised in connection with said sale, because of the provisions of Subdivision 2 of Section 64 of the Town Law which provide that the Town Board may, upon the adoption of a resolution, convey real property in the name of the Town, which resolution shall be subject to a permissive referendum, Now Therefore; be it

RESOLVED, that this Town Board, in accordance with Subdivision 2, of Section 64 of the Town Law, convey to Alvin W. Wise, the following described property, upon said Alvin W. Wise paying to the Town of Cheektowaga the purchase price thereof, as publicly bid by him of \$15,500.00, and the Supervisor be, and he hereby is authorized and directed to execute a deed of said real property in the name of the Town of Cheektowaga, New York. The following being the same premises described in deed recorded in Erie County Clerk's Office in Liber 152 of Deeds, Page 94:

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. 13, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at the point of intersection of the southerly line of Leo Place with the westerly line of said Lot No. 13, which said westerly line is also the easterly line of Union Road (66 feet wide); running thence southerly along the easterly line of Union Road and the westerly line of said Lot No. 13, 208.56 feet to a point; running thence easterly at an exterior angle of 90° 31', a distance of 209.22 feet to a point; running thence northerly parallel with the said easterly line of Union Road, 208.56 feet to a point in the south line of Leo Place, distant 209.22 feet easterly of the point of beginning; running thence westerly along the southerly line of Leo Place, 209.22 feet to the point or place of beginning, and be it further,

RESOLVED, that within ten days,

after the adoption of this resolution the Town Clerk shall cause a Notice thereof to be published in the Cheektowaga "Times" and the "Depew Herald and Cheektowaga News", the official newspapers of this Town, and shall post copies of such Notice, or cause the same to be posted in five (5) conspicuous places in said Town, and be it further

RESOLVED, that such Notice shall be in substantially the following form, to wit:

NOTICE OF ADOPTION OF RESOLUTION SUBJECT TO A PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, Erie County, New York, at a regular meeting thereof held on the 20th day of December, 1954, adopted a resolution subject to a permissive referendum, authorizing the conveyance of the following described real property to Alvin W. Wise, upon his payment to the said Town of the sum of \$15,500.00; this being his bid for said property and being the highest bid therefor received at public auction held October 18, 1954 and authorizing and directing the Supervisor to execute a deed in the name of said Town to said Alvin W. Wise. The following being the same premises described in deed recorded in Erie County Clerk's Office in Liber 152 of Deeds, Page 94:

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. 13, Township 11, Range 7, of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at the point of intersection of the southerly line of Leo Place with the westerly line of said Lot No. 13, which said westerly line is also the easterly line of Union Road (66 feet wide); running thence southerly along the easterly line of Union Road and the westerly line of said Lot No. 13, 208.56 feet to a point; running thence easterly at an exterior angle of 90° 31', a distance of 209.22 feet to a point; running thence northerly parallel with the said easterly line of Union Road, 208.56 feet to a point in the south line of Leo Place, distant 209.22 feet easterly of the point of beginning; running thence westerly along the southerly line of Leo Place, 209.22 feet to the point or place of beginning. Dated: December 20, 1954.

By Order of the Town Board  
Town of Cheektowaga, New York.  
KENNETH T. HANLEY

Town Clerk  
Seconded by Councilman Nagel and duly put to a vote which resulted as follows:

Supervisor Holtz, Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Wroblewski,

Voting Aye,  
Councilman Bystrak, Voting Aye,  
Councilman Nagel, Voting Aye,

AYES: 5; NOES: 0; ABSENT: 0.

State of New York )  
County of Erie ) ss:  
Town of Cheektowaga )

I, KENNETH T. HANLEY, Town Clerk, of the Town of Cheektowaga, Erie County, New York, do hereby certify that I have compared the foregoing with the original resolution adopted by the Town Board of the Town of Cheektowaga at a meeting of said Board held on the 20th day of December, 1954, and that the foregoing is a true and correct transcript from said original resolution and the whole thereof, and that said original resolution is on file in my office.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Cheektowaga, this 20th day of December, 1954.

(Seal)

KENNETH T. HANLEY,  
Town Clerk

Item No. 11-Cont'd

Posted as follows on the 24th day of December, 1954:  
Town Hall Bulletin Board;  
Doyle Fire Hall No. 1-William and Alaska Street;  
Rescue Fire Hall-Pine Ridge Road;  
U-Crest Fire Hall-Evergreen Street & Clover Place;  
Forks Fire Hall-Broadway & Union Road.

207

Times:

Hereto attached is a copy of the notice published in the Cheektowaga

**LEGAL NOTICE**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 20th day of December, 1954, at 8 o'clock P.M., Eastern Standard Time, there were:

**PRESENT:**

Benedict T. Holt, Supervisor  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
Henry Nagel, Councilman  
Stanley Bystrak, Councilman

**ABSENT:** None

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board, pursuant to Section 26 of the Town Law, has taken all necessary steps for the abandonment of a certain Town cemetery, located on the east side of Union Road, a short distance north of Geneva Street and said cemetery has been fully abandoned as a cemetery;

WHEREAS, this Town Board advertised the sale of the real property owned by the Town of Cheektowaga, New York, and publicly constituted said Town cemetery by public auction, which sale was held on October 18, 1954, at the Town Hall, at which time the highest bid received for the purchase of said was the sum of Fifteen Thousand Five Hundred Dollars (\$15,500.00) bid by Alvin W. Wise, and

WHEREAS, this Town Board on October 19, 1954, accepted the bid of said Alvin W. Wise and authorized the Town Attorney to complete the sale of said premises and further authorized the Supervisor to execute a deed to said purchaser upon payment of the purchase price, and

WHEREAS, the Town Attorney has advised this Town Board that a question of title has been raised in connection with said sale, because of the provisions of Sub-Division 2 of Section 64 of the Town Law which provide that the Town Board may, upon the adoption of a resolution, convey real property to the name of the Town, which resolution shall be subject to a permissive referendum, NOW THEREFORE, be it

RESOLVED, that this Town Board, in accordance with Sub-division 2, of Section 64 of the Town Law, convey to Alvin W. Wise, the following described property, upon said Alvin W. Wise paying to the Town of Cheektowaga the purchase price thereof, as publicly bid by him of \$15,500.00, and the Supervisor be, and he hereby is authorized and directed to execute a deed of said real property in the name of the Town of Cheektowaga, New York. The following being the same premises described in deed recorded in Erie County Clerk's Office in Liber 152 of Deeds, Page 94:

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. 13, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at the point of intersection of the southerly line of Leo Place with the westerly line of said Lot No. 13, which said westerly line is also the easterly line of Union Road (66 feet wide); running thence southerly along the easterly line of Union Road and the westerly line of said Lot No. 13, 208.56 feet to a point; running thence easterly at an exterior angle of 90° 31', a distance of 209.22 feet to a point; running thence northerly parallel with the said easterly line of Union Road, 208.56 feet to a point in the south line of Leo Place, distant 209.22 feet easterly of the point of beginning; running thence westerly along the southerly line of Leo Place, 209.22 feet to the point or place of beginning, and be it further

RESOLVED, that within ten days after the adoption of this resolution the Town Clerk shall cause a Notice thereof to be published in the "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," the local newspapers of this Town, and shall post copies of such Notice, in the same to be posted in five conspicuous places in said Town, and it further

RESOLVED, that such Notice shall be substantially in the following form, to wit:

**Notice of Adoption of Resolution Subject to a Permissive Referendum**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, Erie County, New York, at a regular meeting thereof held on the 20th day of December, 1954, adopted a resolution subject to a permissive referendum, authorizing the conveyance of the following described real property to Alvin W. Wise, upon his payment to the said Town of the sum of \$15,500.00; this being his bid for said property and being the highest bid therefor received at public auction held October 18, 1954 and authorizing and directing the Supervisor to execute a deed in the name of said Town to said Alvin W. Wise. The following being the same premises described in deed recorded in Erie County Clerk's Office in Liber 152 of Deeds, Page 94:

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. 13, Township 11, Range 7, of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at the point of intersection of the southerly line of Leo Place with the westerly line of said Lot No. 13, which said westerly line is also the easterly line of Union Road (66 feet wide); running thence southerly along the easterly line of Union Road and the westerly line of said Lot No. 13, 208.56 feet to a point; running thence easterly at an exterior angle of 90° 31', a distance of 209.22 feet to a point; running thence northerly parallel with the said easterly line of Union Road, 208.56 feet to a point in the south line of Leo Place, distant 209.22 feet easterly of the point of beginning; running thence westerly along the southerly line of Leo Place, 209.22 feet to the point or place of beginning.

By Order of the Town Board  
Town of Cheektowaga, New York  
Dated: December 20, 1954

KENNETH T. HANLEY  
Town Clerk

Seconded by Councilman Nagel and duly put to a vote which resulted as follows:  
Supervisor Holtz, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Bystrak, voting Aye.  
Councilman Nagel, voting Aye.  
AYES: 5 NOES: 0 ABSENT: 0

**STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK  
OF THE TOWN OF  
CHEEKTOWAGA**

I, KENNETH T. HANLEY, Town Clerk, of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original resolution adopted by the Town Board of the Town of Cheektowaga, at a meeting of said Board held on the 20th of December, 1954 and that the foregoing is a true and correct transcript from said original resolution and the whole thereof, and that said original resolution is on file in my office.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Town of Cheektowaga, this 20th day of December, 1954

KENNETH T. HANLEY  
Town Clerk  
(12-23)

ss.

Town of Cheektowaga

being duly sworn,

I, the publisher of the

newspaper published

that the notice, of

was taken from said

and published

for ..... weeks:

1954

1954

has intervened between

J. Allis

York

1954

Allis

Erie County, N. Y.

J. ALLIS  
STATE OF NEW YORK  
in Erie County  
March 30, 1953  
No. 5029

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 20th day of December, 1954, at 7:30 o'clock, P.M. Eastern Standard Time, there were:

PRESENT:

- Benedict T. Holtz, Supervisor
- Joseph A. Neibert, Councilman
- Felix Wroblewski, Councilman
- Henry Nagel, Councilman
- Stanley Bystrak, Councilman

ABSENT:—0—

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board, pursuant to Section 296 of the Town Law, has taken all necessary steps for the abandonment of a certain Town cemetery, located on the east side of Union Road, a short distance north of Genesee Street and said cemetery has been duly abandoned as a cemetery, and

WHEREAS, this Town Board advertised the sale of the real property owned by the Town of Cheektowaga, New York and formerly constituting said Town cemetery by public auction, which sale was held on October 18, 1954, at the Town Hall, at which time the highest bid received for the purchase of same was the sum of Fifteen Thousand Five Hundred Dollars (\$15,500.00) bid by Alvin W. Wise, and

WHEREAS, this Town Board on October 19, 1954 accepted the bid of said Alvin W. Wise and authorized the Town Attorney to complete the sale of said premises and further authorized the Supervisor to execute a deed to said purchaser upon payment of the purchase price, and

WHEREAS, the Town Attorney has advised this Town Board that a question of title has been raised in connection with said sale, because of the provisions of Subdivision 2 of Section 64 of the Town Law which provide that the Town Board may, upon the adoption of a resolution, convey real property in the name of the Town, which resolution shall be subject to a permissive referendum, Now Therefore; be it

RESOLVED, that this Town Board, in accordance with Subdivision 2, of Section 64 of the Town Law, convey to Alvin W. Wise, the following described property, upon said Alvin W. Wise paying to the Town of Cheektowaga the purchase price thereof, as publicly bid by him of \$15,500.00, and the Supervisor be, and he hereby is authorized and directed to execute a deed of said real property in the name of the Town of Cheektowaga, New York. The following being the same premises described in deed recorded in Erie County Clerk's Office in Liber 152 of Deeds, Page 94:

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. 13, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at the point of intersection of the southerly line of Leo Place with the westerly line of said Lot No. 13, which said westerly line is also the easterly line of Union Road (66 feet wide); running thence southerly along the easterly line of Union Road and the westerly line of said Lot No. 13, 208.56 feet to a point; running thence easterly at an exterior angle of 90° 31', a distance of 209.22 feet to a point; running thence northerly parallel with the said easterly line of Union Road, 208.56 feet to a point in the south line of Leo Place, distant 209.22 feet easterly of the point of beginning; running thence westerly along the southerly line of Leo Place, 209.22 feet to the point or place of beginning, and be it further,

RESOLVED, that within ten days

after the adoption of this resolution the Town Clerk shall cause a Notice thereof to be published in the Cheektowaga "Times" and the "Depew Herald and Cheektowaga News", the official newspapers of this Town, and shall post copies of such Notice, or cause the same to be posted in five (5) conspicuous places in said Town, and be it further

RESOLVED, that such Notice shall be in substantially the following form, to wit:

NOTICE OF ADOPTION OF RESOLUTION SUBJECT TO A PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, Erie County, New York, at a regular meeting thereof held on the 20th day of December, 1954, adopted a resolution subject to a permissive referendum, authorizing the conveyance of the following described real property to Alvin W. Wise, upon his payment to the said Town of the sum of \$15,500.00; this being his bid for said property and being the highest bid therefor received at public auction held October 18, 1954 and authorizing and directing the Supervisor to execute a deed in the name of said Town to said Alvin W. Wise. The following being the same premises described in deed recorded in Erie County Clerk's Office in Liber 152 of Deeds, Page 94:

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. 13, Township 11, Range 7, of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at the point of intersection of the southerly line of Leo Place with the westerly line of said Lot No. 13, which said westerly line is also the easterly line of Union Road (66 feet wide); running thence southerly along the easterly line of Union Road and the westerly line of said Lot No. 13, 208.56 feet to a point; running thence easterly at an exterior angle of 90° 31', a distance of 209.22 feet to a point; running thence northerly parallel with the said easterly line of Union Road, 208.56 feet to a point in the south line of Leo Place, distant 209.22 feet easterly of the point of beginning; running thence westerly along the southerly line of Leo Place, 209.22 feet to the point or place of beginning.

Dated: December 20, 1954.  
By Order of the Town Board  
Town of Cheektowaga, New York.  
KENNETH T. HANLEY

Town Clerk  
Seconded by Councilman Nagel and duly put to a vote which resulted as follows:

Supervisor Holtz, Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Wroblewski,

Councilman Bystrak, Voting Aye,  
Councilman Nagel, Voting Aye,  
AYES: 5; NOES: 0; ABSENT: 0.

