

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, on the 2nd day of July, 1951, at 2:30 o'clock P.M., E.D.S.T., there were:

<b>PRESENT:</b>	Benedict T. Holtz	Supervisor
	Henry Nagel	Councilman
	Felix T. Wroblewski	Councilman
	Joseph A. Weibert	Councilman
	Stanley Bystrak	Councilman

**ABSENT:** -0-

Also present were; Town Attorney, George B. Doyle, Town Clerk, Kenneth T. Hanley, Town Engineer, Albert Kamm, and Town Superintendent of Highways, John J. Zablony.

Without any objections the reading of the minutes of the previous meeting were dispensed with until a later date.

This being the time and the place advertised for a public hearing on the application of the Greyhound Bus Corporation to extend its route on highway No. 78, between U.S. Route No. 20 and the northeasterly Town Line of the Town of Cheektowaga.

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 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.

Mr. W.E. Kam, representing the Buffalo Transit Company was granted the floor and related to the Board that his company has no opposition to the proposed route as long as the Greyhound Company does not pick up or discharge passengers in the Town of Cheektowaga.

Mr. Charles Scheeneck, Attorney at Law, representing the Greyhound Bus Company, appeared in favor.

The Supervisor ordered the hearing closed and decision was reserved.

This being the time and the place advertised for a public hearing on a proposed Ordinance to regulate the construction of public improvements in the Town of Cheektowaga, New York.

The Town 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 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 one appeared in opposition to the proposed ordinance.

Dr. Victor Reinstein speaking in favor of the proposed ordinance related to the Board that the streets should be under the supervision of the Town and that inspectors should be appointed by the Town Board to work in conjunction with the Town Engineer, and that the contractors should not be made to put in a better street than one that the Town puts in, and also that the contractors should not be strangled by the adoption of the proposed ordinance.

Following is a list of proposed specifications for the construction of highways in the Town, submitted by the Town Engineer, Town Attorney, and the Town Superintendent of Highways;

TO THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, NEW YORK:

You requested us to prepare proposed specifications for the construction of highways in the Town of Cheektowaga, New York, for your consideration.

#### MINIMUM SPECIFICATIONS FOR STREET OR HIGHWAY CONSTRUCTION

1. No street or highway will be accepted as an improved Town Highway by the Town Board or Town Superintendent of Highways of the Town of Cheektowaga, New York, unless the following minimum specifications are complied with:

Legal References: Highways by Dedication - See Section 171,  
Highway Law  
Requirements as to width - See Sections 171  
and 180 (No highways shall be laid out less  
than 3 rods in width)

#### SUBGRADE

2. The subgrade on all types of road shall be properly prepared after proper drainage has been provided. All boulders, muck, quicksand, soft clay, spongy material and any other objectionable material shall be removed as directed by the Town Engineer and Town Superintendent of Highways. All spaces from which objectionable materials have been removed shall be refilled with acceptable materials such as stone, slag or gravel, as directed.

#### FOUNDATION COURSE

3. After all drains have been satisfactorily completed and the subgrade has been properly shaped, it shall be thoroughly rolled and compacted with an approved self-propelled roller weighing not less than ten tons. Care shall be taken not to roll clay foundations enough to develop a plastic condition. All hollows and depressions which develop shall be filled with acceptable materials and the subgrade shall again be rolled. This process of filling and rolling shall be repeated until no depressions develop. In places where the character of the material make the use of such a roller impracticable, a lighter one may be permitted. The subgrade shall not be muddy, or otherwise unsatisfactory when the pavement is placed upon it. All necessary drainage to effectively drain the roadway must be completed before the placing of any pavement will be permitted thereon.

#### EMBANKMENT

4. Embankments shall be formed of suitable materials, graded and rolled to the property lines, and approximately true to lines and grades. All stones larger than 3 inches in diameter or any other objectionable material shall be removed from the surface.

#### INTERSECTING HIGHWAYS

5. At all intersecting public highways a smooth riding and satisfactory junction must be produced.

#### MATERIALS

6. Bottom Courses: Highways may be constructed of gravel, slag or stone

and sufficient filler shall be added so that the material will compact in a dense mass. The owner shall get the approval of the Town Superintendent of the material that he proposes to use before placing same. Material shall be placed upon roads in layers of not more than 6 inches loose and thoroughly compacted with a 10-ton roller.

**Top Courses:** The top courses shall be ITEM 53M, Option No. 6 Asphalt Concrete-Steam Dispersion Process of the New York State Public Works Specifications. A course of binder with a compacted thickness of two (2) inches shall be laid, followed with a course of top (fine) with a compacted thickness of one (1) inch. An eight to ten ton tandem roller shall be used to compact the asphalt concrete.

**CAST-IN-PLACE-CONCRETE CURB**

7. Curb shall conform to the sections as shown in the Specifications, or of such sections as approved by the Engineer, and shall be required only in sections where adequate storm sewers are available and adequate. Cast in place curb under these specifications shall be composed of Lake Erie Sand, Lake Erie Gravel, Crushed Stone or Crushed Blast Furnace Slag. Blast Furnace Slag shall be as produced by the Buffalo Slag Company.

**Fine Aggregate:** The fine aggregate shall be washed and graded in compliance with A.S.T.M. Specification C33-49. It shall pass the 10 cycle Sodium Sulphate test with loss not greater 8%.

**Course Aggregate:** The coarse aggregate shall be clean and graded in compliance with A.S.T.M. Specification C33-49, for nominated size 3/4" to #4. It shall pass the 10 cycle Sodium Sulphate Test with loss not greater 5%.

**Concrete Strength Requirement:** Minimum compressive strength on Standard 6" x 12" concrete cylinders shall not be less than 3500 lbs. per square inch at 28 days.

At least two test cylinders shall be made on each day that concrete is poured, one for 7 days and one for 28 days. Tests to be made by a recognized testing laboratory satisfactory to the Town Engineer. Cost of such testing is to be paid by the contractor and included in his bid.

**Concrete Mix Proportions (Per Cubic Yard)**

**Crushed Stone or Gravel Concrete:**

Portland Cement (Minimum)	6.0 Sacks per yard
Fine Aggregate	42.0%
Coarse Aggregate	58.0%

**Blast Furnace Slag Concrete:**

Portland Cement (Minimum)	6.0 Sacks per yard
Fine Aggregate	46.0%
Coarse Aggregate	54.0%

Maximum slump for any of the three types of concrete shall be six (6) inches.

**Cold weather concrete:** All concrete placed in cold or freezing weather, must have both mixing water and aggregates heated. The concrete when deposited in the forms shall have a temperature of at least 70 degrees, maximum temperature 110 degrees F. After placing concrete in the forms, it shall be fully protected from the elements by being covered with straw or other suitable material for at least 10 days.

No concrete shall be placed on frozen ground.

**Mixing and Placing of Concrete:** Concrete may be either transit mix or job mix. In either case, the mix proportions must be held rigidly to those outlined under concrete mix proportions of this specification.

Care must be exercised in placing concrete in the forms. After placing, it shall be rodded or spaded, so that the finished concrete shall be smooth and represent a workmanlike job.

If after removal of the forms, any open or rough spots are noted, they shall be immediately repaired with a cement and mix of 1:2 by the cement finisher.

Curbing shall be covered, immediately after finishing, with burlap or other material acceptable to the Engineer which shall be kept wet for a period of 3 days.

The contractor shall protect the curbing and keep it in first class condition and alignment until the completion of the contract. Any curbing which is damaged at any time previous to the final acceptance of the work shall be removed and replaced with satisfactory curbing at the contractor's expense.

All backfilling behind curb must be tamped in layers not more than 6 inches in depth to a height of not less than 6 inches below the top of the curb. Each earth layer shall be thoroughly and uniformly compacted by solidly tamping with appropriate tools in such a manner as not to injure or disturb the completed curb.

All backfilling on the front, or pavement side, of the curb shall be filled with crushed stone, slag, or other suitable porous material and properly compacted. No earth fill will be allowed.

#### SEASONAL AND WEATHER LIMITATION

8. No material shall be placed from October 15th to May 15th, except by written permission of the Engineer, nor when the air temperature in the shade is below 50 degrees F.

The foregoing restrictions are not intended to prevent any person, firm, or corporation from constructing at his own expense a road or a highway on private property, to be deeded later to the Town upon completion, so long as he complies with the foregoing requirements. He must, however, before commencing work, file with the Town Engineer, written plans and specifications which shall in every respect comply with the foregoing specifications. All work on said highway shall be done under the supervision of the Town Engineer and the Town Highway Superintendent and such other person or persons as either of them designate to inspect the work.

The foregoing specifications are similar to the ones now in effect in the Town of Tonawanda, with certain revisions. The Town of Tonawanda's specifications require curbing in all streets. Curbing has been omitted in the above specifications, except in existing storm sewer districts.



We further wish to call to the Town Board's attention the fact that the present specifications in force require the builder or developer to construct an 8-inch base of gravel, slag, or stone. When such work meets the approval of the Town Highway Superintendent, he places a penetration surface on the compacted base. The penetration surface constructed by the Town Highway Department consists of 2 inches of No. 2 stone, rolled and shaped with a 10-ton roller. The Highway Department then applies one gallon of asphalt per square yard by pressure to the rolled surface. This coating is then covered with No. 1 stone and again rolled. This is followed by an application of one-half gallon of asphalt per square yard and then a cover of 1-A stone applied and rolled by the 10-ton roller.

Thereafter, the Highway Department has to recoat the surface whenever it starts to bleed. This may happen a few months after the road is laid or it might be the following year. The Highway Department in about 2 or 3 years applies another application of asphalt, a half gallon per square yard, for a sealer coat. The road has to be maintained thereafter by the Highway Department; but if the road is properly laid in the first place, maintenance expense is not too great.

Respectfully submitted,

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John Zablony  
Superintendent of Highways

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Albert J. Kamm  
Town Engineer

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George B. Doyle, Town Attorney

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No one appeared in opposition to the proposed specifications.  
The Supervisor ordered the hearing closed.

AN ORDINANCE TO REGULATE THE CONSTRUCTION OF PUBLIC IMPROVEMENTS IN THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK, ( ADOPTED )

Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 2nd day of July, 1951, at 2:30 o'clock P.M., E.D.S.T. were:

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

**ABSENT:** None  
Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting held on the 19th day of June, 1951, at 7:30 o'clock P.M., E.D.S.T., adopted a resolution directing that the Town Board meet at the Town Hall, corner Broadway and Union Road in said Town, on the 2nd day of July, 1951, at 2:30 o'clock P.M., E.D.S.T., for the purpose of considering the advisability of enacting an ordinance to regulate the construction of public improvements in the Town of Cheektowaga, Erie County, New York; and

WHEREAS, notice of said public hearing and a proposed ordinance to regulate the construction of public improvements in the Town of Cheektowaga, Erie County, New York, were duly published in the Cheektowaga Times, official newspaper of the Town of Cheektowaga, and being a newspaper having a general circulation in said Town, 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 now on file in the Town Clerk's Office; and

WHEREAS, the Town Clerk, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing posted conspicuously in six (6) public places within the Township, certified copies of said resolution, order, and proposed ordinance to regulate the construction of public improvements in the Town of Cheektowaga, Erie County, New York, as shown by the duly verified affidavit of the Town Clerk; and

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, on the 2nd day of July, 1951, at 2:30 P.M., E.D.S.T., did meet at the Town Hall in said Town of Cheektowaga, Erie County, New York, for the purpose of considering the advisability of enacting an ordinance to regulate the construction of public

improvements in said resolution adopted on the 19th day of June, 1951, and an opportunity was afforded all persons interested in the subject matter to be heard; and

WHEREAS, the Town Board has decided that it is in the public interest to adopt said Ordinance to regulate the construction of public improvements in the Town of Cheektowaga, Erie County, New York,

BE IT RESOLVED, that the following Ordinance to Regulate the Construction of Public Improvements in the Town of Cheektowaga, Erie County, New York, be and the same is hereby adopted:

**AN ORDINANCE TO REGULATE THE CONSTRUCTION OF PUBLIC IMPROVEMENTS IN THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.**

No person, firm or corporation shall install, construct or perform any work incident to the installation and/or construction of any public improvement or public road, or highway in the Town of Cheektowaga without first having obtained a permit therefor, to be used by the Town Clerk, with the approval of the Town Board after certification by the Town Engineers that the plans and specifications as submitted by the applicant comply with the specifications and requirements of the Town of Cheektowaga, New York now in existence or as hereinafter changed and amended. The fee for such permit shall be the sum of Ten Dollars (\$10.00).

The application for such permit shall be made on forms furnished by the Town of Cheektowaga, New York, and shall contain such information as the Town Engineers of the Town of Cheektowaga, New York, shall require to determine that the proposed improvements will conform with the specifications and requirements of the Town of Cheektowaga, New York for such proposed improvement.

All applications shall be accompanied by a map or survey, together with three specifications prepared by a civil engineer duly licensed by the State of New York, one copy of which shall be filed with the Town Engineer, the Town Superintendent of Highways and the Town Clerk.

The Town Engineer shall provide each applicant with a set of standard specifications and requirements of the Town of Cheektowaga, New York.

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If the improvements are installed or constructed upon real property, the title to which has been acquired by the Town of Cheektowaga, the holder of the permit, before commencing any work in connection thereon, shall deliver to the Town of Cheektowaga, New York, a bond of a surety corporation or surety, authorized to do business in the State of New York, in a sum equal to the cost of the work to be performed, which bond shall guarantee the faithful performance of all work in accordance with the specifications and requirements of the Town of Cheektowaga and before acceptance be approved by the Town Attorney as to form and efficiency of surety.

Such bond shall remain in full force and effect until the certificate of completion and compliance with this ordinance shall have been issued by the Town Engineer.

In the event that the holder of such permit shall fail or refuse to comply with the provisions of this ordinance above described, the Town Superintendent of Highways of the Town may proceed to complete the work under contract to be done, and the applicant and his surety shall be obligated to pay all expenses incurred by the Town in the completion of said improvements so that the same shall comply with the specifications and requirements of the Town of Cheektowaga, New York.

No work shall be performed except under the supervision and inspection of an inspector designated by the Town Engineer and approved by the Town Board. The Town Engineer shall fix the wages of sets of such inspector and the cost thereof to the Town shall be paid by the holder of the permit.

The holder of a permit shall comply with all the ordinances of the Town of Cheektowaga, New York, and all laws of the State of New York now in force or hereafter enacted applicable to the work to be performed thereunder.

Compliance with the provisions of this ordinance shall be a condition precedent to the acceptance of any street, highway or other improvement by the Town of Cheektowaga, New York, for the purpose of maintenance.

This ordinance is not intended to repeal any existing ordinances of the Town of Cheektowaga, New York.

but if there is any conflict between this ordinance and any previous ordinance adopted by the Town of Cheektowaga, this ordinance shall, in so far as there is a conflict, be deemed to supercede said existing ordinance.

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 within the Township, and being the official newspaper of said Township, and that a printed copy thereof be posted conspicuously by the Town Clerk in at least six (6) public places in the Town for at least ten (10) days before the same shall take effect, and an affidavit of the publication and posting thereof shall be filed with the Town Clerk. 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 in the minutes.

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

Benedict T. Holtz, voting Aye.  
Henry Nagel, voting Aye.  
Felix T. Wroblewski, voting Aye.  
Joseph A. Neibert, voting Aye.  
Stanley 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 2nd day of July, 1951, 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 July, 1951.

KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.  
(SEAL) May 21

Post

Town  
For  
U-C  
Pia  
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Doy

Her

Street;  
Avenue;

the Cheektowaga Times;

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication July 5, 1951; last publication same; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 5<sup>th</sup>

day of July, 1951

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, 1953  
Registered No. 5029

This being the time and the place advertised for a public hearing for the creation of Storm Sewer District No. 4, in the Town of Cheektowaga.

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 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.

The following persons in the audience stood in favor of the creation of Storm Sewer District No. 4;

Harold Sommer,  
Eleanor Miller,  
Mary Schalberg,  
Peter Huntz,  
George Frinhlutz,  
Alice Paradowski,  
Robert Wiesnennayer,

No one appeared in opposition.

The Supervisor ordered the hearing closed.

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, a petition has been filed for the creation of a storm sewer district, to be known as Storm Sewer District No. 4, by the majority of the owners of property within the proposed district; and

WHEREAS, the Town Board intends to create said district, subject to the approval of the State Comptroller,

be it RESOLVED, that Nussbaumer and Clarke, consulting engineers, be engaged to prepare the necessary plans and specifications for said public improvement; and

be it FURTHER RESOLVED, that a copy of this resolution be forwarded to Nussbaumer and Clarke.

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-

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, Raymond Przybysz is sick and waiting admission to the Veterans' Hospital, and will be unable to return to work as a janitor before August 1, 1951,

BE IT RESOLVED, that a leave of absence be granted the said Raymond Przybysz, with pay, until August 1, 1951.

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-

Posted as follows on the 5th day of July, 1951;

Town Hall Bulletin Board;  
Forks Fire House, Broadway and Union Road;  
U-Crest Fire House, Clover Place and Evergreen Street;  
Pine Hill Fire House, Genesee Street and Normandy Avenue;  
Rescue Fire House, Pine Ridge Road;  
Doyle Fire House No. 1, William and Alaska Street;

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

**ORDINANCE ADOPTED**

Public Improvements  
A regular meeting of the Board of the Town of Cheektowaga, Erie County, New York, held in the Town Hall in said Town of Cheektowaga on the 2nd day of July, 1951, 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 Bystrak, Councilman

**ABSENT:** None

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting held on the 18th day of June, 1951, at 7:30 o'clock P.M., E.D.S.T., adopted a resolution directing that the Town Board meet at the Town Hall, corner Broadway and Union Road in said Town, on the 2nd day of July, 1951, at 2:30 o'clock P.M., E.D.S.T. for the purpose of considering the advisability of enacting an ordinance to regulate the construction of public improvements in the Town of Cheektowaga, Erie County, New York; and

WHEREAS, notice of said public hearing and a proposed ordinance to regulate the construction of public improvements in the Town of Cheektowaga, Erie County, New York, were duly published in the Cheektowaga Times, official newspaper of the Town of Cheektowaga, and being a newspaper having a general circulation in said Town, 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 now on file in the Town Clerk's Office; and

WHEREAS, the Town Clerk, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing posted conspicuously in six (6) public places within the Township, certified copies of said resolution, order, and proposed ordinance to regulate the construction of public improvements in the Town of Cheektowaga, Erie County, New York, as shown by the duly verified affidavit of the Town Clerk; and

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, on the 2nd day of July, 1951, at 2:30 P.M., E.D.S.T., did meet at the Town Hall in said Town of Cheektowaga for the purpose of considering the advisability of adopting said Ordinance to regulate the construction of public

improvements in the Town of Cheektowaga, Erie County, New York; and a public hearing was held thereon at the time and place designated in said resolution adopted the 18th day of June, 1951, and an opportunity was afforded all persons interested in the subject matter to be heard; and

WHEREAS, the Town Board has decided that it is in the public interest to adopt said Ordinance to regulate the construction of public improvements in the Town of Cheektowaga, Erie County, New York,

BE IT RESOLVED, that the following Ordinance to Regulate the Construction of Public Improvements in the Town of Cheektowaga, Erie County, New York, be and the same is hereby adopted:

**AN ORDINANCE TO REGULATE THE CONSTRUCTION OF PUBLIC IMPROVEMENTS IN THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.**

No person, firm or corporation shall install, construct or perform any work incident to the installation and/or construction of any public improvement or public road, or highway in the Town of Cheektowaga without first having obtained a permit therefor, to be used by the Town Clerk, with the approval of the Town Board after certification by the Town Engineers that the plans and specifications as submitted by the applicant comply with the specifications and requirements of the Town of Cheektowaga, New York now in existence or as herein after changed and amended. The fee for such permit shall be the sum of Ten Dollars (\$10.00).

The application for such permit shall be made on forms furnished by the Town of Cheektowaga, New York, and shall contain such information as the Town Engineers of the Town of Cheektowaga, New York shall require to determine that the proposed improvements will conform with the specifications and requirements of the Town of Cheektowaga, New York for such proposed improvement.

All applications shall be accompanied by a map or survey, together with three specifications prepared by a civil engineer duly licensed by the State of New York, one copy of which shall be filed with the Town Engineer, the Town Superintendent of Highways and the Town Clerk.

The Town Engineer shall provide each applicant with a set of standard specifications and requirements of the Town of Cheektowaga, New

York, for such work, for which a charge of Five Dollars (\$5.00) per copy shall be made, and no work shall be performed except in accordance therewith.

If the improvement to be installed or constructed shall be upon real property, the title to which has been acquired by the Town of Cheektowaga, the holder of the permit, before commencing any work in connection therewith, shall deliver to the Town of Cheektowaga, New York, a bond of a surety corporation as surety, authorized to do business in the State of New York, in a sum equal to the cost of the work to be performed, which bond shall guarantee the faithful performance of all work in accordance with the specifications and requirements of the Town of Cheektowaga and before acceptance be approved by the Town Attorney as to form and efficiency of surety.

Such bond shall remain in full force and effect until the certificate of completion and compliance with this ordinance shall have been issued by the Town Engineer.

In the event that the holder of such permit shall fail or refuse to comply with the provisions of this ordinance above described, the Town Superintendent of Highways of the Town may proceed to complete the work undertaken to be done, and the applicant and his surety shall be obligated to pay all expenses incurred by the Town in the completion of said improvement so that the same shall comply with the specifications and requirements of the Town of Cheektowaga, New York.

No work shall be performed except under the supervision and inspection of an inspector designated by the Town Engineer and approved by the Town Board. The Town Engineer shall fix the wages of fees of such inspector and the cost thereof to the Town shall be paid by the holder of the permit.

The holder of a permit shall comply with all the ordinances of the Town of Cheektowaga, New York, and all laws of the State of New York now in force or hereafter adopted applicable to the work to be performed thereunder.

Compliance with the provisions of this ordinance shall be a condition precedent to the acceptance of any street, highway or other improvement by the Town of Cheektowaga, New York, for the purpose of maintenance.

This ordinance is not intended to repeal any existing ordinances of the Town of Cheektowaga, New York,

but if there is any conflict between this ordinance and any previous ordinance adopted by the Town of Cheektowaga, this ordinance shall, in so far as there is a conflict, be deemed to supercede said existing ordinance.

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 within the Township, and being the official newspaper of said Township, and that a printed copy thereof be posted conspicuously by the Town Clerk in at least six (6) public places in the Town for at least ten (10) days before the same shall take effect, and an affidavit of the publication and posting thereof shall be filed with the Town Clerk. 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 in the minutes.

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

Benedict T. Holtz, voting Aye.  
Henry Nagel, voting Aye.  
Felix T. Wroblewski, voting Aye.  
Joseph A. Neibert, voting Aye.  
Stanley 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 2nd day of July, 1951, 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 July, 1951.

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

(SEAL) May 24

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Commissioners of Cleveland Hill Fire District No. 6 have requested the posting of No Standing signs at certain areas along the north side of Cleveland Drive, and the east side of Century Road, from the Circle to Kensington Avenue in order to maintain a fire lane along said highway, and

WHEREAS, Cleveland Drive is a county highway under the jurisdiction of the County Highway Superintendent, be it

RESOLVED, that the Chief of Police make a survey of Cleveland Drive to determine when No Standing signs should be installed, and that such survey cover both sides of Cleveland Drive and Century Road, and be it further

RESOLVED, that upon receiving the recommendations of the Chief of Police, the Supervisor be and he is hereby authorized to contact the County Highway Superintendent and request him to install the signs on Cleveland Drive.

Century Road being a town highway, the Chief of Police is authorized to erect No Standing signs on said highway from the Circle to Kensington Avenue.

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 Bystrak,	voting <u>Aye</u>
Councilman Neibert,	voting <u>Aye</u>
Councilman Wroblewski,	voting <u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the U.S. Rubber Reclaiming Company, Inc. is operating a rubber reclaiming works in the Town of Cheektowaga, New York in such a manner as to cause the emission of obnoxious odors and gases from its plant and is allowing chemicals and other substances to enter the sewer systems of the Town of Cheektowaga, New York which cause obnoxious odors to spread throughout the Town to the great annoyance and inconvenience of other property owners and residents of the Town and which seriously affects their health, comfort and repose, be it

RESOLVED, that the Town Attorney be authorized to institute an appropriate action or proceeding in a court of competent jurisdiction to restrain said company from operating a rubber plant in the Town of Cheektowaga in such a manner as to allow the emission of obnoxious gases, fumes and other substances from its plant and to seek such other and further relief as is just and equitable for the Town of Cheektowaga, New York, its residents and property owners, and be it further

RESOLVED, that the Town Attorney be and is hereby authorized to engage such professional witnesses and experts as he may deem necessary in the conduct of said action or proceeding. The sum of \$1,000 is hereby appropriated for that purpose. No expenditure above that amount shall be made by him without further order 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 Nagel,	voting <u>Aye</u>
Councilman Bystrak,	voting <u>Aye</u>
Councilman Neibert,	voting <u>Aye</u>
Councilman Wroblewski,	voting <u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, Detective Sergeant Louis Kozlowski is still confined to his home under doctor's care, and it is not expected that he will be able to return to work before August 1, 1951,

BE IT RESOLVED, that a leave of absence be granted him with pay until August 1, 1951.

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-

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, it is necessary to provide engineering service in connection with the operation of our disposal plants and the Town Engineer has agreed to provide such engineering service in addition to his other duties,

BE IT RESOLVED, that the salary of the Town Engineer, Albert J. Kama, be fixed at the sum of \$4,000.00 per year, commencing July 1, 1951, such salary to be paid him in semi-monthly installments.

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-

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, the owners of property in the vicinity of Harlem Avenue and Walden Avenue have requested the Town Board to create a sanitary sewer district, so as to provide sewer service in that area,

BE IT RESOLVED, that Nussbaumer and Clarke, consulting engineers, be engaged to prepare the maps of the area to be included in said proposed sanitary sewer district; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Nussbaumer and Clarke, said consulting engineers.

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-



Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that a New York State Gas and Electric Company be authorized to install a 2500 lumen light on pole number one on Pinehurst Place in the Town of Cheektowaga, New York.

Seconded by Councilman Neibert.

Dated: 7-2-51

Carried: Ayes - 5

Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that the subdivision map of Hoffman Meadows dated June 24, 1951 prepared by Herthe & Sonnenberger engineers be approved and ordered filed in the Town Clerk's office.

Seconded by Councilman Neibert.

Dated: 7-2-51

Carried: Ayes - 5

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Niagara Mohawk Power Company be authorized to move electric pole in front of 100 Reo Street at no expense to the Town of Cheektowaga, New York.

Seconded by Councilman Neibert.

Dated: 7-2-51

Carried: Ayes -5

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, it has been called to the attention of the Town Board that the facilities for the treating of sludge of Disposal Plant No. 3 and No. 5 are taxed to capacity, and that additional equipment is required for the treatment of the sludge,

BE IT RESOLVED, that Nussbaumer and Clarke, consulting engineers, be engaged to furnish the Town Board with the necessary plans and specifications to provide additional capacity and better treatment of the sludge, and an estimate of the cost thereof; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Nussbaumer and Clarke, said consulting engineers.

Seconded by Councilman Nagel 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-

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, it has been determined to be in the public interest that a bridge be built over Scajacquada Creek at Rosewood Terrace,

BE IT RESOLVED, that Nussbaumer and Clarke, consulting engineers, be authorized to prepare plans and specifications for the construction of said bridge and submit to the Town Board an estimate of the cost of said public improvement; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Nussbaumer and Clarke, said consulting engineers.

Seconded by Councilman Nagel 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-

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a subdivision map was approved by the Town Board on an area of land in the Delevan Avenue section and one of the streets mentioned in said subdivision map was Huxler Road, and

WHEREAS, Henry Juett is the owner of the lots on both sides of said Huxler Road with the exception of seven lots and he is negotiating for the purchase of five of the said seven lots, and

WHEREAS, the said Henry Juett contemplates filing a new subdivision map increasing the width of the lots from approximately 35 feet to at least 50 feet in width complying with the town ordinances, be it

RESOLVED, that the Town Board hereby consents to the change of the name of Huxler Road to Carol Drive on said subdivision map. This resolution is not intended as acceptance of said highway at this time by the Town of Cheektowaga.

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 Bystrak,	voting <u>Aye</u>
Councilman Neibert,	voting <u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Town Clerk be authorized and directed to issue Building Permits on Application processed by the Petitions Committee on June 23, 1951 - June 30, 1951 after same have been approved by the Building Inspector.

Seconded by Councilman Neibert.

Dated: 7-2-51

Carried: Ayes - 5

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, the truck assigned to the incinerator plant was completely destroyed by fire and a new truck is needed at once,

BE IT RESOLVED, that the supervisor be authorized to purchase a Studebaker truck from Zapfel Brothers fully complete for the sum of \$2490.00. That the cost thereof be charge against incinerator funds.

Seconded by Councilman Nagel.

Dated: 7-2-51

Carried: Ayes - 5

Zapfel Bros.  
2633 Genesee Street  
Buffalo 11, N.Y.

July 2, 1951

Town of Cheektowaga  
Town Hall  
Cheektowaga, New York

Dear Sirs:

This is a price on a 1951 Studebaker 1 1/2 Ton Dump Truck with following specifications.

Engine	246 cubic inch displacement
Chassis	102 Horse power heavy duty transmission and clutch
	131 inch Wheelbase
Body	700 x 20 - 8 ply tires, single front, dual rear
	8 ft x 6 ft body
	3 yard with 4 yard ends and cab shield and 7 inch hoist.

The price of this unit, less Federal and County Taxes is \$2495.00.

Very truly yours,  
ZAPFEL BROS. GARAGE  
(signed)

John F. Bartram

B/s

**Town of Cheektowaga, Erie County, New York,**  
held at the Town Hall, in said  
Town of Cheektowaga, New York,  
on the 2nd day of July, 1951, there  
were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman

**ABSENT:** None.

Mr. Wroblewski offered the following resolution and moved its adoption.

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 15th day of June, 1951, at 7:30 o'clock P.M. E.D.S.T., of said day for the purpose of considering the application of Joseph and Anne Kasperczyk, 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 19th day of June, 1951, having rendered its decision granting the application of the petitioners to rezone from residence district to business district the property hereinafter described, for the purpose of conducting a Radio and Television Appliance Store, 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 2nd day of July, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals and having personally inspected the premises to be zoned, as well as the property in its immediate vicinity on Clinton Street.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from residence to business 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", subject to the following restrictions: (1) that said premises are used only for Business purposes and not Industrial, and (2) that in the event said premises are no longer used as a Radio and Television Appliance Store, this order of rezoning shall be null and void and the property shall revert to residential use only.

**DESCRIPTION**

Clinton Street, north side, approximately 250 feet west of Harlef Road (acreage), 88x150 feet.

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

Benedict T. Holtz, voting Aye,  
Henry Nagel, voting Aye,  
Felix T. Wroblewski, voting Aye,  
Joseph A. Neibert, voting Aye,  
Stanley Bystrak, voting Aye,  
Carried: 5 Ayes, 0 Noes.

Dated: July 2, 1951.

(seal) KENNETH T. HANLEY,  
Town Clerk  
Town of Cheektowaga  
Erie County, New York

Posted as follows on the 5th day of July, 1951;

Town Hall Bulletin Board.

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

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**Rezoning Granted**

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, New York, on the 2nd day of July, 1951, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Nelbert, Councilman  
Stanley Bystrak, Councilman

**ABSENT:** None.

Mr. Wroblewski offered the following resolution and moved its adoption.

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, Erie County, New York, on the 2nd day of July, 1951, and the following restrictions: (1) that said premises are used only for Business purposes and not Industrial, and (2) that in the event said premises are no longer used as a Radio and Television Appliance Store, this order of rezoning shall be null and void and the property shall revert to residential use only.

**DESCRIPTION**

Clinton Street, north side, approximately 250 feet west of Harlef Road (acreage), 88x150 feet.

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

Benedict T. Holtz, voting Aye,  
Henry Nagel, voting Aye,  
Felix T. Wroblewski, voting Aye,  
Joseph A. Nelbert, voting Aye,  
Stanley Bystrak, voting Aye,  
Carried: 5 Ayes, 0 Noes.

Dated: July 2, 1951.

(seal) KENNETH T. HANLEY,  
Town Clerk  
Town of Cheektowaga  
Erie County, New York

Sworn to before me this 7th day of

August 1951

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

hn-495803

Frank A. Taber, Jr.

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

5th day of July, 1951, and

the last insertion being on the day of

1951, and that not

more than six days intervened between any two publications thereof.

Frank A. Taber, Jr.

Petition presented for the construction of lateral sanitary sewer in Toelsin Road, extending from Oriole Place north to Genesee Street. Ordered referred to the Town Attorney to draw up a resolution for a public hearing.

Petition presented for the installation of street lights, Y-20 Standards, underground conduit, on Fairvale Drive from Clearvale Drive to Clearvale Drive. Ordered referred to the Assessors for a property check.

Petition presented for the construction of sidewalks on Peinkofer Drive. Ordered referred to the Assessors for a property check.