State of New York )  
County of Erie ) ss:  
Town of Cheektowaga )

I, KENNETH T. HANLEY, Town Clerk, of the Town of Cheektowaga, Erie County, New York, do hereby certify that I have compared the foregoing with the original resolution adopted by the Town Board of the Town of Cheektowaga at a meeting of said Board held on the 20th day of December, 1954, and that the foregoing is a true and correct transcript from said original resolution and the whole thereof, and that said original resolution is on file in my office.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Cheektowaga, this 20th day of December, 1954.

(Seal)  
KENNETH T. HANLEY,  
Town Clerk

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STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for.....1.....weeks: first publication Dec 23, 1954: last publication Dec 23, 1954; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 24th

day of December, 1954

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 55  
Registered No. 5029

Item No. 11-  
Depew Herald

... Town of ... County, New York, ...  
... a regular meeting thereof, ...  
... held on the 20th day of December, ...  
... 1954, adopted a resolution subject ...  
... to a permissive referendum, auth- ...  
... orizing the conveyance of the fol- ...  
... lowing described real property to ...  
... Alvin W. Wise, upon his payment ...  
... to the said Town of the sum of ...  
... \$15,500.00; this being his bid for ...  
... said property and being the high- ...  
... est bid therefor received at public ...  
... auction held October 18, 1954 and ...  
... authorizing and directing the Sup- ...  
... ervisor to execute a deed in the ...  
... name of said Town to said Alvin W. ...  
... Wise. The following being the ...  
... same premises described in deed ...  
... recorded in Erie County Clerk's ...  
... Office in Liber 152 of Deeds, Page ...  
... 94.

copy of the notice published in the

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
... one week, the first insertion being on the  
... 23rd day of December, 1954 and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

Sworn to before me this ..... day of

DEC 23 1954

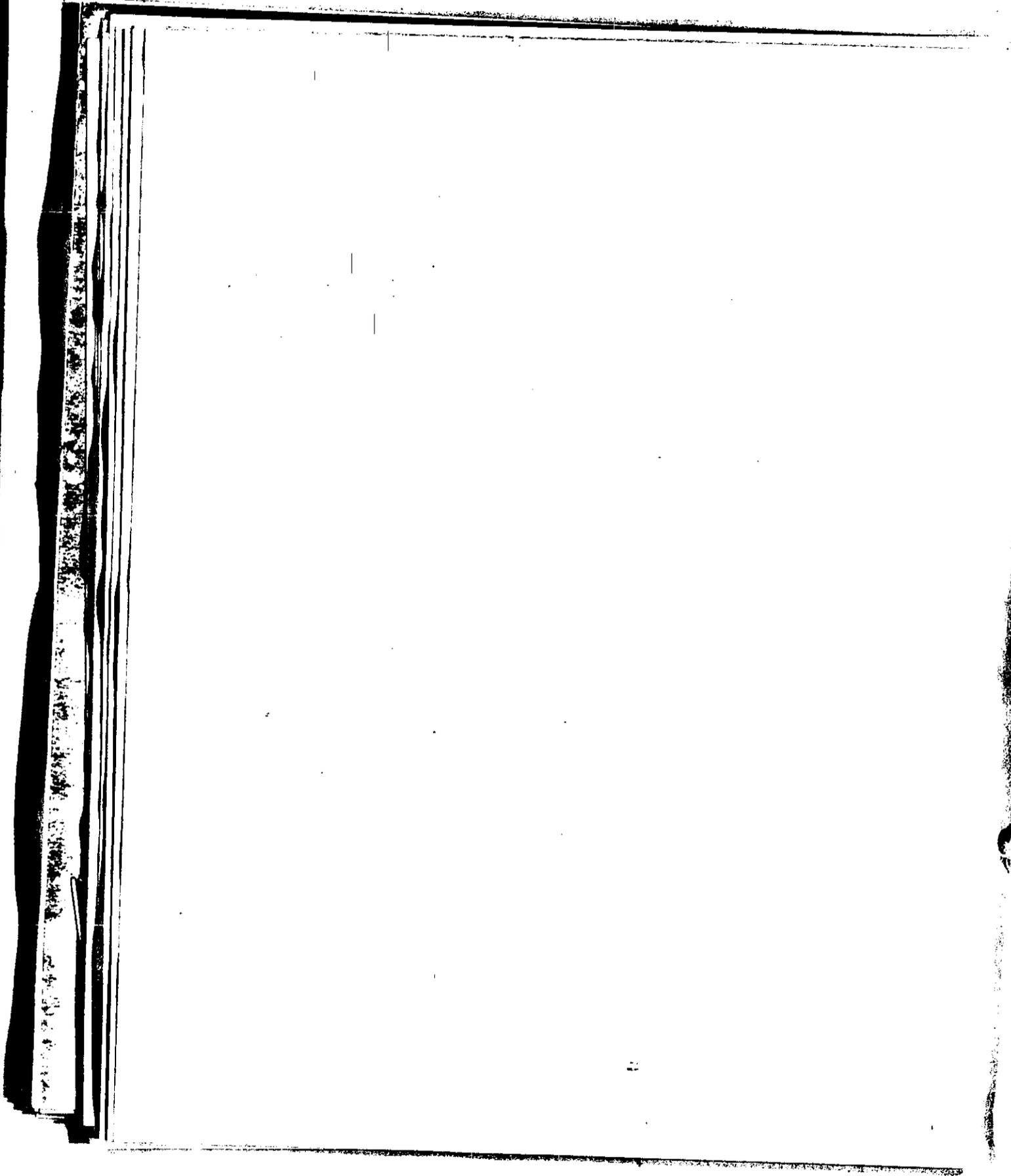
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*Hermes T. Hanley*

Notary Public in and for Erie County

hn 10131

Item No. 12-Cont'd Councilman Nagel moved, seconded by Councilman Wroblewski, that the Town Clerk be authorized and directed to open and read the sealed bids on hand. Hereto attached are Photo-Stat copies of the bids received:



Item No. 11-Cont'd Hereto attached is a copy of the notice published in the Depew Herald-Cheektowaga News:

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 20th day of December, 1954, at 7:30 o'clock, P.M. Eastern Standard Time, there were:  
PRESENT:  
Benedict T. Mohr, Supervisor  
Joseph A. Neibert, Councilman  
Paul Wrablowski, Councilman  
Henry Nagel, Councilman  
Stanley Bystrak, Councilman  
ABSENT:—0—

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board, pursuant to Section 296 of the Town Law, has taken all necessary steps for the abandonment of a certain Town cemetery, located on the east side of Union Road, a short distance north of Sunset Street, and said cemetery has been fully abandoned as aforesaid;

WHEREAS, this Town Board authorized the sale of the 1442 property owned by the Town of Cheektowaga, New York and formerly constituting said Town cemetery by public auction, which sale was held on October 18, 1954, at the Town Hall, at which time the highest bid received for the purchase of same was the sum of Fifteen Thousand Five Hundred Dollars (\$15,500.00) bid by Alvin W. Wise;

WHEREAS, this Town Board on October 20, 1954, authorized the Town Attorney to complete the sale of said premises and further authorized the Supervisor to execute a deed to said purchaser upon payment of the purchase price, and

WHEREAS, the Town Attorney advised this Town Board that a portion of title has been raised in connection with said sale, because of the provisions of Subdivision 2 of Section 64 of the Town Law which provide that the Town Board may, upon the adoption of a resolution, convey real property in the name of the Town, which resolution shall be subject to a permissive referendum, Now Therefore, be it

RESOLVED, that this Town Board, in accordance with Subdivision 2, of Section 64 of the Town Law, convey to Alvin W. Wise, the following described property, upon said Alvin W. Wise paying to the Town of Cheektowaga the purchase price thereof, as publicly bid by him of \$15,500.00, and the Supervisor do, and he hereby is authorized and directed to execute a deed of said real property in the name of the Town of Cheektowaga, New York, the following being the same premises described in deed recorded in Erie County Clerk's Office in Liber 152 of Deeds, Page 94:

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. 13, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at the point of intersection of the southerly line of Leo Place with the westerly line of said Lot No. 13, which said westerly line is also the easterly line of Union Road (66-foot wide), running thence southerly along the easterly line of Union Road and the westerly line of said Lot No. 13, 206.56 feet to a point; running thence easterly at an exterior angle of 90° 31', a distance of 209.22 feet to a point; running thence northerly parallel with the said easterly line of Union Road, 208.56 feet to a point in the south line of Leo Place, distant 209.22 feet easterly of the point of beginning; running thence westerly along the southerly line of Leo Place, 209.22 feet to the point of beginning.

ss.:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 23rd day of December, 1954, 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

DEC 20 1954

19\_\_\_\_\_

Henry  
public in and for Erie County

Item No. 12-Cont'd Councilman Nagel moved, seconded by Councilman Wroblewski, that the Town Clerk be authorized and directed to open and read the sealed bids on hand. Hereto attached are Photo-Stat copies of the bids received:



COMMENCING at the point of intersection of the southerly line of Leo Place with the westerly line of said Lot No. 13, which said westerly line is also the easterly line of Union Road (66-foot wide); running thence southerly along the easterly line of Union Road and the westerly line of said Lot No. 13, 208.56 feet to a point; running thence easterly at an exterior angle of 90° 31'; a distance of 209.22 feet to a point; running thence northerly parallel with the said easterly line of Union Road, 208.56 feet to a point in the south line of Leo Place, distant 209.22 feet easterly of the point of beginning; running thence westerly along the southerly line of Leo Place, 209.22 feet to the point or place of beginning.

and be it further,  
RESOLVED, that within ten days after the adoption of this resolution the Town Clerk shall cause a Notice thereof to be published in the Cheektowaga "Times" and the "Depew Herald and Cheektowaga News", the official newspapers of this Town, and shall post copies of such Notice, or cause the same to be posted in five (5) conspicuous places in said Town, and be it further

RESOLVED, that such Notice shall be in substantially the following form, to wit:

**NOTICE OF ADOPTION OF RESOLUTION SUBJECT TO A PERMISSIVE REFERENDUM**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, Erie County, New York, at a regular meeting thereof held on the 20th day of December, 1954, adopted a resolution subject to a permissive referendum, authorizing the conveyance of the following described real property to Alvin W. Wise, upon his payment to the said Town of the sum of \$15,500.00; this being his bid for said property and being the highest bid therefor received at public auction held October 18, 1954 and authorizing and directing the Supervisor to execute a deed in the name of said Town to said Alvin W. Wise. The following being the same premises described in deed recorded in Erie County Clerk's Office in Liber 152 of Deeds, Page 94:

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. 13, Township 11, Range 7, of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at the point of intersection of the southerly line of Leo Place with the westerly line of said Lot No. 13, which said westerly line is also the easterly line of Union Road (66-foot wide); running thence southerly along the easterly line of Union Road and the westerly line of said Lot No. 13, 208.56 feet to a point; running thence northerly parallel with the said easterly line of Union Road, 208.56 feet to a point in the south line of Leo Place, distant 209.22 feet easterly of the point of beginning; running thence westerly along the southerly line of Leo Place, 209.22 feet to the point or place of beginning.

Dated: December 20, 1954.  
By Order of the Town Board  
Town of Cheektowaga, New York:  
KENNETH T. HANLEY  
Town Clerk

Seconded by Councilman Nagel and duly put to a vote which resulted as follows:

Supervisor Holtz, Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Wroblewski,  
Voting Aye,

Councilman Bystrak, Voting Aye,  
Councilman Nagel, Voting Aye,  
AYES: 5; NOES: 0; ABSENT: 0.

State of New York )  
County of Erie ) ss:  
Town of Cheektowaga )

I, KENNETH T. HANLEY, Town Clerk, of the Town of Cheektowaga, Erie County, New York, do hereby certify that I have compared the foregoing with the original resolution adopted by the Town Board of the Town of Cheektowaga at a meeting of said Board held on the 20th day of December, 1954, and that the foregoing is a true and correct transcript from said original resolution and the whole thereof, and that said original resolution is on file in my office.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Cheektowaga, this 20th day of December, 1954.

(Seal)  
KENNETH T. HANLEY,  
Town Clerk

is a copy of the notice published in the

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 23rd day of December, 1954, 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

DEC 20 1954

19\_\_\_\_\_

*T. Hanley*  
Public in and for Erie County

KENNETH T. HANLEY,  
Town Clerk

within ten days,

d23

2585 MAIN & FILLMORE  
BUFFALO 14, N. Y. • UN. 3200

*Don Allen's*  
CITY CHEVROLET  
INC.

December 20, 1954

Attn: Mr. Kenneth T. Hanley  
Town Clerk

Order 117-10 City Chevrolet, Inc., 2585 Main Street,  
Buffalo, N. Y. will furnish to the Town of Cheektowaga, as  
per the following Specification for Cars as follows:

Car	1955 Chevrolet Two-Door Model 41502
Make	Chevrolet
Color	As specified
Engine	120 h.p.
Transmission	4-Door, Low Output as supplied by the Factory
Clutch	10" Clutch
Spur Gear	Heavy duty synchro-mesh
Wheels	Hydraulic - 11" Heavy Duty
Door Springs	heavy duty
Wheels	5" Short spoke steel disc
Tires	670 x 17 - 8 Ply Tubeless Black
Equipment	Directional Lights, 40 Rests, Right Hand Sun Visor, Oil Filter, Oil Bath Air Cleaner
Master & Wheel	Brush Air - Air Mo
Reholstering	Vinyl type plastic or similar
Windshield Wipers	Electric
Passenger Side	Federal Beacon Bar installed

"S. A. Town Satisfied Until You Are"

WORLD'S LARGEST  
**Don Allen's**  
 CHEVROLET DEALER  
**CITY CHEVROLET**  
 inc.

2585 MAIN & FILLMORE  
 BUFFALO 14, N. Y. • UN. 3200

Town Board  
 Town of Cheektowaga

Page 2,

December 20, 1954

- Lettering As specified
- Change Over Sign  
Spot light furnished new one
- Change over Not figured in this bid as requested by  
the Cheektowaga Police Department

The cost of these cars will be as follows:

		\$1,805.61	
Allowance on car #1		275.00	
	Net Cost	<u>1,715.61</u>	✓
		\$1,805.61	
Allowance on car #2		200.00	
	Net Cost	<u>1,405.61</u>	✓
		\$1,805.61	
Allowance on car #3		275.00	
	Net Cost	<u>1,530.61</u>	

Yours very truly,  
 DON ALLEN'S CITY CHEVROLET, INC.

RD/em

Reg. Dept-11  
 Fleet & Commercial Manager

*"We Are Never Satisfied Until You Are"*

DIANE SUOZZI, Pres.

JERRY SUOZZI, Vice Pres.

## UNION GARAGE, Inc.

N. R. SUOZZI, Secretary

H. W. TOMCHUCK, Service Manager

Business Hobart 3600

Residence Hobart 1507

Union Road Near William St.

BUFFALO 25, NEW YORK

December 16, 1954

Cheektowaga Police Department  
Cheektowaga Town Hall  
Broadway & Union Road  
Cheektowaga 25, NY

We are hereby submitting our bids for 3 cars as per spec 100-100-100:

Car : 1955 Plymouth Plaza Club Sedan  
Make : To be decided by the Town Board  
Color : Black (Others with special arrangement w/the Chief of Police or Supervisor.)  
Horsepower : 157 horsepower  
Engine : V8 engine  
Generator : Low cut-in for Police Work  
Clutch : 11 inch clutch  
Transmission : Heavy duty, Synchro-mesh type  
Brakes : Hydraulic- 11" Dia., Heavy Duty Package consisting of 11" clutch for eight cyl. cars, Commercial Duty Chassis Springs, Heavy Duty Shock Absorbers, Heavy Duty Wire Springs in Seat and Seat Back Cushions, Battery heat Shields  
Rear Springs : Heavy Duty  
Rims : 5" Short spoke steel disc  
Tires : 670 x 15--6 Ply; Tubeless Type. (black)  
Equipment : Directional lights, arm rests; right hand door visor; oil filter; oil bath; air cleaner  
Heater & Defroster : Fresh air - Air cycle  
Upholstering : Vinyl type  
Windshield Wipers : Electric



# UNION GARAGE, Inc.

100 South Main Street  
Buffalo, New York

BUFFALO 25, NEW YORK

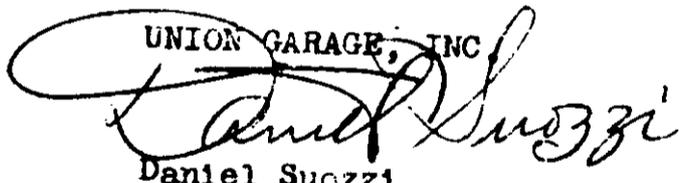
- Beacon Lite : Federal Beacon Ray installed
- Lettering : As per required by Chief of Police
- Change over : Spot light, siren
- Change over : If the car is a 12 volt system the Leece-Neville 6 volt system now in present cars to be traded in will not be installed on new equipment. If the car is a 6 volt system, the Leece-Neville 6 volt system now on present cars to be installed. However, here, a 6 volt battery will be supplied so that it can be available for the present police radio system.

The total price of the three Plymouth cars as described above would be	\$ 6646.50
The Allowance for the three police cars is	- 846.50
	<hr/>
Actual Net Price Bid for the 3 Plymouths	\$ 5800.00

This price of \$5800.00 includes three Service Jobs for each car and would be the same as standard new car warranties.

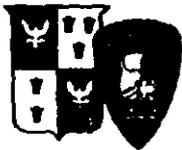
Thank you for giving us the opportunity to submit our bid.

Yours very truly,

UNION GARAGE, INC  
  
 Daniel Suezzi  
 Pres.

DS/mw

REIMANN MOTORS, Inc.



*DeSoto • Plymouth*

TA 7887 2765 Genesee Street BUFFALO 25, NEW YORK

December 17, 1954

Cheektowaga Town Clerk  
Town Hall  
Cheektowaga, New York

Dear Sir:

We are pleased to submit the following bids covering the purchase of three police cars and fulfilling the specifications on file at the Cheektowaga town clerk's office.

As an individual bid for each car the following are the delivered prices: Car #1 will be traded at a value of \$200.00 and the new car cost will be \$1575.00 leaving a net cost of \$1375.00. Car #2 will be traded at a value of \$300.00, new car cost will be \$1575.00 leaving a net cost of \$1275.00. Car #3 will be traded at a value of \$250.00, new car cost will be \$1575.00 leaving a net cost of \$1325.00.

The lump sum bid for the three cars including the trade-ins mentioned will be a net cost of \$3975.00.

Very truly yours,

REIMANN MOTORS INC.

Kenneth C. Reimann  
Treasurer

DESOTO LETS YOU DRIVE WITHOUT SHAKING

REIMANN MOTORS, Inc.

*DeSoto • Plymouth*

LA 7887 2765 Genesee Street BUFFALO 25, NEW YORK

December 17, 1954

Dear Sir:

We are pleased to receive the following bids covering the purchase of three cars and fulfilling the specifications as follows:

1. Bid for three cars - three Plymouth 2 door sedans with radio, the trade in of police cars must be taken into account.

Very truly yours,

REIMANN MOTORS, INC.

Kenneth E. Reimann  
President

SHIFTING

REIMANN MOTORS, Inc.



*DeSoto • Plymouth*

TA 7887 2765 Genesee Street BUFFALO 25, NEW YORK

December 17, 1954

Cheektowaga Town Clerk  
Town Hall  
Cheektowaga, New York

Dear Sir:

We are pleased to submit the following bid covering the purchase of three police cars and fulfilling the specifications on file at the Cheektowaga town clerk's office.

Our individual delivered cost bid per car including the trade-ins of police cars number one, three and eight as an average on all three cars will be \$1325.00 net or a lump sum total of \$3975.00.

Very truly yours,

REIMANN MOTORS INC.

*Kenneth C. Reimann*  
Kenneth C. Reimann  
Treasurer

KCR:inf

Item No. 12 This being the time and the place advertised for the receiving of bids for the purchase of 3 1955 Police Automobiles. 298

The Town Clerk presented proof of the Notice to Bidders that same has been published and posted as according to law. ( Copy of same hereto attached.)

RESOLVED, that the Town of Cheektowaga purchase for the Police Department new 1955 Police automobiles to meet the specifications referred to in the Notice to Bidders and the Town Clerk be directed to publish the annexed Notice to Bidders in the Cheektowaga Times and the Depew Herald and Cheektowaga News, official newspapers of the Town of Cheektowaga, on the 9th day of December, 1954. That sealed bids be received not later than 7:30 o'clock P. M. on December 20, 1954 at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union, Town of Cheektowaga, New York. That the Notice to Bidders be published shall be in substantially the following form:

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of three (3) 1955 Police automobiles for use by the Police Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file.

The Police Department of the Town of Cheektowaga now owns 3 used automobiles which are to be accepted in their present condition as part payment of the price of the new Police automobiles. These used automobiles may be inspected at all reasonable hours at the Cheektowaga Town Hall.

Copies of the specifications are made available for all prospective bidders. Sealed bids must be received for all prospective bidders. Sealed bids must be received not later than 7:30 o'clock p.m. on December 20, 1954 at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union, Cheektowaga, New York.

Item No. 12-Cont'd Councilman Nagel moved, seconded by Councilman Wroblewski that the bids for three Police Automobiles be referred to the Town Board for analysis and tabulation and that the bids be awarded as soon as reasonably possible. 299

Item No. 13

\$5,500.00

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this renewal note the sum of

----FIFTY FIVE HUNDRED DOLLARS -(\$5,500.00----

three months from the date hereof, with accrued interest, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable at maturity.

Both principal of and interest on this renewal note will be paid in lawful money of the United States of America at the main office of the Manufacturers & Traders Trust Company, Buffalo, New York.

This renewal note is one of an authorized issue, the aggregate principal amount of which is Fifty-five Hundred Dollars (\$5,500.00) and is issued pursuant to the Local Finance Law of the Town Board of the Town of Cheektowaga, New York, on the 7th day of December, 1953, in anticipation of the sale of serial bonds authorized to finance improvements in Sewer District No. 5 by the construction of a sanitary sewer in Abeles Avenue, Vincent Avenue, Lena Avenue in the Town of Cheektowaga, New York, as more fully set forth in said resolution of the Town Board adopted December 7, 1953.

The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this renewal note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this renewal note, exist, have happened and have been performed, and that this renewal note, together with all other indebtedness of said Town of Cheektowaga, is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this renewal note to be signed by its Supervisor and its corporate seal to be hereunto affixed and attested by its Town Clerk and this renewal note to be dated as of the 20th day of December, 1954.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BY: Benedict T. Holtz, Supervisor

Attest: Kenneth T. Hanley, Town Clerk.

Item No. 14 Councilman Neibert moved, seconded by Councilman Nagel, that the parking of automobiles in front of School No. 11 on East Delevan Avenue be prohibited. The Chief of Police is authorized to erect appropriate NO PARKING signs in front of the school property.  
Carried: Ayes: -5-.

Item No. 15 Councilman Wroblewski moved, seconded by Councilman Neibert, that the Building Permits of Frank Panepento for a dwelling on 15 McNaughton Street and Joseph Lesinski Jr., for a dwelling on No. 2547 Harlem Avenue be revoked without prejudice until such time as drainage problem is solved.  
Carried: Ayes: -5-.

Item No. 15A Councilman Wroblewski moved, seconded by Councilman Bystrak, that the Town Clerk be authorized and directed to issue Building Permits on Application processed by the Petition Committee on December 11th and 18th, 1954, after same have been approved by the Building Inspector.  
Carried: Ayes: -5-.

Item No. 16 Councilman Wroblewski moved, seconded by Councilman Bystrak, that Edward Jerzewski, Chairman of the Board of Assessors and Joseph Kistowski, be authorized to attend a meeting at Albany, New York, relative to equalization rate for the Town of Cheektowaga, on December 20th and 21st., 1954, that their reasonable expenses be paid and charged against the General Fund.  
Carried: Ayes: -5-.

Item No. 17 Councilman Wroblewski moved, seconded by Councilman Nagel, that Bid Items No. 9 and Bid Item No. 27 in connection with contract 2 Sanitary Sewer District No. 5 submitted by C.E. Knowles Company in the amount of \$35,780 be approved and added to its contract. That the following deduction from said contract be made, which reduces the net increased cost to \$33,350.00

Carried: Ayes: -5-

( Hereto attached is a copy of the communication relating to the above.)

**The deductions proposed are as follows:**

1) To eliminate the terrace floor in the lunch room and locker room and substitute, therefor, a concrete finish floor with floor hardener finish and paint. Deduct \$730.00.

2) Omit the door in the south elevation of the building. Substitute, therefor, additional glass the same as in the rest of the wall, move the stairs on the side of the digester from the south side to the north side in a corresponding position. Eliminate the concrete walk and steps on the south side and add in the new stair location a small section of walk to connect from the stairs to the presently proposed walk between the buildings. Deduct \$500.00.

3) Alter the foundations under the well adjacent to the new pipe tunnel, so that the formed walls will stop, approximately, at the mid-section of the pipe and reinforced concrete is to be placed alongside the pipe without forms below this point. Deduct \$200.00.

**Total of deductions, \$1,430.00.**

In order to expedite the change in the project and to avoid further delays, the contractor is willing to deduct the sum of \$1,000.00 in addition to the above. This makes a total deduction of \$2,430.00, making the revised total for Bid Item 9, \$31,170.00.

The total for Bid Item 27, the new sludge plunger pump is \$2,180.00.

We recommend that these two items be reinstated in the contract with the above changes for the total of \$33,350.00.

This program of revision has been reviewed by Mr. Kamm, Mr. Knowles, Mr. O'Donnell, and the writer, and is approved by them.

Very truly yours,

**NUSSBAUMER, CLARKE & VELEY**

MLN:W

Howell L. Nussebaumer

Item No. 18 Councilman Wroblewski moved, seconded by Councilman Nagel, that the Cheektowaga Town Hall be closed all day on December 24, 1954. Carried: Ayes: -5-. 300

Item No. 19 Councilman Bystrak moved, seconded by Councilman Neibert, WHEREAS, the light standard located around No. 127 Eggert Road, Cheektowaga, New York, is so damaged to require replacement, be it

RESOLVED, that the Niagara Mohawk Power Corporation be authorized to replace the same, the cost thereof to be charged against the General Lighting Group.

Carried: Ayes: -5-.

Item No. 20 Councilman Neibert moved, seconded by Councilman Nagel, that the Town of Cheektowaga sell to Leo Kurnick vacant lot on Kaufman Road, being a tri-angular plot north of Scajaquada Creek and south of Map Cover 1417 on the east side of Kaufman Road in Farm Lot No. 34 Township 11 Range 7, subject to a permissive referendum, for the sum of \$1,050.

Carried: Ayes: -5-.

Item No. 21 Councilman Nagel moved, seconded by Councilman Wroblewski; that the following cash on deposit in the various Construction & Improvement Fund Accounts be transferred to their respective Special District Funds as the jobs are completed;

Street Lights-Group 9.....	\$ 67.25
Street Lights-Group 10.....	47.25
Street Lights-Group 11.....	226.27
Street Lights-Group 12.....	169.82
Lateral Sewer-Abeles Avenue, Etc.....	741.62
Sidewalks-Peinkofer.....	182.00

That the following cash on deposit in the following Construction & Improvement Fund Accounts be transferred to their respective Special Districts Fund Accounts:

Water District No. 9.-Tap-Meter;  
Como Park Extension.....\$ 481.39

Water District No. 9-Tap-Meter;  
Strasmere Road Extension..... 501.77

That \$350.00 be advanced from the General Fund to the Town Health Fund to be re-paid from 1955 tax collection. Carried: Ayes: -5-.

Item No. 22 Councilman Wroblewski moved, seconded by Councilman Nagel, that the following Forty Five (45) Election Districts be established and created for the Town of Cheektowaga, Erie County, New York, to be described as follows:

( Hereto attached is a copy of the map and description of the Districts).

*Rescinded  
March 7 / 1955  
Hermita [Signature]  
Town Clerk*

Rescinded  
March 7, 1955  
Henry D. Stanley  
Town Clerk

**LEGAL NOTICE  
REZONING GRANTED**

WHEREAS, the Zoning Board of Appeals held a public hearing on the 10th day of November, 1954, for the purpose of considering the application of Town of Cheektowaga, New York, for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 1st day of December, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 20th day of December, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residence District to Business District be and the same is hereby confirmed and approved.

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance", 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**

Town of Cheektowaga Cemetery Site, located on the east side of Union Road a short distance north of Genesee Street, (Acreage—approximately 200 by 200 feet).

Dated: December 20, 1954.

KENNETH T. HANLEY,  
Town Clerk, Town of  
Cheektowaga, New York

Posted on the 7th day of January, 1955 on the Town Hall Bulletin Board.

**LEGAL NOTICE  
REZONING GRANTED**

WHEREAS, the Zoning Board of Appeals held a public hearing on the 8th day of December, 1954, for the purpose of considering the application of B. G. King Building Corporation for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 20th day of December, 1954 having rendered its decision granting the application of petitioner to rezone from Residence District to Business District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 20th day of December, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residence District to Business District be and the same is hereby confirmed and approved.