Petition presented for the extension of Water District No. 9 to include the following described property;

BEGINNING at a point in the center line of Strasmer 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 Strasmer 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 Strasmer Road to a point 233 feet east of the center line of Borden Road;

Thence northerly 233 feet to the point of beginning.

Ordered referred to the Assessors for a property check.

Communication read from the Sloan Village Board requesting additional street light at Broadway and Halstead Avenue. Ordered referred to Councilman Bystrak, Chairman of Utilities Committee.

Communication read from Doyle Hose Company No. 1 inviting the Board to attend its annual field day on July 7th and 8th. Ordered received, filed and attend.

The Supervisor took from the table a communication from the Town Clerk which was tabled at the June 18th, 1951, Town Board meeting, requesting that Election District No. 11 be split. The request was denied.

The request of Councilman Neibert to repair sidewalks in Neibert Boulevard was referred to Inspector Wagner.

Councilman Nagel moved, seconded by Councilman Neibert, that all claims audited at this meeting be approved and that the Town Clerk be authorized and directed to draw orders on the Supervisor for payment of same.

Orders No. 5207 to No. 5303 inclusive, drawn on the Supervisor.

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

Kenneth T. Hanley,  
Town Clerk

SEAL

*Kenneth T. Hanley*

Posted as follows on the 5th day of July, 1951;

Town Hall Bulletin Board.

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

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

**Rezoning Granted**

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, New York, on the 2nd day of July, 1951, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Nelbert, Councilman  
Stanley Bystrak, Councilman

**ABSENT:** None.

Mr. Wroblewski offered the following resolution and moved its adoption.

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 15th day of June, 1951, at 7:30 o'clock P.M. E.D.S.T., of said day for the purpose of considering the application of Joseph and Anne Kasperczyk, 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 19th day of June, 1951, having rendered its decision granting the application of the petitioners to rezone from residence district to business district the property hereinafter described, for the purpose of conducting a Radio and Television Appliance Store, 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 2nd day of July, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals and having personally inspected the premises to be zoned, as well as the property in its immediate vicinity on Clinton Street.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from residence to business 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", subject to the following restrictions: (1) that said premises are used only for Business purposes and not Industrial, and (2) that in the event said premises are no longer used as a Radio and Television Appliance Store, this order of rezoning shall be null and void and the property shall revert to residential use only.

**DESCRIPTION**

Clinton Street, north side, approximately 250 feet west of Harlef Road (acreage), 88x150 feet.

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

Benedict T. Holtz, voting Aye,  
Henry Nagel, voting Aye,  
Felix T. Wroblewski, voting Aye,  
Joseph A. Nelbert, voting Aye,  
Stanley Bystrak, voting Aye,  
Carried: 5 Ayes, 0 Noes.  
Dated: July 2, 1951.

(seal) KENNETH T. HANLEY,  
Town Clerk  
Town of Cheektowaga  
Erie County, New York

*Frank A. Taber, Jr.*

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 *5th* day of *July*, 19*51*, and the last insertion being on the ..... day of ..... 19....., and that not more than six days intervened between any two publications thereof.

*Frank A. Taber, Jr.*

..... day of

..... 19*51*

.....  
public in and for Erie County.

Petition presented for the construction of lateral sanitary sewer in Toelsin Road, extending from Oriole Place north to Genesee Street. Ordered referred to the Town Attorney to draw up a resolution for a public hearing.

Petition presented for the installation of street lights, Y-20 Standards, underground conduit, on Fairvale Drive from Clearvale Drive to Clearvale Drive. Ordered referred to the Assessors for a property check.

Petition presented for the construction of sidewalks on Peinkofer Drive. Ordered referred to the Assessors for a property check.

Petition presented for the extension of Water District No. 9 to include the following described property;

BEGINNING at a point in the center line of Strasmer 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 Strasmer 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 Strasmer Road to a point 233 feet east of the center line of Borden Road;

Thence northerly 233 feet to the point of beginning.

Ordered referred to the Assessors for a property check.

Communication read from the Sloan Village Board requesting additional street light at Broadway and Halstead Avenue. Ordered referred to Councilman Bystrak, Chairman of Utilities Committee.

Communication read from Doyle Hose Company No. 1 inviting the Board to attend its annual field day on July 7th and 8th. Ordered received, filed and attend.

The Supervisor took from the table a communication from the Town Clerk which was tabled at the June 18th, 1951, Town Board meeting, requesting that Election District No. 11 be split. The request was denied.

The request of Councilman Neibert to repair sidewalks in Neibert Boulevard was referred to Inspector Wagner.

Councilman Nagel moved, seconded by Councilman Neibert, that all claims audited at this meeting be approved and that the Town Clerk be authorized and directed to draw orders on the Supervisor for payment of same.

Orders No. 5207 to No. 5303 inclusive, drawn on the Supervisor.

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

Kenneth T. Hanley,  
Town Clerk

SEAL

*Kenneth T. Hanley*



Cheektowaga, New York  
July 16th, 1951

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 16th day of July, 1951, at 7:30 o'clock P.M., E.D.S.T., there were:

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

ABSENT: -0-

Also present were: Town Clerk, Kenneth T. Hanley, Building Inspector, William Tadio, Town Engineer, Albert J. Kamm, Town Attorney, George B. Doyle, Town Highway Superintendent, John J. Zablony, and Chief of Police, Walter J. Marynowski.

Without any objections the reading of the minutes of the previous meeting were dispensed with until a later date.

Communication read from the Zoning Board of Appeals recommending that the petition of the Studebaker Corporation to rezone property on Union Road, east side, north of the West Shore Railroad tracks, from residence to First Industrial, be granted. On a motion of Councilman Nagel, seconded by Councilman Neibert, the recommendation was tabled for 30 days for further investigation and study.

Communication read from Miss Margaret Graney, Town Tax Clerk, petitioning the Town Board for two weeks vacation from July 30th to August 11th inclusive. Ordered referred to the Town Board.

Communication read from Chief of Police Marynowski, requesting permission to attend the annual New York State Association Chiefs of Police Conference in New York City on July 23rd to 27th inclusive. On a motion of Councilman Bystrak, seconded by Councilman Wroblewski, the request was granted.

Petition presented bearing the names of approximately 300 persons residing in the Cleveland Hill area of the Town complaining about low water pressure during the summer months. Ordered referred to the Town Attorney.

Petition presented for the construction of a lateral sanitary sewer in Crestwood Avenue. Ordered referred to the Assessors for a property check.

Communication read from Town Attorney George B. Doyle, relating to a decision rendered by the Appellate Division of the Supreme Court, reversing the judgment rendered by Justice Halpern, providing that it is the duty of the County and not the Town to maintain sidewalks and railings on a bridge carrying Harlem Road over Broadway and the main tracks of the New York Central Railroad Company. Ordered received and filed.

Communication read from the Twin Village Salvage Company requesting permission to operate a junk yard in the Town, and also requesting that the usual fee be waived on account of the operator of the business being veterans. Ordered referred to the Town Board.

Councilman Wroblewski moved:

RESOLVED that the subdivision map of City Edge View prepared by Elmer C. Measner, Surveyor, dated January 1951, be approved and ordered filed in the Town Clerk's Office.

Acceptance of this subdivision map is subject to present town specifications for highway and public street construction and as the same may be hereafter amended.

Seconded by Councilman Neibert.

Dated: 7-16-51

Carried: Ayes - 5

Councilman Bystrak moved:

RESOLVED that New York Gas and Electric Company be authorized to install 1000 lumen light on Pole No. 6 on Bellevue Boulevard said pole being located west of Indian Road.

Seconded by Councilman Wroblewski.

Dated: 7-16-51

Carried: Ayes - 5

Councilman Neibert moved:

RESOLVED that the New York Gas and Electric Company be authorized to install 1000 lumen light on Pole No. 3 on Pinehurst Street and remove present light from Pole No. 4 to Pole No. 5.

Seconded by Councilman Nagel.

Dated: 7-16-51

Carried: Ayes - 5

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Town Clerk of the Town of Cheektowaga, New York, be and he is hereby authorized and directed to order the New York State Gas and Electric Company to change from 2500 to 6000 lumen the street lights located on the following poles on Broadway in the Town of Cheektowaga, New York:

Poles No. 245; 248; 256; 258; 260; 262; 264; 267; 273; 276; 278; 281.

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 Neibert moved:

WHEREAS, the digesters at Disposal Plant No. 5 is filled to over capacity with sludge and it is necessary to create a new temporary drying bed, and

WHEREAS, the town lacks the necessary tools and equipment to construct said drying bed and it is necessary that this work be done immediately, be it

RESOLVED, that the town rent from Peinkofer Construction Company the following machinery with operators and supplies as follows:

Bulldozer \$5.00 per hour

Power Shovel or back hoe \$9.00 per hour

Trencher \$5.00 per hour

That the cost of the said machinery, equipment and supplies be charged against the funds of Sewer District No. 5.

Seconded by Councilman Wroblewski.

Dated: 7-16-51

Carried: Ayes - 5

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Town Clerk be authorized and directed to issue Building Permits on Application processed by the Petitions

Committee on July 7th, 14th, 1951, after same have been approved by the Building Inspector.

Seconded by Councilman Neibert.  
Dated: 7-16-51

Carried: Ayes - 5

July 13, 1951

TO THE HONORABLE,  
THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA,  
TOWN HALL  
CHEEKTOWAGA, NEW YORK

The undersigned, PEINKOPFER CONSTRUCTION CORPORATION, is a domestic corporation with its principal office and place of business in the Town of Cheektowaga, Erie County, New York, and has entered into an agreement with McLAIN CONSTRUCTION CORPORATION, to purchase certain property in the Town of Cheektowaga from the said McLAIN CONSTRUCTION CORPORATION, said property being located on the east side of the throughway and north of Huth Road, and described 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 described as follows:

COMMENCING at a point which is distant westerly 375.44 feet from the intersection of the center line of Huth Road; running thence northerly and parallel with Beach Road approximately 1114 feet to a point; thence westerly and parallel with Huth Road approximately 692 feet; thence southerly and parallel with Beach Road 1114 feet, more or less, to the center line of Huth Road; thence easterly and along the said southerly line of Huth Road approximately 692 feet, more or less, to the point or place of beginning, containing approximately 18 acres and being further described as the land acquired by the McLain Construction Corporation from the County of Erie and Clara Sloan.

As a part of its agreement with the said McLAIN CONSTRUCTION CORPORATION, the undersigned, PEINKOPFER CONSTRUCTION CORPORATION, has agreed to assume the unperformed obligations of the said McLAIN CONSTRUCTION CORPORATION with reference to removal of dirt in compliance with the Cheektowaga Top Soil Ordinance, which obligations are set out in a resolution of your Honorable Board adopted at a meeting held on the 21st day of November 1949. The McLAIN CONSTRUCTION CORPORATION applied to your Honorable Board for permission to remove certain dirt from the property herein described, and the permit was duly granted to the said McLAIN CONSTRUCTION CORPORATION under certain terms and conditions as set forth in the resolution of your Board adopted on the 21st day of November 1949, and the said McLAIN CONSTRUCTION CORPORATION executed and delivered to the Town of Cheektowaga, a surety bond in the amount of \$2,000.00, conditioned that the said McLAIN CONSTRUCTION CORPORATION would comply with all of the ordinances of the Town of Cheektowaga relative to the removal of dirt from the said premises and in conformity with the resolution of the Town Board of Cheektowaga.

The undersigned, PEINKOPFER CONSTRUCTION CORPORATION, hereby expressly agrees with the Town of Cheektowaga, to assume all of the unperformed obligations of the McLAIN CONSTRUCTION CORPORATION, as set out in resolution of the Town Board of the Town of Cheektowaga

on the 21st day of November 1949, and expressly agrees to comply with all of the terms and conditions of the resolution dated the 21st day of November 1949.

The PEINKOFER CONSTRUCTION CORPORATION requests that the bond posted by the McLAIN CONSTRUCTION CORPORATION, as principal, and the New AMSTERDAM CASUALTY COMPANY, as surety, be cancelled and returned to the said McLAIN CONSTRUCTION CORPORATION, AND PEINKOFER CONSTRUCTION CORPORATION agrees to furnish and does hereby furnish, a surety bond in substitution of the said bond of the McLAIN CONSTRUCTION CORPORATION, which substituted bond contains the same clauses and conditions as the original bond.

The PEINKOFER CONSTRUCTION CORPORATION hereby certifies that all taxes and assessments to date on the herein described premises, have been paid, and that there are no mortgages or other parties interested in this application.

WHEREFORE, PEINKOFER CONSTRUCTION CORPORATION hereby requests your Honorable Body to permit it to be substituted in the place of McLAIN CONSTRUCTION CORPORATION for the removal of dirt as provided in the resolution dated the 21st day of November 1949, and further requests that it be allowed to substitute its bond for the bond previously posted by the said McLAIN CONSTRUCTION CORPORATION.

PEINKOFER CONSTRUCTION CORPORATION

By (signed) Alois Peinkofer  
President

STATE OF NEW YORK )  
COUNTY OF ERIE ) SS  
CITY OF BUFFALO )

A. PEINKOFER being duly sworn, deposes and says that he is the President of the applicant mentioned and described in the foregoing application; that deponent knows the contents of said application; that the statements therein contained are true to his own knowledge, 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.

(signed) Alan Peinkofer

Sworn to before me this  
16th day of July 1951.

(signed) Henry J. Kelly  
Notary Public Erie County, New York

Mr. Nagel offered the following resolution and moved its adoption:  
WHEREAS, the McLAIN CONSTRUCTION CORPORATION, a domestic corporation with its principal office and place of business in Kenmore, New York, applied to the Town Board for a permit to remove dirt located on premises belonging to it in the Town of Cheektowaga, New York, described 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 described as follows:

COMMENCING at a point which is distant westerly 375.44 feet from the intersection of the center line of Beach Road and the center line of Huth Road; running thence northerly and parallel with Beach Road approximately 1114 feet to a point;

thence westerly and parallel with Huth Road approximately 692 feet; thence southerly and parallel with Beach Road 1114 feet, more or less, to the center line of Huth Road; thence easterly and along the said southerly line of Huth Road approximately 692 feet, more or less, to the point or place of beginning, containing approximately 18 acres and being further described as the land acquired by the McLain Construction Corporation from the County of Erie and Clara Sloan.

the removal of said dirt to be confined to those areas in the said premises which are above the pavement level of Huth Road, and

WHEREAS, this Board, by resolution dated the 21st day of November 1949, granted permission to the McLAIN CONSTRUCTION CORPORATION to remove dirt from its property, and

WHEREAS, McLAIN CONSTRUCTION CORPORATION, pursuant to the resolution of this Board, posted its surety bond in the amount of \$2,000.00, conditioned on its compliance with the Top Soil and excavation ordinance of the Town of Cheektowaga, and

WHEREAS, PEINKOFER CONSTRUCTION CORPORATION has presented a petition to your Board requesting that it be substituted in the place and stead of the said McLAIN CONSTRUCTION CORPORATION and requesting that it be allowed to file a surety bond in the place and stead of the surety bond posted by the said McLAIN CONSTRUCTION CORPORATION, and

WHEREAS, Nussbaumer & Clarke, consulting engineers of the Town of Cheektowaga, have furnished the Town Board with a map showing the elevations above the grade of the pavement on Huth Road where dirt can be removed from said property above grade.

NOW THEREFORE, BE IT RESOLVED: That PEINKOFER CONSTRUCTION CORPORATION be substituted in the place of McLAIN CONSTRUCTION CORPORATION with respect to the removal of dirt from the property herein described, and further

RESOLVED, That PEINKOFER CONSTRUCTION CORPORATION be permitted to remove dirt from the property herein described, said removal being limited to such portions thereof as are above the pavement grade of Huth Road, and strictly in accordance with the map prepared by Nussbaumer & Clarke, engineers, indicating the places where the land is higher than the pavement on Huth Road; PEINKOFER CONSTRUCTION CORPORATION, as a condition to granting this permit, to be substituted for McLAIN CONSTRUCTION CORPORATION, agrees to comply with all of the provisions of the Cheektowaga Top Soil Ordinance, and agrees to recognize them as valid and binding upon it, and further agrees that such excavations will be done under the supervision of the Building and Plumbing Inspector of the Town of Cheektowaga, its consulting engineers, Nussbaumer & Clarke, and that it will comply with any orders given to it by the Town of Cheektowaga or any of its officials, and the said PEINKOFER CONSTRUCTION CORPORATION agrees with the Town of Cheektowaga that in the event any dirt is removed below the grade of the pavement on Huth Road, it will replace said dirt within 60 days from its removal, and in the event that it fails to do so, the Town of Cheektowaga shall have the right and privilege of entering upon the property and replacing the dirt and charging the cost thereof to the said PEINKOFER CONSTRUCTION CORPORATION and its surety, and be it further

RESOLVED: That the PEINKOFER CONSTRUCTION CORPORATION be granted permission to substitute its surety company bond in the amount of \$2000.00 in place of the bond hereinbefore posted by the said McLAIN CONSTRUCTION CORPORATION, conditioned that it will in all respects comply with the Top Soil and Excavation Ordinances of the Town of Cheektowaga adopted the 28th day of June 1948, as well as the provisions set out in the resolution of this Board, and further

RESOLVED: That the maps prepared by Nussbaumer & Clarke, Engineers, be made a part of this permit, and shall be binding upon the Town of Cheektowaga and the PEINKOFER CONSTRUCTION CORPORATION, and it is further

**RESOLVED:** That upon the filing of the bond by the PEINKOPFER CONSTRUCTION CORPORATION, that the McLAIN CONSTRUCTION CORPORATION be released of all of the obligations contained in the resolution dated the 21st day of November 1949, and that the bond heretofore filed by the said McLain Construction Corporation be cancelled and vacated, and the said bond be returned to the said McLAIN CONSTRUCTION CORPORATION.

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

BENEDICT T. HOLTZ,	Voting <u>Aye</u>
STANLEY BYSTRAK	Voting <u>Aye</u>
JOSEPH WEIBERT	Voting <u>Aye</u>
FELIX WROBLEWSKI	Voting <u>Aye</u>
HENRY NAGEL	Voting <u>Aye</u>

ABSENT: -0-

AYES: -5-

NOES: -0-

Councilman Nagel 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 extension of Water District No. 9 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 and Union Road, Cheektowaga, New York, on the 21st day of May, 1951, at which hearing an opportunity was afforded all persons to be heard in favor and in opposition to the proposed extension of Water District No. 9 and the Town Board having given due deliberation thereon; and

**WHEREAS**, the said petition for the extension of said Water District No. 9 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 Newell L. Nussbaumer and Irving Clarke, competent Engineers duly licensed by the State of New York, showing the boundaries of the said proposed extension of Water District No. 9, 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 extension of said Water district shall be assessed, levied, and collected from the several lots and parcels of land within the proposed extension in the same manner and at the same time as other Town charges, except as otherwise provided by law,

**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
- B) That all the property and property owners within the proposed extension are benefitted thereby, and
- C) That all the property and property owners benefitted are included within the limits of the proposed extension, and
- D) That it is in the public interest to grant in whole the relief sought, by extending said water district No. 9 of the Town of Cheektowaga, New York, to include the following described property, with the following exception: The petition provided that the maximum amount to be expended for said improvement shall be the sum of \$60,000.00. This Town Board has obtained estimates of labor and material cost and has ascertained that the total cost of said improvement shall not exceed the sum of \$30,000.00. This Town Board, therefore, determined that the maximum amount to be expended for said improvement is the sum of \$30,000.00, and the expenditure of that amount is hereby approved by the Town Board.

DESCRIPTION OF PROPOSED EXTENSION OF  
BORDEN ROAD WATER DISTRICT #9  
TOWN OF CHEEKTOWAGA, NEW YORK

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

BEGINNING at a point in the center line of 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 1441.98 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

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 extension of the district in accordance with the provisions of Paragraph 3 of Section 194 of the Town Law.

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 Meibert,	Voting <u>Aye</u>
Councilman Bystrak,	Voting <u>Aye</u>

AYES: - 5

NOES: =0-

ABSENT: +0-



**NOTICE OF HEARING FOR THE PURPOSE OF CONSIDERING THE ADVISABILITY OF ADOPTING AN ORDINANCE FIXING MINIMUM SPECIFICATIONS FOR STREET OR HIGHWAY CONSTRUCTION-**

New York, in said Town of Cheektowaga on the 16th day of July, 1951, 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 Bystrak presented the following resolution and moved its adoption:

**RESOLVED**, that pursuant to the provisions of the Town Law of the State of New York, 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 of Cheektowaga, New York, on the 6th day of August, 1951, at 2:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of adopting an ordinance fixing Minimum Specifications for Street or Highway Construction in the Town of Cheektowaga, New York, which said specifications are to become a part of and an addition to an ordinance to regulate the construction of public improvements in the Town of Cheektowaga, Erie County, New York; that at such public hearing the following proposed Minimum Specifications shall be considered by the Town Board, and the Town Board may adopt any or all of them as the Minimum Specifications for Street or Highway Construction; and that at such public hearing all persons, firms or corporations interested in the subject matter contained in said specifications may attend said public hearings and be heard.

**MINIMUM SPECIFICATIONS FOR STREET OR HIGHWAY CONSTRUCTION**

1. No street or highway will be accepted as an improved Town Highway by the Town Board or Town Superintendent of Highways of the Town of Cheektowaga, New York, unless the following minimum specifications are complied with:

**Legal References:** Highways by Dedication—See Section 171, Highway Law. Requirements as to width—See Sections 171 and 180 (No highways shall be laid out less than 3 rods in width).

**SUBGRADE**  
 2. The subgrade on all types of road shall be properly prepared after proper drainage has been provided. All boulders, muck, quicksand, soft clay, spongy material and any other objectionable material shall be removed as directed by the Town Engineer and Town Superintendent of Highways. All spaces from which objectionable materials have been removed shall be refilled with acceptable materials, such as stone, slag or gravel, as directed.

**FOUNDATION COURSE**

3. After all drains have been satisfactorily completed and the subgrade has been properly shaped, it shall be thoroughly rolled and compacted with an approved self-propelled roller weighing not less than ten tons. Care shall be taken not to roll clay foundations enough to develop a plastic condition. All hollows and depressions which develop shall be filled with acceptable materials and the subgrade shall again be rolled. This process of filling and rolling shall be repeated until no depressions develop. In places where the character of the material make the use of such a roller impracticable, a lighter one may be permitted. The subgrade shall not be muddy, or otherwise unsatisfactory when the pavement is placed upon it. All necessary drainage to effectively

of suitable materials, graded and rolled to the property lines, and approximately true to lines and grades. All stones larger than 3 inches in diameter or any other objectionable material shall be removed from the surface.

**INTERSECTING HIGHWAYS**

5. At all intersecting public highways a smooth riding and satisfactory junction must be produced.

**MATERIALS**

6. Bottom Courses: Highways may be constructed of gravel, slag or stone and sufficient filler shall be added so that the material will compact in a dense mass. Approval of the proposed material shall be obtained from the Town Superintendent of Highways and/or the Town Engineer before placing the material.

When gravel is used it shall be placed upon the road in layers of not more than 6 inches loose and thoroughly compacted with a roller weighing not less than 10 tons. The final thickness of the compacted mass shall not be less than 8 inches.

When broken stone or slag is used it shall be placed upon the road in layers of not more than 6 inches loose and thoroughly compacted with a roller weighing not less than ten tons. The final thickness of the compacted mass shall not be less than 6 inches.

**Top Courses:** These may be constructed by either of the following two methods:

**Asphalt Concrete**

The top course shall be Item 52M, Option No. 6, Asphalt concrete-steam dispersion Process of the New York State Public Works Specifications. A course of binder with a compacted thickness of two (2) inches shall be laid, followed with a course of top (fine) with a compacted thickness of one (1) inch. An 8 to 10-ton tandem roller shall be used to compact the asphalt concrete.

**Bituminous Macadam**

The top course shall be a total of three (3) inches, compacted thickness, built up in the following manner. A course of No. 2 stone shall be spread evenly over the prepared bottom course and rolled and shaped by a 10-ton roller to a compacted thickness of two (2) inches; then one (1) gallon of hot asphalt shall be applied per square yard by the use of an approved pressure distributor, operated under a pressure of fifty pounds per square inch or more as the Town Engineer and/or Superintendent of Highways may direct. This coating of asphalt is to be covered with No. 1 stone spread evenly and again rolled by the 10-ton roller. Then an application of one-half (1/2) gallon of hot asphalt shall be applied per square yard as previously described. This application shall be evenly covered with No. 1-A stone and rolled by the 10-ton roller. The grades of asphalt used in this method are to be as specified by the Town Engineer and/or Superintendent of Highways.

**CAST IN-PLACE-CONCRETE CURB**

7. Curb shall conform to the sections as shown in the Specifications, or of such sections as approved by the Engineer, and shall be required only in streets and highways located within an established storm sewer district; nor shall curbs be required on streets and highways within existing storm sewer districts, which are partially built up and improved, and upon which no curbs have been heretofore constructed. Cast in place curb under these specifications shall be composed of Lake Erie Sand, Lake Erie Gravel, Crushed Stone or Crushed Blast Furnace Slag. Blast Furnace Slag

and graded in compliance with A.S.T.M. Specifications C33-49. It shall pass the 10 cycle Sodium Sulphate test with loss not greater 8%.

**Coarse Aggregate:** The coarse aggregate shall be clean and graded in compliance with A.S.T.M. Specifications C33-49 for nominated size 3/4" to #4. It shall pass the 10 cycle Sodium Sulphate Test with loss not greater 5%.

**Concrete Strength Requirements:** Minimum compressive strength on Standard 6"x12" concrete cylinders shall not be less than 3500 pounds per square inch at 28 days.

At least two test cylinders shall be made on each day that concrete is poured, one for 7 days and one for 28 days. Tests to be made by a recognized testing laboratory satisfactory to the Town Engineer. Cost of such testing is to be paid by the contractor and included in his bid.

**Concrete Mix Proportions (Per Cubic Yard):**

**Crushed Stone or Gravel Concrete:**  
 Portland Cement (Minimum) 6.0 Sacks per yard. Fine Aggregate 42.0%. Coarse Aggregate 58.0%.

**Blast Furnace Slag Concrete:**  
 Portland Cement (Minimum) 6.0 Sacks per yard. Fine Aggregate 46.0%. Coarse Aggregate 54.0%.

Maximum slump for any of the three types of concrete shall be six (6) inches.

**Cold weather concrete:** All concrete placed in cold or freezing weather, must have both mixing water and aggregates heated. The concrete when deposited in the forms shall have a temperature of at least 70 degrees, maximum temperature 110 degrees F. After placing concrete in the forms, it shall be fully protected from the elements by being covered with straw or other suitable material for at least 10 days. No concrete shall be placed on frozen ground.

**Mixing and Placing of Concrete:** Concrete may be either transit mix or job mix. In either case the mix proportions must be held rigidly to those outlined under concrete mix proportions of this specification.

Care must be exercised in placing concrete in the forms. After placing, it shall be rodded or spaded, so that the finished concrete shall be smooth and represent a workmanlike job.

If after removal of the forms, any open or rough spots are noted, they shall be immediately repaired with a cement sand mix of 1:2 by the cement finisher.

Curbing shall be covered, immediately after finishing, with burlap or other material acceptable to the Engineer which shall be kept wet for a period of 3 days.

The contractor shall protect the curbing and keep it in first class condition and alignment until the completion of the contract. Any curbing which is damaged at any time previous to the final acceptance of the work shall be removed and replaced with satisfactory curbing at the contractor's expense.

All backfilling behind curb must be tamped in layers not more than 6 inches in depth to a height of not less than 6 inches below the top of the curb. Each earth layer shall be thoroughly and uniformly compacted by solidly tamping with appropriate tools in such a manner as not to injure or disturb the completed curb.

All backfilling on the front, or pavement side, of the curb shall be filled with crushed stone, slag, or other suitable porous material and properly compacted. No earth fill will be allowed.

**SEASONAL AND WEATHER LIMITATION**

8. No material shall be placed



degrees F.  
**INSTRUCTIONS**

9. The foregoing restrictions are not intended to prevent any person, firm or corporation from constructing at his own expense a road or a highway on private property to be deeded later to the Town upon completion, for highway purposes, so long as he complies with the foregoing specifications. He must, however, before commencing work, file with the Town Engineer, written plans and specifications, which in every respect comply with the foregoing specifications. All work on said highways shall be done under the supervision of the Town Engineer and the Town Highway Superintendent and such other person or persons as the Town Board shall designate to inspect the work.

The construction of all highways and streets, whether on public or private property as hereinbefore provided, must meet with the approval of the Town Engineer and/or the Town Highway Superintendent, and his certificate is necessary for said highway to be dedicated for public use and become a Town Highway.

**AND BE IT FURTHER RESOLVED** that at said public hearing the aforementioned proposed Ordinance shall be considered, and the said proposed Ordinance or portions thereof as are approved by the Town Board, may be adopted and enacted as an Ordinance of the Town of Cheektowaga, New York; 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, official newspaper of the Town of Cheektowaga, New York, a newspaper having general circulation in said Township, not less than ten (10) nor more than twenty (20) days prior to the date set for the hearing; and that not less than ten (10) nor more than twenty (20) days prior to the date of the hearing he post conspicuously or cause to be posted conspicuously a certified copy of this order in five (5) public places within the Township.

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  
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 July, 1951, 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

Posted as follows on the 24th day of July, 1951;

Town Hall Bulletin Board;  
U-Crest Hose Company, Clover Place and Evergreen Street;  
Pine Hill Hose Company, Genesee Street and Normandy Avenue;  
Rescue Hose Company, Pine Ridge Road;  
Forks Hose Company, Broadway and Union Road;

Hereto attached is a copy of 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, 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* week; first  
publication JUL 19 1951;  
last publication JUL 19 1951;  
and that no more than six days intervened be-  
tween publications.

*Willard C. Allis*

Sworn to before me this .....  
day of JUL 19 1951, 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, 1953  
Registered No. 5029

**REZONING GRANTED**

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 July, 1961, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman

**ABSENT: 0**

Mr. Neibert presented the following resolution and moved its adoption:

**WHEREAS**, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 6th day of July, 1961, at 7:30 o'clock P. M., E.D.S.T., of said day, for the purpose of considering the application of William Tadio, 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 16th day of July, 1961, having rendered its decision granting the application of petitioners to rezone from residence district to Business District the property hereinafter described, for the purpose of conducting a Hardware and Tile Store 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 16th day of July, 1961, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals, and having personally inspected the premises to be zoned, as well as the property in its immediate vicinity on Harlem Road.

**BE IT RESOLVED**, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from residence 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 "Residence District" to "Business District", subject to the following restrictions: (1) that said premises are used only for business purposes and not industrial and, (2) that in the event said premises are no longer used as Hardware and Tile Store this order of Rezoning shall be null and void and the property shall revert to Residential use only.

**DESCRIPTION**

Lots No. 41 and 42, Harlem Road, north of Huth Road, east side.  
Seconded by Mr. Wroblewski and duly put to a vote which resulted as follows:

Benedict T. Holtz, voting Aye.  
Henry Nagel, voting Aye.  
Felix T. Wroblewski, voting Aye.  
Joseph A. Neibert, voting Aye.  
Stanley Bystrak, voting Aye.  
Carried.

**AYES: 5 NOES: 0 ABSENT: 0**  
Dated: July 16th, 1961.

**KENNETH T. HANLEY,**  
Town Clerk

Town of Cheektowaga,  
(SEAL)

Posted as follows on the 24th day of July, 1951;

Town Hall Bulletin Board;  
U-Crest Hose Company, Clover Place and Evergreen Street;  
Pine Hill Hose Company, Genesee Street and Normandy Avenue;  
Rescue Hose Company, Pine Ridge Road;  
Forks Hose Company, Broadway and Union Road;

Hereto attached is a copy of notice published in the 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 said Town of Cheektowaga on the 16th day of July, 1951, 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 Bystrak presented the following resolution and moved its adoption:

**RESOLVED**, that pursuant to the provisions of the Town Law of the State of New York, 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 of Cheektowaga, New York, on the 6th day of August, 1951, at 2:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of adopting an ordinance fixing Minimum Specifications for Street or Highway Construction in the Town of Cheektowaga, New York, which said specifications are to become a part of and an addition to an ordinance to regulate the construction of public improvements in the Town of Cheektowaga, Erie County, New York; that at such public hearing the following proposed Minimum Specifications shall be considered by the Town Board, and the Town Board may adopt any or all of them as the Minimum Specifications for Street or Highway Construction; and that at such public hearing all persons, firms or corporations interested in the subject matter contained in said specifications may attend said public hearings and be heard.

#### MINIMUM SPECIFICATIONS FOR STREET OR HIGHWAY CONSTRUCTION

1. No street or highway will be accepted as an improved Town Highway by the Town Board or Town Superintendent of Highways of the Town of Cheektowaga, New York, unless the following minimum specifications are complied with:

Legal References: Highways by Dedication—See Section 171, Highway Law. Requirements as to width—See Sections 171 and 180 (No highways shall be laid out less than 3 rods in width).