NOW, THEREFORE,  
BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance," 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**

Being part of Lot No. 36, Township 11, Range 7, under Cover 1726, known as S. L. 10 and 10-A, being 120' x 38' on south westerly corner of Harlem Road and 100 feet deep on Mafalda Drive.

Dated: December 20, 1954.

KENNETH T. HANLEY

Town Clerk, Town of

(1-5) Cheektowaga, New York.

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for.....1.....weeks:  
first publication *Jan 6, 1955*.....:  
last publication *Jan 6, 1955*.....;  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
day of *JAN - 7 1955*, 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  
Registered No. 5029



serve the premises compliance with Paragraph 2 above, shall not be required. If a well is authorized to be constructed to serve the premises compliance with Paragraph 3 above, shall not be required. 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 Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers having general circulation in said Towns and being the official newspapers thereof. 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 days (10) after such publication and posting, but such ordinance shall take effect from the date of its service as against a person served personally with a copy by the Town Clerk.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the ..... day of January, 1955, 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

JAN 11 1955

Kenneth T. Harley

Notary Public in and for Erie County

**WHEREAS**

WHEREAS, the Zoning Board of Appeals held a public hearing on the 10th day of November, 1954, for the purpose of considering the application of August Merlo for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 1st day of December, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 20th day of December, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residence District to Business District be and the same is hereby confirmed and approved.

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance", 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**

Lot No. 26 and No. 27 Cleveland Drive, south side, west of Harlem Road, 80 feet frontage by 132.7 feet in depth.

Dated: December 20, 1954.

KENNETH T. HANLEY,  
Town Clerk, Town of

Posted on the 7th day of January, 1955, on the Town Hall Bulletin Board;

*This was reworded  
back on  
5/20/46  
[Signature]  
1946*

**LEGAL NOTICE**  
**Rezoning Granted**

WHEREAS, the Zoning Board of Appeals held a public hearing on the 10th day of November, 1954, for the purpose of considering the application of August Merlo for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 1st day of December, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 20th day of December, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residence District to Business District be and the same is hereby confirmed and approved.

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance," 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**

Lot No. 26 and No. 27 Cleveland Drive, south side, west of Harlem Road, 80 feet frontage by 132.7 feet in depth.

Dated: December 20, 1954.

KENNETH T. HANLEY  
Town Clerk, Town of  
Cheektowaga, New York.

(1-c)

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for.....1.....weeks:  
first publication Jan 6, 1955;  
last publication Jan 6, 1955;  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of JAN - 7 1955, 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, 1955  
Registered No. 5029

... held a public hearing on the 19th day of November, 1954, for the purpose of considering the application of August Merlo for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 1st day of December, 1954, having rendered its decision granting the application of petitioner to rezone from Residential District to Business District, and the same is hereby confirmed and approved.

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance", be and the same hereby is amended by changing the zoning

DESCRIPTION  
 Lot No. 26 and No. 27 Cleveland Drive, south side, west of Harlem Road, 80 feet frontage by 132.7 feet in depth.  
 Dated: December 20, 1954

KENNETH T. HANLEY,  
 Town Clerk, Town of Cheektowaga, New York

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 6th day of January, 1955 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

19

*K Hanley*  
 Public in and for Erie County

**WHEREAS**, the Zoning Board of Appeals held a public hearing on the 8th day of December, 1954, for the purpose of considering the application of B. G. King Building Corporation for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

**WHEREAS**, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

**WHEREAS**, the Zoning Board of Appeals on the 20th day of December, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 20th day of December, 1954.

**BE IT RESOLVED**, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residence District to Business District be and the same is hereby confirmed and approved.

**NOW, THEREFORE**,

**BE IT RESOLVED**, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance", 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**

Being part of Lot No. 36, Township 11, Range 7, under Cover 1726, known as S. L. 10 and 10-A, being 127.38' on south westerly corner of Harlem Road and 100 feet deep on Mafalda Drive.

Dated: December 20, 1954.

**KENNETH T. HANLEY,**

Town Clerk, Town of  
Cheektowaga, New York

Posted on the Town Hall Bulletin Board on the 7th day of January, 1955.

Public hearing  
10th day of November

Three ways to place your Action  
\$980) until Tuesday at 4 pm.  
of our offices—24 Clark St., Lancaster

GAS REFRIGERATOR good con.  
W. Main St., Lancaster.  
\$69 at Rozler Furniture Co., 29  
Suite in good condition. Only  
ONE 3-pc. USED LIVING ROOM  
Electric Stove, RE 1004.  
1949 FORD, 2-Door; General Elec.

Register or 235 Bryant St., Depew.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
... *one* ... week, the first insertion being on the  
... *6th* ... day of *January* ..., 19*55* and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

Sworn to before me this ..... day of

JAN 11 1955

19.....

*Kenneth D. Harkley*  
Notary Public in and for Erie County

hn 10131

Hereto attached is a copy of the notice published in the Cheektowaga Times and the Depew Herald-Cheektowaga News:

**LEGAL NOTICE**  
**Rezoning Granted**

WHEREAS, the Zoning Board of Appeals held a public hearing on the 12th day of November, 1954, for the purpose of considering the application of August Merlo for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 1st day of December, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 20th day of December, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residence District to Business District be and the same is hereby confirmed and approved.

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance," 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**

Lot No. 26 and No. 27 Cleveland Drive, south side, west of Harlem Road, 80 feet frontage by 132.7 feet in depth.

Dated: December 20, 1954.

**KENNETH T. HANLEY**

Town Clerk, Town of

Cheektowaga, New York.

(1-6)

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for...../.....weeks:  
first publication Jan 6, 1955.....;  
last publication Jan 6, 1955.....;  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

JAN - 7 1955  
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, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE



public hearing on  
th day of December, 1954, for  
the purpose of considering the  
application of B. G. King Building  
Corporation for the rezoning from  
Residential District to Business  
District of the property hereinafter  
described, and amending the Zon-  
ing Map and Ordinance accord-  
ingly, and

WHEREAS, there was afforded  
all parties interested an opportu-  
nity to be heard in respect to such  
proposed application and amend-  
ments, and

WHEREAS, the Zoning Board  
of Appeals on the 20th day of  
December, 1954, having rendered  
its decision granting the applica-  
tion of petitioner to rezone from  
Residence District to Business Dis-  
trict, the property hereinafter de-  
scribed, and the said decision of  
the Zoning Board of Appeals hav-  
ing been duly presented to the  
Town Board at a meeting thereon  
on the 20th day of December, 1954.

BE IT RESOLVED, that the de-  
cision of the Zoning Board of Ap-  
peals granting the application of  
petitioner to rezone premises from  
Residence District to Business Dis-  
trict be and the same is hereby con-  
firmed and approved.

NOW, THEREFORE,

BE IT RESOLVED, by this Town  
Board that the ordinance adopted  
December 21, 1942, and as now  
amended, entitled "Zoning Ordi-  
nance", 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  
Being part of Lot No. 36, Town-  
ship 11, Range 7, under Cover 1726, public in and for Erie County  
known as S. L. 10 and 10-A, being  
127.38' on south westerly corner of  
Harlem Road and 100 feet deep on  
Mafalda Drive.

Dated: December 20, 1954.  
KENNETH T. HANLEY,  
Town Clerk, Town of  
Cheektowaga, New York

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... week, the first insertion being on the  
...*6th* day of *January*....., 19*55* and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

..... day of  
....., 19.....

*Hanley*

STATE OF NEW YORK  
COUNTY OF ERIE

Bond in an amount to be fixed by the Town Board, conditioned that the highway, the lateral sanitary will be constructed within six months after the issuance of the building permit, and that all other provisions of this Ordinance will be fully complied with. No building permit shall be issued under the provisions of this Ordinance unless satisfactory proof is filed with the application that a water line has already been constructed to conform with the rules and regulations of the Erie County Water Authority, of that a contract has been entered into with the Erie County Water Authority for such construction. Either a copy of the contract with the Erie County Water Authority must be filed with the application or in lieu thereof satisfactory proof of the existence of the contract. 4. Notwithstanding the provisions of Paragraphs marked "2" and "3" above, a building permit may be issued by the Town Board for the construction of a Commercial or Industrial building within the boundaries of any existing san-

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

..... of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the ..... day of January, 1925 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

JAN 11 1925

19.....

*Henrich T. Hanley*  
Notary Public in and for Erie County

hn 10131

**REZONING GRANTED**

WHEREAS, the Zoning Board of Appeals held a public hearing on the 8th day of December, 1954, for the purpose of considering the application of Theodore Demblewski and Stephen Bartel for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 20th day of December, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 20th day of December, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residence District to Business District be and the same is hereby confirmed and approved.

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance", 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**

Being part of Lot No. 24, Township 11, Range 7 of the Holland Land Company's Survey according to map of the North Walden Avenue Land Company filed in the Erie County Clerk's Office under Cover No. 400 are known and distinguished as Subdivision Lots Nos. 32 and 33 Harlem Road, east side, and Subdivision Lot No. 34 McParlin Avenue, south side.

Dated: December 20, 1954.

KENNETH T. HANLEY,  
Town Clerk, Town of

~~Cheektowage, New York~~

Bulletin Board:

Posted on the 7th day of January, 1955, on the Town Hall

Item No. 26-Cont'd Hereto attached is a copy of the Notice published in the Cheektowaga Times and the Depew Herald-Cheektowaga News:

**LEGAL NOTICE  
Rezoning Granted**

WHEREAS, the Zoning Board of Appeals held a public hearing on the 8th day of December, 1954, for the purpose of considering the application of Theodore Demblewski and Stephen Bartel for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 20th day of December, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 20th day of December, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residence District to Business District be and the same is hereby confirmed and approved.

**NOW, THEREFORE,**

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance," 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**

Being part of Lot No. 24 Township 11, Range 7 of the Holland Land Company's Survey according to map of the North Walden Avenue Land Company filed in the Erie County Clerk's Office, under Cover No 400 are known and distinguished as Subdivision Lots Nos. 32 and 33 Harlem Road, east side, and Subdivision Lot No. 34 McParlin Avenue, south side.

Dated: December 20, 1954.  
**KENNETH T. HANLEY**  
Town Clerk, Town of Cheektowaga, New York.

(1-6)

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for.....1.....weeks:  
first publication Jan. 6, 1955.....;  
last publication Jan. 6, 1955.....;  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of JAN - 7 1955, 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, 1955  
Registered No. 5029

STATE OF NEW YORK } ss.:  
COUNTY OF ERIE }

WHEREAS, the Zoning Board of Appeals held a public hearing on the 21st day of December, 1954, for the purpose of considering the application of Theodore Demblewski and Stephen Bartel for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, there was afforded all parties interested an opportunity to be heard in respect to such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 20th day of December, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 20th day of December, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residence District to Business District be and the same is hereby confirmed and approved.

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance" be and the same is hereby amended to read as follows:

**DESCRIPTION**

Being part of Lot No. 24, Township 11, Range 7 of the Holland Land Company's Survey according to map of the North Walden Avenue Land Company filed in the Erie County Clerk's Office under Cover No. 400 are known and distinguished as Subdivision Lots Nos. 32 and 33 Harlem Road, east side, and Subdivision Lot No. 34 McParlin Avenue, south side.

Dated: December 20, 1954.

KENNETH T. HANLEY,  
Town Clerk, Town of  
Cheektowaga, New York

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga

**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 6th day of January, 1954 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

19.....

*Hanley*  
in and for Erie County

Item No. 27 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved, and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. (Warrant No. 1 to No. 70, inclusive, drawn on the Supervisor.)

307

Item No. 28 Councilman Nagel moved, seconded by Councilman Neibert, that this meeting be adjourned until 2:30 P.M., on December 23, 1954.

SEAL

Kenneth T. Hanley, Town Clerk



Meeting No. 47

Cheektowaga, New York  
December 23, 1954

305

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 at 2:30 P.M., E.S.T., there were:

PRESENT: ( None )

Item No. 2 Town Clerk Kenneth T. Hanley announced that due to a lack of quorum the meeting for this date is cancelled.

Kenneth T. Hanley,

Town Clerk.

SEAL

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 31st day of December, 1954, at 10:00 o'clock A.M., E.S.T., there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	"
Joseph A. Neibert	"
Stanley R. Bystrak	"

Also present was Town Clerk Kenneth T. Hanley.

Item No. 2 Councilman Nagel moved, seconded by Councilman Wroblewski, WHEREAS, the revenues from all sources received by the Town of Cheektowaga during the year 1954 have exceeded the aggregate for the revenues estimated in the 1954 Budget and the taxes levied for the year; and WHEREAS, the amounts provided for expenses in such Budget were insufficient in certain instances to meet expenditures approved by the Town Board; and WHEREAS, the actual expenses were in some instances less than appropriations provided,

NOW, THEREFORE, BE IT RESOLVED, that additional appropriations and transfers be made in the sums and from sources hereinafter indicated:

GENERAL FUND TRANSFERS

FROM

Town Board-Senior Stenographer	\$ 54.24
" " -Office and other expense	61.45
Supervisor-Senior Stenographer	754.20
" " -Office and other expense	466.61
Justice of the Peace-Stenographic services	282.00
" " " " -Jurors' Fees	200.00
Assessors-Salary-Stenographer	54.24
" " -Equipment	1,961.60
Receiver of Taxes-Salary-Accounting machine operator	79.27
" " " -Compensation extra clerks	138.75
" " " -Postage	121.25
" " " -Supplies	160.53
Town House-Telephone	208.80
" " -Cleaning wages	1,960.72
Engineering Department-Salary-Junior aides	158.41
" " " -Supplies	120.86
" " " -Equipment	201.77
" " " -Gas and Oil	500.00
Town Historian-Maps, etc.	269.15
Elections-Compensation election officials	355.00
" " - Rent of Polling Places	570.00
" " - Moving booths, etc.,	1,022.23
Attendance Officers-Supplies	80.00
Veterans Observance	201.00
Dog Wardens-Equipment	281.48
Traffic Regulation Expense-School crossing guards	692.81
<b>DEPARTMENT OF PUBLIC WORKS:</b>	
Miscellaneous Functions-Supplies	200.00
Incinerator-Electricity, gas & water	710.75
Recreation-Equipment operators	1,324.28
" " -Umpires and Referees	1,578.00
" " -Maintenance	708.63
" " -Travelling expense	63.67
" " -Taxes	442.49
" " - State aid	669.56
Interest on temporary loans	436.67
Shade tree fund	1,588.76

FROM

Police Department-Fees in criminal proceedings	\$	100.00
" " - Gasoline & Oil		1,544.12
" " -Equipment		5,802.26
" " -Maintenance-Radio Station		2,624.47
" " -Medical examinations		500.00
" " -Special investigations		184.75
" " -Special traffic guards		75.00
" " -Meals to prisoners		35.00

## GENERAL FUND SURPLUS

\$37,424.35

## TOTAL

\$66,969.13TO

Town Board-Printing briefs, etc.,	\$	13.82
Supervisor-Equipment		74.90
Town Clerk-Salary-Senior stenographer		45.76
" " -Postage, stationery, etc.,		135.01
" " -Equipment		445.00
Justices of the Peace-Dockets, etc.,		825.05
Assessors-Salary-Clerk		400.00
" -Extra Clerks-Special assessments		838.75
" -Office expense		1,871.84
" -Traveling expense		303.00
Receiver of taxes-Equipment		62.10
Town House-Electricity, gas and water		91.12
" " -Supplies		657.49
" " -Equipment		1,406.56
" " -Repairs		809.26
" " -Window cleaning		225.00
Engineering Department-Salary-Engineer		3,000.00
Advertising & Publishing Notices		1,999.53
Insurance and Surety Bonds		3,973.03
Miscellaneous repairs and minor improvements		3,641.24
State Retirement System		1,988.80
Contingent fund		2,776.00
Dog Wardens-Other expense		315.62
Traffic Regulation Expense:		
Traffic signal lights		3,328.78
Street marking & paint		2,753.62
Traffic signs		1,907.74
Department of Public Works:		
Miscellaneous Functions-Maintenance men		144.00
Incinerator-Wages-Operators		1,010.00
" -Supplies		693.72
" -Repairs		7,812.99
Building & Plumbing Department:		
Expense		452.30
Senior stenographer		699.96
Zoning Board of Appeals-Fees of members		619.36
Civil Defense Aid		1,630.95
Recreation-Secretary to Board		58.35
" -Extra labor		2,708.86
" -Playground supervisors		2,879.52
" -Supplies		376.59
" -Equipment		247.97
Police Department-Town police force salaries		4,448.17
" " -Telephone operators salaries		2,074.90
" " -Maintenance-Cars & Cycles		2,191.72
" " -Printing and stationery		10.82
" " -Materials and supplies		604.03
" " -Traveling expense		62.25
Miscellaneous		4,353.65

## TOTAL

\$66,969.13

FROM

Mortgage Tax	\$73,031.63
Other licenses	8,954.38
Fines	570.75
Dog Tax	511.68
Miscellaneous receipts	<u>10,450.11</u>

TOTAL

\$93,518.55TO

State Assistance	\$ .02
Fees of Town Officers	445.05
General Fund Surplus-1954 excess revenue	<u>93,073.48</u>
	<u>\$93,518.55</u>

TOTAL

\$93,518.55TOWN HEALTH FUNDFROM

Town Health Fund Surplus	<u>\$ 402.20</u>
--------------------------	------------------

TO

Expense of Health Officer	\$ 366.45
Registrar of Vital Statistics	35.75
	<u>\$ 402.20</u>

TOTAL

\$ 402.20

BE IT FURTHER RESOLVED, that the Supervisor be, and he hereby is, instructed to make the transfer of balances and to give effect to the additional appropriations set forth above.

CARRIED: AYES: -5-.

Item No. 3 Councilman Nagel moved, seconded by Councilman Wroblewski, that the sum of Two Thousand Dollars (\$2,000.00) be transferred from Item No. 3 of the Highway Fund to Item No. 4, miscellaneous fund, and deposited in said Fund for purposes of snow removal.

CARRIED: AYES: -5-.

## ANNUAL REPORT OF SUPERVISOR TOWN OF CHEEKTOWAGA

Cheektowaga, New York  
December 31, 1954

Members of the Town Board  
Town of Cheektowaga, New York

Gentlemen:

Pursuant to the provisions of Section 105 of the Town Law, I have prepared and submit herewith a full and complete statement of the moneys received and disbursed by me during the year 1954 for the account of the Town of Cheektowaga and funds properly entrusted to me in my capacity as Supervisor, as follows:

### Detailed Summary of General Fund, Health Fund and Special Districts Fund For the Year 1954

#### RECEIPTS

#### Cash on Hand and on Deposit—January 1, 1954

On hand .....	\$ 300.00	
On deposit:		
General Fund .....	72,170.96	
Town Health Fund .....	175.17	
Special Districts Fund .....	62,346.72	
Construction and Improvement Fund .....	133,362.92	
	\$ 268,355.77	

#### General Property Taxes

General Town Lighting .....	\$ 82,885.95	
Town Health Fund .....	3,953.19	
Town Tax .....	361,288.51	
	448,127.65	

#### Special District Taxes

##### Fire Districts

District No. 1—Doyle .....	\$ 21,620.43	
District No. 2—Walden .....	14,775.65	
District No. 3—Forks .....	8,660.56	
District No. 4—U-Crest .....	21,614.87	
District No. 5—Pine Hill .....	20,900.00	
District No. 6—Cleveland Hill .....	13,012.20	
District No. 8—Hyland (Urban) .....	605.00	
	101,188.71	

##### Water Hydrant Districts

District No. 1—Doyle .....	\$ 7,640.18	
District No. 2—Walden .....	3,015.15	
District No. 3—Forks .....	2,722.91	
District No. 4—U-Crest .....	9,562.86	
District No. 5—Pine Hill .....	4,957.51	
District No. 6—Cleveland Hill .....	16,589.66	
District No. 7—French Road .....	1,455.25	
District No. 8—Hyland (Urban) .....	342.50	
District No. 10—Bellevue .....	1,370.00	
	47,656.02	

##### Water Supply District—No. 9

Borden Road .....	\$ 3,824.00	
Como Park Extension .....	1,900.00	
Strasmer Road Extension .....	950.00	
	6,674.00	

##### Consolidated Garbage District .....

183,347.61

##### Sewer Districts

District No. 1 .....	\$ 781.72	
District No. 2 .....	2,800.00	
District No. 3 .....	42,015.82	
District No. 4 .....	5,200.00	
District No. 5 .....	195,197.29	
District No. 6 .....	25,136.00	
	271,130.83	

##### Storm Sewer Districts

District No. 1 .....	\$ 1,362.27	
District No. 2 .....	9,429.06	
District No. 3 .....	7,388.00	
District No. 4 .....	8,885.00	
	27,064.33	

##### Lateral Sanitary Sewer Districts

Arthur .....	\$ 318.38	
Roycroft .....	231.50	
Crestwood .....	995.50	
Cleveland .....	908.30	
Commodore .....	942.66	
Buell and W. Sobieski .....	1,371.12	
Harlem .....	514.17	
Maryvale .....	693.43	
W. Grand .....	574.93	
Cleveland .....	767.35	
S. Huxley .....	598.05	
Commodore .....	1,925.84	
Darwin .....	968.79	
Homesgarth .....	920.40	
Toelsin .....	3,447.10	
Cresthaven .....	1,662.00	
Sugnet .....	2,216.00	
Walton .....	1,675.50	
Abeles, Vincent and Lena .....	1,955.00	
Floral .....	1,150.00	
	23,836.02	

##### Paving Districts

Darwin .....	\$ 2,340.00	
Walton .....	975.00	
Cresthaven .....	975.00	
Sugnet .....	1,105.00	
	5,395.00	

<b>Sidewalk Districts</b>		
Evergreen .....	\$ 1,926.43	
Wellworth .....	638.32	
Clover .....	937.25	
Rossler .....	1,064.07	
Woodridge .....	1,840.00	
Peinkofer .....	805.00	
		7,211.07
<b>Curbing Districts</b>		
Olcott .....		3,155.60
<b>Fire Protection Districts</b>		
District No. 1 .....	\$ 818.80	
District No. 2 .....	6,727.31	
		7,546.11
<b>Street Lighting Improvement</b>		
<b>Group 5</b>		
S. Huxley .....		401.09
<b>Group 6</b>		
Eastvale .....	\$ 208.02	
Pinevale .....	208.02	
Martinvale .....	138.69	
Fairvale .....	832.10	
		1,386.83
<b>Group 7</b>		
Wayne .....	\$ 276.93	
Westbrook .....	1,224.03	
		1,500.96
<b>Group 8</b>		
Highview .....	\$ 149.35	
S. Century .....	365.65	
		515.00
<b>Group 9</b>		
Cunard .....	\$ 654.00	
Mapleview .....	368.00	
Briarcliffe .....	576.00	
		1,598.00
<b>Group 10</b>		
S. Roycroft .....		404.40
<b>Proceeds of Capital Notes</b>		
Damage Claim—Joseph Amadore .....	\$ 4,750.00	
Sewer District No. 5—Walden Thruway		
Extension .....	40,000.00	
Sewer District No. 5—Disposal Plant .....	165,000.00	
Street Lighting Improvement—Group 9 .....	3,000.00	
Street Lighting Improvement—Group 10 .....	750.00	
Street Lighting Improvement—Group 11 .....	2,400.00	
Sidewalk—Peinkofer .....	2,600.00	
Sidewalk—Woodridge .....	6,000.00	
Street Lighting Improvement—Group 12 .....	4,000.00	
Lateral Sewer—Birkdale—Mapleview .....	7,600.00	
Sewer District No. 5—Peinkofer		
Extension .....	23,000.00	
Sewer District No. 5—Trunk Extension .....	21,000.00	
Sewer District No. 3—Disposal Plant .....	40,000.00	
Sewer District No. 5—George Urban		
Pump Station .....	35,000.00	
		355,100.00
<b>Proceeds From Sale of Bonds</b>		
Sewer District No. 5—Series A—Walden		
Thruway Extension		
Principal .....	\$100,000.00	
Premium and interest .....	907.07	
Sewer District No. 5—Series B—Trunk		
Extension		
Principal .....	55,000.00	
Premium and interest .....	472.42	
Curbing—Olcott		
Principal .....	11,000.00	
Premium and interest .....	94.55	
Paving—Darwin		
Principal .....	16,000.00	
Premium and interest .....	137.41	
Paving—Sugnet		
Principal .....	7,500.00	
Premium and interest .....	64.36	
Paving—Walton		
Principal .....	6,500.00	
Premium and interest .....	55.86	
Paving—Cresthaven		
Principal .....	6,000.00	
Premium and interest .....	51.53	
Sewer District No. 3—Disposal Plant		
Principal .....	40,000.00	
Premium and interest .....	480.95	
Sidewalk—Woodridge		
Principal .....	6,000.00	
Premium and interest .....	72.12	
Sewer District No. 5—Peinkofer		
Extension		
Principal .....	26,000.00	
Premium and interest .....	312.50	
Sewer District No. 5—Trunk Extension		
Principal .....	23,000.00	
Premium and interest .....	276.53	
Water District No. 9—Como Park Extension		
Principal .....	30,000.00	
Premium and interest .....	360.58	
Water District No. 9—Strasmer		
Road Extension		
Principal .....	15,000.00	
Premium and interest .....	180.38	
Lateral Sewer—Abeles, Vincent and Lena		
Principal .....	5,500.00	
Premium and interest .....	66.15	
Lateral Sewer—Floral Place		
Principal .....	5,500.00	

Premium and interest .....	66.15	
Sidewalk—Peinkofer .....		
Principal .....	4,000.00	
Premium and interest .....	48.08	
		360,646.64
<b>State of New York—Department of Public Works</b>		
Sewer District No. 5—Disposal Plant.....	10,380.25	
Sewer District No. 5—George Urban		
Pump Station .....	875.00	
		11,255.25
<b>Water Supply Districts</b>		
<b>Tap and Meter Fees</b>		
Borden Road .....	1,184.00	
Como Park Extension .....	234.00	
Strasmer Road Extension .....	585.00	
		2,003.00
<b>Water Collections</b>		
3 Districts .....		7,041.56
<b>Fire Protection Districts</b>		
District No. 1—Bowmansville—Refund .....		93.60
<b>Construction and Improvement Fund</b>		
Street Lighting Improvement—Group 9		
Interest .....		6.67
<b>Comptroller of the State of New York</b>		
State Assistance .....	\$161,006.68	
Justice Court Fines and Fees .....	5,570.75	
		166,577.43
<b>Erie County Treasurer</b>		
Mortgage tax .....	\$ 83,031.63	
Dog tax .....	5,511.68	
		88,543.31
<b>Licenses</b>		
Dog .....	\$ 877.50	
Marriage .....	270.00	
Hunting .....	323.50	
Soft Drink .....	24.00	
Plumbing .....	1,120.13	
		2,615.13
<b>Department Earnings</b>		
Receiver of Taxes and Assessments .....	\$ 2,554.95	
Filing Fees .....	2,739.25	
Permit Fees .....	15,385.00	
Birth and Death Certificates .....	215.00	
		20,894.20
<b>Current Chargebacks By County Treasurer</b>		
<b>Payable by:</b>		
Town Health Fund .....	\$ 3.19	
Highway Fund .....	227.33	
Special Districts Fund .....	17,068.10	
		17,298.62
<b>Payment From Consolidated Garbage District</b>		
For incineration .....	\$ 55,000.00	
For services of foreman .....	2,000.00	
For services of clerk .....	1,950.00	
		58,950.00
<b>Payment From Sewer Districts</b>		
<b>Services of engineer:</b>		
District No. 3 .....	\$ 1,000.00	
District No. 5 .....	3,000.00	
		4,000.00
<b>Miscellaneous</b>		
Town Clerk—Sale of Town Maps, etc. ....	\$ 3,247.48	
City of Buffalo—Payment in lieu of		
taxes on airport .....	3,000.00	
<b>Refunds:</b>		
Sloan Service Company—Insurance .....	2,050.33	
Others .....	148.54	
Insurance claims .....	1,448.46	
Sale of Town property .....	125.00	
<b>Telephone Services:</b>		
Fire District No. 1 .....	66.00	
Fire District No. 2 .....	66.00	
Fire District No. 4 .....	66.00	
Fire District No. 5 .....	66.00	
Fire District No. 6 .....	66.00	
Assessors—Damages by dogs .....	30.24	
Town Historian .....	46.00	
New York Telephone Company—		
Commission .....	24.06	
		\$ 10,450.11
<b>TOTAL RECEIPTS .....</b>		<b>\$2,511,970.52</b>