#### SUBGRADE

2. The subgrade on all types of road shall be properly prepared after proper drainage has been provided. All boulders, muck, quicksand, soft clay, spongy material and any other objectionable material shall be removed as directed by the Town Engineer and Town Superintendent of Highways. All spaces from which objectionable materials have been removed shall be refilled with acceptable materials, such as stone, slag or gravel, as directed.

#### FOUNDATION COURSE

3. After all drains have been satisfactorily completed and the subgrade has been properly shaped, it shall be thoroughly rolled and compacted with an approved self-propelled roller weighing not less than ten tons. Care shall be taken not to roll clay foundations enough to develop a plastic condition. All hollows and depressions which develop shall be filled with acceptable materials and the subgrade shall again be rolled. This process of filling and rolling shall be repeated until no depressions develop. In places where the character of the material make the use of such a roller impracticable, a lighter one may be permitted. The subgrade shall not be muddy, or otherwise unsatisfactory when the pavement is placed upon it. All necessary drainage to effectively

drain the roadway must be completed before the placing of any pavement will be permitted thereon.

#### EMBANKMENT

4. Embankments shall be formed of suitable materials, graded and rolled to the property lines, and approximately true to lines and grades. All stones larger than 3 inches in diameter or any other objectionable material shall be removed from the surface.

#### INTERSECTING HIGHWAYS

5. At all intersecting public highways a smooth riding and satisfactory junction must be produced.

#### MATERIALS

6. Bottom Courses: Highways may be constructed of gravel, slag or stone and sufficient filler shall be added so that the material will compact in a dense mass. Approval of the proposed material shall be obtained from the Town Superintendent of Highways and/or the Town Engineer before placing the material.

When gravel is used it shall be placed upon the road in layers of not more than 6 inches loose and thoroughly compacted with a roller weighing not less than 10 tons. The final thickness of the compacted mass shall not be less than 8 inches.

When broken stone or slag is used it shall be placed upon the road in layers of not more than 6 inches loose and thoroughly compacted with a roller weighing not less than ten tons. The final thickness of the compacted mass shall not be less than 6 inches.

Top Courses: These may be constructed by either of the following two methods:

#### Asphalt Concrete

The top course shall be Item 52M, Option No. 6, Asphalt concrete-steam dispersion Process of the New York State Public Works Specifications. A course of binder with a compacted thickness of two (2) inches shall be laid, followed with a course of top (fine) with a compacted thickness of one (1) inch. An 8 to 10-ton tandem roller shall be used to compact the asphalt concrete.

#### Bituminous Macadam

The top course shall be a total of three (3) inches, compacted thickness, built up in the following manner. A course of No. 2 stone shall be spread evenly over the prepared bottom course and rolled and shaped by a 10-ton roller to a compacted thickness of two (2) inches; then one (1) gallon of hot asphalt shall be applied per square yard by the use of an approved pressure distributor, operated under a pressure of fifty pounds per square inch or more as the Town Engineer and/or Superintendent of Highways may direct. This coating of asphalt is to be covered with No. 1 stone spread evenly and again rolled by the 10-ton roller. Then an application of one-half (½) gallon of hot asphalt shall be applied per square yard as previously described. This application shall be evenly covered with No. 1-A stone and rolled by the 10-ton roller. The grades of asphalt used in this method are to be as specified by the Town Engineer and/or Superintendent of Highways.

#### CAST IN-PLACE-CONCRETE CURB

7. Curb shall conform to the sections as shown in the Specifications, or of such sections as approved by the Engineer, and shall be required only in streets and highways located within an established storm sewer district; nor shall curbs be required on streets and highways within existing storm sewer districts, which are partially built up and improved, and upon which no curbs have been heretofore constructed. Cast in place curb under these specifications shall be composed of Lake Erie Sand, Lake Erie Gravel, Crushed Stone or Crushed Blast Furnace Slag. Blast Furnace Slag

shall be as produced by the Buffalo Slag Company.

Fine Aggregate: The fine aggregate shall be washed and graded in compliance with A.S.T.M. Specifications C33-49. It shall pass the 10 cycle Sodium Sulphate test with loss not greater 8%.

Coarse Aggregate: The coarse aggregate shall be clean and graded in compliance with A.S.T.M. Specifications C33-49 for nominated size ¾" to #4. It shall pass the 10 cycle Sodium Sulphate Test with loss not greater 5%.

Concrete Strength Requirements: Minimum compressive strength on Standard 6"x12" concrete cylinders shall not be less than 3500 pounds per square inch at 28 days.

At least two test cylinders shall be made on each day that concrete is poured, one for 7 days and one for 28 days. Tests to be made by a recognized testing laboratory satisfactory to the Town Engineer. Cost of such testing is to be paid by the contractor and included in his bid.

Concrete Mix Proportions (Per Cubic Yard).

Crushed Stone or Gravel Concrete:

Portland Cement (Minimum) 6.0 Sacks per yard. Fine Aggregate 42.0%. Coarse Aggregate 58.0%.

Blast Furnace Slag Concrete:

Portland Cement (Minimum) 6.0 Sacks per yard. Fine Aggregate 46.0%. Coarse Aggregate 54.0%.

Maximum slump for any of the three types of concrete shall be six (6) inches.

Cold weather concrete: All concrete placed in cold or freezing weather, must have both mixing water and aggregates heated. The concrete when deposited in the forms shall have a temperature of at least 70 degrees, maximum temperature 110 degrees F. After placing concrete in the forms, it shall be fully protected from the elements by being covered with straw or other suitable material for at least 10 days.

No concrete shall be placed on frozen ground.

Mixing and Placing of Concrete: Concrete may be either transit mix or job mix. In either case the mix proportions must be held rigidly to those outlined under concrete mix proportions of this specification.

Care must be exercised in placing concrete in the forms. After placing, it shall be rodded or spaded, so that the finished concrete shall be smooth and represent a workmanlike job.

If after removal of the forms, any open or rough spots are noted, they shall be immediately repaired with a cement sand mix of 1:2 by the cement finisher.

Curbing shall be covered, immediately after finishing, with burlap or other material acceptable to the Engineer which shall be kept wet for a period of 3 days.

The contractor shall protect the curbing and keep it in first class condition and alignment until the completion of the contract. Any curbing which is damaged at any time previous to the final acceptance of the work shall be removed and replaced with satisfactory curbing at the contractor's expense.

All backfilling behind curb must be tamped in layers not more than 6 inches in depth to a height of not less than 6 inches below the top of the curb. Each earth layer shall be thoroughly and uniformly compacted by solidly tamping with appropriate tools in such a manner as not to injure or disturb the completed curb.

All backfilling on the front, or pavement side, of the curb shall be filled with crushed stone, slag, or other suitable porous material and properly compacted. No earth fill will be allowed.

#### SEASONAL AND WEATHER LIMITATION

8. No material shall be placed

from October 15th to May 15, except by written permission of the Engineer, nor when the air temperature in the shade is below 50 degrees F.

#### INSTRUCTIONS

9. The foregoing restrictions are not intended to prevent any person, firm or corporation from constructing at his own expense a road or a highway on private property to be decided later to the Town upon completion, for highway purposes, so long as he complies with the foregoing specifications. He must, however, before commencing work, file with the Town Engineer, written plans and specifications, which in every respect comply with the foregoing specifications. All work on said highways shall be done under the supervision of the Town Engineer and the Town Highway Superintendent and such other person or persons as the Town Board shall designate to inspect the work.

The construction of all highways and streets, whether on public or private property as hereinbefore provided, must meet with the approval of the Town Engineer and/or the Town Highway Superintendent, and his certificate is necessary for said highway to be dedicated for public use and become a Town Highway.

**AND BE IT FURTHER RESOLVED** that at said public hearing the aforementioned proposed Ordinance shall be considered, and the said proposed Ordinance or portions thereof as approved by the Town Board, may be adopted and enacted as an Ordinance of the Town of Cheektowaga, New York; 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, official newspaper of the Town of Cheektowaga, New York, a newspaper having general circulation in said Township, not less than ten (10) nor more than twenty (20) days prior to the date set for the hearing; and that not less than ten (10) nor more than twenty (20) days prior to the date of the hearing he post conspicuously or cause to be posted conspicuously a certified copy of this order in five (5) public places within the Township.

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 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 July, 1951, 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 July, 1951.

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

**REZONING GRANTED**

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 July, 1951, there were:

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

**ABSENT:** 0  
Mr. Neibert presented the following resolution and moved its adoption:

**WHEREAS**, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 6th day of July, 1951, at 7:30 o'clock P. M., E.D.S.T., of said day, for the purpose of considering the application of William Tadio, for the rezoning from Residence District to Business District of the property hereinbefore 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 16th day of July, 1951, having rendered its decision granting the application of petitioners to rezone from residence district to Business District the property hereinafter described, for the purpose of conducting a Hardware and Tile Store 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 16th day of July, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals, and having personally inspected the premises to be zoned, as well as the property in its immediate vicinity on Harlem Road.

**BE IT RESOLVED**, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from residence 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", subject to the following restrictions: (1) that said premises are used only for business purposes and not industrial and, (2) that in the event said premises are no longer used as Hardware and Tile Store this order of Rezoning shall be null and void and the property shall revert to Residential use only.

**DESCRIPTION**

Lots No. 41 and 42 Harlem Road, north of Huth Road, east side. Seconded by Mr. Wroblewski and duly put to a vote which resulted as follows:

Benedict T. Holtz, voting Aye.  
Henry Nagel, voting Aye.  
Felix T. Wroblewski, voting Aye.  
Joseph A. Neibert, voting Aye.  
Stanley Bystrak, voting Aye.  
Carried.

**AYES:** 5 **NOES:** 0 **ABSENT:** 0  
Dated: July 16th, 1951.

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

(SEAL)

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Posted as follows on the 20th day of July, 1951;

Town Hall Bulletin Board;

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

**REZONING GRANTED**

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 July, 1951, there were:

**PRESENT:**

- Benedict T. Holtz, Supervisor
- Henry Nagel, Councilman
- Felix T. Wroblewski, Councilman
- Joseph A. Neibert, Councilman
- Stanley Bystrak, Councilman

**ABSENT: 0**

Mr. Neibert presented the following resolution and moved its adoption:

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 6th day of July, 1951, at 7:30 o'clock P. M., E.D.S.T., of said day, for the purpose of considering the application of William Tadio, for the rezoning from Residence District to Business District of the property hereinbefore 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 16th day of July, 1951, having rendered its decision granting the application of petitioners to rezone from residence district to Business District the property hereinafter described, for the purpose of conducting a Hardware and Tile Store 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 16th day of July, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals, and having personally inspected the premises to be zoned, as well as the property in its immediate vicinity on Harlem Road.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from residence 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", subject to the following restrictions: (1) that said premises are used only for business purposes and not industrial and, (2) that in the event said premises are no longer used as Hardware and Tile Store this order of Rezoning shall be null and void and the property shall revert to Residential use only.

**DESCRIPTION**

Lots No. 41 and 42, Harlem Road, north of Huth Road, east side.

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

- Benedict T. Holtz, voting Aye.
- Henry Nagel, voting Aye.
- Felix T. Wroblewski, voting Aye.
- Joseph A. Neibert, voting Aye.
- Stanley Bystrak, voting Aye.

Carried.  
AYES: 5 NOES: 0 ABSENT: 0  
Dated: July 16th, 1951.

KENNETH T. HANLEY,  
Town Clerk  
Town of Cheektowaga,

(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  
*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 19 1951**

last publication **JUL 19 1951**

and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this .....

day of **JUL 19 1951**, 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, 1952  
Registered No. 5029

## Rezoning Granted

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, New York, on the 16th day of July, 1951, there were:

## PRESENT:

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman

## ABSENT: None.

Mr. Wroblewski presented the following resolution and moved its adoption.

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 6th day of July, 1951, at 7:30 o'clock P.M., E.D.S.T., of said day for the purpose of considering the application of Boleslaus Rudnicki, 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 16th day of July, 1951, having rendered its decision granting the application of the petitioners to rezone from residence district to business district the property hereinafter described, for the purpose of conducting a Bakery Store, 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 16th day of July, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals and having personally inspected the premises to be zoned as well as the property in its immediate vicinity on William Street, southside, corner of Helen Street,

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from residence 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", subject to the following restrictions: (1) that said premises are used only for Business purposes and not Industrial, and (2) that in the event said premises are no longer used as a Bakery Store, this order of rezoning shall be null and void and the property shall revert to residential use only.

## DESCRIPTION

Lots Nos. 3 and 4, William Street, south side, corner of Helen Street (60x126 feet).

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

Benedict T. Holtz, voting Aye,  
Henry Nagel, voting Aye,  
Felix T. Wroblewski, voting Aye,  
Joseph A. Neibert, voting Aye,  
Stanley Bystrak, voting Aye.

Carried: 5 Ayes, 0 Noes.

Dated: July 16, 1951.

KENNETH T. HANLEY,  
(seal) Town Clerk  
Town of Cheektowaga

Posted as follows on the 20th day of July, 1951;

Town Hall Bulletin Board;

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

**D DAY**

... court topics...  
 operation with the New York  
 State Association of Town Land-  
 Mr. Volker for his continued  
 interest in and defense of rural  
 parts, the article states in part:  
 "Credit is due the fine teamwork  
 among Senators and Assemblymen  
 on rural counties whose efforts  
 improve their local courts stem-  
 ed from their own knowledge of  
 the needs of their constituents.  
 Their efforts were in response to  
 members of the local county mag-  
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 "But there is one legislator  
 whose activity in this program is  
 marked and whose ability is so  
 outstanding as to deserve special  
 mention. His efforts came in a spot  
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 Lancaster, a lawyer, a former  
 Justice of the Peace, instructor in  
 the schools for justices, and one  
 of the team which defended our  
 rural courts at the last State Con-  
 vention. But for his  
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 New Jersey) or  
 courts for evidence as in  
 Pennsylvania and Michigan.  
 "The right to continue to govern  
 ourselves depends not on wars nor  
 risings nor deeds of valor. It de-  
 pends upon the untiring efforts of  
 men like Julius Volker, who be-  
 lieve in the American doctrine that  
 people are capable of self-gov-  
 ernment."  
 —H—  
 Herald-News advertisers, unlike  
 or-to-door salesmen, stand back  
 what they sell you.

FRANK A. TABER, JR.

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  
19th day of July, 1951, and  
 the last insertion being on the \_\_\_\_\_ day of  
 \_\_\_\_\_, 19\_\_\_\_, and that not  
 more than six days intervened between any two publi-  
 cations thereof.

*Frank A. Taber, Jr.*  
44

Sworn to before me this 7th day of

August 1951

*Kenneth Stanley*  
Notary Public in and for Erie County.

hn-49 5803



Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Town Superintendent of Highways has recommended the purchase of a new 1951 M7G Four Wheel Drive Truck complete with Wausaw Snowplow and Wing to replace a 1945 FCKD Walters Truck and Plow, and

WHEREAS, the cost of the same exceeds the sum of \$500.00, be it RESOLVED, that the Town Board meet on the 6th day of August, 1951, at 2:30 o'clock P.M., Eastern Daylight Saving Time, at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York, to consider such purchase, and be it further

RESOLVED, that the Town Clerk publish or cause to be published, in the Cheektowaga Times, official newspaper of the Town of Cheektowaga, New York, at least five (5) days before the date set for the hearing, the following notice of said meeting:

#### NOTICE

NOTICE IS HEREBY GIVEN, in compliance with Sec. 142 of the Highway Law, that John J. Zablotny, Superintendent of Highways, of the Town of Cheektowaga, Erie County, New York, has recommended the purchase of 1- Model M7G Four Wheel Truck complete with directional signals, cab lights, 2 spot lights, snow plow lights, clearance light and flasher light, reflectors, directional signals, two 35 gallon gas tanks, tool box, hydraulic jack, 12:00 x 20 tires with duals rear, power steer, pintle hook, dual wipers, 5 yard heavy duty hydraulic dump body, Model XP90 Wausaw Plow with 12' wing and full power hydraulic control with front mounted pump, at a maximum cost of \$23,968.00.

The Town Board of the Town of Cheektowaga, Erie County, New York, will meet at the Town Hall, Union Road and Broadway, Cheektowaga, New York, on the 6th day of August, 1951, at 2:30 o'clock P.M., Eastern Daylight Saving Time, to consider such purchase.

Dated: July 16th, 1951.

Kenneth T. Hanley  
Town Clerk, Town of Cheektowaga N.Y.

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

Benedict T. Holtz	Voting AYE
Henry Nagel	Voting AYE
Felix T. Wroblewski	Voting AYE
Joseph A. Neibert	Voting AYE
Stanley Bystrak	Voting AYE

CARRIED: AYES: -5-.

Posted as follows on the 24th day of July, 1951;

Town Hall Bulletin Board;  
U-Crest Hose Company, Clover Place and Evergreen Street;  
Pine Hill Hose Company, Genesee Street and Normandy Street;  
Rescue Hose Company, Pine Ridge Road;  
Forks Hose Company, Union Road and Broadway.

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

Posted as follows on the 20th day of July, 1951;

Town Hall Bulletin Board;

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

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**Resolving Granted**  
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, New York, on the 16th day of July, 1951, there were:

PRESENT:

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman

ABSENT: None.

Mr. Wroblewski presented the following resolution and moved its adoption.

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 6th day of July, 1951, at 7:30 o'clock P.M. E.D.S.T., of said day for the purpose of considering the application of Boleslaus Rudnicki, 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 16th day of July, 1951, having rendered its decision granting the application of the petitioners to rezone from residence district to business district the property hereinafter described, for the purpose of conducting a Bakery Store, 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 16th day of July, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals and having personally inspected the premises to be zoned as well as the property in its immediate vicinity on William Street, southside, corner of Helen Street,

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from residence 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", subject to the following restrictions: (1) that said premises are used only for Business purposes and not Industrial, and (2) that in the event said premises are no longer used as a Bakery Store, this order of rezoning shall be null and void and the property shall revert to residential use only.

DESCRIPTION

Lots Nos. 3 and 4, William Street, south side, corner of Helen Street (60x126 feet).

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

Benedict T. Holtz, voting Aye,  
Henry Nagel, voting Aye,  
Felix T. Wroblewski, voting Aye,  
Joseph A. Neibert, voting Aye,  
Stanley Bystrak, voting Aye,  
Carried: 5 Ayes, 0 Noes.

Dated: July 16, 1951.

(seal) KENNETH T. HANLEY,  
Town Clerk  
Town of Cheektowaga  
Erie County New York  
jy19

FRANK A. TABER, JR.

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 19th day of July, 1951, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Frank A. Taber, Jr.*  
41

17th day of

1951

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

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Town Superintendent of Highways has recommended the purchase of a new 1951 M7G Four Wheel Drive Truck complete with Wausaw Snowplow and Wing to replace a 1945 FCKD Walters Truck and Plow, and

WHEREAS, the cost of the same exceeds the sum of \$500.00, be it RESOLVED, that the Town Board meet on the 6th day of August, 1951, at 2:30 o'clock P.M., Eastern Daylight Saving Time, at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York, to consider such purchase, and be it further

RESOLVED, that the Town Clerk publish or cause to be published, in the Cheektowaga Times, official newspaper of the Town of Cheektowaga, New York, at least five (5) days before the date set for the hearing, the following notice of said meeting:

NOTICE

NOTICE IS HEREBY GIVEN, in compliance with Sec. 142 of the Highway Law, that John J. Zablotny, Superintendent of Highways, of the Town of Cheektowaga, Erie County, New York, has recommended the purchase of 1- Model M7G Four Wheel Truck complete with directional signals, cab lights, 2 spot lights, snow plow lights, clearance light and flasher light, reflectors, directional signals, two 35 gallon gas tanks, tool box, hydraulic jack, 12:00 x 20 tires with duals rear, power steer, pintle hook, dual wipers, 5 yard heavy duty hydraulic dump body, Model XP90 Wausaw Plow with 12' wing and full power hydraulic control with front mounted pump, at a maximum cost of \$23,968.00.

The Town Board of the Town of Cheektowaga, Erie County, New York, will meet at the Town Hall, Union Road and Broadway, Cheektowaga, New York, on the 6th day of August, 1951, at 2:30 o'clock P.M., Eastern Daylight Saving Time, to consider such purchase.

Dated: July 16th, 1951.

Kenneth T. Hanley  
Town Clerk, Town of Cheektowaga N.Y.

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

- |                     |            |
|---------------------|------------|
| Benedict F. Holtz   | Voting AYE |
| Henry Nagel         | Voting AYE |
| Felix T. Wroblewski | Voting AYE |
| Joseph A. Neibert   | Voting AYE |
| Stanley Bystrak     | Voting AYE |

CARRIED: AYES: -5-

Posted as follows on the 24th day of July, 1951;

- Town Hall Bulletin Board;
- U-Crest Hose Company, Clover Place and Evergreen Street;
- Pine Hill Hose Company, Genesee Street and Normandy Street;
- Rescue Hose Company, Pine Ridge Road;
- Forks Hose Company, Union Road and Broadway.

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

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 *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 19 1951*; last publication *JUL 19 1951*; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this *JUL 19 1951* day of *JUL 19 1951*

*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, 1953  
Registered No. 5029

**NOTICE**  
NOTICE IS HEREBY GIVEN, in compliance with Sec. 142 of the Highway Law, that John J. Zablotny, Superintendent of Highways, of the Town of Cheektowaga, Erie County, New York, has recommended the purchase of 1—Model M7G Four Wheel Drive Truck complete with directional signals, cab lights, 2 spot lights, snow plow lights, clearance lights, flasher light, reflectors, directional signals, two 35 gallon gas tanks, tool box, hydraulic jack, 12:00x20 tires with duals rear, power steer, pintle hook, dual wipers, 5 yard heavy duty hydraulic dump body, Model XF90 Wausaw Plow with 12' wing and full power hydraulic control with front mounted pump, at a maximum cost of \$23,968.00.  
The Town Board of the Town of Cheektowaga, Erie County, New York, will meet at the Town Hall, Union Road and Broadway, Cheektowaga, New York, on the 6th day of August, 1951, at 2:30 o'clock P.M., E.D.S.T., to consider such purchase.  
Dated: July 18th 1951.  
KENNETH T. HANLEY  
Town Clerk,  
Town of Cheektowaga,  
New York.

Councilman Nagel moved, seconded by Councilman Weibert, that all claims presented at this meeting be audited and that the Town Clerk be authorized and directed to draw orders on the Supervisor for payment of same.

( Orders No. 5304 to No. 5359, inclusive, drawn on the Supervisor.

Mr. Gail Crawford, president of the North Cheektowaga Home-owners was granted the floor and complained that a resident on Maryvale Drive, across from the Maryvale Apartments, was keeping chickens on his premises. Ordered referred to the Chief of Police.

Mr. Michael Ciamagua was granted the floor and requested that the speed limit on Transit Road, between Zurbrick Road, south to the Town Line be reduce from the present rate to 35 M.P.H. Ordered referred to the Town Clerk to communicate with the State Traffic Commission and request that a survey be made of this area.

On a motion of Councilman Wroblewski, seconded by Councilman Weibert, the Board adjourned.

Kenneth T. Hanley

SEAL.

Town Clerk.

*Kenneth T. Hanley*

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the same Town of Cheektowaga, on the 6th day of August, 1951, at 2:30 o'clock P.M., E.D.S.T., there were:

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

ABSENT: -o-

Also present were, Town Clerk Kenneth T. Hanley; Town Attorney George B. Doyle; Building Inspector William Tadio; Highway Superintendent John J. Zablotny; Town Engineer Albert J. Kam; and Chief of Police Walter J. Marynowski.

Without any objections the reading of the minutes of the previous meeting were dispensed with until a later date.

This being the time and the place advertised for a public hearing, the recommendation of the Town Highway Superintendent, for the purchase of a new Model M 7 G Four Wheel Drive Truck, at a maximum cost of \$23,968.00, as more fully described in the attached notice.

**NOTICE**

**NOTICE OF HEARING GIVEN** in compliance with Sec. 142 of the Highway Law, that John J. Zablotny, Superintendent of Highways, of the Town of Cheektowaga, Erie County, New York, has recommended the purchase of 1--Model M7G Four Wheel Drive Truck complete with directional signals, cab lights, 2 spot lights, snow plow lights, clearance lights, flasher light, reflectors, directional signals, two 35 gallon gas tanks, tool box, hydraulic jack, 12:00x20 tires with duals rear, power steer, pintle hook, dual wipers, 5 yard heavy duty hydraulic dump body, Model XF90 Wausaw Plow with 12' wing and full power hydraulic control with front mounted pump, at a maximum cost of \$23,968.00.

The Town Board of the Town of Cheektowaga, Erie County, New York, will meet at the Town Hall, Union Road and Broadway, Cheektowaga, New York, on the 6th day of August, 1951, at 2:30 o'clock P.M., E.D.S.T., to consider such purchase.  
Dated: July 16th 1951.

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

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 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 purchase of One Model M7G Four Wheel Drive Truck, the Supervisor ordered the hearing closed.

Councilman Wroblewski moved, seconded by Councilman Neibert:

WHEREAS, the Town Superintendent of Highways did on the 16th day of July, 1951, 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 action,

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 George W. Whitehead Company Inc., , with the approval of the County Superintendent of Highways: One (1) Model M7G Four Wheel Drive Truck complete with directional signals, cab lights, 2 spotlights, snow plow, lights, clearance lights, flasher light, reflectors, directional signals, two 35-gallon gas tanks, tool box, hydraulic jack, 12:00 x 20 tires with duals rear, power steer, pintle hook, dual wipers, 5-yard heavy duty hydraulic dump body, Model XF 90 wausau Plow with 12' wing and full power hydraulic control with front mounted pump, for a total price of Twenty-three thousand nine hundred sixty eight dollars (\$23,968.00), delivered at Cheektowaga, New York, and to be delivered on or about September 15, 1951.

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, used FCKD Walters Truck with Frink Plow, as part payment for the above (machinery) ( equipment ) ( tools) to be purchased.

The terms of payment will be as follows:

Trade-in allowance	\$2,500.00
Check drawn on Machinery Fund	-
Check from proceeds of obligations	\$21,468.00
TOTAL	\$23,968.00

A contract of purchase for the item 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 purchased in accordance with the terms of such resolution and such contract, and to pay the above amount specified to be paid by check or checks.

(1) by a check drawn on the Machinery Fund (Item 3) for.....\$ - -

(2) by a check in the amount of \$21,468.00, 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 item traded-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.

The vote of the Town Board:

Benedict T. Holtz	Voting AYE
Henry Nagel	Voting AYE
Felix T. Wroblewski	Voting AYE
Joseph A. Neibert	Voting AYE
Stanley Bystrak	Voting AYE

CARRIED: AYES: -5-

This being the time and the place advertised for a public hearing to consider the adoption of an Ordinance for MINIMUM SPECIFICATIONS FOR STREET OR HIGHWAY CONSTRUCTION, of the Town of Cheektowaga, New York, 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 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 ordinance.

Dr. Victor Reinstein was granted the floor and suggested to the Board that the ordinance be adopted on or about October 15, 1951, and also suggested a change from 3 to 4 inches, instead of 6 inches, the amount of stone to be used in a highway.

The Supervisor ordered the hearing closed and decision was reserved for two weeks.

Communication read from the State of New York, Department of Public Works, relating to obsolete traffic signals lights in front of the Most Holy Redeemer School on Genesee Street and in front of the Pine Hill High School on East Delevan Avenue. Ordered referred to the Town Clerk to communicate with the Department, that the Town of Cheektowaga will comply with their request and install modern type traffic signal lights at the two locations.

Communication read from John J. Zablotny, Town Superintendent of Highways, requesting the Town Board to accept Linda Drive, Sarabell Court, Amurra Court and Donald Drive, as Town Highways. On a motion of Councilman Wroblewski, seconded by Councilman Nagel, the above mentioned highways will be accepted by the Town upon delivery of said deeds to said highways.

Communication read from the residents of Briarcliffe Avenue, requesting the erection of a " Children At Play ", sign on Briarcliff Avenue, near Cleveland Drive, facing toward Wayne Terrace.

Councilman Wroblewski advised the Town Board that the signs are on order and will be erected as soon as same is received from the manufacturer.

Communication read from the State of New York, Public Service Commission, acknowledging the complaint of certain residents in the Cleveland Hill section against inadequate water pressure. Ordered received and filed.

Communication read from Mr. A. Fischer, 832 Maryvale Drive, advising the Town Board that he will dispose of his chickens on October 1st, 1951. Ordered referred to the Town Board.

Communication read from the Town Park Home Owners Association, relating to student drivers, driving or practicing driving in the Beverly Hills section of the Town. Ordered referred to the Chief of Police.

Communication read from Kenington Village Inc., requesting that a traffic signal light be erected at the corner of Eggert Road and Kenville Road. Ordered referred to the Town Board Utility Committee.

Petition presented for the installation of street lights on Highview Road, from Lot No. 35 to No. 63 inclusive. Ordered referred to the Assessors for a property check.

Petition presented for the installation of a sanitary lateral sewer on West Grande Boulevard, from Central Boulevard, north to Scjacquada Creek. Ordered referred to the Assessors for a property check.

Petition presented by the Cass Building Corporation, for permission to construct a storm drain on Bright Street. Ordered referred to the Town Board and the Town Engineer.

On a motion of Councilman Neibert, Seconded by Councilman Wroblewski, the application of John Konsek Jr., and Fred Kawa to rezone certain premises on Union Road, from residence to business, was ordered referred to the Town Attorney for further study.

On a motion of Councilman Wroblewski, seconded by Councilman Neibert, the application of Willis R. Brunner, to rezone premises on Union Road, from residence to Second Industrial, was referred to the Town Board for further study.

On a motion of Councilman Neibert, seconded by Councilman Nagel, the application of Ceaser Ciminelli to rezone premises at the south east corner of Genesee Street and Roxborough Avenue, from residence to business, be denied.



-----  
 IN THE MATTER :  
 OF :  
 the Establishment of Drainage :  
 District No. 4 in the Town of :  
 Cheektowaga, in the County of :  
 Erie, New York :  
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Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, Ernest Genson and other 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 18th day of June, 1951, a petition requesting that the following territory within said Town be established as a drainage district, in the manner provided by law, viz.:

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Cheektowaga, Erie County, New York, in part of Lots 33, 34 and 35, Township 11, Range 7 of the Holland Land Company Survey and more particularly described as follows:

BEGINNING at the intersection of the north line of lot 34 which is also the north line of Atwood Place, and south line of Drainage Dist. No. 2 with the extension of the east line of sub lot 37, as shown on a certain map or plan known as Subdivision Map of Parts of Lots 34 and 35, Township 11, Range 7, made for Genesee Street City Line Company filed in the Erie County Clerk's Office under Cover No. 520, which point is about 135 feet east of the west town line or the Buffalo east city line; running thence easterly along the north line of Lot 34 and the south line of Drainage Dist. No. 2 to the center of Pine Ridge Road, thence running southerly along the various courses of the center line of said Pine Ridge Road to the center of the Scajaquada Creek Drain, which is about 100 feet south of the south line of lot 34; thence running easterly along the center of the Scajaquada Creek Drain westerly to its intersection with the west line of the Town of Cheektowaga, which is also the Buffalo East City Line; thence running northerly along the westerly town line of the Town of Cheektowaga to its intersection with the center line of Genesee Street; thence running north easterly along the center line of Genesee Street about 133.53 feet, to the intersection of the easterly line of sub-lot 4, as shown on said map, extended southerly; thence running northerly along the easterly line of sub-lots 4, 5 and 6, as shown on said map; thence running easterly along the south line of sub-lot 7, as shown on said map, a distance of 3.33 ft. to the southeast corner of said lot; thence running northerly along the easterly line of sub-lots 7 to 33 inc., as shown on said map, to the south line of sub-lot 37, as shown on said map; thence running easterly about 5 ft. along the south line of said sub-lot 37 to the easterly line of sub-lot 37; thence running northerly along the east line of said sub-lot 37 to the north line of lot 34, T. 11, R. 7 and the south line of Drainage Dist. No 2, which is the point or place of beginning; and

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

WHEREAS, such drainage system, as shown by said map and plan, is to consist of main and lateral drains and outlets and equipment to be constructed at the locations specified in said map and plan; and

WHEREAS, said Town Board duly adopted, on the 18th day of June, 1951, an order providing that said Town Board shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 2nd day of July, 1951, 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 evidence offered at such time and place requires that the Town Board make the determinations hereinafter made; NOW, THEREFORE,

BE IT RESOLVED, by the Town Board of the Town of Cheektowaga, in the County of Erie, that it be and hereby is determined as follows, viz: (1) the assessed valuation of all the taxable real property in the proposed district hereinbefore described, as shown upon the latest completed assessment roll of said Town, is \$1,137,075; and the aggregate amount of the assessed valuation of such taxable real property which is now owned by owners who have signed said petition is \$707,000; and the aggregate amount of the assessed valuation of taxable real property in said district owned by resident owners, according to said assessment roll, is \$1,019,095; and the aggregate amount of the assessed valuation of said taxable real property which is owned by resident owners who have signed said petition is \$684,800; (2) said petition is signed and acknowledged or proved as required by law and is otherwise sufficient; (3) all property and property owners within said proposed district are benefitted thereby; (4) all property and property owners benefitted are included within the limits of said proposed district; and (5) it is in the public interest to grant in whole the relief sought in and by said petition.