**DISBURSEMENTS — BUDGET EXPENDITURES**

<b>Town Board</b>		
Salaries—Councilmen .....	\$ 12,000.00	
Salary—Town Attorney .....	6,300.00	
Salary—Stenographer .....	2,745.76	
Printing briefs, cost of litigation and		
expense of Town Attorney .....	1,013.82	
Office and Other Expense .....	938.55	
		\$ 22,998.13
<b>Supervisor</b>		
Salary of Supervisor .....	\$ 6,800.00	
Salary of Secretary to Supervisor .....	3,600.00	
Senior Stenographer .....	2,045.80	
Payroll Clerk .....	2,800.00	
Equipment .....	374.90	
Office and Other Expense .....	1,333.39	
		16,954.09
<b>Town Clerk</b>		
Salary of Town Clerk .....	\$ 5,400.00	
Salary of Deputy Town Clerk .....	3,000.00	

Salary of Clerk .....	2,950.00	
Senior Stenographer .....	2,745.76	
Telephone Operator .....	2,500.00	
Equipment .....	445.00	
Office and Other Expense .....	1,785.01	
		18,825.77
<b>Justices of the Peace</b>		
Salaries:		
Thomas Delahunt .....	\$ 3,900.00	
Joseph Pyszczynski .....	3,900.00	
Office and Other Expense .....	1,143.05	
		8,943.05
<b>Assessors</b>		
Salaries:		
Chairman of Board .....	\$ 4,700.00	
Assessors (2) .....	8,000.00	
Addressograph Operator .....	3,000.00	
Stenographer .....	2,745.76	
Clerk .....	4,200.00	
Senior Clerk—Special Assessments .....	3,250.00	
Draftsman .....	1,900.00	
Extra Clerks—Special Assessments .....	1,638.75	
Equipment .....	1,038.40	
Traveling Expense .....	603.00	
Office and Other Expense .....	2,371.84	
		33,447.75
<b>Receiver of Taxes and Assessments</b>		
Salaries:		
Receiver of Taxes and Assessments .....	\$ 5,400.00	
Senior Account Clerk .....	3,050.00	
Accounting Machine Operator .....	2,720.73	
Extra Clerks .....	2,861.25	
Equipment .....	1,269.30	
Expenses relating to County Tax rolls:		
Postage .....	408.25	
Supplies .....	840.01	
Expenses relating to School tax rolls:		
Postage .....	420.50	
Supplies .....	514.06	
		17,484.10
<b>Town House</b>		
Electricity, gas and water .....	\$ 3,591.12	
Telephone .....	5,791.20	
Supplies .....	2,657.49	
Equipment .....	2,906.56	
Repairs .....	1,309.26	
Cleaning wages .....	5,339.28	
Window cleaning .....	900.00	
		22,494.91
<b>Engineering Department</b>		
Salaries:		
Engineer .....	\$ 7,800.00	
Draftsman .....	3,800.00	
Junior engineering aides .....	7,441.59	
Stenographer .....	2,800.00	
Equipment .....	1,998.23	
Office and Other Expense .....	879.14	
	\$ 24,718.96	
Less: Charge to Assessors .....	1,900.00	
		22,818.96
<b>Town Historian</b>		
Office and Other Expense .....		1,030.85
<b>Advertising and Publishing Notices</b> .....		4,699.53
<b>Elections</b>		
Compensation of Officials .....	\$ 8,145.00	
Moving election booths, etc. ....	1,477.77	
Repayment of capital note and interest .....	3,535.00	
Rent of polling places .....	730.00	
Purchase of voting machines (5) .....	6,190.32	
		20,078.09
<b>Insurance and Surety Bonds</b>		
Compensation insurance .....	\$ 22,346.63	
Fire and general insurance .....	18,862.23	
Surety bonds .....	764.17	
		41,973.03
<b>Town Health Fund</b>		
Salary of Health Officer .....	\$ 3,500.00	
Expenses of Health Officer .....	716.45	
Registrar of Vital Statistics .....	135.75	
Erie County chargebacks .....	3.19	
		4,355.39
<b>Construction and Improvements</b>		
Sewer District No. 3		
Disposal Plant Improvement .....	\$120,049.34	
Water District No. 9		
Tap and Meter—Como Park		
Extension .....	79.22	
Water District No. 9		
Tap and Meter—Strasmer Road		
Extension .....	79.93	
Sewer District No. 5		
Walden Thruway Extension .....	30,954.87	
Sewer District No. 5		
Trunk Extension .....	2,719.23	
Darwin Drive Paving .....	952.51	
Sugnet Road Paving .....	563.39	
Walton Drive Paving .....	518.21	
Cresthaven Drive Paving .....	496.58	
Sewer District No. 5		
Disposal Plant Improvement .....	151,104.89	
Floral Place—Lateral Sewer .....	845.94	
Abeles Avenue, etc.—Lateral Sewer .....	4,758.38	
Street Lighting Improvement—Group 9 .....	2,939.42	
Street Lighting Improvement—Group 10 .....	702.75	

Street Lighting Improvement—Group 11	2,173.73	
Peinkofer—Sidewalk	2,918.00	
Woodridge—Sidewalk	7,159.57	
Street Lighting Improvement—Group 12	3,830.18	
Birkdale—Mapleview—Lateral Sewer	5,590.16	
Sewer District No. 5		
Peinkofer Extension	29,240.30	
Sewer District No. 5		
Trunk Extension	14,932.92	
Sewer District No. 5		
George Urban Pump Station	12,342.38	
		394,951.90
<b>Attendance Officers</b>		
Salaries (2)	\$ 2,800.00	
Supplies	20.00	
		2,820.00
<b>Miscellaneous Repairs</b>		
Repairs to sidewalks, etc.		9,841.24
<b>Retirement System</b>		
Town's 1954 contribution		34,988.80
<b>Veterans Observance</b>		599.00
<b>Contingent Fund</b>		
Expense in legislative matters and other special and professional services		12,776.00
<b>Dog Wardens</b>		
Salaries (2)	\$ 5,500.00	
Equipment	1,418.52	
Other Expense	715.62	
		7,634.14
<b>Traffic Regulation Expense</b>		
School crossing guards	\$ 16,032.19	
Streetmarking and paint	5,853.62	
Signal lights—Installation, maintenance and repair	9,328.78	
Traffic signs	1,907.74	
		33,122.33
<b>Department of Public Works</b>		
<b>Incineration Plant:</b>		
Plant superintendent	\$ 4,200.00	
Operators and maintenance men	21,010.00	
Supplies	3,693.72	
Electricity, gas and water	2,289.25	
Repairs	9,312.99	
<b>Miscellaneous Functions:</b>		
General foreman	4,000.00	
Principal clerk	3,900.00	
Maintenance men (2)	6,944.00	
		55,349.96
<b>Building and Plumbing Department</b>		
<b>Salaries:</b>		
Building Inspector	\$ 4,000.00	
Assistant Building Inspector	3,700.00	
Stenographer	699.96	
Office and Other Expense	1,352.30	
		9,752.26
<b>Zoning Board of Appeals</b>		
Fees of members		1,819.36
<b>Civil Defense Aid</b>		
Salaries	\$ 2,395.68	
Uniforms	646.10	
Equipment	441.45	
Office and Other Expense	1,147.72	
		4,630.95
<b>Recreation</b>		
Salary—Director	\$ 3,800.00	
Secretary to Board	908.35	
Equipment Operators	6,275.72	
Playground Supervisors	6,879.52	
Extra Labor	12,308.86	
Umpires and Referees	1,422.00	
Equipment	3,747.97	
Maintenance of Parks	4,291.37	
Supplies	4,376.59	
Taxes—Real Estate	4,157.51	
Traveling Expense	536.33	
	\$ 48,704.22	
Less: State Aid	4,876.31	
		43,827.91
<b>Damage Claim</b>		
Joseph Amadore		4,750.00
<b>Interest on Temporary Loans</b>		138.33
<b>Erie County Treasurer</b>		
Current chargebacks for erroneous taxes		17,781.96
<b>Shade Tree Fund</b>		6,411.24
<b>Police Department</b>		
Salaries—Town Police Force	\$165,948.17	
Salaries—Telephone Operators	12,124.90	
Salary—Mechanic	3,750.00	
Salary—Radio maintenance	600.00	
Gas and Oil	6,455.88	
Maintenance—Cars and Cycles	6,191.72	
Materials and supplies	1,204.03	
Printing and stationery	510.82	
Special investigations	15.25	
Purchase of equipment	3,197.74	
Maintenance—Radio Station	375.53	
Traveling expenses	262.25	
Services of Matron	1,100.00	
Meals to prisoners	465.00	
		202,201.29
<b>Repayment of Capital Notes—Principal Only</b>		
Damage Claim		7,500.00

<b>Miscellaneous</b>		
Purchase of lots .....	\$ 3,270.51	
Purchase of grave property .....	2,230.00	
Fighting grass fires .....	271.00	
Remittance of fines .....	175.00	
Refunds—Building permits .....	174.00	
Traveling expense—Highway superintendent .....	136.27	
Refunds—Plumbers licenses and examinations .....	50.00	
Handling fees—Paying bonds and coupons .....	46.87	
		6,353.65
<b>SPECIAL DISTRICT EXPENDITURES</b>		
<b>Lighting Town—General</b>		
Town Street Lighting .....	\$ 91,202.14	
Repairs to Standards, etc. ....	2,153.10	
Erie County chargebacks .....	185.95	
	\$ 93,541.19	
Less: Revenue from Village of Sloan .....	300.00	
		93,241.19
<b>Fire Districts</b>		
District No. 1—Doyle .....	\$ 21,620.43	
District No. 2—Walden .....	14,775.65	
District No. 3—Forks .....	8,660.56	
District No. 4—U-Crest .....	21,614.87	
District No. 5—Pine Hill .....	20,900.00	
District No. 6—Cleveland Hill .....	13,012.20	
District No. 8—Hyland (Urban) .....	605.00	
		101,188.71
<b>Water Hydrant Districts</b>		
District No. 1—Doyle .....	\$ 7,994.55	
District No. 2—Walden .....	3,226.34	
District No. 3—Forks .....	2,603.00	
District No. 4—U-Crest .....	9,729.56	
District No. 5—Pine Hill .....	5,398.59	
District No. 6—Cleveland Hill .....	15,001.50	
District No. 7—French Road .....	1,507.00	
District No. 8—Hyland (Urban) .....	342.50	
District No. 10—Bellevue .....	1,301.50	
		47,104.54
<b>Water Supply Districts</b>		
<b>Tap and Meter</b>		
Borden Road .....	\$ 1,648.50	
Como Park Extension .....	2,057.33	
Strasmer Road Extension .....	1,085.72	
		4,791.55
<b>Cost of Water</b>		
3 Districts .....		4,117.34
<b>Consolidated Garbage District</b>		
Services of General Foreman .....	\$ 2,000.00	
Services of Principal Clerk .....	1,950.00	
Salaries and wages .....	119,069.25	
Incineration .....	55,000.00	
Gasoline, oil, repair parts, etc. ....	14,085.29	
Repayment of capital note and interest .....	6,312.50	
Disposal site .....	1,500.00	
Erie County chargebacks .....	29.23	
	\$199,946.27	
Less: Revenue received .....	134.67	
		199,811.60
<b>Sewer Districts</b>		
<b>District No. 1</b>		
Rental to City of Buffalo .....		778.47
<b>District No. 2</b>		
Rental .....	\$ 3,000.00	
Maintenance .....	532.69	
		3,532.69
<b>District No. 3</b>		
Services of Engineer .....	\$ 1,000.00	
Labor—Operating .....	14,417.54	
Labor—Maintenance .....	4,540.94	
Repayment of capital note and interest .....	1,221.72	
Electricity, gas and water .....	3,995.85	
Taxes .....	5,312.17	
Chlorine .....	3,300.00	
Supplies .....	891.16	
Repairs .....	779.80	
	\$ 35,459.18	
Less: Rental charged:		
Sommer Brothers .....	\$ 22,000.00	
Village of Sloan .....	1,550.00	
		23,550.00
		11,909.18
<b>District No. 4</b>		
Rental .....	\$ 3,500.00	
Electricity, gas and water .....	613.62	
Repairs .....	456.78	
		4,570.40
<b>District No. 5</b>		
Services of Engineer .....	\$ 3,000.00	
Labor—Operating .....	50,378.68	
Labor—Maintenance .....	21,696.66	
Repayment of capital note and interest .....	2,443.44	
Electricity, gas and water .....	21,390.62	
Chlorine .....	5,121.33	
Supplies .....	4,513.10	
Equipment .....	4,302.75	
Repairs .....	10,771.20	
Erie County chargebacks .....	7,151.36	
	\$130,769.14	

Less: Rental charged:		
City of Buffalo—Payment in lieu of taxes on airport .....	\$ 12,000.00	
Sewer District No. 2 .....	3,000.00	
Sewer District No. 4 .....	3,500.00	
Sewer District No. 6 .....	22,800.00	
J. Asmondus .....	75.00	
	<u>41,375.00</u>	89,394.14
<b>District No. 6</b>		
Rental .....		22,800.00
<b>Storm Sewer Districts</b>		
<b>District No. 1</b>		
Repayment of capital note and interest .....		1,164.25
<b>District No. 2</b>		
Erie County chargebacks .....	\$ 9,229.06	
Maintenance .....	1,248.72	
	<u>10,477.78</u>	10,477.78
<b>Lateral Sanitary Sewer Districts</b>		
Erie County chargebacks .....	\$ 312.74	
Interest .....	208.39	
	<u>521.13</u>	521.13
<b>Sidewalk Districts</b>		
Erie County chargebacks .....	\$ 53.15	
Interest .....	17.19	
	<u>70.34</u>	70.34
<b>Curbing Districts</b>		
Approving opinion .....	\$ 229.99	
Printing bonds .....	39.68	
Interest .....	151.09	
	<u>420.76</u>	420.76
<b>Fire Protection Districts</b>		
<b>District No. 1</b>		
Bowmansville .....	\$ 818.80	
<b>District No. 2—Tio-run-da</b>		
Cleveland Hill Fire District .....	\$ 4,500.00	
Hydrant rental .....	2,260.50	
	<u>6,760.50</u>	7,579.30
<b>Street Lighting Improvement</b>		
Group 5—Interest .....	\$ 5.00	
Group 6—Interest .....	16.00	
Group 7—Interest .....	16.00	
Group 8—Interest .....	15.00	
Group 9—Interest .....	25.00	
Group 10—Interest .....	6.25	
Group 11—Interest .....	16.93	
	<u>100.18</u>	100.18
<b>Repayment of Capital Notes—Principal Only</b>		
Street Lighting Improvement—Group 5 .....	\$ 500.00	
Street Lighting Improvement—Group 6 .....	1,600.00	
Street Lighting Improvement—Group 7 .....	1,600.00	
Street Lighting Improvement—Group 8 .....	500.00	
Street Lighting Improvement—Group 9 .....	1,500.00	
Street Lighting Improvement—Group 10 .....	375.00	
Sewer District No. 5		
Walden Thruway Extension .....	110,000.00	
Sewer District No. 5		
Trunk Extension .....	55,000.00	
Darwin Drive—Paving .....	16,526.00	
Sugnet Road—Paving .....	7,538.00	
Walton Drive—Paving .....	6,748.00	
Cresthaven Drive—Paving .....	6,209.00	
Olcott—Curbing .....	10,500.00	
Sewer District No. 3—Disposal Plant .....	40,000.00	
Sidewalk—Woodridge .....	6,000.00	
Sewer District No. 5—Peinkofer Extension .....	23,000.00	
Sewer District No. 5—Trunk Extension .....	21,000.00	
Water District No. 9—Como Park Extension .....	28,000.00	
Water District No. 9—Strasmer Road Extension .....	14,000.00	
Lateral Sewer—Abeles, Vincent and Lena .....	5,500.00	
Lateral Sewer—Floral Place .....	5,500.00	
Sidewalk—Peinkofer .....	2,600.00	
	<u>364,196.00</u>	364,196.00
<b>DEBT SERVICE</b>		
<b>Redemption of Bonds</b>		
Sewer District No. 3 .....	\$ 15,583.33	
Sewer District No. 5 .....	79,353.50	
Sewer District No. 6 .....	2,000.00	
Storm Sewer District No. 3 .....	6,000.00	
Storm Sewer District No. 4 .....	5,000.00	
Sidewalk District .....	4,500.00	
Lateral Sewer Districts .....	23,446.50	
Paving Districts .....		
Street Curbing Districts .....	3,000.00	
Water Supply Districts .....	2,000.00	
General Town Debt .....	17,000.00	
	<u>157,883.33</u>	157,883.33
<b>Interest on Bonds</b>		
Sewer District No. 3 .....	\$ 11,581.75	
Sewer District No. 5 .....	19,338.00	
Sewer District No. 6 .....	336.00	
Storm Sewer District No. 3 .....	1,188.00	
Storm Sewer District No. 4 .....	4,185.00	
Sidewalk Districts .....	128.25	
Lateral Sewer Districts .....	1,388.38	
Paving Districts .....	468.00	
Street Curbing Districts .....	206.25	
Water Supply Districts .....	1,824.00	

General Town Debt .....	3,871.50	44,515.13
<b>TOTAL DISBURSEMENTS .....</b>		<b>\$2,263,321.98</b>
<b>Summary for General Fund, Health Fund, Special Districts Fund</b>		
Total Receipts .....	\$2,511,970.52	
Total Disbursements .....	2,263,321.98	
Balance—December 31, 1954 .....		\$ 248,648.54

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**DETAILED SUMMARY OF HIGHWAY FUND FOR THE YEAR 1954**

<b>Receipts</b>		
Balance from previous year .....	\$ 5,448.23	
Proceeds of capital notes .....	14,245.56	
State Aid .....	3,309.38	
Treasurer of Erie County—Snow Removal .....	2,516.00	
Street cuts .....	800.00	
1954 Highway Tax—Primary Account .....	140,041.10	
1954 Highway Tax—Bridge Account .....	4,324.00	
1954 Highway Tax—Machinery Account .....	33,609.75	
1954 Highway Tax—Miscellaneous Account .....	46,736.23	
		\$ 251,030.25
<b>Disbursements</b>		
Primary Account .....	\$133,108.35	
Bridge Account .....	3,324.00	
Machinery Account .....	44,727.72	
Miscellaneous Account .....	49,689.05	
		230,849.12
BALANCE—December 31, 1954 .....		\$ 20,181.13

The foregoing statement is in accordance with the books and records maintained by me, which I herewith submit for comparison, inspection and approval.

BENEDICT T. HOLTZ, Supervisor

STATE OF NEW YORK }  
 COUNTY OF ERIE } ss.  
 TOWN OF CHEEKTOWAGA }

We, the undersigned members of the Town Board of Cheektowaga, do hereby certify that we have checked and audited the books of Benedict T. Holtz, Supervisor, and that the foregoing is a true detailed summary copy of all account, audited by this Board for the year 1954 as to receipts and disbursements and amounts claimed and allowed, and the same hereby are approved.

Dated this 31st day of December, 1954.

Signed: FELIX T. WROBLEWSKI  
 HENRY J. NAGEL  
 JOSEPH A. NEIBERT  
 STANLEY BYSTRAK

(Constituting a majority of the Town Board  
 of the Town of Cheektowaga, New York)

ATTEST:

KENNETH T. HANLEY,  
 Town Clerk

Item No. 5

to adjourn.

Councilman Nagel moved, seconded by Councilman Wrobkowski,

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SEAL

Kenneth T. Hanley, Town Clerk

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 1 January 8, 1954</u>		
3	Authorization of Town Engineer to attend meeting of New York Industrial Wastes Association	1
4	Appointment of part-time workers in Tax Office	1
5	Establishment of salaries	1
6	Extension of Speed Zone on Dick Road	1
7	Highway Superintendent requested to provide drainage on the following streets: Colby Street, Andrew Street, and Hedley Street	1
8	Erie County Highway Superintendent Crafts requested to erect 2 Boulevard Stop Signs	1
9	Approval of official bond for Highway Funds in the amount of \$20,000.00	1
10	Approval of Sub-division map of Park View Estates	1
11	Approval of Sub-division map of Dutchess Court	1
12	Notice to Bidders- Police car radios	2-3
13	Construction of a permanent pavement on Lena Avenue; Plans and surveying by Nussbaumar, Clarke and Velzy	3
14	Construction of permanent pavement on Yorktown Street; Plans and surveying by Nussbaumer, Clarke and Velzy	4
15	Construction of lateral sewer on Yorktown Steet	4
16	Amendment adopted- Section 1 of the Building Code entitled "Administration"	5-6
17	Notice of Public Hearing- Birkdale Road Street Lighting Equipment	6-7
18	Public Hearign to consider the advisability of amending the provisions of the Building Code to regulate the issuance of building permits; Adopted	8-9
19	Authorization of Erie County Water Authority to water hydrants, Cost charged against Water Supply District No. 4	9
20	Request to Erie County Water Authority to move water hydrant interfering with the driveway at No. 28 Evergreen Street	9
21	Request of the American Machine & Foundry Company to change traffic signal at the corner of Kennedy Road and Broadway forwarded to State Traffic Commission	9
22	Straco Inc, engaged to repair sanitary sewer on Maryvale Drive	9
23	Decision on rezoning- South-west corner of Cleveland Drive and Century road	9
24	Rezoning Granted- Stella Ogielo	10-11
25	REzoning Granted- John Glian	12-13
26	Rezoning Granted- Francis X. Gaiser	13-14
27	Ap;roval of Claims	

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Special Meeting No. 2 January 8, 1955</u>	
2	Acceptance, bid, William Turkey Chevrolet, Inc.; Police Cars	16

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 3 January 17, 1955</u>		
3	Petition for the installation of street lighting equipment on Glendale Lane; referred to the Assessors	17
4	Petition for the installation of Curbs, drains, etc., on Awood Place; referred to Assessors	17
5	Authorization of Supervisor to cast vote at the Association of Towns annual meeting	17
6	Receiving of bids; Car radios for Police Department, referred to Supervisor	17
7	Authorization of Town Attorney to attend conference of the Municipal Law Section of the New York State Bar Association and conferences relating to pending Legislation and Equalization Rate	17
8	House Trailer Camp permit denied, William Tadio	17
9	House Trailer Camp permit denied, Henry Geleszinski	17
10	Hyman Karnofsky, Attorney at Law, representing Mr. William Tadio, was granted the floor	17
11	Permission granted to the Leggett Company and to Lewis C. Bowers and Sons, Inc., to construct and underground pipe from the Leggett property to the U-Crest ditch	17-18
12	Construction of pavement on Homesgarth Avenue; Nussbaumer, Clarke, and Velzy to prepare plans and do surveying	18
13	Bond Resolution, dated January 17, 1955, authorizing the issuance of \$10,000.00 for paving of Homesgarth Avenue	19-20
14	Bond Anticipation Note Resolution authorizing the issuance of \$10,000.00 for the paving of a portion of Homesgarth Avenue	20
15	Bond Anticipation Note of 1955-\$4,750 from Manufacturers and Traders Trust Company- to finance paving of Homesgarth Avenue	20-21
16	Notice to bidders-Two All-Purpose waste collection units	21-22
17	Notice of Public Hearing for the improvement of Mapleview Road by the construction of a permanent pavement	22-23
18	Public hearing for the improvement of Birkdale Road by the installation of street lighting improvement	24
19	Authorization of Supervisor to purchase street lights to be used on Birkdale Road	24
20	Authorization of Supervisor to purchase street lights to be used on McNaughton Avenue	24
21	Authorization of Town Clerk to issue building permits approved 1 - 8 - 55 and 1 - 15 - 55	24
22	Rezoning decision on certain premises on Old Genesee Street referred back to Zoning Board of Appeals for further study	24
23	Change Order No. 1- Contract with Herbert F. Darling re: Changes in the Sewage Disposal Plant No. 3 Storm Overflow Manhole	24-25
24	Authorization of Supervisor to purchase required valve	25
25	Approval of claims	26

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 4 February 7, 1955</u>		
3	Petition for the improvement of Fontaine Drive by the installation of street lighting equipment- referred to the Board of Assessors	27
4	Notice of Appeal presented by Henry Geleszinski for the establishment of a trailer park on New Walden Avenue; referred to the Town Board	27
5	Petition for the Extension of Sewer District No. 3; referred to the Town Board	27
6	Public hearing for the improvement of Mapleview Road; matter referred to Town Attorney	27
7	Authorization of Town Clerk to have the Depew Herald print copies of the Supervisors 1954 Annual Report	27
8	Request to New York Traffic Commission to install a traffic signal light at the intersection of Genesee Street and Beach Road	27
9	Request to Erie County Highway Superintendent to permit the Town to install traffic lights on Cleveland Drive at Lochland Drive and at the west entrance to the New York State Thruway	27
10	Approval of the Subdivision Map of Barabara White Subdivision, Section 3	27
11	Authorization of Town Clerk to issue building permits approved 1-22-55, 1-29-55, 2-5-55	27
12	Authorization of Supervisor to Purchase and install a Telemetering System at the Union Road Pump Station	27
13	Authorization of Town Clerk to execute a contract for service meter and hydrants for Water District No. 10	27
14	Approval of \$635.29 paid to Straco, Inc., for emergency repairs to Sanitary Sewer on Cleveland Drive	27
15	Approval of \$249.28 paid to Straco, Inc., for emergency repairs to the sewer on Dingens Street	27
16	Authorization of all elected and appointed officials designated by the Board to attend the Conference of the Association of Towns	27
17	Authorization of Councilmen Felix T. Wroblewski, Ernest J. Roehm, and Carl Trafalski to attend Building and Plumbing inspectors conference	27
18	Engagement of Michael A. Wagner and Sons to install a partition in the Town Hall	28
19	Approval of \$436.68 paid to Wolff Machine Company, Inc., for emergency repairs to pump at Delevan-Pine Hill Station	28
20	Increase in Compensation pay to injured Town Highway department employee, Edward Slisz, until May 1, 1955	28
21	Appointment of Myron R. Shisler as Engineering Aide	28
22	Authorization of New York State Gas and Electric Company to install street lights on South Colby Street, Stradtman Street, Lossen Road, Rosewood Terrace	28
23	Leasing of land on the southwest corner of Union Road and George Urban Blvd. to Ray Schieder at the sum of \$25 a year, commencing March 1, 1955 and ending March 1, 1957	28

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24	Merrymont Road and Maplevue Road combined and renamed Maplevue Drive, house numbers changed; entire highway designated as School Area	28
25	Notice to Bidders- purchase of High Test and Regular gasoline	28-30
26	Rezoning granted-Robert W. Martin as attorney for John J. Marooney	30-31
27	Approval of claims	32

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 6 February 21, 1955</u>		
3	Communication from Town Highway Department	34
4	Petition requesting Town Board to submit a proposition to the voters to be voted upon by special election- "Shall the town of Cheektowaga, New York, abolish the Ward System for the election of Councilmen?" Referred to the Town Board and the Town Attorney	34
5	Bids recieved-purchase of HighTest and Regular gasoline; referred to Town Board	34
6	Authorization of Supervisor to submit application for permission to establish a Recreation Youth Project to the New York State Youth Commission	34
7	Ezecution of agreement between Pelvion Land Company and the Town re: topping on White Road	34
8	Agreement between Town and Pelvion Land Company	34-35
9	Lorraine H. Tomczyk granted sick leave without pay	35
10	Rose A. Petersen granted 30 day leave of absence (with pay	35
11	Appointment of permanent stenographers	35
12	Authorization of Supervisor to apply for service at the George Urban Blvd. pumping station by the Niagara Mohawk Power Corp.	35
13	Authorization of Supervisor to purchase lighting standards from Westinghouse Corporation for use on Fontaine Drive	35
14	Authorization of Niagara Mohawk Power Corporation to replace street lights	35
15	Authorzation of the New York State Electric and Gas Company to replace street light on Como Park Blvd. and Union Road	35
16	Purchase of street lights from Westinghouse Electric Company, Charged to general Lighting District	35
17	Krakus Boulevard renamed Leonard Drive	35
18	Authorization of Town Clerk to issue building permits approved February 12th, 19th, and 21st, 1955	35
19	\$422.88 paid to Rupp Equipment Company	35
20	Approval of Subdivision Map of Essex Heights	36
21	Petition filed to construct curbs on Awood Place dehd	36
22	Naming of Walden Avenue, rena ming of Old Walden Avenue	36
23	Notice to Bidders- All materials ,equipment, and labor ne cessary to convert 25-cycle electrical equipment at Sewage Treatment Plant serving District No. 5 to 60-cycle	36-37
24	Call for public hearing regarding Sewer District No. 3	38-39
25	Notice to Bidders-Purchase of Voting Machines	39-40
26	Capital Note Resolution.. dated February 21, 1955, Authorizing the issuance of \$24,700 voting machine capital notes	41-42
27	Notice of public hearing for the improvement of Town Highways by the installationof street lights	42-43

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28	Notice of public hearing for the installation of street lighting equipment	44-45
29	Re-zoning granted- Philip G. D'Auria	45-46
30	Town Historian's report for the year 1955	47
31	Approval of Claims	47 .