FURTHER RESOLVED, that the Town Board do and it hereby does approve the establishment of said proposed district with the boundaries set forth in said petition and in this resolution and the construction of a drainage system in said proposed district, in accordance with the map and plan attached to said petition.

FURTHER RESOLVED, that the Town Clerk be and he hereby is authorized and directed to file a certified copy of this 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 in the manner and form prescribed by Section 194 of the Town Law of New York, within ten days after the adoption of this resolution.

FURTHER RESOLVED, that the Town Supervisor be and he hereby is authorized and directed to execute said application on behalf of the Town of Cheektowaga.

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

Benedict T. Holtz	Voting AYE	
Henry Nagel	Voting AYE	
Felix T. Wroblewski	Voting AYE	
Joseph A. Neibert	Voting AYE	
Stanley Bystrak	Voting AYE	CARRIED: AYES: -5-.

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, John J. Eberle, General Foreman of Sanitation and Buildings has called to the attention of the Town Engineer, Albert J. Kamm, that the hot water heater in the Town Hall has gone into such a bad state of repair that it needs to be replaced; and

WHEREAS, the Town Engineer, Albert J. Kamm, has recommended that said heater be replaced with a Westinghouse Electric hot water heater, model AD 80-S1, the price of which is Two Hundred Four Dollars and Ninety Five Cents (\$204.95), and the cost of installation of the same with a temperature and pressure relief valve is the sum of Fifty-Three Dollars and Eighty-three Cents (\$53.83),

BE IT RESOLVED, that the Supervisor be and he is hereby authorized to purchase the aforementioned hot water heater with temperature and pressure relief valve and cause the same to be installed at the Town Hall at an aggregate cost of Two Hundred Fifty-Eight Dollars and Seventy Eight Cents (\$258.78); and

BE IT FURTHER RESOLVED, that the expense thereof be charged against the item in the budget for Town Hall maintenance.

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

Benedict T. Holtz	Voting AYE	
Henry Nagel	Voting AYE	
Felix T. Wroblewski	Voting AYE	
Joseph A. Neibert	Voting AYE	
Stanley Bystrak	Voting AYE	CARRIED: AYES: -5-.

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 July 21st, 1951, July 28th, 1951 and August 4th, 1951, after same have been approved by the Building Inspector.

CARRIED: AYES: -5-.

# STUDEBAKER CORPORATION REZONING GRANTED

## REZONING GRANTED

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, New York, on the 6th day of August, 1951, there were:

### PRESENT:

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman

### ABSENT: None.

Mr. Nagel presented the following resolution and moved its adoption:

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 6th day of July, 1951, at 7:30 o'clock P.M. E.D.S.T., of said day, for the purpose of considering the application of The Studebaker Corporation, by C. H. Glenn, Manager of Warehouse Planning Parts and Accessories Division, for the rezoning from residence 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 16th day of July, 1951, having rendered its decision granting the application of petitioner to rezone from residence district to first industrial district the property hereinafter described, for the purpose of conducting a Warehousing and Distribution of Replenishment Parts and Accessories, 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 16th day of July, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals, and having personally inspected the premises to be zoned, as well as the property in its immediate vicinity on Union Road.

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 first industrial district be and the same hereby 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 "Residence District" to "First Industrial District," subject to the following restrictions: (1) that said premises are used only for Warehousing and Distribution of Replenishment Parts and Accessories and (2) that in the event said premises are no longer used for Warehousing and Distribution of Replenishment Parts and Accessories this order of rezoning shall be null and void and the property shall revert to residential use only.

## DESCRIPTION

All that tract or parcel of land situate in the Town of Cheektowaga, Erie County, New York, and State of New York, being part of Lot No. 12, 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 Easterly line of Union Road at the intersection of the said Easterly line of Union Road with the Northwesterly line of lands owned by the New York Central Railroad (West Shore); running thence Northerly on the Easterly line of Union Road 420 feet; running thence Easterly at right angles with the said Easterly line of Union Road 240 feet; running thence Southerly at right angles 280 feet to the Northwesterly line of lands owned by the New York Central Railroad; running thence Southwesterly along the said line of lands owned by the New York Central Railroad to the point or place of beginning.

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

Benedict T. Holtz, voting Aye.  
Henry Nagel, voting Aye.  
Felix T. Wroblewski, voting Aye.  
Joseph A. Neibert, voting Aye.  
Stanley Bystrak, voting Aye.  
AYES: 5. NOES: 0. ABSENT: 0.  
KENNETH T. HANLEY,  
Town Clerk

Town of Cheektowaga,  
Erie County, New York

Dated: August 8, 1951.

(SEAL)

Posted as follows on the 10th day of August, 1951;

Town Hall Bulletin Board.

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

**REZONING GRANTED**

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, New York, on the 6th day of August 1951 there were:

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks: first publication AUG 9 1951: last publication AUG 9 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of AUG 9 1951, 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, 1953  
Registered No. 3029

## STUDEBAKER CORPORATION REZONING GRANTED

**REZONING GRANTED**  
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, New York, on the 6th day of August, 1951, there were:

**PRESENT:**  
Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman  
**ABSENT:** None.

Mr. Nagel presented the following resolution and moved its adoption:

**WHEREAS,** the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 6th day of July, 1951, at 7:30 o'clock P.M. E.D.S.T., of said day, for the purpose of considering the application of The Studebaker Corporation, by C. H. Glenn, Manager of Warehouse Planning Parts and Accessories Division, for the rezoning from residence 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 16th day of July, 1951, having rendered its decision granting the application of petitioner to rezone from residence district to first industrial district of the property hereinafter described, for the purpose of conducting a Warehousing and Distribution of Replenishment Parts and Accessories, 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 16th day of July, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals, and having personally inspected the premises to be zoned, as well as the property in its immediate vicinity on Union Road.

**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 first industrial district of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, be and the same hereby is amended by changing the zoning map so as to change the following described property from that "Residence District" to "First Industrial District," subject to the following restrictions: (1) that said premises are used only for Warehousing and Distribution of Replenishment Parts and Accessories and (2) that in the event said premises are no longer used for Warehousing and Distribution of Replenishment Parts and Accessories this order of rezoning shall be null and void and the property shall revert to residential use only.

**DESCRIPTION**  
All that tract or parcel of land situate in the Town of Cheektowaga, Erie County, and State of New York, being part of Lot No. 12, 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 Easterly line of Union Road at the intersection of the said Easterly line of Union Road with the Northwesternly line of lands owned by the New York Central Railroad (West Side); running thence Northerly on the Easterly line of Union Road 420 feet; running thence Easterly at right angles with the said Easterly line of Union Road 240 feet; running thence Southerly at right angles 280 feet to the Northwesternly line of land owned by the New York Central Railroad; running thence Southwesterly along the said line of land owned by the New York Central Railroad to the point or place of beginning.

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

Benedict T. Holtz, voting Aye.  
Henry Nagel, voting Aye.

Felix T. Wroblewski, voting Aye.  
Joseph A. Neibert, voting Aye.

Stanley Bystrak, voting Aye.

**AYES: 5. NOES: 0. ABSENT: 0.**

**KENNETH T. HANLEY,**

Town Clerk

Town of Cheektowaga,  
Erie County, New York

Dated: August 8, 1951.

(322)

Posted as follows on the 10th day of August, 1951;

Town Hall Bulletin Board.

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

REZONING GRANTED

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, New York, on the 6th day of August, 1951, there were:

PRESENT:

- Benedict T. Holtz, Supervisor
- Henry Nagel, Councilman
- Felix T. Wroblewski, Councilman
- Joseph A. Neibert, Councilman
- Stanley Bystrak, Councilman

ABSENT: None.

Mr. Nagel presented the following resolution and moved its adoption:

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 6th day of July, 1951, at 7:30 o'clock P.M. E.D.S.T., of said day, for the purpose of considering the application of The Studebaker Corporation, by C. H. Glenn, Manager of Warehouse Planning Parts and Accessories Division, for the rezoning from residence 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 16th day of July, 1951, having rendered its decision granting the application of petitioner to rezone from residence district to first industrial district the property hereinafter described, for the purpose of conducting a Warehousing and Distribution of Replenishment Parts and Accessories, 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 16th day of July, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals, and having personally inspected the premises to be zoned, as well as the property in its immediate vicinity on Union Road.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from Residence to First Industrial 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 "Residence District" to "First Industrial District," subject to the following restrictions: (1) that said premises are used only for Warehousing and Distribution of Replenishment Parts and Accessories and, (2) that in the event said premises are no longer used for Warehousing and Distribution of Replenishment Parts and Accessories this order of rezoning shall be null and void and the property shall revert to residential use only.

DESCRIPTION

All that tract or parcel of land situate in the Town of Cheektowaga, County of Erie, and State of New York, being part of Lot No. 12, 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 Easterly line of Union Road at the intersection of the said Easterly line of Union Road with the Northwesterly line of lands owned by the New York Central Railroad (West Shore); running thence Northerly on the Easterly line of Union Road 420 feet; running thence Easterly at right angles with the said Easterly line of Union Road 240 feet; running thence Southerly at right angles 280 feet to the Northwesterly line of lands owned by the New York Central Railroad; running thence Southwesterly along the said line of lands owned by the New York Central Railroad to the point or place of beginning.

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

- Benedict T. Holtz, voting Aye.
- Henry Nagel, voting Aye.
- Felix T. Wroblewski, voting Aye.
- Joseph A. Neibert, voting Aye.
- Stanley Bystrak, voting Aye.

AYES: 5. NOES: 0. ABSENT: 0.

KENNETH T. HANLEY,

Town Clerk

Town of Cheektowaga,

Erie County, New York

Dated: August 8, 1951.

(SEAL)

aug 9

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks: first publication AUG 9 1951; last publication AUG 9 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of AUG 9 1951, 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, 1953  
Registered No. 5029

## PARISO BROS. REZONING GRANTED

of the Town of Cheektowaga,  
County, New York, held at the  
Town Hall, in said Town of Cheek-  
towaga, on the 6th day of August,  
1951, there were:

### PRESENT:

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman.

### ABSENT: 0

Mr. Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 6th day of July, 1951, at 7:30 o'clock P.M. E.D.S.T., of said day, for the purpose of considering the application of Pariso Bros., by Angelo Pariso, for rezoning from residence district to second 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 July, 1951, having rendered its decision granting the application of petitioners to rezone from residence district to second industrial district the property hereinafter described, for the purpose of conducting an office and garage to store and repair heavy construction equipment, 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 6th day of August, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals, and having personally inspected the premises to be zoned, as well as the property in its immediate vicinity on Genesee Street.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from Residence to Second Industrial 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 "Second Industrial District," subject to the following restrictions: (1) that said premises are used only for an office and garage to store and repair heavy construction equipment and (2) that in the event said premises are no longer used for an office and garage to store and repair heavy construction equipment, this order of rezoning shall be null and void and the property shall revert to residential use only.

### DESCRIPTION

A parcel of land approximately 700 feet by 200 feet south side of Genesee Street between Lehigh Valley Railroad underpass and New York Central overpass.

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

Benedict T. Holtz, voting Aye.  
Henry Nagel, voting Aye.  
Felix T. Wroblewski, voting Aye.  
Joseph A. Neibert, voting Aye.  
Stanley Bystrak, voting Aye.  
Carried.

AYES: 5 NOES: 0 ABSENT: 0  
Dated: August 6, 1951.

WROBLEWSKI, F. T.  
Mayor  
TOWN OF CHEEKTOWAGA  
Aug 9

Town Hall Bulletin Board.

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

**REZONING GRANTED**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 6th day of August, 1951, there were:

**PRESENT:**

- Benedict T. Holtz, Supervisor
- Henry Nagel, Councilman
- Felix T. Wroblewski, Councilman
- Joseph A. Neibert, Councilman
- Stanley Bystrak, Councilman.

**ABSENT: 0**

Mr. Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 6th day of July, 1951, at 7:30 o'clock P.M. E.D.S.T., of said day, for the purpose of considering the application of Pariso Bros., by Angelo Pariso, for rezoning from residence district to second 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 29th day of July, 1951, having rendered its decision granting the application of petitioners to rezone from residence district to second industrial district the property hereinafter described, for the purpose of conducting an office and garage to store and repair heavy construction equipment, 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 6th day of August, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals, and having personally inspected the premises to be zoned, as well as the property in its immediate vicinity on Genesee Street.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from Residence to Second Industrial 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 "Second Industrial District," subject to the following restrictions: (1) that said premises are used only for an office and garage to store and repair heavy construction equipment and (2) that in the event said premises are no longer used for an office and garage to store and repair heavy construction equipment, this order of rezoning shall be null and void and the property shall revert to residential use only.

**DESCRIPTION**

A parcel of land approximately 700 feet by 200 feet south side of Genesee Street between Lehigh Valley Railroad underpass and New York Central overpass.

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

- Benedict T. Holtz, voting Aye.
- Henry Nagel, voting Aye.
- Felix T. Wroblewski, voting Aye.
- Joseph A. Neibert, voting Aye.
- Stanley Bystrak, voting Aye.

Carried.  
AYES: 5 NOES: 0 ABSENT: 0  
Dated: August 6, 1951.

KENNETH T. HANLEY,  
Town Clerk  
Town of Cheektowaga,

(SEAL)

aug 9

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks: first publication AUG 9 1951: last publication AUG 9 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
AUG 9 1951  
day of ....., 19.....

*Evel 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, 1953  
Registered No. 5029



NOTICE OF HEARING-- CRESTHAVEN DRIVE LATERAL SANITARY SEWER

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 6th day of August, 1951, 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**, a written petition was duly filed with this Board for the improvement of the highway known as Cresthaven Drive, by the construction of a lateral sewer in said highway, to wit: on both sides of Cresthaven Drive, which will extend from lot number 181 on the west side, and 218 on the east side, thence 750 feet north in Amherst.

**WHEREAS**, it duly appears that such petition has been duly signed by owners of real estate fronting or abutting on the 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 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 \$7,500;

**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 August, 1951, at 7:30 P.M., E.D.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 of 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 highway to be improved.

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

Benedict T. Holtz, voting Aye.  
Felix T. Wroblewski, voting Aye.  
Henry J. Nagel, voting Aye.  
Joseph A. Neibert, voting Aye.  
Stanley Bystrak, voting Aye.  
**AYES: 5    NAYS: 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 6th day of August, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 6th day of August, 1951.

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

(SEAL)

aug 9

Posted as follows on the 10th day of August, 1951;  
 Telephone Pole No. 2, Cresthaven Drive;  
 Telephone Pole No. 3, Cresthaven Drive;  
 Telephone Pole No. 4, Cresthaven Drive;  
 Telephone Pole No. 5, Cresthaven Drive;  
 Telephone Pole No. 6, Cresthaven Drive;

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

**NOTICE OF HEARING**  
 Sanitary Sewer Petition  
 In Cresthaven Drive

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 6th day of August, 1951, 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, a written petition was duly filed with this Board for the improvement of the highway known as Cresthaven Drive, by the construction of a lateral sewer in said highway, to wit: on both sides of Cresthaven Drive, which will extend from lot number 181 on the west side, and 218 on the east side, thence 750 feet north in Amherst.

WHEREAS, it duly appears that such petition has been duly signed by owners of real estate fronting or abutting on the 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 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 \$7,500;

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 August, 1951, at 7:30 P.M., E.D.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 of 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 highway to be improved.

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

Benedict T. Holtz, voting Aye.  
 Felix T. Wroblewski, voting Aye.  
 Henry Nagel, voting Aye.  
 Joseph A. Neibert, voting Aye.  
 Stanley Bystrak, voting Aye.

AYES: 0 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 6th day of August, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 6th day of August, 1951.

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

(SEAL)

aug 9

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for *one* weeks; first publication AUG 9 1951; last publication AUG 9 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of AUG 9 1951, 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, 1953  
 Registered No. 5029

NOTICE OF HEARING-EXTENSION OF WATER DIST. NO. 9

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 said Town of Cheektowaga on the 6th day of August, 1951, 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 Wroblewski presented the following resolution and moved its adoption:

WHEREAS, a petition for the extension of Water District No. 9 in the Town of Cheektowaga, New York, pursuant to the provisions of Article 12 of the Town Law, was presented to the Board on the 2nd day of July, 1951; 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 resident taxpayers, owning taxable real property aggregating more than 1/2 of the assessed valuation of all the taxable real property situate in the area proposed to be annexed to Water District No. 9; and also signed by non-resident taxpayers owning taxable real property aggregating more than 1/4 of the existing valuation of all the taxable real property situate in the area where the said water district extension is proposed to be made, owned by nonresident taxpayers; and

WHEREAS, said petition appears to have been signed and acknowledged by resident taxpayers owning taxable real property aggregating more than 1/2 of the entire frontage of boundaries on the both sides of the highways within the said proposed water district extension, and is also signed by non-resident taxpayers owning at least 1/4 of the entire frontage or boundaries on the both sides of the highways within the said proposed water district extension; and

WHEREAS, said petition is accompanied by a map prepared by Newell L. Nussbaumer and Irving Clarke, Engineers duly licensed by the State of New York, and Albert J. Kamm, Town Engineer of the Town of Cheektowaga, showing the boundaries of the said proposed water district extension; and

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

DESCRIPTION OF PROPOSED EXTENSION OF BORDEN ROAD WATER DISTRICT NO. 9, TOWN OF CHEEKTOWAGA, NEW YORK  
ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, and being more particularly bounded and described as follows:

BEGINNING at a point in the center line of Strasmer Road, 233 feet east of the center line of Borden Road:

Thence N 8° 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 Strasmer 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 Strasmer 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, the territory hereinbefore 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 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

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, newspapers having general circulation in the territory affected, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five (5) public places within the area where said proposed water district extension is to be made, not less than ten (10) nor more than twenty (20) days before said day designated for the hearing

Seconded by Councilman 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 Aye,  
Ayes: 5 Noes: 0 Absent 0

State of New York  
Erie County  
Office of the Clerk of the  
Town of Cheektowaga — as:

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 6th day of August, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 6th day of August, 1951.

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

13  
Posted as follows on the 10th day of August 1951;  
Telephone Pole No. 3, Strasmere Road;  
Telephone Pole No. 7, Strasmere Road;  
Telephone Pole No. 9, Strasmere Road;  
Telephone Pole No. 11, Strasmere Road;  
Telephone Pole No. 14, Strasmere Road;

117

Hereto attached is copies of notices published in the Cheektowaga Times and the Depew Herald;

**NOTICE OF HEARING**  
Petition For Extension  
Water District No. 9

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 6th day of August, 1951, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Henry 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 petition for the extension Water District No. 9 in the Town of Cheektowaga, New York, pursuant to the provisions of Article 12 of the Town Law, was presented to the Board on the 2nd day July, 1951; 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 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 proposed to be annexed to Water District No. 9; and also signed by non-resident taxpayers owning taxable real property aggregating more than one-half of the existing valuation of all the taxable real property situate in the area where said water district extension is proposed to be made, owned by non-resident taxpayers and

**WHEREAS**, said petition appears to have been signed and acknowledged by resident taxpayers owning taxable real property aggregating more than one-half of the entire frontage of boundaries on the both sides of the highways within the said proposed water district extension, and is also signed by non-resident taxpayers owning at least one-half of the entire frontage or boundaries on the both sides of the highways within the said proposed water district extension; and

**WHEREAS**, said petition is accompanied by a map prepared by Newell L. Nussbaumer and Irving Clarke, Engineers, duly licensed by the State of New York, and Albert J. Kamm, Town Engineer of the Town of Cheektowaga, showing the boundaries of the said proposed water district extension; and

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

**DESCRIPTION OF PROPOSED EXTENSION OF BORDEN ROAD WATER DISTRICT #9 TOWN OF CHEEKTOWAGA, NEW YORK.**

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

**BEGINNING** at a point in the center line of Strasmer Road, 233 feet east of the center line of Borden Road

Thence N 8° 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 Strasmer 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 Strasmer 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**, the territory hereinbefore 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 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

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 AUG 9 1951; last publication AUG 9 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of AUG 9 1951, 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 53  
Registered No. 5029

13  
 Posted as follows on the 10th day of August 1951;  
 Telephone Pole No. 3, Strasmere Road;  
 Telephone Pole No. 7, Strasmere Road;  
 Telephone Pole No. 9, Strasmere Road;  
 Telephone Pole No. 11, Strasmere Road;  
 Telephone Pole No. 14, Strasmere Road;

117

Hereto attached is copies of notices published in the Cheektowaga Times and the Depew Herald;

ways within the said proposed water district extension; and

WHEREAS, said petition is accompanied by a map prepared by Newell L. Nussbaumer and Irving Clarke, Engineers, duly licensed by the State of New York, and Albert J. Kamm, Town Engineer of the Town of Cheektowaga, showing the boundaries of the said proposed water district extension; and

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

DESCRIPTION OF PROPOSED EXTENSION OF BORDEN ROAD WATER DISTRICT #9 TOWN OF CHEEKTOWAGA, NEW YORK.

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

BEGINNING at a point in the center line of Strasmer Road, 233 feet east of the center line of Borden Road

Thence N 8° 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 Strasmer 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 Strasmer 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, the territory hereinbefore 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 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

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, newspapers having general circulation in the territory affected, not less than ten nor more than twenty days before the date set herein for the hearing aforesaid and that copies of this order be posted by the Town Clerk conspicuously in five public places within the area where said proposed water district extension is to be made, not less than ten nor more than twenty days before said day designated for the hearing.

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

Benedict T. Holtz, voting Aye.  
 Henry Nagel, voting Aye.  
 Joseph A. Neibert, voting Aye.  
 Felix T. Wroblewski, voting Aye.  
 Stanley 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 6th day of August, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 6th day of August, 1951.

KENNETH T. HANLEY,  
 Clerk of the Town Board,  
 Town of Cheektowaga, N. Y.  
 (SEAL) \_\_\_\_\_ aug 9

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication AUG 9 1951; last publication AUG 9 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of AUG 9 1951, 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, 1953  
 Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 6th day of August, 1951, at 2:30 o'clock P. M., Eastern Daylight Saving Time, there was:

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 Strasmer Road to a point 233 feet east of the center line of Borden Road;

Thence northerly 233 feet to the point of beginning.

WHEREAS, the territory hereinbefore 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

Office of the Clerk of the Town of Cheektowaga - as:

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 6th day of August, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 6th day of August, 1951.

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

FRANK A. TABER, JR.

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

one week, the first insertion being on the

9th day of Aug., 1951, and

the last insertion being on the \_\_\_\_\_ day of

\_\_\_\_\_, 19\_\_\_\_, and that not

more than six days intervened between any two publi-

cations thereof.

*Frank A. Taber, Jr.*

17th day of

Sept. 1951

*Anthony J. Krieger*  
Notary Public in and for Erie County.

hn-49 5803

Notary Public in and for Erie County, New York  
My Commission Expires Mar. 30, 1952  
Reg. No. 2706

**Board of Health**  
**Sanitary Sewer**  
**in Toelsin Road**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 6th day of August, 1951, 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 Bystrak, Councilman.

**ABSENT:** None.

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Town Board for the improvement of both sides of the highway known as Toelsin Road, by the construction of a lateral sewer in said highway, to wit:

That portion of Toelsin Road extending from Oriole Place, north, to Genesee Street. Said sewer shall be so constructed to serve the properties on side of said public highway, 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 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 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 Eight Thousand Dollars (\$8,000.00);

**NOW, THEREFORE,**

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

**ORDERED,** that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 20th day of August, 1951, at 7:30 o'clock P.M., E.D.S.T., for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and be it

**FURTHER 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 nor more than twenty days prior to the date of hearing, and that on or before said date he post conspicuously or cause to be posted conspicuously certified copies of this order in five public places along the said portion of said highway to be improved.

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

Joseph A. Neibert, voting Aye.  
Henry Nagel, voting Aye.  
Felix T. Wroblewski, voting Aye.

Stanley Bystrak, voting Aye.  
Benedict T. Holtz, voting Aye.

**AYE: 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 6th day of August, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

**IN WITNESS WHEREOF,** I have hereunto set my hand and affixed the seal of said Town this 6th day of August, 1951.

**KENNETH T. HANLEY,**  
Town Clerk

Town of Cheektowaga,  
Erie County, New York

(1184)

STATE OF NEW YORK  
COUNTY OF ERIE

LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 6th day of August, 1951, 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 Wroblewski presented the following resolution and moved its adoption:

WHEREAS, a petition for the extension of Water District No. 9 in the Town of Cheektowaga, New York, pursuant to the provisions of Article 12 of the Town Law, was presented to the Board on the 2nd day of July, 1951; 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 resident taxpayers owning taxable real property aggregating more than 1/2 of the assessed valuation of all the taxable real property situate in the area proposed to be annexed to Water District No. 9; and also signed by non-resident taxpayers owning taxable real property aggregating more than 1/2 of the existing valuation of all the taxable real property situate in the area where the said water district extension is proposed to be made, owned by nonresident taxpayers; and

WHEREAS, said petition appears to have been signed and acknowledged by resident taxpayers owning taxable real property aggregating more than 1/2 of the entire frontage of boundaries on the both sides of the highways within the said proposed water district extension, and is also signed by non-resident taxpayers owning at least 1/2 of the entire frontage or boundaries on the both sides of the highways within the said proposed water district extension; and

WHEREAS, said petition is accompanied by a map prepared by Newell L. Nussbaumer and Irving Clarke, Engineers duly licensed by the State of New York, and Albert J. Kamm, Town Engineer of the Town of Cheektowaga, showing the boundaries of the said proposed water district extension; and

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

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

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

BEGINNING at a point in the center line of Strasmer Road, 233 feet east of the center line of Borden Road:

Thence N 8° 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 Strasmer 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 Strasmer 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, the territory hereinbefore 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 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

IT IS FURTHER ORDERED that a copy of this order certified by the Town Clerk be published at least once in the Cheektowaga

FRANK A. TABER, JR.

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 Aug., 1951, and the last insertion being on the day of 1951, and that not more than six days intervened between any two publications thereof.

*Frank A. Taber, Jr.*

7th day of

Sept. 1951

*J. Krueger*  
Public in and for Erie County.  
THOMAS J. KRUEGER

in and for Erie County, New York  
Commission Expires Mar. 30, 1952  
Reg. No. 2706



NOTICE OF HEARING- SANITARY LATERAL SEWER IN TOELSIN RD., FROM ORIOLE PL., NORTH TO GENESEE STREET.

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 6th day of August, 1951, 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 Bystrak, Councilman.

## ABSENT: None.

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Town Board for the improvement of both sides of the highway known as Toelsin Road, by the construction of a lateral sewer in said highway, to wit:

That portion of Toelsin Road extending from Oriole Place, north, to Genesee Street. Said sewer shall be so constructed to serve the properties on side of said public highway, 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 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 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 Eight Thousand Dollars (\$8,000.00);

## NOW, THEREFORE,

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

ORDERED, that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 20th day of August, 1951, at 7:30 o'clock P.M., E.D.S.T., for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and be it

FURTHER 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 nor more than twenty days prior to the date of hearing, and that on or before said date he post conspicuously or cause to be posted conspicuously certified copies of this order in five public places along the said portion of said highway to be improved.

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

Joseph A. Neibert, voting Aye.  
Henry Nagel, voting Aye.  
Felix T. Wroblewski, voting Aye.

Stanley Bystrak, voting Aye.  
Benedict T. Holtz, voting Aye.

AYE: 5 NONE: 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 6th day of August, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 6th day of August, 1951.

KENNETH T. HANLEY,  
Town Clerk

Town of Cheektowaga,  
Erie County, New York

(SEAL)

STATE OF NEW YORK  
COUNTY OF ERIE

WHEREAS, the territory here-  
inbefore described is situate en-  
tirely in said Town, outside of any  
incorporated village or city there-  
in,

NOW, THEREFORE,

IT IS ORDERED that the Town  
Board of the Town of Cheektowa-  
ga, New York, meet at the Town  
Hall, corner of Broadway and Un-  
ion Road in the Town of Cheek-  
towaga on the 20th day of August,  
1951, at 7:30 o'clock P.M., East-  
ern Daylight Saving Time, to con-  
sider 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, newspapers  
having general circulation in the  
territory affected, not less than  
ten (10) nor more than twenty  
(20) days before the date set here-  
in for the hearing aforesaid and  
that copies of this order be posted  
conspicuously in five (5) public  
places within the area where said  
proposed water district extension  
is to be made, not less than ten  
(10) nor more than twenty (20)  
days before said day designated for  
the hearing

Seconded by Councilman Nagel  
and duly put to a vote, which re-  
sulted as follows:

Supervisor Holtz, Voting Aye,  
Councilman Nagel, Voting Aye  
Councilman Nelbert, Voting Aye  
Councilman Wroblewski, Voting  
Aye  
Councilman Bystrak, Voting Aye,  
Ayes: 5 Noes: 0 Absent 0

State of New York  
Erie County  
Office of the Clerk of the  
Town of Cheektowaga — as:

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 6th day  
of August, 1951, and that the same  
is a correct and true transcript of  
such original resolution and the  
whole thereof.

IN WITNESS WHEREOF, I  
have hereunto set my hand and  
affixed the seal of said Town this  
6th day of August, 1951.

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

FRANK A. TABER, JR.

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 Aug., 1951, and

the last insertion being on the day of

19, and that not

more than six days intervened between any two publi-

cations thereof.

*Frank A. Taber, Jr.*

day of

Sept. 19. 51

ANTHONY J. KRUEGER  
Public in and for Erie County.

in and for Erie County, New York

Commission Expires Mar. 30, 1952

Reg. No. 2706

**NOTICE OF HEARING**  
**Sanitary Sewer**  
**in Toelsin Road**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 6th day of August, 1951, 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 Bystrak, Councilman.

**ABSENT:** None.

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Town Board for the improvement of both sides of the highway known as Toelsin Road, by the construction of a lateral sewer in said highway, to wit:

That portion of Toelsin Road extending from Oriole Place, north, to Genesee Street. Said sewer shall be so constructed to serve the properties on side of said public highway, 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 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 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 Eight Thousand Dollars (\$8,000.00);

**NOW, THEREFORE,**

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

**ORDERED,** that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 20th day of August, 1951, at 7:30 o'clock P.M., E.D.S.T., for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and be it

**FURTHER 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 nor more than twenty days prior to the date of hearing, and that on or before said date he post conspicuously or cause to be posted conspicuously certified copies of this order in five public places along the said portion of said highway to be improved.

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

Joseph A. Neibert, voting Aye.  
Henry Nagel, voting Aye.  
Felix T. Wroblewski, voting Aye.  
Stanley Bystrak, voting Aye.  
Benedict T. 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 6th day of August, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

**IN WITNESS WHEREOF,** I have hereunto set my hand and affixed the seal of said Town this 6th day of August, 1951.

**KENNETH T. HANLEY,**  
Town Clerk

Town of Cheektowaga,  
Erie County, New York

(SEAL)

Posted as follows on the 10th day of August, 1951;  
 Post in front of No. 140 Toelsin Road;  
 Post in front of No. 120 Toelsin Road;  
 Post in front of No. 149 Toelsin Road;  
 Post in front of No. 154 Toelsin Road;  
 Post in front of No. 180 Toelsin Road;

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

**NOTICE OF HEARING**  
 Sanitary Sewer Petition  
 in Toelsin Road

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 6th day of August, 1951, 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 Bystrak, Councilman.

**ABSENT:** None.  
 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Town Board for the improvement of both sides of the highway known as Toelsin Road, by the construction of a lateral sewer in said highway, to wit:

That portion of Toelsin Road extending from Oriole Place, north, to Genesee Street. Said sewer shall be so constructed to serve the properties on side of said public highway, 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 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 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 Eight Thousand Dollars (\$8,000.00);

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

ORDERED, that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 20th day of August, 1951, at 7:30 o'clock P.M., E.D.S.T., for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and be it

FURTHER 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 nor more than twenty days prior to the date of hearing, and that on or before said date he post conspicuously or cause to be posted conspicuously certified copies of this order in five public places along the said portion of said highway to be improved.

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

Joseph A. Neibert, voting Aye.  
 Henry Nagel, voting Aye.  
 Felix T. Wroblewski, voting Aye.  
 Stanley Bystrak, voting Aye.  
 Benedict T. 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 6th day of August, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 6th day of August, 1951.

KENNETH T. HANLEY,  
 Town Clerk  
 Town of Cheektowaga,  
 Erie County, New York.  
 (SEAL) aug 9

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 AUG 9 1951; last publication AUG 9 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this AUG 9 1951 day of AUG 9 1951, 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, 1953  
 Registered No. 5029

NOTICE OF HEARING FOR THE INSTALLATION OF ORNAMENTAL STREET LIGHTS IN FAIRVALE DRIVE;

119

Board of the Town of Cheektowaga,  
Erie County, New York, held at the  
Town Hall, in said Town of Cheek-  
towaga, on the 6th day August, 1951,  
at 2:30 o'clock P.M., Eastern Day-  
light Saving Time, there were:

PRESENT:

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Joseph A. Neibert, Councilman  
Felix T. Wroblewski, Councilman  
Stanley Bystrak, Councilman

ABSENT: None.

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

WHEREAS, a petition for the im-  
provement of both sides of the pub-  
lic highways situate in Consolidated  
Lighting District of the Town of  
Cheektowaga, hereinafter particu-  
larly set forth, by the installation of  
street lighting equipment hereinafter  
particularly described was  
presented to this Town Board on  
the 22nd day of June, 1951.

PUBLIC HIGHWAYS  
TO BE IMPROVED  
FAIRVALE DRIVE from CLEAR-  
VALE DRIVE to CLEARVALE DR.  
TYPE OF STREET LIGHTING:  
INSTALLATION  
Y-20 STANDARD — UNDER-  
GROUND CONDUIT.

WHEREAS, Edward B. Jerzewski,  
Eugene Rudzinski and Andrew H.  
Schwenk, Assessors of said Town of  
Cheektowaga have certified in writ-  
ing to this Board that the above  
petition is duly signed and acknowl-  
edged 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 im-  
proved, as aforesaid, and

WHEREAS, the portions of said  
highways to be improved are situ-  
ated entirely in said town outside  
of any incorporated village or city  
therein,

NOW, THEREFORE, IT IS HERE-  
BY ORDERED that the Town Board  
of the Town of Cheektowaga meet  
at the Town Hall in said Town of  
Cheektowaga on the 20th day of  
August, 1951, at 7:30 P.M., Eastern  
Daylight 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 Cheektowaga Times, the  
official newspaper of the Town, not  
less than ten (10) nor more than  
twenty (20) days before the day  
designated for the hearing as afore-  
said.

Seconded by Councilman Neibert  
and duly put to a vote which re-  
sulted as follows:

Benedict T. Holtz, voting Aye.  
Henry Nagel, voting Aye.  
Felix T. Wroblewski, voting Aye.  
Joseph A. Neibert, voting Aye.  
Stanley 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, 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 6th day of August, 1951,  
and that the same is a correct and  
true transcript of such original reso-  
lution and the whole thereof.

IN WITNESS WHEREOF, I have  
hereunto set my hand and affixed  
the seal of said Town this 6th day  
of August, 1951.

KENNETH T. HANLEY

Town Clerk  
Town of Cheektowaga  
Erie County, New York

SEAL

Posted as follows on the 10th day of August, 1951;  
 Tree in front of No. 198 Fairvale Drive;  
 Tree in front of No. 166 Fairvale Drive;  
 Tree in front of No. 126 Fairvale Drive;  
 Tree in front of No. 60 Fairvale Drive;  
 Tree in front of No. 30 Fairvale Drive;

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

**NOTICE OF HEARING**

**Petition for Lights in Fairvale Drive**  
 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 6th day August, 1951, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were:

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

**ABSENT:** None.  
 Mr. Bystrak offered 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 22nd day of June, 1951.

**PUBLIC HIGHWAYS TO BE IMPROVED**  
**FAIRVALE DRIVE from CLEARVALE DRIVE to CLEARVALE DR.**  
**TYPE OF STREET LIGHTING INSTALLATION**

**Y-20 STANDARD - 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 20th day of August, 1951, at 7:30 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 day designated for the hearing as aforesaid.

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

Benedict T. Holtz, voting Aye.  
 Henry Nagel, voting Aye.  
 Felix T. Wroblewski, voting Aye.  
 Joseph A. Neibert, voting Aye.  
 Stanley 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 6th day of August, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of said Town this 6th day of August, 1951.

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

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 weeks:  
 first publication AUG 9 1951 :  
 last publication AUG 9 1951 ;  
 and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
AUG 9 1951  
 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, 1953  
 Registered No. 5029

NOTICE OF HEARING FOR THE CONSTRUCTION OF SIDEWALKS IN PEINKOFER DRIVE ( EXCEPTING PROPERTY ON THE NORTH SIDE, OWNED BY OTTO AND VIOLA GANGLOFF ).

120

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, in said Town of Cheektowaga on the 6th day of August, 1951, at 2:30 o'clock P.M., E.D.S.T., there were:

**PRESENT:**  
Benedict T. Holtz, Supervisor  
Felix Wroblewski, Councilman  
Joseph Naber, Councilman  
Henry Nagel, Councilman  
Nicholas Napijalski, Councilman

**ABSENT:** 0.

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of Peinkofer Drive (except, approximately 400 feet on the north side owned by Otto and Viola Gangloff), from Beach Road to Northvale Drive, said Peinkofer Drive being a public highway situated in the Town of Cheektowaga, New York, by the construction of a concrete sidewalk four (4) feet in width, of standard specifications, and four (4) inches in depth, was presented to this Town Board on the 22nd day of June, 1951; and

WHEREAS, the Board of Assessors of said Town of Cheektowaga has certified in writing to this Board that the above mentioned 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 both sides of Peinkofer Drive (except the Gangloff property), in said Town of Cheektowaga, New York; and

WHEREAS, the maximum amount proposed to be expended for the improvement aforesaid is the sum of Five Thousand, Five Hundred Dollars (\$5,500.00); and

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

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 20th day of August, 1951, at 7:30 o'clock P.M., E.D.S.T., to consider the said petition and the advisability of improving said street as requested, and to hear all persons interested in the subject thereof concerning the same, and

BE IT FURTHER RESOLVED, 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 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 Bystrak and duly put to a vote, which resulted as follows:

Supervisor Holtz, voting Aye.  
Councilman Naber, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Napijalski, 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 6th day of August, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 6th day of August, 1951.

KENNETH T. HANLEY  
Clerk  
Town of Cheektowaga

Posted as follows on the 10th day of August, 1951;  
 Telephone Pole No. 2, Peinkofer Drive;  
 Telephone Pole No. 4, Peinkofer Drive;  
 Telephone Pole No. 6, Peinkofer Drive;  
 Telephone Pole No. 5, Peinkofer Drive;  
 Telephone Pole No. 1, Peinkofer Drive;

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

**NOTICE OF HEARING**  
 Sidewalk Petition  
 In Peinkofer Drive

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, in said Town of Cheektowaga on the 6th day of August, 1951, at 2:30 o'clock P.M., E.D.S.T., there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
 Felix Wroblewski, Councilman  
 Joseph Neibert, Councilman  
 Henry Nagel, Councilman  
 Nicholas Napieralski, Councilman

**ABSENT: 0.**

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of Peinkofer Drive (except, approximately 400 feet on the north side owned by Otto and Viola Gangloff), from Beach Road to Northvale Drive, said Peinkofer Drive being a public highway situated in the Town of Cheektowaga, New York, by the construction of a concrete sidewalk four (4) feet in width, of standard specifications, and four (4) inches in depth, was presented to this Town Board on the 22nd day of June, 1951; and

WHEREAS, the Board of Assessors of said Town of Cheektowaga has certified in writing to this Board that the above mentioned 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 both sides of Peinkofer Drive (except the Gangloff property), in said Town of Cheektowaga, New York; and

WHEREAS, the maximum amount proposed to be expended for the improvement aforesaid is the sum of Five Thousand, Five Hundred Dollars (\$5,500.00); and

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

**NOW, THEREFORE,**

**BE IT RESOLVED,** that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 20th day of August, 1951, at 7:30 o'clock P.M., E.D.S.T., to consider the said petition and the advisability of improving said street as requested, and to hear all persons interested in the subject thereof concerning the same, and

**BE IT FURTHER RESOLVED,** 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 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 Bystrak and duly put to a vote, which resulted as follows:

Supervisor Holtz, voting Aye.  
 Councilman Nagel, voting Aye.  
 Councilman Neibert, voting Aye.  
 Councilman Napieralski, 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 6th day of August, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 6th day of August, 1951.

KENNETH T. HANLEY,  
 Clerk of the Town Board,  
 Town of Cheektowaga, N. Y.  
 (SEAL) aug 9

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 AUG 9 1951  
 last publication AUG 9 1951  
 and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of AUG 9 1951, 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 53  
 Registered No. 5029



The following resolution was offered by Councilman Wroblewski, who moved its adoption, seconded by Councilman Nagel, to-wit:

121

BOND RESOLUTION DATED AUGUST 6th, 1951.

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$80,000 WATER DISTRICT NO. 9 ( SERIAL ) BONDS, OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK, TO PAY THE COST OF THE CONSTRUCTION OF A WATER SYSTEM IN SAID WATER DISTRICT.

WHEREAS, pursuant to proceedings heretofore duly had and taken by the Town Board of the Town of Cheektowaga, Erie County, New York, Water District No. 9 in said Town has been duly established, and the construction of a water system therein has been authorized at a maximum estimated cost, as fixed by the original petition, of \$80,000, and it is now desired to provide for the financing thereof; NOW, THEREFORE, BE IT

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

Section 1. The Construction of a water system in Water District No. 9 in the Town of Cheektowaga, Erie County, New York, including acquisition of necessary land and incidental expenses in connection therewith, is hereby authorized at a maximum estimated cost of not exceeding \$80,000.

Section 2. The plan of financing such object or purpose is by the issuance of not exceeding \$80,000 serial bonds of said Town, hereinafter authorized.

Section 3. For the purpose of paying the cost of the aforesaid object or purpose, there are hereby authorized to be issued \$80,000 serial bonds of said Town. Said bonds, each to be designated substantially WATER DISTRICT NO. 9 (SERIAL) BOND, 1951, shall be dated August 1, 1951, in the denomination of \$1,000 each, numbered from 1 to 80, both inclusive, maturing in numerical order in the amount of \$2,000 on August 1 in each of the years 1952 to 1961, both inclusive, and \$3,000 on August 1 in each of the years 1962 to 1981, both inclusive, bearing interest at a rate not exceeding five per centum per annum, payable semi-annually February 1 and August 1. Such bonds shall be in bearer coupon form with the privilege of conversion into bonds 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 bonds shall be signed in the name of the Town of Cheektowaga by its Supervisor and sealed with its corporate seal, attested by its Town Clerk, and the interest coupons shall bear the facsimile signature of its Supervisor.

Section 4. All other matters except as provided herein relating to such bonds shall be determined by the Supervisor. Such bonds 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 5. It is hereby determined that subdivision 1 of paragraph A of Section 11.00 of the Local Finance Law applies to such object or purpose and that the period of probable usefulness thereof is 40 years, computed from May 7, 1951, the date of the first bond anticipation note issued therefor.

Section 6. The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged for the payment of the principal of and interest on such bonds. There shall annually be levied and collected from the several lots and parcels of land within said Water District, in the same manner and at the time as the annual tax for other town charges, an amount sufficient to pay the principal of and interest on such bonds as the same shall become due and payable. In the event that the annual collection of such taxes shall be less than the amount required to pay the principal of and interest on such bonds as they shall become due, the Town Board shall direct that surplus moneys not otherwise appropriated be applied.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor who shall advertise such bonds for sale, conduct the sale and award the bonds in such manner as he shall deem best for the interests of said Town, provided, however, that in the exercise of these delegated powers he shall comply fully with the provisions of the local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds who shall not be obliged to see to the application of the purchase money.

Section 8 . The validity of such bonds may be contested only if:

1. Such bonds are authorized for an object or purpose for which the Town of Cheektowaga is not authorized to expend money, or
  2. 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
3. Such bonds are authorized in violation of the provisions of the Constitution.

Section 9. This resolution , which takes effect immediately, shall be published in full in the Cheektowaga Times, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

Benedict T. Holtz	Voting AYE
Henry Nagel	Voting AYE
Felix T. Wroblewski	Voting AYE
Joseph A. Neibert	Voting AYE
Stanley Bystrak	Voting AYE

CARRIED: AYES: -5-

The resolution was thereupon declared duly adopted.

LEGAL NOTICE

BOND RESOLUTION DATED AUGUST 6, 1951.

Posted as follows on the 10th day of August, 1951;

122

Town Hall Bulletin Board.

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

**LEGAL NOTICE**  
**NOTICE IS HEREBY GIVEN**  
 on the 6th day of August, 1951, the Town Board of the Town of Cheektowaga, Erie County, New York, adopted the resolution published herewith, and that 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 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.  
 Dated: Cheektowaga, New York; August 6, 1951.—Kenneth T. Hanley, Town Clerk.

**BOND RESOLUTION DATED AUGUST 6, 1951**  
 A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$80,000 WATER DISTRICT NO. 9 (SERIAL) BONDS, OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK, TO PAY THE COST OF THE CONSTRUCTION OF A WATER SYSTEM IN SAID WATER DISTRICT.

WHEREAS, pursuant to proceedings heretofore duly had and taken by the Town Board of the Town of Cheektowaga, Erie County, New York, Water District No. 9 in said Town has been duly established, and the construction of a water system therein has been authorized at a maximum estimated cost, as fixed by the original petition, of \$80,000, and it is now desired to provide for the financing thereof NOW, THEREFORE, BE IT

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

Section 1. The construction of a water system in Water District No. 9 in the Town of Cheektowaga, Erie County, New York, including acquisition of necessary land and incidental expenses in connection therewith, is hereby authorized at a maximum estimated cost of not exceeding \$80,000.

Section 2. The sale of such object or purpose is by the issuance of not exceeding \$80,000 serial bonds of said Town, hereinafter authorized.

Section 3. For the purpose of paying the cost of the aforesaid object or purpose, there are hereby authorized to be issued \$80,000 serial bonds of said Town. Said bonds, each to be designated substantially WATER DISTRICT NO. 9 (SERIAL) BOND, 1951, shall be dated August 1, 1951, in the denomination of \$1,000 each, numbered 1 to 80, both inclusive, maturing in numerical order in the amount of \$2,000 on August 1 in each of the years 1952 to 1961, both inclusive, and \$3,000 on August 1 in each of the years 1962 to 1981, both inclusive, bearing interest at a rate not exceeding five per centum per annum, payable semi-annually February 1 and August 1. Such bonds shall be in bearer coupon form with the privilege of conversion into bonds 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 & Traders Trust Company in Buffalo, N. Y., which by contract is the paying agent of the issuer. Such bonds shall be signed in the name of the Town of Cheektowaga by its Supervisor and sealed with its corporate seal, attested by its Town Clerk, and the interest coupons shall bear the facsimile signature of its Supervisor.

Section 4. All other matters except as provided herein relating to such bonds shall be determined by the Supervisor. Such bonds 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 5. It is hereby determined that subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law applies to such object or pur-

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks: first publication AUG 9 1951 last publication AUG 9 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of AUG 9 1951, 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, 1953  
 Registered No. 5029

Section 8 . The validity of such bonds may be contested only if:

1. Such bonds are authorized for an object or purpose for which the Town of Cheektowaga is not authorized to expend money, or
  2. 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
3. Such bonds are authorized in violation of the provisions of the Constitution.

Section 9. This resolution, which takes effect immediately, shall be published in full in the Cheektowaga Times, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

Benedict T. Holtz	Voting AYE
Henry Nagel	Voting AYE
Felix T. Wroblewski	Voting AYE
Joseph A. Neibert	Voting AYE
Stanley Bystrak	Voting AYE

CARRIED; AYES: -5-

The resolution was thereupon declared duly adopted.

LEGAL NOTICE

BOND RESOLUTION DATED AUGUST 6, 1951.

Town Hall Bulletin Board.

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

bonds as the same shall become due and payable. In the event that the annual collection of such taxes shall be less than the amount required to pay the principal of and interest on such bonds as they shall become due, the Town Board shall direct that surplus moneys not otherwise appropriated be applied.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor who shall advertise such bonds for sale, conduct the sale and award the bonds in such manner as he shall deem best for the interests of said Town, provided, however, that in the exercise of these delegated powers he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of such municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds who shall not be obliged to see to the application of the purchase money.

Section 8. The validity of such bonds may be contested only if:

(1) Such bonds are authorized for an object or purpose for which the Town of Cheektowaga is not authorized to expend money, or

(2) 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

(3) Such bonds are authorized in violation of the provisions of the Constitution.

Section 9. This resolution, which takes effect immediately, shall be published in full in The CHEEKTO-WAGA TIMES together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

aug 9

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, Central Greyhound Lines Inc., of New York did heretofore file with the Town Board of the Town of Cheektowaga, Erie County, New York, the Town Board being the local authorities of said Town of Cheektowaga, New York, a verified petition in writing praying for consent of permission of the said local authorities of the said Town of Cheektowaga, New York, to establish and operate a motor vehicle line or route upon and along the highways, streets or avenues of said Town of Cheektowaga, New York, in the County of Erie, State of New York, along the following route, viz:

On route #78 between U.S. Route #20 and the northeasterly Town Line of the Town of Cheektowaga,

for the transportation of persons and property for compensation, and

WHEREAS, the said Town Board of the Town of Cheektowaga, New York, did receive said petition and place the same on file and did thereafter by resolution duly adopted order and direct that a public hearing upon said petition be held as required by law on the 2nd day of July, 1951, at 2:30 o'clock P.M., E.D.S.T., at the Town Hall in said Town of Cheektowaga, New York, and

WHEREAS, due notice of said hearing was given as required by law and proof thereof and of the publication of said notice having been filed with the Clerk of said Town of Cheektowaga, New York, and said public hearing having been held at the time and place designated, and all persons present having had an opportunity to be heard and said hearing having been closed, and the said Town Board of the Town of Cheektowaga, New York, being of the opinion that such a motor vehicle line or route herein referred to is of benefit to the Town of Cheektowaga, New York, and to the residents thereof and will also serve a public necessity and be for public convenience,

NOW THEREFORE, BE IT RESOLVED, that this Town Board grant and issue and does hereby grant and issue to the said Central Greyhound Lines, Inc., of New York, consent or permission to operate motor vehicles for the transportation of persons and property for compensation upon and along the following highways, streets and avenues of the said Town of Cheektowaga, viz:

On Route #78 between U.S. Route #20 and the northeasterly town line of the Town of Cheektowaga,

upon the following terms and conditions, to wit:

1. That the said Central Greyhound Lines, Inc., of New York shall provide motor vehicles sufficient in capacity and number to reasonably accommodate the travelling public in and out of the said Town of Cheektowaga, and along the said motor vehicle line or route.

2. That the said Central Greyhound Lines, Inc., of New York shall comply with all provisions of the Laws of the State of New York applicable thereto and with all laws and ordinances of the said Town of Cheektowaga.

3. That the said Central Greyhound Lines, Inc., of New York shall obey and observe each and every condition of this consent to its full intent and meaning.

4. That the said Central Greyhound Lines, Inc., of New York shall comply with all rules and regulations of the Public Service Commission of the State of New York.

5. That the said Central Greyhound Lines, Inc., of New York shall promptly pay to the Town of Cheektowaga, New York, for any damages to the highway, guard rails or bridges occasioned by the said Central Greyhound Lines, Inc., of New York, its agents, servants and employees, which shall occur by reason of the granting of this consent, ordinary wear and tear excepted.

6. That in the event any damages shall be caused to the said Town of Cheektowaga, of any kind, name or nature in addition to damages to the highway, guard rails or bridges, as hereinabove provided, by reason of any neglect or fault of the said Central Greyhound Lines Inc., of New York, or its agents, servants or employees, the said Central Greyhound Lines, Inc., of New York shall compensate the said Town of Cheektowaga to the amount and to the extent of such damages and the expenses in connection therewith and shall save the said Town of Cheektowaga harmless on account thereof.

7. That the said Central Greyhound Lines, Inc., of New York shall make all reasonable effort to maintain and operate said motor vehicle line or route in all seasons of the year.

8. That this consent may be revoked for cause after a hearing and after ten days notice in writing thereof to be given to the said Central Greyhound Lines, Inc., of New York, and such notice may be given by mailing a copy thereof addressed to the said Central Greyhound Lines, Inc., of New York, at its last known place of business.

9. That the said Central Greyhound Lines, Inc., of New York shall pay to the said Town of Cheektowaga the sum of \$ \_\_\_\_\_ hereby fixed and determined as the cost and expense to the said Town of Cheektowaga for the holding of the public hearing in connection with the granting of this consent.

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Cheektowaga, New York, be and he hereby is authorized and directed to execute and deliver to said Central Greyhound Lines, Inc., of New York upon demand therefore, a formal consent in writing acknowledged or proved as are deeds entitled to be recorded, containing the consent or permission herein granted and the terms and conditions in this resolution stated, but the adoption of this resolution shall be deemed to be granting of said consent and may be evidenced by a certified copy hereof, and the execution and delivery of said formal consent in writing shall only be as, when and if desired by said Central Greyhound Lines, Inc., of New York, and which provision is made for the purpose of permitting the said Central Greyhound Lines, Inc., of New York to obtain and record a public record thereof, and

BE IT FURTHER RESOLVED, that said consent of said local authorities shall not prohibit the said Central Greyhound Lines, Inc., of New York from extending the operation of said omnibus line to any point within the State of New York.

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

Benedict T. Holtz	Voting AYE	
Henry Nagel	Voting AYE	
Felix T. Wroblewski	Voting AYE	
Joseph A. Neibert	Voting AYE	
Stanley Bystrak	Voting AYE	CARRIED: AYES: -5-.

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, automobile traffic on Union Road, between Genesee Street and Wehrle Drive has greatly increased in the last year, and

WHEREAS, the street lights along said highways are inadequate to properly light said highway, be it

RESOLVED, that the matter of providing better lighting in that area be referred to the Public Utilities Committee for investigation and, if necessary, provision be made in the budget to pay the cost of adequately lighting said highway.

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

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, the State Highway Department widened its right of way on Union Road, south of Genesee Street, and has on its schedule the widening of Union Road from Genesee Street to Wehrle Drive, and

WHEREAS, traffic on Union Road has greatly increased in the last year, and that it would be in the public interest to widen said Union Road as above mentioned as soon as possible, be it

RESOLVED, that the State Highway Department be requested to proceed with its plan to widen Union Road from Genesee Street to Wehrle Drive as soon as it is possible for said Highway Department to do so.

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

Councilman Nagel presented the following resolution and moved its adoption:

That the Supervisor be, and he is hereby authorized to place with the Burroughs Equipment Company an order for a Style F-203 Burroughs Sensitive Accounting Machine, complete with stand and an additional Control Unit at the cost of \$2,358.00, to be delivered on January 1, 1952, and that the cost of said equipment be included in the budget for the year 1952.

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

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, the Town Engineer requires the services of a licensed surveyor at various times in connection with applications for improvements in Special Districts, be it

RESOLVED, that the Town Engineer be and he is hereby authorized to employ when needed, on behalf of the Town, a licensed surveyor, and to pay said surveyor the reasonable value of his services, and that the cost thereof be charged to the Special District for which the services of the surveyor are required.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, the Highway Department of the State of New York intends to pave Genesee Street from Buffalo City Line to about the intersection of Genesee Street and Pine Ridge Road, and also intends to pave Broadway from the Buffalo City Line to about Wagner Avenue, and

WHEREAS, there are located in the street right of way street car tracks which should be removed because the steel rails are needed on account of the high quality of the steel therein, and their removal would make possible construction of a much better highway, be it

RESOLVED, that the sum of Two thousand dollars (\$2,000) be transferred from the General Fund to the Town Highway Superintendent to pay the costs of removing said rails from said highways, and be it further

RESOLVED, that the Town Superintendent of Highways be and he is hereby authorized to remove said rails and he is further authorized to engage machinery and equipment, and operators for the same, if necessary; for the performance of said work, and be it further

RESOLVED, that the Town Superintendent of Highways immediately proceed with this work so that the State Highway Department can pave said highways.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that a request be made to Charles Waters, District Engineer, State of New York Public Works Department, to consider widening of Union Road approximately one half mile from two lane to four lane highway, from Como Park Blvd., to William Street.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Buffalo Transit Company institute a survey to provide bus service over Maryvale Drive, Cayuga Road to Cleveland Drive loop, also to study the feasibility of running a cross-town route over Harlem Road and Union Road.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Town Clerk be authorized to order from the New York State Gas and Electric Company the installation of one 1000 lumen light on Pole No. 7, on Bellevue Blvd., and one 1000 lumen light on Pole No. 451 on Kennedy Road, south of Broadway.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Town Clerk authorize the Western New York Water Company to move two water hydrants on Vernon Drive as requested by Albert J. Schoembs, 17 Vernon Drive, at no expense to the Town.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.



Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a petition was filed with the Town Board to construct a sanitary sewer on Homesgarth Road between Mapleview Road and Roycroft Boulevard; and

WHEREAS, said petition was signed by a majority of taxpayers owning more than one half of the feet frontage along said highway; and

WHEREAS, permission was granted to Clarence Deth to construct a sewer to accomodate a house he was building at ; and said sewer was built by Clarence Deth in the public right-of-way, Homesgarth Road; and

WHEREAS, John Pruskowski of , Hilary F. Hubert of , Matthew Babinski and Sophie Babinski, owners of the northeast corner of Homesgarth Road and Mapleview Road have connected their property with the sewer installed by Clarence Deth and have requested the Town Board not to extend the sewer now being constructed on Homesgarth Road to include their properties; and

WHEREAS, the above-mentioned Clarence Deth and Gertrude E. Deth, his wife; Hilary Hubert and Emily Hubert, his wife, John Pruskowski and Mildred Pruskowski, his wife, and Matthew Babinski and Sophie Babinski, his wife, have entered into an agreement that they will maintain at their own expense the sewer used by them if the Town Board agrees not to assess their properties for any part of the cost of the construction of the new sewer on Homesgarth Road,

BE IT RESOLVED, that the Town Engineer be authorized to cause the sewer on Homesgarth Road to be so constructed as not to serve the above-mentioned properties; and

BE IT FURTHER RESOLVED, that no assessment for the new sewer constructed on Homesgarth Road be placed against the properties of Clarence Deth and Gertrude E. Deth, his wife; Hilary Hubert and Emily Hubert, his wife; John Pruskowski and Mildred Pruskowski, his wife; and Matthew Babinski and Sophie Babinski, his wife.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting be audited and that the Town Clerk be authorized and directed to draw orders on the Supervisor for payment of same.

( Orders No. 5360 to No. 5528, inclusive drawn on the Supervisor.)

At the request of Councilman Nagel, the Town Clerk was authorized to inform the Reynders Electric Company to change the Stop and Go signal light at Pine Ridge Road and East Delevan Avenue, so that the red side faces Pine Ridge Road.

Councilman Neibert moved, seconded by Councilman Bystrak to adjourn.

Kenneth T. Hanley

Town Clerk

SEAL

*Kenneth*

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 August, 1951, at 7:30 o'clock P.M., E.D.S.T., there were:

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

ABSENT: -0-

Also present were: Town Clerk Kenneth T. Hanley; Town Attorney George B. Doyle; Building Inspector William M. Tadio; Town Engineer Albert J. Kamm; Town Highway Superintendent John J. Zablotny; and Chief of Police Walter Marynowski.

Without any objections the reading of the minutes of the previous meeting were dispensed with until a later date.

Communication read from the Zoning Board of Appeals, recommending that the petition of Alice Handrulis, to rezone property on Harlem Road, at the corner of Viola Street, be granted, but to deny the rezoning of lots from residence to business on Viola Street. Ordered referred to the Town Board for further study.

The Supervisor took from the table the request of the Twin Village Salvage Company to operate a junk yard in the Town of Cheektowaga.

At the request of Councilman Wroblewski the matter was referred back to the Town Board for further study.

Petition presented signed by the residents in the area of Disposal Plant No. 5, complaining about odors emanating from the plant. Ordered referred to the Town Board and the Town Engineer.

Petition presented for the installation of street lights on South Huxley Drive. Ordered referred to the Assessors for a property check.

Petition presented for the installation of street lights on Eastvale Court. Ordered referred to the Assessors for a property check.

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, Niagara Frontier Transit System, Inc., having filed application with this Board in writing dated July 31, 1951, requesting consent of this Board to operate buses and motor vehicles on and along Walden Avenue as it now exists and/or as it may be modified in the Town of Cheektowaga between Krakus Avenue and a point approximately 800 feet easterly from its intersection with Harlem Road in the Town of Cheektowaga.

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 4th day of September, 1951, at 2:30 P.M., at which time and place all persons interested in said application will be heard.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-.

#### 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 to operate a motor vehicle bus route on and along the following streets and highways in the Town of Cheektowaga:

On and along Walden Avenue as it now exists and/or as it may be modified, between its intersection with Krakus Avenue and a point approximately 800 feet easterly from its intersection with Harlem Road in the Town of Cheektowaga.

Pursuant to a resolution duly passed by this Board on the 20th day of August, 1951, a public hearing will be held upon said application in the

Town Hall of the Town of Cheektowaga on the 4th day of September, 1951, at 2:30 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.

Posted as follows on the 24th day of August, 1951;

- Telephone Pole No. 1349 Walden Avenue;
- Telephone Pole at the corner of Walden Avenue and Krakus Blvd.;
- Telephone Pole No. 1365 Walden Avenue;
- Telephone Pole No. 1394 Walden Avenue;
- Telephone Pole No. 1060 Walden Avenue;

Hereto attached is a copy of 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 weeks:

first publication ..... **AUG 23 1951** .....  
last publication ..... **AUG 23 1951** .....;

and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of **AUG 23 1951**....., 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 **53**  
Registered No. 5029

**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 to operate a motor vehicle bus route on and along the following streets and highways in the Town of Cheektowaga:

On and along Walden Avenue as it now exists and/or as it may be modified, between its intersection with Krakus Avenue and a point approximately 800 feet easterly from its intersection with Harlem Road in the Town of Cheektowaga.

Pursuant to a resolution duly passed by this Board on the 20th day of August, 1951, a public hearing will be held upon said application in the Town Hall of the Town of Cheektowaga on the 4th day of September 1951, at 2:30 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: August 20, 1951

**LEGAL NOTICE**  
**Rezoning Granted**

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, New York, on the 20th day of August, 1951, there were:

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

**ABSENT:** None.  
Mr. Wroblewski presented the following resolution and moved its adoption.

**WHEREAS**, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 10th day of August, 1951, at 7:30 o'clock P.M. E.D.S.T., of said day for the purpose of considering the application of Martha L. and Robert M. Fraas 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 15th day of August, 1951, having rendered its decision granting the application of the petitioners to rezone from residence district to business district the property hereinafter described, for the purpose of conducting a Gasoline Filling Station 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 20th day of August, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals and having personally inspected the premises to be rezoned, as well as the property in its immediate vicinity on Union Road.

**BE IT RESOLVED**, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from residence to business 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", subject to the following restrictions: (1) that said premises

are used only for business purposes, and not Industrial, and (2) that in the event said premises are no longer used for a Gasoline Filling Station, this order of rezoning shall be null and void and the property shall revert to residential use only.

**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 Farm Lot 16, Township 11, Range 7 of the Holland Land Company's Survey bounded and described as follows:

**BEGINNING** at the point of intersection of the westerly line of land taken by the State of New York for the widening of Union Road with the northerly line of land taken by the State of New York for the Walden Avenue Extension of the Ontario Thruway; thence north 89° 08' west along the northerly line of the Walden Avenue Extension of the Ontario Thruway one hundred fifty (150) feet; thence north 2° 16' east and parallel with the westerly line of widened Union Road seventy-five (75) feet; thence south 89° 08' east and parallel with the northerly line of the Walden Avenue Extension of the Ontario Thruway one hundred fifty (150) feet to the westerly line of widened Union Road; thence south 2° 16' west along the westerly line of widened Union Road seventy-five (75) feet to the point of beginning.

**BEGINNING** at the northeasterly corner of the above-described parcel of land; thence north 2° 16' east along the westerly line of widened Union Road twenty (20) feet; thence south 46° 34' west twenty-eight and sixty-three hundredths (28.63) feet to a point in the northerly line of the above-described parcel twenty (20) feet westerly from the point of beginning; thence south 89° 08' east twenty (20) feet to the point of beginning.

The above-described parcels are part of that parcel of land conveyed by Clarence A. Forbes to Robert M. and Martha L. Fraas, March 13, 1947, and recorded in Erie County Clerk's Office in Liber 4079 of Deeds at Page 244.

Union Road, west side, near New Walden Avenue Extension.

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

Benedict T. Holtz, voting Aye,  
Henry Nagel, voting Aye,  
Felix T. Wroblewski, voting Aye,  
Joseph A. Neibert, voting Aye,  
Stanley Bystrak, voting Aye,  
Carried: Ayes 5; Noes 0; Absent 0.  
Dated: August 20, 1951.

(seal) **KENNETH T. HANLEY,**  
Town Clerk  
Town of Cheektowaga,  
Erie County, New York

Posted as follows on the 28th day of August, 1951;

Town Hall Bulletin Board;

Hereto attached is a copy of notice published in the Depew Herald;

STATE OF NEW YORK  
COUNTY OF ERIE

FRANK A. TABER, JR.