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<u>Meeting No. 7 February 28, 1955</u>		
2	Erie County Water Authority requested to install fire hydrant in front of No. 79 White Road	48
3	Leonard Drive renamed Leonard Post Drive	48
4	Randolph Street renamed Clause Drive	48
5	Purchase of 50 yellow Panchos	48
6	Acceptance, bid, P-D Service; All Purpose Waste Collection Units	48
7	Approval of Change Order No. 2, contract with Nussbaumer, Clarke, and Velzy; re; Sewer District No. 5	48
8	Petition presented objecting to alleged petition presented to the Board on February 21, 1955	48
9	Proposition for the abolishment of the Ward System of electing Councilmen	48-50
10	Notice to Bidders- Bulldozer, Low Bed Trailor, Truck to Pull Trailor and a Moto-Paver for use by the Town Highway Department	50-51
11	Notice of Public Hearing for Street Lighting Equipment on Fontaine Drive	52-53
12	Re-zoning granted- Josephine Torrelli	53-54
13	Re-zoning granted- Loblaw's, Inc.	54-55
14	Approval of Claims	55

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 8 March 7, 1955</u>		
3	Petition for improvement of Loretto Drive and Irish Road by the installation of street lights referred to Assessors	56
4	Acceptance of Bids for all materials, equipment, and labor necessary to convert 25-cycle electrical equipment at Sewage Treatment Plant Serving District No. 5 to 60-cycle; referred to Town Engineer	56
5	Receiving of bids for automatic voting machines, referred to Town Board	56
6	Public hearing for the extension of Sewer District No. 3	57
7	Notice to Contractors; bids for improvements to the Sanitary Sewer system of District Mo5	57-59
8	Notice to Contractors; improvements in Sanitary Sewer District No. 5, Genesee Street, Yorktown Road, and Beechwood Place	59-60
9	Objections to petition referring to abolition of Ward System	61
9-a	Notice of Special Election- Referendum on Ward System	61-62
10	Establishment of 45 Election Districts	63
11	Increase in salary-Election Inspectors and Election Chairman	64
12	Transfer of \$6,755.20 from the General Fund to Construction and Improvements fund for Street Lighting	64
13	Authorization of the Niagara Mohawk Power Corporation to remove and install street lights	64
14	Authorization of New York State Gas & Electric Corporation to install street lights	64
15	Authorization of Town Clerk to issue building permits approved March 2, 1955	64
16	Approval of claims	64

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Meeting No. 9 March 21, 1955

2	Receiving of bids- improvement of Genesee Street; referred to Town Engineer	65
3	Receiving of bids- Bulldozer, Low Bed Trailor, Truck to pull Trailor, and a Moto Paver; referred to Highway Superintendent	65
4	Communication from Board of Fire Commissioners, Pine Fire District No. 5, requesting No Parking signs on Atwood Place- referred to Chief of Police	65
5	Communication- Town of Lancaster	65
6	Petition presented for the improvement of Honesgarth Avenue by installation of street lights- referred to Assessors	65
7	Authorization of TownClerk to issue building permits approved March 12,1955 and March 19, 1955	65
8	Installationof fire hydrant on White Road	65
9	Cheektowaga Chamber of Commerce granted request to hold their Annual Easter Egg Hunt on April 10, 1955	65
10	Acceptance, bid, Automatic Voting Machine Corporation	66
11	Acceptance, bid, Stroh Electric Construction Corporation- Conversion of 25 cycle equioment to 60 cycle equipment	66
12	Request to Erie County Highway Superintendent to install Stop signs, request toCounty Highway Department for permit to install traffic light	66
13	Request to Post Office to install mail box	66
14	Request New York State Thruway Authority to re-consider former request to construct an entrance and exit on William Street	66
15	Public Hearing on improvement of Town Highways	66
16	Public Hearing on improvement of Town Highways- Geo. Urban Blvd., Miami Parkway, Petan Drive	67
17	Public Hearing on improvement of Town Highways- Fontaine Drive	67-68
18	Authorization of New York State Electric & Gas Corporation to install lights on Maryvale Drive	68
19	Authorization of Niagara Mohawk Power Corporation to install lights, Ravenswood Terrace: repair lights, South Huxley: remove lights, Harlem Road	68
20	Mr. Henry Geleszinski granted the floor-re: Denial of Trailor Camp on Walden Avenue	68
21	Request for relief from high waters on Park Avenue- referred to Town Engineer	68
22	Approval of Claims	

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 10 March 25, 1955</u>		
3	Petition for the improvement of Daniel Avenue by installation of street lighting equipment	69
4	Denial of request of John Janusz to operate a sound car	69
5	Receiver of Taxes and Assessments authorized to accept taxes from Erie County for the year 1955	69
6	Approval of Sub-division Map of Park Lane Sub-division No. 1	69
7	Decision to close Town Hall on Good Friday	69
8	Notice to Bidders- Police cars, Police Motorcycles	69-70
9	Notice of Public hearing- Grunner Road-Kennedy Road- Lemoine Street- Lateral Sanitary Sewer	71-72
10	Notice of Public Hearing- Genesee Street, from Midland Drive to East Grand Boulevard- Lateral Sanitary Sewer	72-73
11	Notice of Public Hearing- Peter Street- Lateral Sanitary Sewer	74-75
12	Bond Resolution dated March 26, 1955, authorizing the issuance of \$45,000 Serial Water District No. 10 bonds- to finance the construction of a water system in said District	75-76
13	Bond Anticipation Note Resolution dated March 26, 1955 authorizing the issuance of \$45,000 Bond Anticipation Notes	77
14	Bond Anticipation Note of 1955- \$30,000-Manufacturers and Traders Trust Company	77

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Meeting No. 11 April 2, 1955

- |   |  |       |
|---|--|-------|
| 2 | Sub-division Map of Wehrle-Cleveland Terrace and Sub-division Map Nandale approved and filed   | 78    |
| 3 | Application of Peter D. Testa and Vincent J. Lesh to rezone premises located on the North-East corner of Genesee Street and Beach Road from residence to business district granted | 78-79 |

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Meeting No. 12 April 4, 1955

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Due to a lack of quorum, the meeting was postponed until  
April 8, 1955

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	<u>Meeting No. 13 April 8, 1955</u>	
3	Petition for the improvement of Abeles Avenue by the construction of a permanent pavement	81
4	Petition for the improvement of Park Avenue, Queens Drive, and Princess Drive by the installation of street lights	81
5	Receiving of bids- Police cars and Police Motorcycles- referred to Town Board	81
6	Agreement and Bond presented for the completion of Claude Drive; received and filed by Chairman	81
7	Request for the use of fireworks at New Liberty Park- referred to Town Attorney	81
8	Petition presented protesting the use of the Old Folks Home on Broadway as a Hotel. Referred to the Petitions Committee	81
9	Assessors granted request to attend the Assessors School	81
10	Authorization of Town Clerk to issue building permits approved March 26, 1955 and April 2, 1955	81
11	Commissioners of the Pine Hill Fire District No. 5 granted request for NO PARKING signs an Atwood Place	81
12	Approval of \$1,857.63 paid to Straco, Inc., for emergency repairs on Maryvale Drive Sanitary Sewer	82
13	Approval of \$1,601.96 Paid to Straco, Ind., for emergency repairs on Maryvale Drive Sanitary Sewer	82
14	Engagement of Zapfel Brothers Inc, to make necessary repairs to Incinerator Truck	82
15	Authorization of Supervisor to purchase lighting standards from Westinghouse	82
16	Authorization of Supervisor to purchase lighting standards from Westinghouse for use on the following streets: Lucian Court, St. Paul Court, Lucille Court, Carolyn Court, and Robert Court	81
17	Authorization of Supervisor to purchase lighting standards from Westinghouse Corporation for use on Fontaine Drive	81
18	Authorization of New York State Electric and Gas Corporation to remove and install street lights	81
19	Authorization of Supervisor to file Court complaint against Marczak Construction Company, Inc., re: Damages to pipeline	82
20	Public Notice of examination of the accounts and fiscal affairs of the Town, for the period beginning on January 1, 1950 and ending on December 31, 1953, by the State Comptroller	82-83
21	Re-zoning granted- Thruway Terminus Inc.	83-84
22	Rezoning granted- Bernard G. King	84-85
23	Rezoning granted- Henry L. and Richard E. Kotecki	85-86
24	Approval of Claims	86

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<u>Meeting No. 14 April 18, 1955</u>		
3	Complaint of Pelvion Land Company re: premises at No.326 Cayuga Poad referred to Chief of Police	87
4	Disabled Veterans granted permission to sell Forget-Me-Nots in Town on May 7, 1955	87
5	Authorization of Town Health Officer to attend New York State Health Conference	87
6	Authorization of Recreational Director to attend State Recreation Conference	87
7	Employment of part-time Park Department laborers	87
8	Appointment of Assistant Play Supervisors	87
9	Public hearing for the improvement of Peter Street by the construction of a lateral sewer; referred to Attorney	87
10	Public hearing on the improvement of Genesee Street by the construction of lateral sewer; referred to Attorney	87
11	Public Hearing for the improvement of Gruner Road by the construction of a sewer; proposed contract to be prepared by Nussbaumer, Clarke, and Velzy with the assistance of the Town Attorney	87
12	Designation of Clean-up, Fix-up, Paint-up week	88
13	Afternoon of Buffalo Bisons opening baseball game, April 28, 1955, declared a half Civic Holiday	88
14	Sick leave benefits of Richard Slisz extended to May 15, 1955	88
15	Authorization of Town Clerk to issue building permits approved April 9 and April 16, 1955	88
16	All work on Building permit issued to Xavier Wojcechowicz for No. 157 Gulabert Street and Straley Street ordered suspended pending further action	88
17	Appointment of Frank A. Lunz as Sewage Plant Superintendent	88
18	Petition presented for improvement of Geo. Urban Blvd. by the installation of street lights; Authorization of Niagara Mohawk Power Corporation to install lights	88
19	Capital Note Resolution dated April 18, 1955, Authorizing the issuance of \$4,500 Lighting District Capital Notes	88-89
20	Enforcement of Ordinance No. 15	90
21	Supervisor requested to obtain informal bids for the construction of a dog pound	90
22	Construction of permanent pavement on Maplevue Road, Nussbaumer, Clarke, and Velzy to prepare proposed contract	90
23	Acceptance of Aurora Drive as a Town Highway	90
24	Acceptance of Rogers Drive, Sandra Drive, and Kathleen Drive as Town Highways	90
25	Abandonment of highways and portions of land	91
26	Acceptance, bid, Brock Tractor Co., Inc., Bulldozer	91

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27	Acceptance, bid, Mernan Chevrolet, Inc., Truck to pull Traylor	92
28	Acceptance, bid, P-D Service, Inc., traylor	92
29	Acceptance, bid, Rupp Equipment Co., Moto-Paver	93
30	Appointment of Playground Supervisors	93
31	Approval of Claims	

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 15 May 2nd, 1955</u>		
3	Petition presented by various Town Employees requestion salaries paid every 10 days rather than twice a month; referred to Town Board	94
4	Petition for the improvement of Danbury Drive by the installation of street lighting equipment	94
5	Rain dates for New Liberty Park, Inc., fireworks display	94
6	Agreement between Daniel D. Gentile and Town re: topping on Duchess Court	94
7	Execution of agreement with Steinmiller Construction re: topping on Hillsboro Road	94-95
8	Execution of agreement with Peter Santin Construction Company, Inc., re: topping on Pinewood Terrace	95
9	Authorization of Nussbaumer, Clarke, and Velzy to prepare estimate of cost involved in relocating water line on Transit Road; Communication from State of New York Dept. of Public Works	96
10	Sale of land to Norman J. Castine, Inc.,- lots No. 22, 23, 24, and 25	96
11	Purchase of land from Evangelical Lutheran St. John Orphans Home of the City of Buffalo	96
12	Payment of expenses incurred for Justice of the Peace and Lieut. William H. Graham to attend conference for a Teen-age Traffic Court.	96
13	Authorization of Supervisor, Highway Superintendent, Town Attorney, and Town Engineer to attend conference at the partment of Public Works in Albany	96
14	Communication- Geo. B. Doyle re: sidewalk ordinance	97
15	Notice of Public Hearing- Proposed sidewalk ordinance	97-98
16	Notice of Public Hearing for the improvement of Abeles Ave. by the construction of a permanent paving	99-100
17	Construction of permanent paving on Aurora Drive	100
18	Construction of lateral sewer on Peter Street	100-101
19	Construction of a lateral sewer on Genesee Street	101
20	Change order No. 3, Sanitary Sewer District No. 3, Sewage Treatment Plant, Contract 2	101
20-a	Notice to Bidders- sale of tract of land having a frontage on Harlem Road of 103 feet and extending easterly to the west line of Roycroft Blvd.	102-103
21	Request to city of Buffalo to clean area near its Incinerator on South Ogden Street	104
22	Acceptance, bid, Harley Davidson- Police Motorcycles	104
23	Authorization of Supervisor to apply for a contract to erect stop and go traffic signal	

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24	Erie County Highway Superintendent requested to authorize the installation of push button signal	104
25	Bison Blower Company engaged to repair Incinerator and Highway Department Garage	104
26	Approval of Subdivision Map of Pine Park	104
27	Authorization of New York State Gas & Electric Company to install street light	104
28	Authorization of Town Clerk to issue building permits approved April 23, 1955 and April 30, 1955.	104
29	Approval of Claims	104

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Meeting No. 16 May 5th, 1955

3	Bids for Police Cars rejected; new bids to be advertised when 1956 models come out	105
4	Notice to Bidders- Purchase of trucks	105-106
5	Authorization of Town Clerk to loan voting machines to Westinghouse Union Official	107
6	Bond Resolution authorizing the issuance of \$47,609 serial bonds to finance the acquisition of highway equipment	107-108
7	Bond anticipation note resolution authorizing the issuance of \$47,609 Bond Anticipation Notes in anticipation of the sale of serial bonds authorized to finance the acquisition of highway machinery	108-109

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	<u>Meeting No. 17 May 16, 1955</u>	
3	Petition for the erection of street lights on Elaine Court; referred to Councilman Bystrak	110
4	Communication from District Principal Maryvale School System	110
5	Petition presented for erection of Children at Play signs; referred to Councilman Wroblewski	110
6	Petition presented protesting noises emanating from Hy-Fly Bird Farm; referred to Chief of Police	110
7	quests for Children At Play signs, referred to Highway Superintendent	110
8	Request for posting of six- ton limit on Alpine and Linden streets; referred to Highway Superintendent	110
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