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 Aug., 1951, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Frank A. Taber Jr.*

17th day of

Sept 1951

*Anthony J. Krieger*

Notary Public in and for Erie County,

hn-49 5809

Notary Public in and for Erie County, New York

My Commission Expires Mar. 30, 1952

Reg. No. 2706

... (150) feet; thence north 2° 18' east and parallel with the westerly line of widened Union Road seventy-five (75) feet; thence south 89° 08' east and parallel with the northerly line of the Walden Avenue Extension of the Ontario Thruway one hundred fifty (150) feet to the westerly line of widened Union Road; thence south 2° 18' west along the westerly line of widened Union Road seventy-five (75) feet to the point of beginning.  
BEGINNING at the northeasterly corner of the above-described parcel of land; thence north 2° 16' east along the westerly line of widened Union Road twenty (20) feet; thence south 46° 34' west twenty-eight and sixty-three hundredths (28.63) feet to a point in the northerly line of the above-described parcel twenty (20) feet westerly from the point of beginning; thence south 89° 08' east twenty (20) feet to the point of beginning.  
The above-described parcels are part of that parcel of land conveyed by Clarence A. Forbes to Robert M. and Martha L. Fraas, March 13, 1947, and recorded in Erie County Clerk's Office in Liber 4079 of Deeds at Page 244, Union Road, west side, near New Walden Avenue Extension.  
Seconded by Mr. Nelbert and duly put to a vote which resulted as follows:  
Benedict T. Holtz, voting Aye,  
Henry Nagel, voting Aye,  
Felix T. Wroblewski, voting Aye,  
Joseph A. Nelbert, voting Aye,  
Stanley Bystrak, voting Aye,  
Carried: Ayes 5; Noes 0; Absent 0.  
Dated: August 20, 1951.  
KENNETH T. HANLEY,  
Town Clerk  
Town of Cheektowaga,  
Erie County, New York

Town Hall in the Town of Cheektowaga, New York, on the 4th day of May, 1951, at 7:30 o'clock P.M., E.D.S.T., of said day, for the purpose of considering the application of Pelvion Land Company Inc., Frank Yeager, President, for the rezoning from Residence district to Second 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 10th day of May, 1951, having rendered its decision granting the application of petitioner to rezone from residence district to second industrial district the property hereinafter described, for the purpose of conducting a Warehouse 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 20th day of August, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals, and having personally inspected the premises to be zoned, as well as the property in its immediate vicinity on Rehm Road.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from Residence to Second Industrial 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 "Second Industrial District," subject to the following restrictions: (1) that said premises are used only for a Warehouse and, (2) that in the event said premises are no longer used for a Warehouse this order of rezoning shall be null and void and the property shall revert to residential use only.

**DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York being part of Lot No. 77, Township 11, Range 7 of the Holland Land Company's Survey and further bounded and described as follows:

BEGINNING at a point in the westerly line of Rehm Road six hundred (600) feet northerly from the intersection of the westerly line of Rehm Road with the northeasterly line of the Lehigh Valley Railroad; thence northerly along the westerly line of Rehm Road one hundred (100) feet; thence westerly at right angles one hundred fifty-one and ninety-five hundredths (151.95) feet to the northeasterly line of the Lehigh Valley Railroad; thence southeasterly along the northeasterly line of the Lehigh Valley Railroad one hundred two and thirty-three hundredths (102.33) feet to a point in a line drawn westerly at right angles to Rehm Road through the point of beginning; thence easterly at right angles to Rehm Road one hundred thirty and twenty-four hundredths (130.24) feet to the point of beginning.

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

- Benedict T. Holtz, voting Aye.
- Henry Nagel, voting Aye.
- Felix T. Wroblewski, voting Aye.
- Joseph A. Nelbert, voting Aye.
- Stanley Bystrak, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0

KENNETH T. HANLEY,  
Town Clerk

Town of Cheektowaga,  
Erie County, New York

Dated: August 20, 1951.

(SEAL)

Posted as follows on the 28th day of August, 1951;  
Town Hall Bulletin Board;  
Hereto attached is a copy of notice published in the Depew Herald;

STATE OF NEW YORK  
COUNTY OF ERIE

Town of Cheektowaga, New York  
on the 28th day of August, 1951,  
there was present:  
PRESENT: Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman  
ABSENT: None.

Mr. Wroblewski presented the following resolution and moved its adoption.  
WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 10th day of August, 1951, at 7:30 o'clock P.M. E.D.S.T., of said day for the purpose of considering the application of Martha L. and Robert M. Fraas 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 August, 1951, having granted the application of the petitioners for the rezoning of the property hereinafter described, for the purpose of conducting a Gasoline Filling Station 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 20th day of August, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals and having personally inspected the premises to be rezoned, as well as the property in its immediate vicinity on Union Road.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from residence to business 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", subject to the following restrictions: (1) that said premises are used only for business purposes, and not industrial, and (2) that in the event said premises are no longer used for a Gasoline Filling Station, this order of rezoning shall be null and void and the property shall revert to residential use only.

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 Farm Lot 16, Township 11, Range 7 of the Holland Land Company's Survey bounded and described as follows:

BEGINNING at the point of intersection of the westerly line of land taken by the State of New York for the widening of Union Road with the northerly line of land taken by the State of New York for the Walden Avenue Extension of the Ontario Thruway; thence north 89° 08' west along the northerly line of the Walden Avenue Extension of the Ontario Thruway one hundred (100) feet; thence north 2° 15' east and parallel with the westerly line of widened Union Road seventy-five (75) feet; thence south 89° 08' east and parallel with the northerly line of the Walden Avenue Extension of the Ontario Thruway one hundred (100) feet to the westerly line of widened Union Road; thence south 2° 15' west along the westerly line of widened Union Road seventy-five (75) feet to the point of beginning.

BEGINNING at the northeasterly corner of the above-described parcel of land; thence north 2° 15' east along the westerly line of widened Union Road twenty (20) feet; thence south 46° 34' west twenty-eight and sixty-three hundredths (28.63) feet to a point in the northerly line of the above-described parcel twenty (20) feet westerly from the point of beginning; thence south 89° 08' east twenty (20) feet to the point of beginning.

The above-described parcels are part of that parcel of land conveyed by Clarence A. Forbes to Robert M. and Martha L. Fraas, March 13, 1947, and recorded in Erie County Clerk's Office in Liber 4079 of Deeds at Page 244.

Union Road, west side, near New Walden Avenue Extension.  
Seconded by Mr. Neibert and duly put to a vote which resulted as follows:

Benedict T. Holtz, voting Aye,  
Henry Nagel, voting Aye,  
Felix T. Wroblewski, voting Aye,  
Joseph A. Neibert, voting Aye,  
Stanley Bystrak, voting Aye,  
Carried: Ayes 5; Noes 0; Absent 0.  
Dated: August 20, 1951.

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

FRANK A. TABER, JR.

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 Aug., 1951, and the last insertion being on the day of 1951, and that not more than six days intervened between any two publications thereof.

Frank A. Taber, Jr.

day of

Sept 1951

J. Krieger  
Public in and for Erie County,  
for Erie County, New York  
Expires Mar. 30, 1952  
No. 2708



Town Hall in the Town of Cheektowaga, New York, on the 4th day of May, 1951, at 7:30 o'clock P.M., E.D.S.T., of said day, for the purpose of considering the application of Pelvion Land Company Inc., Frank Yeager, President, for the rezoning from Residence district to Second 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 10th day of May, 1951, having rendered its decision granting the application of petitioner to rezone from residence district to second industrial district the property hereinafter described, for the purpose of conducting a Warehouse 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 20th day of August, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals, and having personally inspected the premises to be zoned, as well as the property in its immediate vicinity on Rehm Road.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from Residence to Second Industrial 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 "Second Industrial District," subject to the following restrictions: (1) that said premises are used only for a Warehouse and, (2) that in the event said premises are no longer used for a Warehouse this order of rezoning shall be null and void and the property shall revert to residential use only.

**DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York being part of Lot No. 77, Township 11, Range 7 of the Holland Land Company's Survey and further bounded and described as follows:

BEGINNING at a point in the westerly line of Rehm Road six hundred (600) feet northerly from the intersection of the westerly line of Rehm Road with the northeasterly line of the Lehigh Valley Railroad; thence northerly along the westerly line of Rehm Road one hundred (100) feet; thence westerly at right angles one hundred fifty-one and ninety-five hundredths (151.95) feet to the northeasterly line of the Lehigh Valley Railroad; thence southeasterly along the northeasterly line of the Lehigh Valley Railroad one hundred two and thirty-three hundredths (102.33) feet to a point in a line drawn westerly at right angles to Rehm Road through the point of beginning; thence easterly at right angles to Rehm Road one hundred thirty and twenty-four hundredths (130.24) feet to the point of beginning.

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

- Benedict T. Holtz, voting Aye.
- Henry Nagel, voting Aye.
- Felix T. Wroblewski, voting Aye.
- Joseph A. Neibert, voting Aye.
- Stanley Bystrak, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0

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

Dated: August 20, 1951.  
(SEAL)



Posted as follows on the 28th day of August, 1951;

Town Hall Bulletin Board;

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

**REZONING GRANTED**

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, New York, on the 20th day of August, 1951, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Nelbert, Councilman  
Stanley Bystrak, Councilman

**ABSENT:** None

Mr. Nelbert presented the following resolution and moved its adoption:

**WHEREAS**, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 4th day of May, 1951, at 7:30 o'clock P.M., E.D.S.T., of said day, for the purpose of considering the application of Pelvion Land Company Inc., Frank Yeager, President, for the rezoning from Residence district to Second 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 10th day of May, 1951, having rendered its decision granting the application of petitioner to rezone from residence district to second industrial district the property hereinafter described, for the purpose of conducting a Warehouse 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 20th day of August, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals, and having personally inspected the premises to be zoned, as well as the property in its immediate vicinity on Rehm Road.

**BE IT RESOLVED**, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from Residence to Second Industrial 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 "Residence District" to "Second Industrial District," subject to the following restrictions: (1) that said premises are used only for a Warehouse and, (2) that in the event said premises are no longer used for a Warehouse this order of rezoning shall be null and void and the property shall revert to residential use only.

**DESCRIPTION**

**ALL THAT TRACT OR PARCEL OF LAND** situate in the Town of Cheektowaga, County of Erie and State of New York being part of Lot No. 77, Township 11, Range 7 of the Holland Land Company's Survey and further bounded and described as follows:

**BEGINNING** at a point in the westerly line of Rehm Road six hundred (600) feet northerly from the intersection of the westerly line of Rehm Road with the northeasterly line of the Lehigh Valley Railroad; thence northerly along the westerly line of Rehm Road one hundred (100) feet; thence westerly at right angles one hundred fifty-one and ninety-five hundredths (151.95) feet to the northeasterly line of the Lehigh Valley Railroad; thence southeasterly along the northeasterly line of the Lehigh Valley Railroad one hundred two and thirty-three hundredths (102.33) feet to a point in a line drawn westerly at right angles to Rehm Road through the point of beginning; thence easterly at right angles to Rehm Road one hundred thirty and twenty-four hundredths (130.24) feet to the point of beginning.

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

Benedict T. Holtz, voting Aye.  
Henry Nagel, voting Aye.  
Felix T. Wroblewski, voting Aye.  
Joseph A. Nelbert, voting Aye.  
Stanley Bystrak, voting Aye.

**AYES:** 5    **NOES:** 0    **ABSENT:** 0

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

Dated: August 20, 1951.

(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 two weeks; first publication AUG 23 1951; last publication AUG 23 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

AUG 23 1951, 19.....

*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, 1953  
Registered No. 5029

**ORDINANCE ADOPTED**  
**Minimum Specifications**  
**For Highway Construction**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 20th day of August, 1951, 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, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman

**ABSENT:** None

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting held on the 16th day of July, 1951, at 7:30 o'clock P.M., E.D.S.T., adopted a resolution directing that the Town Board meet at the Town Hall, corner Broadway and Union Road in said Town, on the 6th day of August, 1951, at 2:30 o'clock P.M., E.D.S.T., for the purpose of considering the advisability of enacting an ordinance fixing Minimum Specifications for Street or Highway Construction in the Town of Cheektowaga, New York, which said specifications are to become a part of and an addition to an ordinance to regulate the construction of public improvements in the Town of Cheektowaga, Erie County, New York; and

WHEREAS, notice of said public hearing and a proposed ordinance fixing Minimum Specifications for Street or Highway Construction in the Town of Cheektowaga, New York, were duly published in the Cheektowaga Times, official newspaper of the Town of Cheektowaga, and being a newspaper having a general circulation in said Town, 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 now on file in the Town Clerk's Office; and

WHEREAS, the Town Clerk, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing posted conspicuously in six (6) public places within the Township, certified copies of said resolution, order, and proposed ordinance fixing Minimum Specifications for Street or Highway Construction in the Town of Cheektowaga, New York, as shown by the duly verified affidavit of the Town Clerk; and

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, on the 6th day of August, 1951, at 2:30 o'clock P.M., E.D.S.T., did meet at the Town Hall in said Town of Cheektowaga for the purpose of considering the advisability of adopting said ordinance fixing Minimum Specifications for Street or Highway Construction in the Town of Cheektowaga, New York; and a public hearing was held thereon at the time and place designated in said resolution adopted the 16th day of July, 1951, and an opportunity was afforded all persons interested in the subject matter to be heard; and

WHEREAS, the Town Board has decided that it is in the public interest to adopt said ordinance fixing Minimum Specifications for Street or Highway Construction in the Town of Cheektowaga, New York;

**BE IT RESOLVED**, that the following ordinance fixing Minimum Specifications for Street or Highway Construction in the Town of Cheektowaga, Erie County, New York, be and the same is hereby adopted:

**MINIMUM SPECIFICATIONS FOR STREET OR HIGHWAY CONSTRUCTION**

1. No street or highway will be accepted as an improved Town Highway by the Town Board or Town Superintendent of Highways of the Town of Cheektowaga, New York, unless the following minimum specifications are complied with:

Legal References: Highways by Dedication—See Section 171, Highway Law. Requirements as to width—See Sections 171 and 180 (No highways shall be laid out less than 3 rods in width).

**SUBGRADE**

2. The subgrade on all types of road shall be properly prepared after

proper drainage has been provided. All boulders, muck, quicksand, soft clay, spongy material and any other objectionable material shall be removed as directed by the Town Engineer and Town Superintendent of Highways. All spaces from which objectionable materials have been removed shall be refilled with acceptable materials, such as stone, slag or gravel, as directed.

**FOUNDATION COURSE**

3. After all drains have been satisfactorily completed and the subgrade has been properly shaped, it shall be thoroughly rolled and compacted with an approved self-propelled roller weighing not less than ten tons. Care shall be taken not to roll clay foundations enough to develop a plastic condition. All hollows and depressions which develop shall be filled with acceptable materials and the subgrade shall again be rolled. This process of filling and rolling shall be repeated until no depressions develop. In places where the character of the material make the use of such a roller impracticable, a lighter one may be permitted. The subgrade shall not be muddy, or otherwise unsatisfactory when the pavement is placed upon it. All necessary drainage to effectively drain the roadway must be completed before the placing of any pavement will be permitted thereon.

**EMBANKMENT**

4. Embankments shall be formed of suitable materials, graded and rolled to the property lines, and approximately true to lines and grades. All stones larger than 3 inches in diameter or any other objectionable material shall be removed from the surface.

**INTERSECTING HIGHWAYS**

5. At all intersecting public highways a smooth riding and satisfactory junction must be produced.

**MATERIALS**

6. Bottom Courses: Highways may be constructed of gravel, slag or stone and sufficient filler shall be added so that the material will compact in a dense mass. Approval of the proposed material shall be obtained from the Town Superintendent of Highways and/or the Town Engineer before placing the material.

When gravel is used it shall be placed upon the road in layers of not more than 6 inches loose and thoroughly compacted with a roller, weighing not less than 10 tons. The final thickness of the compacted mass shall not be less than 8 inches.

When broken stone or slag is used it shall be placed upon the road in layers of not more than 6 inches loose and thoroughly compacted with a roller weighing not less than ten tons. The final thickness of the compacted mass shall not be less than 8 inches.

Top Courses: These may be constructed by either of the following two methods:

**Asphalt Concrete**

The top course shall be Item 52M, Option No. 6, Asphalt concrete-steam dispersion Process of the New York State Public Works Specifications. A course of binder with a compacted thickness of two (2) inches shall be laid, followed with a course of top (fine) with a compacted thickness of one (1) inch. An 8 to 10-ton tandem roller shall be used to compact the asphalt concrete.

**Bituminous Macadam**

The top course shall be a total of three (3) inches, compacted thickness, built up in the following manner. A course of No. 2 stone shall be spread evenly over the prepared bottom course and rolled and shaped by a 10-ton roller to a compacted thickness of two (2) inches; then one (1) gallon of hot asphalt shall be applied per square yard by the use of an approved pressure distributor, operated under a pressure of fifty pounds per square inch or more, as the Town Engineer and/or Superintendent of Highways may direct. This coating of asphalt is to be covered with No. 1 stone spread evenly and again rolled by the 10-ton roller. Then an application of one-half (½) gallon of hot asphalt shall be applied per square yard as previously described. This application shall be evenly covered with No. 1-A stone and rolled by the 10-ton roller. The grades of asphalt used in this method are to be as specified by the Town Engineer and/or Superintendent of Highways.

**CAST IN-PLACE-CONCRETE CURB**

7. Curb shall conform to the sections as shown in the Specifications, or of such sections as approved by the Engineer, and shall be required only in streets and highways located within an established storm sewer district; nor shall curbs be required on streets and highways within existing storm sewer districts, which are partially built up and improved, and upon which no curbs have been heretofore constructed. Cast in place curb under these specifications shall be composed of Lake Erie Sand, Lake Erie Gravel, Crushed Stone or Crushed Blast Furnace Slag, Blast Furnace Slag shall be as produced by the Buffalo Slag Company.

Fine Aggregate: The fine aggregate shall be washed and graded in compliance with A.S.T.M. Specifications C33-49. It shall pass the 10 cycle Sodium Sulphate test with loss not greater than 8%.

Coarse Aggregate: The coarse aggregate shall be clean and graded in compliance with A.S.T.M. Specifications C33-49 for nominated size ¾" to #4. It shall pass the 10 cycle Sodium Sulphate Test with loss not greater than 5%.

Concrete Strength Requirement: Minimum compressive strength on Standard 6"x12" concrete cylinders shall not be less than 3500 pounds per square inch at 28 days.

At least two test cylinders shall be made on each day that concrete is poured, one for 7 days and one for 28 days. Tests to be made by a recognized testing laboratory satisfactory to the Town Engineer. Cost of such testing is to be paid by the contractor and included in his bid.

Concrete Mix Proportions (Per Cubic Yard).

Crushed Stone or Gravel Concrete:  
Portland Cement (Minimum) 6.0 Sacks per yard. Fine Aggregate 42.0%. Coarse Aggregate 58.0%.

Blast Furnace Slag Concrete:  
Portland Cement (Minimum) 6.0 Sacks per yard. Fine Aggregate 46.0%. Coarse Aggregate 54.0%.

Maximum slump for any of the three types of concrete shall be six (6) inches.

Cold weather concrete: All concrete placed in cold or freezing weather must have both mixing water and aggregates heated. The concrete when deposited in the forms shall have a temperature of at least 70 degrees, maximum temperature 110 degrees F. After placing concrete in the forms, it shall be fully protected from the elements by being covered with straw or other suitable material for at least 10 days.

No concrete shall be placed on frozen ground.

Mixing and Placing of Concrete: Concrete may be either transit mix or job mix. In either case the mix proportions must be held rigidly to those outlined under concrete mix proportions of this specification.

Care must be exercised in placing concrete in the forms. After placing, it shall be rodded or spaded, so that the finished concrete shall be smooth and represent a workmanlike job.

If after removal of the forms, any open or rough spots are noted, they shall be immediately repaired with a cement sand mix of 1:2 by the cement finisher.

Curbing shall be covered, immediately after finishing, with burlap or other material acceptable to the Engineer which shall be kept wet for a period of 3 days.

The contractor shall protect the curbing and keep it in first class condition and alignment until the completion of the contract. Any curbing which is damaged at any time previous to the final acceptance of the work shall be removed and replaced with satisfactory curbing at the contractor's expense.

All backfilling behind curb must be tamped in layers not more than 6 inches in depth to a height of not less than 6 inches below the top of the curb. Each earth layer shall be thoroughly and uniformly compacted by solidly tamping with appropriate tools in such a manner as not to injure or disturb the completed curb.

All backfilling on the front, or pavement side, of the curb shall be filled with crushed stone, slag, or other suitable porous material and properly compacted. No earth fill will be allowed.

**SEASONAL AND WEATHER LIMITATION**

8. No material shall be placed from October 15th to May 15, except by written permission of the Engineer, nor when the air temperature in the shade is below 50 degrees F.

**INSTRUCTIONS**

9. The foregoing restrictions are not intended to prevent any person, firm or corporation from constructing at his own expense a road or a highway on private property to be deeded later to the Town upon completion, for highway purposes, so long as he complies with the foregoing specifications. He must, however, before commencing work, file with the Town Engineer, written plans and specifications, which in every respect comply with the foregoing specifications. All work on said highways shall be done under the supervision of the Town Engineer and the Town Highway Superintendent and such other person or persons as the Town Board shall designate to inspect the work.

The construction of all highways and streets, whether on public or private property as hereinbefore provided, must meet with the approval of the Town Engineer and/or the Town Highway Superintendent, and his certificate is necessary for said highway to be dedicated for public use and become a Town Highway.

Compliance with the provisions of this ordinance shall be a condition precedent to the acceptance of any street, highway or other improvement by the Town of Cheektowaga, New York, for the purpose of maintenance 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 within the Township, and being the official newspaper of said Township, and that a printed copy thereof be posted conspicuously by the Town Clerk in at least six (6) public places in the Town for at least ten (10) days before the same shall take effect, and an affidavit of the publication and posting thereof shall be filed with the Town Clerk. 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 in the minutes.

This Ordinance shall not, however, apply to proposed highways included in the contract approved by the Town Board March 8, 1951, entered into between the Town Highway Superintendent and the County Highway Superintendent relative to the construction of highways in the Town of Cheektowaga, New York.

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**

**STATE OF NEW YORK**  
**ERIE COUNTY**  
**OFFICE OF THE CLERK SS.**  
**OF THE TOWN OF**  
**CHEEKTOWAGA**

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 20th day of August, 1951, 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, 1951.

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

(SEAL)

Posted as follows on the 24th day of August, 1951;

Town Hall Bulletin Board;  
Forks Fire House, Broadway and Union Road;  
Rescue Fire House, Pine Ridge Road;  
Pine Hill Fire House, Genesee Street and Normandy Avenue;  
U-Crest Fire House, Clover Street and Evergreen Place;

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

ordinance fixing Minimum Specifications for Street or Highway Construction in the Town of Cheektowaga, New York, as shown by the duly verified affidavit of the Town Clerk; and

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, on the 6th day of August, 1951, at 2:30 o'clock P.M., E.D.S.T., did meet at the Town Hall in said Town of Cheektowaga for the purpose of considering the advisability of adopting said ordinance fixing Minimum Specifications for Street or Highway Construction in the Town of Cheektowaga, New York; and a public hearing was held thereon at the time and place designated in said resolution adopted the 16th day of July, 1951, and an opportunity was afforded all persons interested in the subject matter to be heard; and

WHEREAS, the Town Board has decided that it is in the public interest to adopt said ordinance fixing Minimum Specifications for Street or Highway Construction in the Town of Cheektowaga, New York,

BE IT RESOLVED, that the following ordinance fixing Minimum Specifications for Street or Highway Construction in the Town of Cheektowaga, Erie County, New York, be and the same is hereby adopted:

**MINIMUM SPECIFICATIONS FOR STREET OR HIGHWAY CONSTRUCTION**

1. No street or highway will be accepted as an improved Town Highway by the Town Board or Town Superintendent of Highways of the Town of Cheektowaga, New York, unless the following minimum specifications are complied with:

Legal References: Highways by Dedication—See Section 171, Highway Law. Requirements as to width—See Sections 171 and 180 (No highways shall be laid out less than 3 rods in width).

**SUBGRADE**

2. The subgrade on all types of road shall be properly prepared after proper drainage has been provided. All boulders, muck, quicksand, soft clay, spongy material and any other objectionable material shall be removed as directed by the Town Engineer and Town Superintendent of Highways. All spaces from which objectionable materials have been removed shall be refilled with acceptable materials, such as stone, slag or gravel, as directed.

**FOUNDATION COURSE**

3. After all drains have been satisfactorily completed and the subgrade has been properly shaped, it shall be thoroughly rolled and compacted with an approved self-propelled roller weighing not less than ten tons. Care shall be taken not to roll clay foundations enough to develop a plastic condition. All hollows and depressions which develop shall be filled with acceptable materials and the subgrade shall again be rolled. This process of filling and rolling shall be repeated until no depressions develop. In places where the character of the material make the use of such a roller impracticable, a lighter one may be permitted. The subgrade shall not be muddy, or otherwise unsatisfactory when the pavement is placed upon it. All necessary drainage to effectively drain the roadway must be completed before the placing of any pavement will be permitted thereon.

**EMBANKMENT**

4. Embankments shall be formed of suitable materials, graded and rolled to the property lines, and approximately true to lines and grades. All stones larger than 3 inches in diameter or any other objectionable material shall be removed from the surface.

**INTERSECTING HIGHWAYS**

5. At all intersecting public highways a smooth riding and satisfactory junction must be produced.

**MATERIALS**

6. Bottom Courses: Highways may be constructed of gravel, slag or stone and sufficient filler shall be added so that the material will compact in a dense mass. Approval of the proposed material shall be obtained from the Town Superintendent of Highways and/or the Town Engineer before placing the material.

When gravel is used it shall be placed upon the road in layers of not more than 6 inches loose and thoroughly compacted with a roller weighing not less than 10 tons. The final thickness of the compacted mass shall not be less than 8 inches.

When broken stone or slag is used it shall be placed upon the road in layers of not more than 6 inches loose and thoroughly compacted with a roller weighing not less than ten tons. The final thickness of the compacted mass shall not be less than 6 inches.

Top Courses: These may be constructed by either of the following two methods:

**Asphalt Concrete**

The top course shall be Item 52M,

State Public Works Specifications. A course of binder with a compacted thickness of two (2) inches shall be laid, followed with a course of top (fine) with a compacted thickness of one (1) inch. An 8 to 10-ton tandem roller shall be used to compact the asphalt concrete.

**Bituminous Macadam**

The top course shall be a total of three (3) inches, compacted thickness, built up in the following manner. A course of No. 2 stone shall be spread evenly over the prepared bottom course and rolled and shaped by a 10-ton roller to a compacted thickness of two (2) inches; then one (1) gallon of hot asphalt shall be applied per square yard by the use of an approved pressure distributor, operated under a pressure of fifty pounds per square inch or more as the Town Engineer and/or Superintendent of Highways may direct. This coating of asphalt is to be covered with No. 1 stone spread evenly and again rolled by the 10-ton roller. Then an application of one-half (1/2) gallon of hot asphalt shall be applied per square yard as previously described. This application shall be evenly covered with No. 1-A stone and rolled by the 10-ton roller. The grades of asphalt used in this method are to be as specified by the Town Engineer and/or Superintendent of Highways.

**CAST IN-PLACE-CONCRETE CURB**

7. Curb shall conform to the sections as shown in the Specifications, or of such sections as approved by the Engineer, and shall be required only in streets and highways located within an established storm sewer district; nor shall curbs be required on streets and highways within existing storm sewer districts, which are partially built up and improved, and upon which no curbs have been heretofore constructed. Cast in place curb under these specifications shall be composed of Lake Erie Sand, Lake Erie Gravel, Crushed Stone or Crushed Blast Furnace Slag. Blast Furnace Slag shall be as produced by the Buffalo Slag Company.

Fine Aggregate: The fine aggregate shall be washed and graded in compliance with A.S.T.M. Specifications C33-49. It shall pass the 10 cycle Sodium Sulphate test with loss not greater 8%.

Coarse Aggregate: The coarse aggregate shall be clean and graded in compliance with A.S.T.M. Specifications C33-49 for nominated size 3/4" to #4. It shall pass the 10 cycle Sodium Sulphate Test with loss not greater 5%.

Concrete Strength Requirement: Minimum compressive strength on Standard 6"x12" concrete cylinders shall not be less than 3500 pounds per square inch at 28 days.

At least two test cylinders shall be made on each day that concrete is poured, one for 7 days and one for 28 days. Tests to be made by a recognized testing laboratory satisfactory to the Town Engineer. Cost of such testing is to be paid by the contractor, and included in his bid.

**Concrete Mix Proportions (Per Cubic Yard)**

Crushed Stone or Gravel Concrete: Portland Cement (Minimum) 6.0 Sacks per yard. Fine Aggregate 42.0%. Coarse Aggregate 58.0%.

Blast Furnace Slag Concrete: Portland Cement (Minimum) 6.0 Sacks per yard. Fine Aggregate 46.0%. Coarse Aggregate 54.0%.

Maximum slump for any of the three types of concrete shall be six (6) inches.

Cold weather concrete: All concrete placed in cold or freezing weather, must have both mixing water and aggregates heated. The concrete when deposited in the forms shall have a temperature of at least 70 degrees, maximum temperature 110 degrees F. After placing concrete in the forms, it shall be fully protected from the elements by being covered with straw or other suitable material for at least 10 days. No concrete shall be placed on frozen ground.

Mixing and Placing of Concrete: Concrete may be either transit mix or job mix. In either case the mix proportions must be held rigidly to those outlined under concrete mix proportions of this specification.

Care must be exercised in placing concrete in the forms. After placing, it shall be rodded or spaded, so that the finished concrete shall be smooth and represent a workmanlike job.

If after removal of the forms, any open or rough spots are noted, they shall be immediately repaired with a cement sand mix of 1:2 by the cement finisher.

Curbing shall be covered, immediately after finishing, with burlap or other material acceptable to the Engineer which shall be kept wet for a period of 3 days.

The contractor shall protect the curbing and keep it in first class condition and alignment until the

time previous to the final acceptance of the work shall be removed and replaced with satisfactory curbing at the contractor's expense.

All backfilling behind curb must be tamped in layers not more than 6 inches in depth to a height of not less than 6 inches below the top of the curb. Each earth layer shall be thoroughly and uniformly compacted by solidly tamping with appropriate tools in such a manner as not to injure or disturb the completed curb.

All backfilling on the front, or pavement side, of the curb shall be filled with crushed stone, slag, or other suitable porous material and properly compacted. No earth fill will be allowed.

**SEASONAL AND WEATHER LIMITATION**

8. No material shall be placed from October 15th to May 15, except by written permission of the Engineer, nor when the air temperature in the shade is below 50 degrees F.

**INSTRUCTIONS**

9. The foregoing restrictions are not intended to prevent any person, firm or corporation from constructing at his own expense a road or a highway on private property to be dedicated later to the Town upon completion, for highway purposes, so long as he complies with the foregoing specifications. He must, however, before commencing work, file with the Town Engineer, written plans and specifications, which in every respect comply with the foregoing specifications. All work on said highways shall be done under the supervision of the Town Engineer and the Town Highway Superintendent and such other person or persons as the Town Board shall designate to inspect the work.

The construction of all highways and streets, whether on public or private property as hereinbefore provided, must meet with the approval of the Town Engineer and/or the Town Highway Superintendent, and his certificate is necessary for said highway to be dedicated for public use and become a Town Highway.

Compliance with the provisions of this ordinance shall be a condition precedent to the acceptance of any street, highway or other improvement by the Town of Cheektowaga, New York, for the purpose of maintenance 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 within the Township, and being the official newspaper of said Township, and that a printed copy thereof be posted conspicuously by the Town Clerk in at least six (6) public places in the Town for at least ten (10) days before the same shall take effect, and an affidavit of the publication and posting thereof shall be filed with the Town Clerk. 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 in the minutes.

This Ordinance shall not, however, apply to proposed highways included in the contract approved by the Town Board March 8, 1951, entered into between the Town Highway Superintendent and the County Highway Superintendent relative to the construction of highways in the Town of Cheektowaga, New York.

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

**STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS.  
OF THE TOWN OF  
CHEEKTOWAGA**

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 20th day of August, 1951, 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, 1951.

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

(SEAL)

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**ORDINANCE ADOPTED  
Minimum Specifications  
For Highway Construction**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 20th day of August, 1951, 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, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman

**ABSENT:** None.  
Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting held on the 16th day of July, 1951, at 7:30 o'clock P.M., E.D.S.T., adopted a resolution directing that the Town Board meet at the Town Hall, corner Broadway and Union Road in said Town, on the 6th day of August, 1951, at 2:30 o'clock P.M., E.D.S.T., for the purpose of considering the advisability of enacting an ordinance fixing Minimum Specifications for Street or Highway Construction in the Town of Cheektowaga, New York, which said specifications are to become a part of and an addition to an ordinance to regulate the construction of public improvements in the Town of Cheektowaga, Erie County, New York; and

WHEREAS, notice of said public hearing and a proposed ordinance fixing Minimum Specifications for Street or Highway Construction in the Town of Cheektowaga, New York, were duly published in the Cheektowaga Times, official newspaper of the Town of Cheektowaga, and being a newspaper having a general circulation in said Town, 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 now on file in the Town Clerk's Office; and

WHEREAS, the Town Clerk, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing posted conspicuously in six (6) public places within the Township, certified copies of said

EVE J. ALLIS  
 NOTARY PUBLIC, STATE OF NEW YORK  
 Qualified in Erie County  
 My Commission Expires March 30, 1958  
 Registered No. 5029

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

day of September, 1957

Sworn to before me this 17th

Willard C. Allis

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 August 23, 1957; last publication August 23, 1957; and that no more than six days intervened between publications.

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

## Tips on Touring

By Carol Lane  
 Women's Travel Authority

Do your friends grit their teeth and mutter as you drive happily along? Do they fumble for excuses when you say "Let's do this again some time?"

If they do, it may be your fault. If so, the chances are 9 out of 10 that you are guilty of one or more of these common failings:

1. You race up to red lights and slam on the brakes at the last moment.
2. You "pump" the accelerator so that the car jerks ahead, then slows down.
3. You weave in and out of lanes, cut in front of cars and neglect to signal.
4. You forget to watch signs and regularly miss parkway exits, streets and turn-offs, often going miles out of the way.
5. You lean on the horn and comment on everything in your path...other cars, pedestrians, small children on bikes.



If you have any of these bad-driving traits, your passengers have reason to decline another



**BOLSTERED BY HELP FROM CLARENCE'S SISTER, JEAN, RECENT GRADUATE** of Pine Hill High School, Clarence and Connie Ostwald of Conn-Clare Luncheonette, Beach Rd. and S. Huth, find time to relax. That's three-year-old son, Bobby, accounting for a 10c sale. The couple operate one of the most modern soda bars and restaurants in Town.

## Miss Delphine Kaiser Is Wed To Mr. Eugene Doyle

A very pretty summer wedding was solemnized Aug. 14 at Our Lady Help of Christians Church when Miss Delphine Kaiser, daughter of Mr. and Mrs. Frank Kaiser of 22 West Sobieski Road and Eugene Doyle, son of Mr. and Mrs. Lou Renk of 996 East Delavan Ave., Buffalo were united in marriage. The ceremony was officiated at the single ring ceremony.

Councilman Neibert presented the following resolution and move its adoption:

RESOLVED, that the Town Clerk be authorized and directed to issue Building Permits on Applications processed by the Petitions Committee on August 11th, 1951 and August 18th, 1951, after same have been approved by the Building Inspector.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that funds be appropriated in the 1952 Budget to purchase traffic signal lights to replace the obsolete traffic signal lights which are at the present time located in front of the Most Holy Redeemer School and the Pine Hill High School

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

Councilman Wroblewski presented the following resolution and move its adoption:

RESOLVED, that the New York State Gas and Electric Company be authorized to install One 1000 lumen light on Pole No. 21, on Walkowiak Street, and that a certified copy of this resolution be mailed to said New York State Gas and Electric Company.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

Councilman Bystrak presented the following resolution and move its adoption:

RESOLVED, that the New York State Gas and Electric Company be requested to move the Sodium Vapor lumen light at Walden Avenue and Union Road so that the same will be located at the new intersection created by the construction of new Walden Avenue.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, Kensington Village has provided at its own expense the 33 Ornamental Lighting Standards on Kenville Drive, be it

RESOLVED, that the Town accept said standards, and be it

FURTHER RESOLVED, that the Supervisor be authorized to enter into a contract with the Niagara Mohawk Power Company to provide electric service on said highway at the expense of the Town of Cheektowaga, New York.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the County of Erie owns approximately 20 acres of land adjoining the Town's Disposal Plant No. 5, south of Scajacquada Creek; and

WHEREAS, the County of Erie has agreed to sell said land to the Town of Cheektowaga, New York, for the sum of Two Thousand Dollars (\$2,000.00), plus the sum of Four Hundred Ninety Dollars (\$490.00) for local assessments,

BE IT RESOLVED, that the Town of Cheektowaga, New York, purchase the aforementioned 20 acres of land from the County of Erie, and that it pay to the County of Erie the purchase price above mentioned of Two Thousand Dollars (\$2,000.00) plus the sum of Four Hundred and Ninety Dollars (\$490.00) for local assessments upon delivery of the Deed; and

BE IT FURTHER RESOLVED, that Albert J. Kamm, Town Engineer and/or Nussbaumer Clarke and Velzy, prepare a survey of said property and furnish the County of Erie with a copy of the same.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.



Councilman Neibert presented the following resolution and moved 130  
its adoption:

WHEREAS, this Town Board, on the 4th day of June, 1951, at 2:30 o'clock P.M., Eastern Standard Time, held a public hearing on the improvement in Toelsin Road, 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 thereat, that it is in the public interest to improve Toelsin Road by the construction of a lateral sewer in said highway as hereinafter described, and

BE IT FURTHER RESOLVED, that Nussbaumer and Clarke, consulting engineers for the Town of Cheektowaga, New York, be and they are hereby directed to prepare plans and specifications and to 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 required to be performed;

THAT PORTION OF SAID TOELSIN ROAD EXTENDING  
FROM ORIOLE PLACE, SOUTH, TO GEORGE URBAN BOULEVARD,

which sewer shall be so constructed to serve the properties on both sides of said public highway.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-.

Councilman Bystrak 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 Toelsin Road, to wit: the construction of a lateral sewer in that portion of said highway extending from Oriole Place, south, to George Urban Boulevard, which sewer shall be so constructed to serve the properties on both sides of said public highway, Toelsin Road; and

WHEREAS, this Board has heretofore directed Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, competent civil engineers 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 Five Thousand Dollars (\$5,000.00), be and 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 Toelsin Road 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, the official paper 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 Two Hundred and Fifty Dollars (\$250.00), 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 Two Hundred and Fifty Dollars (\$250.00), 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 4th day of September, 1951, at 2:30 o'clock P.M., Eastern Daylight Saving Time, and

BE IT FURTHER RESOLVED, that said notice to contractors be in substantially the following form, to wit:

Erie County, New York, sealed proposals shall be received and considered by said Town Board, on the 4th day of September, 1951, at 2:30 o'clock P.M., E.D.S.T., 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 the materials and equipment, together with all labor for the construction of a certain improvement in Toelsin Road, to wit: the construction of a lateral sewer in that portion of Toelsin Road extending from Oriole Place, south, to George Urban Boulevard, said sewer to be constructed as to serve the properties on both sides of said street, in accordance with proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates, prepared by Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, 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 contract, 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 contract, 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 contract 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 must be accompanied by a certified check in the sum of Two Hundred Fifty Dollars (\$250.00) 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 Two Hundred Fifty Dollars (\$250.00) 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. 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

September 28, 1951

Seconded by Councilman Nagel.

CARRIED: AYES: -5-

Posted as follows on the 24th day of August, 1951;

- Town Hall Bulletin Board;
- Forks Fire House, Broadway and Union Road;
- Rescue Fire House, Pine Ridge Road;
- Pine Hill Fire House, Genesee Street and Normandy Avenue;
- U-Crest Fire House, Evergreen Street and Clover Place;

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

**NOTICE TO CONTRACTORS**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York, sealed proposals shall be received and considered by said Town Board, on the 4th day of September, 1951, at 2:30 o'clock P.M., E.D.S.T., 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 the materials and equipment, together with all labor for the construction of a certain improvement in Toelsin Road, to wit: the construction of a lateral sewer in that portion of Toelsin Road extending from Oriole Place, south, to George Urban Boulevard, said sewer to be constructed as to serve the properties on both sides of said street, in accordance with proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates, prepared by Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, 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 contract, 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 contract, 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 contract 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 must be accompanied by a certified check in the sum of Two Hundred Fifty Dollars (\$250.00) 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 Two Hundred Fifty Dollars (\$250.00) 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. 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: August 20, 1951.

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for...*one*...weeks; first publication AUG 23 1951; last publication AUG 23 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of AUG 23 1951, 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 *53*  
 Registered No. 5029



This being the time and the place advertised for a public hearing on the proposed improvement of Toelsin Road in the Town of Cheektowaga, to wit: the construction of a lateral sewer in said highway in that portion of Toelsin Road extending from Oriole Place, north, to Genesee Street, which sewer shall be so constructed to serve the properties on both sides of said public highway, Toelsin Road, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing, which proof was presented by the Town Clerk and was directed to be filed in the Town Clerk's Office.

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 construction of a lateral sanitary sewer in Toelsin Road, extending from Oriole Place, north, to Genesee Street, the Supervisor ordered the hearing closed.

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, this Town Board has this day held a public hearing on the improvement in Toelsin Road in the Town of Cheektowaga, New York, by the construction of a lateral sewer in said highway, that portion of Toelsin Road extending from Oriole Place, north, to Genesee Street, which sewer shall be so constructed to serve the properties on both sides of said public highway, 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, that it is in the public interest to improve Toelsin Road by the construction of a lateral sewer in said highway as above described, and

BE IT FURTHER RESOLVED, that Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, Civil Engineers, and who are the 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 expense, and with the assistance of the Town Attorney, to prepare a proposed contract for the execution of the work required to be performed.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

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 Toelsin Road, to wit; the construction of a lateral sewer in said highway, that portion of Toelsin Road extending from Oriole Place, north, to Genesee Street, which sewer shall be so constructed to serve the properties on both sides of said public highway, Toelsin Road; and

WHEREAS, this Board has heretofore directed Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, competent civil engineers 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 Eight Thousand Dollars (\$8,000.00), be and 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 Toelsin Road 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, the official paper 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 Four Hundred Dollars (\$400.00), 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 Four Hundred Dollars (\$400.00), 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 4th day of September, 1951, at 2:30 o'clock P.M., E.D.S.T., ; and

BE IT FURTHER RESOLVED, that said notice to contractors be in substantially the following form, to wit:

**NOTICE TO CONTRACTORS**  
**NOTICE IS HEREBY GIVEN** that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York, sealed proposals shall be received and considered by said Town Board, on the 4th day of September, 1951, at 2:30 o'clock P.M., E.D.S.T., 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 the materials and equipment, together with all labor for the construction of a certain improvement in Toelsin Road, to wit: the construction of a lateral sewer in that portion of Toelsin Road extending from Oriole Place, north, to Genesee Street, said sewer to be so constructed as to serve the properties on both sides of said street, in accordance with proposed contract, plans, profiles, drawings, instructions to bidders, specifications, and estimates, prepared by Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, 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 contract, 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 contract, 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 contract 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 must be accompanied by a certified check in the sum of Four Hundred Dollars (\$400.00) 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 Four Hundred Dollars (\$400.00) 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.

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: August 20, 1951

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

Posted as follows on the 24th day of August , 1951;

Town Hall Bulletin Board;  
Forks Hose Company Fire House, Broadway and Union Road;  
Rescue Fire House, Pine Ridge Road;  
Pine Hill Fire House, Genesee Street and Normandy Avenue;  
U-Crest Fire House, Evergreen Street and Clover Place;

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

**NOTICE TO CONTRACTORS**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York, sealed proposals shall be received and considered by said Town Board, on the 4th day of September, 1951, at 2:30 o'clock P.M., E.D.S.T., 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 the materials and equipment, together with all labor for the construction of a certain improvement in Toelsin Road, to wit: the construction of a lateral sewer in that portion of Toelsin Road extending from Oriole Place, north, to Genesee Street, said sewer to be so constructed as to serve the properties on both sides of said street, in accordance with proposed contract, plans, profiles, drawings, instructions to bidders, specifications, and estimates, prepared by Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, 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 contract, 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 contract, 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 contract 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 must be accompanied by a certified check in the sum of Four Hundred Dollars (\$400.00) 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 Four Hundred Dollars (\$400.00) 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.

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: August 20, 1951

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 AUG 23 1951: last publication AUG 23 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
AUG 23 1951  
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, 1953  
Registered No. 5029

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, there are several County-owned lots along Scajacquada Creek, and a number of the same lots are also covered by a permanent easement running from the County to the Town of Cheektowaga, New York, for the purposes of Scajacquada Creek; and

WHEREAS, it is the wish of the Land and Tax Committee of the Board of Supervisors that the Town accept the Deed to these lots, thereby doing away with the assessment and cancelling of taxes and charging them back to the Town,

BE IT RESOLVED, that the Town of Cheektowaga, New York, request the Deed from the County of Erie for the lots in question, namely; Numbers, 352, 402, 419, 469, 470, 487, 488, 537, 538, 554, 555, 604, 605, 622, 623, 672, 673, 690, 691, 761, 811, 812, 829, 830 and 741, Beverly Hills Sub-division, Map Cover 1496.

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

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 order of the Supervisor, such proof was duly filed.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Fairvale Drive	Clearvale Drive	Clearvale Drive

TYPE OF STREET LIGHTING INSTALLATION

Y- 19 Standards with 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. Wroblewski offered the following resolution and moved its adoption:

WHERRAS, 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
Fairvale Drive,	Clearvale Drive,	Clearvale Drive,

TYPE OF STREET LIGHTING INSTALLATION

Y- 19 Standards with 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 highway 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.

CARRIED: AYES: -5-.

STATE OF NEW YORK )  
COUNTY OF ERIE ) SS.

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 held on the 20th day of August, 1951, 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 30th day of August, 1951.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 30th day of August, 1951.

SEAL

Kenneth T. Hanley, Town Clerk.

This being the time and the place advertised for a public hearing for the proposed construction of a lateral sanitary sewer in Cresthaven Drive, in the Town of Cheektowaga, New York, 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 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, the Supervisor ordered the hearing closed, and the decision was reserved, and the matter was referred to the Town Attorney for a proper resolution adopting same.

This being the time and the place advertised for a public hearing for the proposed extension of Water District No. 9, in the Town of Cheektowaga, New York, as hereinafter more particularly described:

BEGINNING at a point in the center line of Strasmer Road, 233 feet east of the center line of Borden Road

Thence N 8° E, 235.3 feet on a line, which is the present easterly boundary of Water District No. 9;

Thence easterly 206.31 feet on a line parallel with the center line of Strasmer 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 Strasmer Road to a point 233 feet east of the center line of Borden Road;

Thence northerly 233 feet to the point of beginning.

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

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The Town Clerk presented proof that such notice has been duly published, 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, the Supervisor ordered the hearing closed, and ordered same referred to the Town Attorney for a resolution to adopted the proposed extension.

This being the time and the place advertised for a public hearing for the construction of sidewalks in Peinkofer Drive, in the Town of Cheektowaga, New York.

Due to the fact that the Cheektowaga Times made an error in the publication of the Notice of Hearing, by inserting the name of Councilman Napieralski instead of Councilman Bystrak, in the Notice of Hearing, the Town Clerk was unable to certify to the resolution.

Upon order of the Supervisor the Town Clerk was authorized to re-advertise the public hearing and set the date of the hearing for the 4th day of September, 1951, at 2:30 o'clock P.M., E.D.S.T.

**NOTICE OF HEARING FOR THE INSTALLATION OF SIDE-WALKS IN PEINKOFER DR.**

WHEREAS, a petition for the improvement of both sides of Peinkofer Drive (except, approximately 400 feet on the north side owned by Otto and Viola Gangloff), from Beach Road to Northvale Drive, said Peinkofer Drive being a public highway, situated in the Town of Cheektowaga, New York, by the construction of a concrete sidewalk four (4) feet in width, of standard specifications, and four (4) inches in depth, was presented to this Town Board on the 22nd day of June, 1951; and

WHEREAS, the Board of Assessors of said Town of Cheektowaga has certified in writing to this Board that the above mentioned 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 both sides of Peinkofer Drive (except the Gangloff property), in said Town of Cheektowaga, New York; and

WHEREAS, the maximum amount proposed to be expended for the improvement aforesaid is the sum of Five Thousand, Five Hundred Dollars (\$5,500.00); and

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

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 4th day of September, 1951, at 2:30 o'clock P.M., E.D.S.T., to consider the said petition and the advisability of improving said street as requested, and to hear all persons interested in the subject thereof concerning the same, and

BE IT FURTHER RESOLVED, 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 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 Bystrak and duly put to a vote, which resulted as follows:

- Supervisor Holtz, voting Aye.
- Councilman Neibert, voting Aye.
- Councilman Nagel, voting Aye.
- Councilman ...
- Councilman ...

**OFFICE OF THE CLERK SS.  
OF THE TOWN OF  
CHEEKTOWAGA**

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 20th day of August, 1951, 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, 1951.

KENNETH T. HANLEY,  
Town Clerk  
Town of Cheektowaga

Posted as follows on the 24th day of August, 1951;

- Telephone Pole No. 2, Peinkofer Drive;
- Telephone Pole No. 4, Peinkofer Drive;
- Telephone Pole No. 6, Peinkofer Drive;
- Telephone Pole No. 5, Peinkofer Drive;
- Telephone Pole No. 1, Peinkofer Drive.

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

**NOTICE OF HEARING**  
**Sidewalk Petition**  
**In Peinkofer Drive**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, in said Town of Cheektowaga on the 20th day of August, 1951, at 7:30 o'clock P.M., E.D.S.T., there were:

**PRESENT:**

- Benedict T. Holtz, Supervisor
- Henry Nagel, Councilman
- Felix Wroblewski, Councilman
- Joseph Neibert, Councilman
- Stanley Bystrak, Councilman

**ABSENT: 0.**

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of Peinkofer Drive (except, approximately 400 feet on the north side owned by Otto and Viola Gangloff), from Beach Road to Northvale Drive, said Peinkofer Drive being a public highway situated in the Town of Cheektowaga, New York, by the construction of a concrete sidewalk four (4) feet in width, of standard specifications, and four (4) inches in depth, was presented to this Town Board on the 22nd day of June, 1951; and

WHEREAS, the Board of Assessors of said Town of Cheektowaga has certified in writing to this Board that the above mentioned 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 both sides of Peinkofer Drive (except the Gangloff property), in said Town of Cheektowaga, New York; and

WHEREAS, the maximum amount proposed to be expended for the improvement aforesaid is the sum of Five Thousand, Five Hundred Dollars (\$5,500.00); and

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

**NOW, THEREFORE,**

**BE IT RESOLVED,** that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 4th day of September, 1951, at 2:30 o'clock P.M., E.D.S.T., to consider the said petition and the advisability of improving said street as requested, and to hear all persons interested in the subject thereof concerning the same, and

**BE IT FURTHER RESOLVED** 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 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 Bystrak and duly put to a vote, which resulted as follows:

- Supervisor Holtz, voting Aye.
- Councilman Neibert, voting Aye.
- Councilman Nagel, voting Aye.
- Councilman Bystrak, 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 20th day of August, 1951, 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, 1951.

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

(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 AUG 23 1951: last publication AUG 23 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

AUG 23 1951, 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, 1953  
 Registered No. 5029



LEGAL NOTICE  
POLLING PLACES  
PRIMARY DAY  
TOWN OF CHEEKTOWAGA

The following named places have been designated as polling places for the Fall Primary, to be held on the 21st day of August, 1951, from 12 Noon to 9 P.M., Eastern Daylight Saving Time:

- Election District No. 1, at Town Hall, Union Rd. and Broadway.
- Election District No. 2, at Town Hall, Union Rd. and Broadway.
- Election District No. 3, at Cayuga Fire Hall, Broadway and River Rd., Depew.
- Election District No. 4, at U-Crest Fire House, Evergreen St. and Clover Pl.
- Election District No. 5, at U-Crest Fire House, Evergreen St. and Clover Pl.
- Election District No. 6, at Maryvale School, Maryvale Dr. near Beach Rd.
- Election District No. 7, at Basement, Cleveland Heights Christian Church, Union Rd. near Cleveland Dr.
- Election District No. 8, at Election Booth, Cleveland Dr. and Bixler St., east side of Thru-way.
- Election District No. 9, at Cleveland Hill Fire House, Cleveland Dr. and Merrymont Rd.
- Election District No. 10, at Election Booth, Cleveland Dr. at Circle.
- Election District No. 11, at Election Booth, Cleveland Dr. and Charnwood Dr.
- Election District No. 12, at Cleveland Hill School, Mapleview Dr.
- Election District No. 13, at School No. 11, Delavan Ave.
- Election District No. 14, at School No. 11, Delavan Ave.
- Election District No. 15, at Tierrunda School Hall.
- Election District No. 16, at Tierrunda School Hall.
- Election District No. 17, at Pine Hill Fire House, Genesee St. and Normandy Ave.
- Election District No. 18, at Election Booth, Genesee St. and George Urban Blvd.
- Election District No. 19, at Election Booth, Grand Blvd., between Rosewood Terr. and Midland Dr.
- Election District No. 20, at Election Booth, Walden Ave. and Krakus Blvd.
- Election District No. 21, at School No. 10, Alexander St.
- Election District No. 22, at School No. 10, Alexander St.
- Election District No. 23, at Rescue Fire Hall, Pine Ridge Rd.
- Election District No. 24, at Woodrow Wilson School, Halstead Ave., Sloan.
- Election District No. 25, at Woodrow Wilson School, Halstead Ave., Sloan.
- Election District No. 26, at St. Andrew's Church Hall, Gierlach St., Sloan.
- Election District No. 27, at Doyle Fire House No. 2, Willowlawn and Griswold St.
- Election District No. 28, at Doyle Fire House No. 1, William and Alaska St.
- Election District No. 29, at Roosevelt School, William and Helen St.

KENNETH T. HANLEY,  
Town Clerk,  
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 August 16, 1951; last publication August 16, 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 16<sup>th</sup>

day of August 1951.

*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, 1953  
Registered No. 8628



Mr. Robert Geary, , was granted the floor and complained to the Board about odors emanating from Disposal Plant No. 5, and also about the creek overflowing its banks in the vicinity of the Beverly Hills Sub-division. Ordered referred to the Supervisor, Town Engineer and the Town Engineer.

Mr. Harvey Wahl, president of the North Cheektowaga Home Owners Association was granted the floor and complained about a resident on Maryvale Drive raising chickens and also complained about a barking dog which was creating a nuisance in the neighborhood.

The Supervisor advised Mr. Wahl to have a warrant sworn out for the alleged violator.

Councilman Wroblewski moved, seconded by Councilman Nagel, that all claims presented at this meeting be audited and that the Town Clerk be authorized and directed to draw orders on the Supervisor for payment of same.

( Orders No. 5529 to No. 5607, inclusive, drawn on the Supervisor.

Councilman Nagel moved, seconded by Councilman Bystrak to adjourn.

SEAL.

Kenneth T. Hanley  
Town Clerk

*Kenneth T. Hanley*

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 August, 1951, at 7:30 P.M., Eastern Standard Time, there were:

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

ABSENT: -0-

Also present were: Town Attorney, George B. Doyle and Deputy Town Clerk, Elizabeth Biniasz.

Communication read from the State of New York, Public Service Commission, relating to complaint of certain residents of the Cleveland Hill section against inadequate water pressure, Western New York Water Company. Ordered received and filed.

Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that the application of Richard Dixwell, Operator at Disposal Plant No. 3, for a leave of absence for one year, be granted, without pay.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-.

Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that the application of Henry Juette to connect with the sanitary and storm sewers on Preston Road, the storm and sanitary sewers to be constructed on Carol Drive, be denied.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, the Town Board on the 19th day of June, 1950, determined that it was in the public interest to grant in whole the relief sought by a petition heretofore filed with the Town Board to create a water district to be known as Water District No. 9 of the Town of Cheektowaga, New York, and to include therein all of the premises described in the petition; and

WHEREAS, the Town Board authorized Newell L. Nussbaumer and Irving Clarke, duly licensed engineers, to prepare a map and general plan showing the boundaries of said proposed Water District, the general plan of the proposed water system, source of water supply, water mains, distribution pipes, hydrants, reservoirs, if any, and the location of each; and

WHEREAS, Frank C. Moore, State Comptroller, on the 23rd day of September, 1950, granted the application of the Town Board of the Town of Cheektowaga, New York, to establish Water District No. 9; and

WHEREAS, the Water Power and Control Commission of the State of New York also approved the creation of said water district and plans and specifications prepared by Messrs. Nussbaumer and Clarke, engineers; and

WHEREAS, the Town Board invited sealed proposals for the furnishing of labor and materials necessary for the work to be done; and

WHEREAS, sealed proposals were received by the Town Board for the doing of the work and furnishing of the materials on the 4th day of December, 1950; and

WHEREAS, the Depew Paving Company Inc., submitted a bid in writing to do the work and furnish the necessary materials for the sum of Sixty-nine Thousand, Two Hundred Dollars, (\$69,200.00), that being the lowest bid submitted by any bidder; and

WHEREAS, the bid of Depew Paving Company, Inc., to do the work and furnish the necessary materials in connection with the formation of said water district was accepted; and thereafter a contract was entered into between Depew Paving Company, Inc., and the Town of Cheektowaga, New York; and

WHEREAS, the Town Board has authorized a bond issue to raise the necessary money to pay for the improvement in creating the said water district No. 9; and

WHEREAS, the bond issue has not yet been completed, and there will be a short delay before said bonds will be sold, not exceeding 60 days; and

WHEREAS, the Manufacturers and Traders Trust Company loaned to the Town of Cheektowaga the sum of Twenty Thousand, Eight Hundred and Forty Dollars and Sixty - Nine Cents (\$20,840.69) upon a note executed by the Supervisor of the Town pursuant to a resolution of the Town Board that was adopted on the 7th day of May, 1951, said note to become due and payable 120 days from its date plus accrued interest; and

WHEREAS, in the meantime, the Depew Paving Company, Inc., has proceeded with the installation of a water line and there is now due the Depew Paving Company, Inc., upon its contract the further sum of Thirty-Five Thousand, One Hundred Fifty-Eight Dollars and Seventy-One Cents (\$35,158.71), as is certified by Nussbaumer and Clarke, consulting engineers for the Town of Cheektowaga, New York; and

WHEREAS, it is necessary to renew the note dated May 7, 1951, in the sum of Twenty Thousand, Eight Hundred and Forty Dollars and Sixty-Nine Cents (\$20,840.69), as the bonds will not be sold until after its due date; and

WHEREAS, it is necessary for the Town of Cheektowaga to borrow an additional sum of Thirty-Five Thousand, One Hundred Fifty-Eight Dollars and Seventy-One Cents (\$35,158.71) to pay the Depew Paving Company Inc., for labor and materials already furnished the Town of Cheektowaga; and

WHEREAS, the Manufacturers and Traders Trust Company has agreed to renew said note before mentioned in the sum of Twenty Thousand, Eight Hundred and Forty Dollars and Sixty-Nine Cents (\$20,840.69) for a further period of 60 days from August 27, 1951, with interest at the rate of 2% per annum upon a note executed by the Supervisor of the Town of Cheektowaga, said note with interest thereon to be paid out of the monies realized from the sale of bonds to be sold to pay for said improvement, viz; creation of Water District No. 9, Town of Cheektowaga, New York; and

WHEREAS, the Manufacturers and Traders Trust Company, has agreed to a loan to the Town of Cheektowaga for the further sum of Thirty-Five Thousand, One Hundred Fifty-Eight Dollars and Seventy-One Cents (\$35,158.71), for a period of 60 days with interest at 2% per annum upon a note executed by the Supervisor of the Town of Cheektowaga, New York, said note with interest thereon to be paid out of the monies realized out of the sale of bonds to be sold to pay for the improvement aforementioned; and

BE IT RESOLVED, that the Supervisor of the Town of Cheektowaga be and he is hereby authorized and directed to execute promissory notes to the Manufacturers and Traders Trust Company, to be payable 60 days from its date, one note to be in the sum of Twenty Thousand, Eight Hundred Forty Dollars and Sixty-Nine Cents (\$20,840.69), plus accrued interest, with interest at the rate of 2% per annum, and the other note to be in the sum of Thirty-Five Thousand, One Hundred Fifty-Eight Dollars and Seventy-One cents (\$35,158.71), to be payable 60 days from its date with interest at the rate of 2% per annum, to the Manufacturers and Traders Trust Company, 284 Main Street, Buffalo, New York. Said notes shall provide for their payment out of the funds received from the sale of bonds heretofore authorized to be sold in connection with said Water District No. 9, and the Supervisor of the Town of Cheektowaga, New York, is hereby authorized to pledge the credit of the Town of Cheektowaga, New York, for the payment of said notes with interest on their due dates, and is further authorized to execute any and all legal documents required by the bank in connection with the borrowing of the sums aforementioned; and

BE IT FURTHER RESOLVED, that the funds received from the note in the amount of Thirty-Five Thousand, One Hundred Fifty-Eight Dollars and Seventy-One cents (\$35,158.71, be immediately paid the Depew Paving Company, Inc., in payment of the money now due and owing it.

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

Benedict T. Holtz	Voting AYE
Henry Nagel	Voting AYE
Felix T. Wroblewski	Voting AYE
Joseph A. Neibert	Voting AYE
Stanley Bystak	Voting AYE

CARRIED: AYES: -5-.

2  
UNITED STATES OF AMERICA  
STATE OF NEW YORK  
TOWN OF CHEEKTOWAGA

137

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

THIRTY-FIVE THOUSAND, ONE HUNDRED FIFTY-EIGHT  
DOLLARS AND SEVENTY-ONE CENTS (\$35,158.71 )

sixty days (60) from the date hereof 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 note is issued pursuant to the provisions of a resolution duly adopted by the Town Board of the Town of Cheektowaga, New York, at a special meeting held August 27, 1951, authorizing the issuance of a note of the Town of Cheektowaga in the sum of Thirty-Five Thousand, One Hundred Fifty-Eight Dollars and Seventy - One Cents (\$35,158.71 ), to pay an indebtedness to Depew Paving Company, Inc., on a contract entered into by said Town for the furnishing of materials and labor necessary in laying water mains in the area included in Water District No. 9, as is more fully set forth in said resolution of the Town of Cheektowaga adopted August 27, 1951, said note to be paid out of funds received from the sale of bonds as therein provided.

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, 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 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, 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 is  
to be dated as of August 27, 1951.

TOWN OF CHEEKTOWAGA, ERIE COUNTY,  
NEW YORK.

Benedict T. Holtz

SUPERVISOR.

ATTEST:

Kenneth T. Hanley.  
TOWN CLERK.

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
COUNTY OF ERIE

TOWN OF CHEEKTOWAGA

The Town of Cheektowagam Erie County, New York, hereby acknowledges itself indebted for the value received promises to pay to the bearer of this note the sum of:

TWENTY THOUSAND EIGHT HUNDRED AND FORTY  
DOLLARS AND SIXTY-NINE CENTS (\$20,840.69)

plus accrued interest, sixty days (60) from the date hereof 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 note is issued pursuant to the provisions of a resolution duly adopted by the Town Board of the Town of Cheektowaga, New York, at a special meeting held August 27th, 1951, authorizing the renewal of a note of the Town of Cheektowaga in the sum of Twenty Thousand, Eight Hundred and Forty Dollars and Sixty-Nine Cents (\$20,840.69) plus accrued interest, to pay an indebtedness to Depew Paving Company, Inc., on a contract entered into by said Town for the furnishing of materials and labor necessary in laying water mains in the area included in Water District No. 9, as is more fully set forth in said resolution of the Town of Cheektowaga adopted August 27th, 1951, said note to be paid out of funds received from the sale of bonds as therein provided.

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 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, 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 is to be dated as of August, 27th, 1951.

TOWN OF CHEEKTOWAGA, ERIE COUNTY,  
NEW YORK.

By: Benedict T. Holtz  
Supervisor.

ATTEST.

Kenneth T. Hanley  
Town Clerk.

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, this Town Board has heretofore determined it to be in the public interest to grant a petition to establish a Drainage District in the Town of Cheektowaga, New York, as is more particularly described in a resolution of the Town Board duly adopted at a special meeting thereof on the 6th day of August, 1951, and

WHEREAS, this Board has heretofore directed Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, competent civil engineers, 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, 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 \$160,000.00 be had hereby is approved, and

BE IT FURTHER 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 accordance with plans, specifications, estimate and proposed contract heretofore approved, by the publication of a notice thereof at least once in the Cheektowaga Times, the official

newspaper 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 in the sum of \$8,000.00, 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 \$8,000.00, 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 10th day of September, 1951, 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, to wit:

**NOTICE TO CONTRACTORS**  
 NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York, sealed proposals shall be received and considered by said Town Board, on the 10th day of September, 1951, at 7:30 o'clock P.M., E.D.S.T., 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 the materials and equipment, together with all labor for the construction of a certain improvement to wit: the construction of a storm sewer within a proposed storm sewer district, more particularly described in the resolution establishing said district, adopted by the Town Board of the Town of Cheektowaga, New York at a special meeting of the Town Board held on the 6th day of August, 1951, in accordance with proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates, prepared by Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, 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 contract, 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 contract, 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 contract 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 must be accompanied by a certified check in the sum of \$8,000.00 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 \$8,000.00 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. 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

to be for the best interests of the Town to do so.  
 By order of the Town Board of the Town of Cheektowaga,  
**BENEDICT T. HOLTZ,**  
 Town Clerk

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

Benedict T. Holtz	Voting AYE	
Henry Nagel	Voting AYE	
Felix T. Wroblewski	Voting AYE	
Joseph A. Neibert	Voting AYE	
Stanley Bystrak	Voting AYE	CARRIED: AYES: -5-

Posted as follows on the 30th day of August, 1951;

Town Hall Bulletin Board;  
U-Crest Fire House, Evergreen Street and Clover Place;  
Forks Fire House, Broadway and Union Road;  
Rescue Fire House, Pine Ridge Road;  
Pine Hill Fire House, Genesee Street and Normandy Avenue.

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

**NOTICE TO CONTRACTORS**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York, sealed proposals shall be received and considered by said Town Board, on the 10th day of September, 1951, at 7:30 o'clock P.M., E.D.S.T., 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 the materials and equipment, together with all labor for the construction of a certain improvement to wit: the construction of a storm sewer within a proposed storm sewer district, more particularly described in the resolution establishing said district, adopted by the Town Board of the Town of Cheektowaga, New York at a special meeting of the Town Board held on the 6th day of August, 1951, in accordance with proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates, prepared by Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, 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 contract, 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 contract, 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 contract 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 must be accompanied by a certified check in the sum of \$8,000.00 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 \$8,000.00 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. 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

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 August 30, 1951; last publication same; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 31st

day of August, 1951

*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, 1953  
Registered No. 5029

Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented for audit at this meeting be paid and that the Town Clerk be authorized and directed to draw orders on the Supervisor for payment of same.  
( Orders No. 5608 to No. 5609, drawn on the Supervisor ).

Councilman Bystrak moved, seconded by Councilman Neibert to adjourn.

Elizabeth Piniacz  
Deputy Town Clerk.

SEAL



At a regular meeting of the Town Board of the Town of Cheektowaga, County of Erie, State of New York, held at the Town Hall on the 4th day of September, 1951, at 2:30 o'clock P.M., E.D.S.T., there were:

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

ABSENT: -0-

Also present were: Town Clerk, Kenneth T. Hanley; Town Attorney, George B. Doyle; Building Inspector, William M. Tadio; and Chief of Police, Walter Marynowski.

Without any objections the reading of the minutes of the previous meeting were dispensed with until a later date.

Petition presented and signed by nine residents residing in Westbrooke Drive and Maryvale Drive, calling to the attention of the Town Board, poor drainage condition created by the contractor through the grading of lots on the south side of Westbrooke Drive, in the rear of homes, beginning at Barrymore Drive ( now under construction ), continuing east for some distance. Ordered referred to the Town Engineer; Town Highway Superintendent; and the Supervisor also directed the Town Clerk to mail to Yeager Brothers Contracting Company a copy of the original petition.

Petition presented for the improvement of Barbara Street, from Genesee Street, north, to Atwood Street; and Atwood Street from Barbara Street, west, to East End Avenue, by the construction of curbs, together with the installation of receivers and necessary underground drains. Ordered referred to the Town Attorney to draw up a resolution for a public hearing on the proposed improvement.

Communication read from Mr. Fred Doering, , requesting bus service in Eggert Road, between Langfield Drive and Kensington Avenue, and in Kensington Avenue, between Eggert Road and the easterly city line. Ordered referred to the Town Attorney.

Communication read from Mr. William J. Fredel, Attorney at Law, relating to the rezoning of property on New Walden Avenue, owned by Walden Properties Inc., from First to Second Industrial Zone, to be used as a business for the fabrication of steel. Ordered referred to the Town Board.

Communication read from Mr. Ernest Walter, relating to the purchase of Town owned property located on the east side of Harlem Avenue, just south of Scajaquada Creek. Ordered referred to the Town Board.

Communication read from the Town Park Home Owners Association relating to creek that flows through their section of Town, which is badly in the need of care. Ordered referred to the Town Board and the Town Engineer.

Communication read from the Town Park Home Owners Association requesting the construction of a wading pool in the Town Park. Ordered referred to the Town Board.

Communication read from the resident owners and taxpayers on Preston Road, expressing their thanks for the Town Board's denial of a request for permission to connect the drainage and sewage systems of Carol Drive, as proposed, to the existing storm and sanitary systems on Preston Road. Ordered received and filed.

A request that Niagara Frontier Transit Company bus service be extended on Walden Avenue, from Krakus Boulevard, to Union Road, signed by twenty-four residents residing on Union Road and Goering Street, was presented to the Board.

Councilman Wroblewski recommended that the residents petition the Niagara Frontier Transit Company for the service hereinabove particularly mentioned.

The Supervisor stated that this was the time and the place for the receiving of bids for the construction of a lateral sanitary sewer in Toelsin Road, from Oriole Place, south, to George Urban Boulevard.

On a motion of Councilman Nagel, seconded by Councilman Nelbert, the time for receiving of bids was ordered closed.

The Town Clerk then read the notice of publication to contractors and presented proof of publication.

( Copy of said notice is hereto attached )

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

**NOTICE TO CONTRACTORS**  
NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York, sealed proposals shall be received and considered by said Town Board, on the 4th day of September, 1951, at 2:30 o'clock P.M., E.D.S.T., 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 the materials and equipment, together with all labor for the construction of a certain improvement in Toelsin Road, to wit: the construction of a lateral sewer in that portion of Toelsin Road extending from Oriole Place, south, to George Urban Boulevard, said sewer to be constructed as to serve the properties on both sides of said street, in accordance with proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates, prepared by Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, 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 contract, 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 contract, 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 contract 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 must be accompanied by a certified check in the sum of Two Hundred Fifty Dollars (\$250.00) 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 Two Hundred Fifty Dollars (\$250.00) 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. 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. HANLFY,  
Town Clerk

Dated: August 20, 1951.

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication AUG 23 1951; last publication AUG 23 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of AUG 23 1951, 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 53  
Registered No. 5029

Councilman Neibert moved that the bids for the construction of a lateral sanitary sewer in Toelsin Road, from Oriole Place, south, to George Urban Boulevard, be referred to the Town Engineer and Nussbaumer and Clarke, doing business as Nussbaumer and Clarke, Consulting Engineers, for the Town of Cheektowaga, and the Town Attorney of this Town for analysis and tabulation and that said Nussbaumer and Clarke, be and hereby are directed to submit a report thereon at a regular meeting of the Town Board to be held at 7:30 o'clock P.M., E.D.S.T., on the 17th day of September, 1951. Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-

( Hereto attached in a summary of bids )

BID SUMMARY					
TOWN OF CHEEKTOWAGA, N.Y.					
SANITARY SEWERS - TOELSIN RD., GENESEE ST., & GEORGE URBAN BLVD.					
ITEM	DESCRIPTION	FAGO BROS. CONTR. CO.		H.F. DARLING CONTR.	
		Unit	Total	Unit	Total
SECT A	TOELSIN RD. & GEORGE URBAN BLVD.				
1	Vitrified Tile Sewer Pipe				
	220'- 8" (8'-10')	2.80	616.00	4.75	1045
	435'- 8" (6'-8')	2.70	1174.50	4.00	1740
	330'- 10" (8'-10')	3.00	990.00	5.50	1815
2	Manholes				
	2- (8'-10')	200	400	300	600
	2- (6'-8')	190	380	250	500
3	Conn. at Mildred & Oriole		50		300
4	41-6" Wye Branches	5	205	5	205
5	Concrete Class B' 100 lin. ft.	1.50	150	2	200
	Total for Section A		3965.50		6405

The Supervisor stated that this was the time and the place for the receiving of bids for the construction of a lateral sanitary sewer in Toelsin Road, from Oriole Place, north, to Genesee Street

On a motion of Councilman Nagel, seconded by Councilman Weibert, the time for receiving of bids was ordered closed.

The Town Clerk then read the notice of publication to contractors and presented proof of publication.

( Copy of said notice is hereto attached )

**NOTICE TO CONTRACTORS**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York, sealed proposals shall be received and considered by said Town Board, on the 4th day of September, 1951, at 2:30 o'clock P.M., E.D.S.T., 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 the materials and equipment, together with all labor for the construction of a certain improvement in Toelsin Road, to wit: the construction of a lateral sewer in that portion of Toelsin Road extending from Oriole Place, north, to Genesee Street, said sewer to be so constructed as to serve the properties on both sides of said street, in accordance with proposed contract, plans, profiles, drawings, instructions to bidders, specifications, and estimates, prepared by Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, 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 contract, 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 contract, 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 contract 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 must be accompanied by a certified check in the sum of Four Hundred Dollars (\$400.00) 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 Four Hundred Dollars (\$400.00) 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.

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: August 20, 1951

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks: first publication AUG 23 1951; last publication AUG 23 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

AUG 23 1951, 19..... day of .....

*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, 1953  
Registered No. 5029

Councilman Neibert moved that the bids for the construction of a lateral sanitary sewer in Toelsin Road, from Oriole Place, north, to Genesee Street, be referred to the Town Engineer and Nussbaumer and Clarke, doing business as Nussbaumer and Clarke, Consulting Engineers for the Town of Cheektowaga, and the Town Attorney of this Town for analysis and tabulation and that the said Nussbaumer and Clarke be and hereby are directed to submit a report thereon at a regular meeting of the Town Board to be held at 7:30 o'clock P.M., E.D.S.T., on the 17th day of September, 1951.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5 .

(Hereto attached is a summary of bids )

SECT. B	TOELSIN RD. & GENESEE ST.				
1	Vitrified Tile Sewer Pipe				
	655' - 8" (8'-10')	3	1965	4.75	3111.25
	600' - 8" (6'-8')	2	1200	4	2400
	270' - 12" (8'-10')	4	1080	8	2160
2	Manholes				
	3- (8'-10')	200	600	300	900
	1- (6'-8')	190	190	250	250
3	Conn. at Oriole & Toelsin		450		300
4	49-6" Wye Branches	5	245	5	245
5	Concrete Class B' 100 lin. ft	1.50	150	2	200
	Total for Section B'		5880		9566.25
	Total for Sections A' & B'		9845.50		15971.25
BID SECURITY		American Surety Co			
Bids taken : Sept. 4, 1951 2:30 P.M.			NUSSBAUMER & CLARKE CONSULTING ENGRS. BUFFALO, N.Y. A-529		

This being the time and the place advertised for a public hearing on the application filed with the Town Board of the Town of Cheektowaga, by the Niagara Frontier Transit System Inc., for consent to operate a motor vehicle bus route on and along the following street and highways in the Town of Cheektowaga, New York:

On and along Walden Avenue as it now exists and/or as it may be modified, between its intersection with Krakus Avenue and a point approximately 800 feet easterly from its intersection with Harlem Road, in the Town of Cheektowaga.

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 upon order of the Supervisor, such proof was duly filed. ( Hereto attached is a copy of notice of hearing, 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 weeks: first publication AUG 23 1951; last publication AUG 23 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of AUG 23 1951, 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, 1953  
Registered No. 5029

**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 to operate a motor vehicle bus route on and along the following streets and highways in the Town of Cheektowaga:

On and along Walden Avenue as it now exists and/or as it may be modified, between its intersection with Krakus Avenue and a point approximately 800 feet easterly from its intersection with Harlem Road in the Town of Cheektowaga.

Pursuant to a resolution duly passed by this Board on the 20th day of August, 1951, a public hearing will be held upon said application in the Town Hall of the Town of Cheektowaga on the 4th day of September 1951, at 2:30 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: August 20, 1951

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing, and no person appearing in opposition thereof, the Supervisor ordered the hearing closed and decision was reserved.

This being the time and place advertised for a public hearing for the construction of sidewalks in Peinkofer Drive, in the Town of Cheektowaga, New York.

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 upon order of the Supervisor, such proof was duly filed. ( Hereto attached is a copy of the Notice of Hearing )

**NOTICE OF HEARING**  
Sidewalk Petition  
In Peinkofer Drive

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, in said Town of Cheektowaga on the 20th day of August, 1951, at 7:30 o'clock P.M., E.D.S.T., there were:

- PRESENT:**  
 Benedict T. Holtz, Supervisor  
 Henry Nagel, Councilman  
 Felix Wroblewski, Councilman  
 Joseph Neibert, Councilman  
 Stanley Bystrak, Councilman
- ABSENT:** 0.

Councilman Nagel presented the following resolution and moved its adoption:

**WHEREAS**, a petition for the improvement of both sides of Peinkofer Drive (except approximately 400 feet on the north side owned by Otto and Viola Gangloff), from Beach Road to Northvale Drive, said Peinkofer Drive being a public highway situated in the Town of Cheektowaga, New York, by the construction of a concrete sidewalk four (4) feet in width, of standard specifications, and four (4) inches in depth, was presented to this Town Board on the 22nd day of June, 1951; and

**WHEREAS**, the Board of Assessors of said Town of Cheektowaga has certified in writing to this Board that the above mentioned 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 both sides of Peinkofer Drive, (except the Gangloff property), in said Town of Cheektowaga, New York; and

**WHEREAS**, the maximum amount proposed to be expended for the improvement aforesaid is the sum of Five Thousand, Five Hundred Dollars (\$5,500.00); and

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

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 4th day of September, 1951, at 2:30 o'clock P.M., E.D.S.T., to consider the said petition and the advisability of improving said street as requested, and to hear all persons interested in the subject thereof concerning the same, and

**BE IT FURTHER RESOLVED**, 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 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 Bystrak and duly put to a vote, which resulted as follows:

- Supervisor Holtz, voting Aye.
- Councilman Neibert, voting Aye.
- Councilman Nagel, voting Aye.
- Councilman Bystrak, 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 20th day of August, 1951, 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, 1951.

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

(SEAL) aug 9

**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 AUG 23 1951; last publication AUG 23 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

sworn to before me this.....

AUG 23 1951

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, 1953  
Registered No. 5029



The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing, and no person appearing in opposition thereof, the Supervisor ordered the hearing closed and decision was reserved.

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, this Town Board, on the 20th day of August, 1951, held a public hearing on the improvement in Cresthaven Drive, 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 Cresthaven Drive by the construction of a lateral sewer in said highway as hereinafter described, and

BE IT FURTHER RESOLVED, that Nussbaumer and 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 expense, and with the assistance of the Town Attorney, to prepare a proposed contract for the execution of the work required to be performed.

On both sides of Cresthaven Drive, which will extend from Lot No. 181 on the west side, and 218 on the east side, thence 750 feet north in Amherst.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Town Clerk be authorized and directed to issue building permits on applications processed by the Petitions Committee on August 21, 1951 and September 1, 1951, after same have been approved by the Building Inspector.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Supervisor be authorized and directed to purchase 12 Y-19 street lighting standards, to be used in connection with Fairvale Drive Lighting District.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that Frank Sliwinski, be appointed school crossing guard at a salary of \$1.05 per hour.

This resolution is to take effect immediately and he is directed to report for duty to Chief of Police Marynowski.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the New York State Gas and Electric Corporation be authorized to install sodium vapor lights at the following intersections:

Union Road and New Walden Avenue;

Harlem Avenue and Cayuga Creek Road;

and to remove present light and install sodium vapor light on Pole No. 134 at William Street and Cayuga Creek Road.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-



provement 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 August, 1951.

**PUBLIC HIGHWAYS  
TO BE IMPROVED**

**SOUTH HUXLEY DRIVE** from HUTH ROAD-SOUTH to Beginning of street.

**TYPE OF STREET LIGHTING  
INSTALLATION**

**ORNAMENTAL BRACKET-Y-20  
STANDARD.**

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 17th day of September, 1951, at 7:30 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, the official newspaper of the Town, not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as 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 Bystrak and duly put to a vote which resulted as follows:

Benedict T. Holtz, voting Aye.  
Henry Nagel, voting Aye.  
Felix T. Wroblewski, voting Aye.  
Joseph A. Neibert, voting Aye.  
Stanley 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 4th day of September, 1951, 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

Posted as follows on the 7th day of September, 1951;

- Tree in front of No. 78 South Huxley Drive;
- Tree in front of No. 26 South Huxley Drive;
- Tree in front of No. 41 South Huxley Drive;
- Tree in front of No. 73 South Huxley Drive;
- Tree in front of No. 89 South Huxley Drive;

Hereto attached is a copy of notice published in the 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 said Town of Cheektowaga, on the 4th day of September, 1951, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were:

**PRESENT:**

- Benedict T. Holtz, Supervisor
- Henry Nagel, Councilman
- Felix T. Wroblewski, Councilman
- Joseph A. Neibert, Councilman
- Stanley Bystrak, Councilman

**ABSENT:** None.

Mr. Wroblewski offered 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 August, 1951.

**PUBLIC HIGHWAYS TO BE IMPROVED**

SOUTH HUXLEY DRIVE from HUTH ROAD—SOUTH to Beginning of street.

**TYPE OF STREET LIGHTING INSTALLATION**

ORNAMENTAL BRACKET—Y-20 STANDARD.

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 17th day of September, 1951, at 7:30 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, the official newspaper of the Town, not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as 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 Bystrak and duly put to a vote which resulted as follows:

- Benedict T. Holtz, voting Aye.
- Henry Nagel, voting Aye.
- Felix T. Wroblewski, voting Aye.
- Joseph A. Neibert, voting Aye.
- Stanley 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 4th day of September, 1951, 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 September, 1951.

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

(SEAL)

sept-6

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 Sept. 6, 1951; last publication Sept. 6, 1951; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 7<sup>th</sup> day of September, 1951.

*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, 1953  
Registered No. 5029

LEGAL NOTICE-REZONING GRANTED-ALICE HANDRULIS

145

**Town of Cheektowaga, Erie County, New York**  
held at the Town Hall, in said Town of Cheektowaga, New York, on the 4th day of September, 1951, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman  
**ABSENT: None.**

Mr. Nagel presented the following resolution and moved its adoption:

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 13th day of July, 1951, at 7:30 o'clock P.M. E.D.S.T., of said day for the purpose of considering the application of Alice Handrulis 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 15th day of August, 1951, having rendered its decision granting the application of the petitioners 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 20th day of August, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals and having personally inspected the premises to be rezoned, as well as the property in its immediate vicinity on Harlem Road.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from residence 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", subject to the following restrictions: (1) that said premises are used only for business purposes and, (2) that in the event said premises are no longer used for Business purposes this order of rezoning shall be null and void and the property shall revert to residential use only.

**DESCRIPTION**

Lots Nos. 38, 39 and 40, on Harlem Road.

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

Benedict T. Holtz, voting Aye,  
Henry Nagel, voting Aye,  
Felix T. Wroblewski, voting Aye,  
Joseph A. Neibert, voting Aye,  
Stanley Bystrak, voting Aye,  
Carried: Ayes 5; Noes 0; Absent 0.  
Dated: September 4, 1951.

**Town of Cheektowaga,  
Erie County, New York**

• Bowlers and Sports

Leagues To Star



Attention Bo

(CLOSED ALL)

SATURDAY

FRIDAY

THURSDAY

TUESDAY

Applications Are Now Being Accepted For the

Writers, Sponsors

7th day of September, 1951;

Board.

y of notice published in the Depew Herald &

FRANK A. TABER, JR.

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 September, 1951, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Frank A. Taber Jr.*

Sworn to before me this 29th day of

September 1951

*Henrich D. Masley*

Notary Public in and for Erie County.

hn-49 5803

Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that the County of Erie Highway Department, be requested to improve the drainage situation on Harlem Avenue, between Central Avenue and George Urban Boulevard, in the Town of Cheektowaga, New York.  
Seconded by Councilman Neibert, CARRIED: AYES: -5-

Councilman Nagel moved, seconded by Councilman Neibert, that all claims presented at this meeting be audited, and that the Town Clerk be authorized and directed to draw orders on the Supervisor for payment of same.

( Orders No. 5611 to No. 5725 drawn on the Supervisor. )

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

SEAL.

Kenneth T. Hanley,  
Town Clerk.

*Kenneth T. Hanley*

Posted as follows on the 7th day of September, 1951;

Town Hall Bulletin Board.

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

STATE OF NEW YORK  
COUNTY OF ERIE

**Meeting Conducted**  
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, New York, on the 4th day of September, 1951, there were:  
**PRESENT:**  
Benedict T. Holtz, Supervisor  
Henry Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman  
**ABSENT:** None.

Mr. Nagel presented the following resolution and moved its adoption:

WHEREAS, the Zoning Board of Appeals held a public hearing at the Town Hall in the Town of Cheektowaga, New York, on the 13th day of July, 1951, at 7:30 o'clock P.M. E.D.S.T., of said day for the purpose of considering the application of Alice Handrullis 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 15th day of August, 1951, having rendered its decision granting the application of the petitioners 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 20th day of August, 1951, and the Town Board having made a thorough investigation of the proceedings had and taken before the Zoning Board of Appeals and having personally inspected the premises to be rezoned, as well as the property in its immediate vicinity on Harlem Road.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone said premises from residence 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", subject to the following restrictions: (1) that said premises are used only for business purposes and, (2) that in the event said premises are no longer used for Business purposes this order of rezoning shall be null and void and the property shall revert to residential use only.

**DESCRIPTION**

Lots Nos. 38, 39 and 40, on Harlem Road.

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

Benedict T. Holtz, voting Aye,  
Henry Nagel, voting Aye,  
Felix T. Wroblewski, voting Aye,  
Joseph A. Neibert, voting Aye,  
Stanley Bystrak, voting Aye,  
Carried: Ayes 5; Noes 0; Absent 0.

Dated: September 4, 1951.

KENNETH T. HANLEY,  
(seal) Town Clerk  
Town of Cheektowaga,  
Erie County, New York

FRANK A. TABER, JR.

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 September, 1951, and the last insertion being on the ..... day of ..... 19....., and that not more than six days intervened between any two publications thereof.

*Frank A. Taber Jr.*

th day of

1951

public in and for Erie County.

Cheektowaga, New York  
September 6, 1951

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 6th day of September, 1951, at 2:00 o'clock P.M., E.D.S.T., there were:

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

Also present was Town Clerk, Kenneth T. Hanley.

The Town Clerk proceeded to read the minutes of the previous meetings held on: April 26, 1951; May 7, 1951; May 12, 1951; May 21, 1951; June 4, 1951; June 18, 1951; July 2, 1951; July 16, 1951, August 6, 1951; August 20, 1951; August 27, 1951; and September 4, 1951, and there being no changes or alterations, Councilman Neibert moved, seconded by Councilman Nagel, that the said minutes be placed on file in the Town Clerk's Office.

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

Kenneth T. Hanley,

Town Clerk.

SEAL

*Kenneth T. Hanley*

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 10th day of September, 1951, at 7:30 o'clock P.M., E.D.S.T., there were:

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

ABSENT: -0-

Also present were: Town Clerk, Kenneth T. Hanley; and Town Engineer Albert J. Kamm.

Communication read from Mr. H. Oliver, Secretary of the Urban Hose Company, calling the Boards attention to an old abandoned well on land between 98 Hyland and 107 Hyland Avenue, in the Town of Cheektowaga. Ordered referred to Inspector Wagner to investigate and to report back to the Board his findings at the next regular Town Board meeting, to be held on the 17th day of September, at 7:30 o'clock P.M., E.D.S.T.

Petition presented for the installation of ornamental street lighting in Pinevale Drive and Martinvale Court. Ordered referred to the Assessors for a property check.

Petition presented by the Walden Properties, Inc., by William Zacher, president, for the rezoning of property on new Walden Avenue from First to Second Industrial Zone. Ordered referred to the Petitions Committee.

The Supervisor stated that this was the time and the place for the receiving of bids for the construction of a storm sewer, to be known as Storm Sewer Drainage District No. 4.

On a motion of Councilman Neibert, seconded by Councilman Nagel, the time for receiving of bids was ordered closed.

The Town Clerk then read the notice of publication to contractors and presented proof of publication.

( Copy of said notice is hereto attached. )



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 10th day of September, 1951, at 7:30 o'clock P.M., E.D.S.T., there were:

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

ABSENT: -0-

Also present were: Town Clerk, Kenneth T. Hanley; and Town Engineer Albert J. Kamm.

**NOTICE TO CONTRACTORS**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York, sealed proposals shall be received and considered by said Town Board, on the 10th day of September, 1951, at 7:30 o'clock P.M., E.D.S.T., 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 the materials and equipment, together with all labor for the construction of a certain improvement to wit: the construction of a storm sewer within a proposed storm sewer district, more particularly described in the resolution establishing said district, adopted by the Town Board of the Town of Cheektowaga, New York at a special meeting of the Town Board held on the 6th day of August, 1951, in accordance with proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates, prepared by Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, 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 contract, 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 contract, 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 contract 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 must be accompanied by a certified check in the sum of \$8,000.00 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 \$8,000.00 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. 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: August 26, 1951.

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

VILLARD 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 August 30, 1951; last publication same; and that no more than six days intervened between publications.

*Villard C. Allis*

sworn to before me this 31st

day of August, 1951.

*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, 1953  
Registered No. 5029

## BID SUMMARY TOWN OF CHEEKTOWAGA, N.Y.

STORM SEWERS.

STORM SEWER DISTRICT No. 4.

Item.	Description.	M.F. DARLING CONTR.		FAGO BROS CONTR. CO.		W.J. IRWIN SONS INC.		RIEFFLER BROS. BENNETT INC.		Unit.	Total.	Unit.	Total.
		Unit.	Total	Unit.	Total.	Unit.	Total	Unit.	Total.				
1	Concrete Pipe.												
1a	104' - 15" (0-6)	7.00	728	8	832	9.25	962	9.50	988				
1b	396' - 15" (6-8)	8.00	3168	8	3168	10.25	4059	11.50	4534				
1c	285' - 18" (0-6)	9.00	2565	9	2565	9.75	2778.75	10	2850				
1d	800' - 18" (6-8)	11.00	8800	9	7200	10.75	8600	12.50	10000				
1e	478' - 21" (0-6)	10.00	4780	10	4780	12.50	5975	13.50	6453				
1f	415' - 21" (6-8)	12.00	4980	10	4150	13.50	5602.50	16	6640				
1g	605' - 24" (6-8)	14.00	8470	10	6050	14.85	8984.25	17.50	10587.50				
1h	177' - 24" (8-10)	16.00	2832	10	1770	15.85	2805.45	20	3540				
1i	140' - 36" (8-10)	20.00	2800	17	2380	19.50	2730	22	3080				
1j	102' - 36" (10-12)	25.00	2550	18	1836	20.50	2091	24	2448				
1k	253' - 42" (8-10)	25.00	6325	20	5060	22.50	5692.50	28	7084				
1l	336' - 48" (8-10)	<del>25.00</del> 23	<del>8400</del> 7728	24	8064	25.60	8601.60	17	5712				
1m	132' - 48" (10-12)	25.00	3300	24	3168	27.60	3643.20	19	2508				
1n	130' - 48" (12-14)	27.00	3510	28	3640	29.60	3848	21.50	2795				
1o	487' - 48" (14-16)	30.00	14610	30	14610	31.60	15389.20	24.75	12053.25				
1p	372' - 48" (16-18)	32.00	11904	30	11160	33.60	12499.20	28.50	10602				
1q	183' - 48" (18-20)	32.00	5856	40	7320	35.60	6514.80	33.50	6130.50				
	Total for 1a-1q		*25,578 34,906		87,753		100,776.45		98,025.25				
2	Manholes.												
2a	1 - (0-6')	170	170	225	225	350	350	220	220				
2b	8 - (6-8')	200	1600	225	1800	450	3600	260	2080				
2c	6 - (8-10')	260	1560	250	1500	550	3300	300	1800				
2d	1 - (10-12')	320	320	275	275	600	600	350	350				
2e	0 - (12-14')	370		300				450					
2f	1 - (14-16')	430	430	300	300	750	750	500	500				
2g	1 - (16-18')	480	480	350	350	850	850	600	600				
2h	1 - (18-20')	540	540	400	400	980	980	700	700				
	Total for 2a-2h.		5100		4850		10430		6250				
3	1 - Outfall Chamber.		6500		11500		12000		12000				
4	19 - Drop Inlets.	200	3800	190	3610	200	3800	300	5700				
5	4 - Catch Basins.	340	1360	900	3600	250	1000	700	2800				
6	Catch Basin Connections.												
6a	603' - 10" Pipe.	5	3015	5.50	3316.50	11.65	7024.95	12	7236				
6b	12' - 15" Pipe.	6.50	78	6.50	78	22.25	267	16	192				
7	1185 Sq. Yds. Pavement Replacement.	3.25	3851.25	1.90	2251.50	4.85	5747.25	10	11850				
8	Sewer Removal - Herbert Ave.		800		5000		4582		640				
9	250 Cu. Yds. Concrete Cradle.	20	5000	17	4250	25	6250	14	3500				
10	25 Cu. Yds. Concrete Backfill.	18.50	462.50	17	425	25	625	14	350				
	Total for Items 1-10.		*125,544.75 124,872.75		*126,634.00 126,614.00		*152,102.65		148,543.25				
	BID SECURITY -		7500 Check	American Surety Co.		New Amsterdam Casualty Co.		Fidelity & Deposit Co., Maryland					
	Bids Taken - 8:00 P.M. Sept. 10, 1951												

\* Indicates corrected figure

NUSSBAUMER & CLARKE,  
CONSULTING ENGINEERS.  
BUFFALO, N.Y. C-5756-12

Councilman Neibert moved that the bids for the construction of Storm Sewer Drainage No. 4, be referred to Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, Consulting Engineer for the Town of Cheektowaga, and the Town Attorney of this Town, for analysis and tabulation, and that said Newell L. Nussbaumer and Irving Clarke, be and hereby are directed to submit a report thereon at a regular meeting of the Town Board to be held at 7:30 o'clock P.M., E.D.S.T., on the 17th day of September, 1951.

Seconded by Councilman Nagel

CARRIED; AYES: -5-.

( Hereto attached is a summary of bids . )

The Board then took under review the Budget Estimates for Special Districts, spreading the cost on Benefit Basis as presented by Supervisor Holtz.

Following is a true and correct copy of said budget as presented by the Supervisor:

### SEWER DISTRICTS

#### District No. 1

Rent to City of Buffalo	\$ 695.29	
To be raised by assessment		\$ 695.29

#### District No. 2

Rent-Payable to District No. 5	\$ 2,500.00	
Erie County Chargebacks	5.46	
Maintenance	1,000.00	
TOTAL EXPENSE FOR 1952	\$ 3,505.46	
Less: Amount payable out of District's Reserve Fund	2,000.00	
To be raised by assessment		\$ 1,505.46

#### District No. 3

Bond principal and interest due in 1952	\$ 7,772.33	
Operation of Disposal Plant	19,250.00	
Real estate taxes-1952	2,500.00	
Services of Superintendent	1,100.00	
Maintenance of sewers	1,500.00	
Repayment of capital note and interest	1,157.70	
TOTAL EXPENSE FOR 1952	\$33,280.03	
Less: Amount payable out of District's Reserve Fund	\$5,000.00	
Revenue from Village of Sloan	300.00	5,300.00
To be raised by assessment		27,980.03

#### District No. 4

Rent-Payable to District No. 5	\$ 3,000.00	
Operation of Pump Station	1,000.00	
Maintenance	500.00	
Erie County chargebacks-Current	32.02	
TOTAL EXPENSE FOR 1952	\$ 4,532.02	
Less: Amount payable out of District's Reserve Fund	2,500.00	
To be raised by assessment		2,032.02

#### District No. 5

Bond principal and interest due in 1952	\$102,798.79	
Operation of Disposal Plant	88,975.00	
Services of Superintendent	3,100.00	
Maintenance of Sewers	5,296.00	
Erie County chargebacks-Current	1,969.80	
Erie County chargebacks-Cemeteries	6,386.43	
TOTAL EXPENSE FOR 1952	\$208,526.02	
Less: Revenue from charges to:		
Sewer District No. 2	\$2,500.00	
Sewer District No. 4	3,000.00	
Sewer District No. 6	15,800.00	
Amount payable out of District's Reserve Fund	2,000.00	23,300.00
To be raised by assessment		185,226.02

SEWER DISTRICTS-(Cont'd)

District No. 6

Bond principal and interest due in 1952	\$	2,420.00	
Rent-Payable to District No. 5		15,000.00	
Maintenance-Payable to District No. 5		800.00	
TOTAL EXPENSE FOR 1952	\$	<u>18,220.00</u>	
Less; Amount payable out of District's Reserve Fund		500.00	
To be raised by assessment			\$17,720.00
TOTAL FOR ALL SIX SEWER DISTRICTS			<u>235,158.82</u>

STORM SEWER DISTRICTS

District No. 1

Maintenance	\$		-0-
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District No. 2

Erie County chargebacks-Cemeteries Maintenance	\$	9,229.06	
To be raised by assessment		<u>-0-</u>	9,229.06

District No. 3

Bond principal and interest due in 1952	\$	6,430.00	
Maintenance		<u>-0-</u>	
Less: Amount payable out of District's Reserve Fund		500.00	
To be raised by assessment			5,930.00
TOTAL FOR ALL THREE STORM SEWER DISTRICTS			<u>\$15,159.06</u>

LATERAL SANITARY SEWER DISTRICTS

	PRINCIPAL AND INTEREST DUE IN 1952	LESS AMOUNT PAYABLE OUT OF DISTRICTS RESERVE FUND	ERIE COUNTY CHARGEBACKS	
Arthur Street	\$ 328.87	\$ -0-	\$ -0-	\$ 328.87
Lincoln Drive	758.87	-0-	-0-	758.87
Huth Road	574.28	-0-	-0-	574.28
Aberdeen Street	717.85	-0-	-0-	717.85
Roycroft Blvd.	299.11	97.36	200.89	402.64
Crestwood Place	1,111.82	290.80	-0-	821.02
Cleveland Drive	954.80	249.72	435.28	1,140.36
Commodore Terrace	1,050.29	274.73	-0-	775.56
Buell and W. Sobieski	1,527.70	399.55	70.19	1,198.34
Harlem Avenue	572.89	149.83	-0-	423.06
Maryvale Drive	856.51	43.00	-0-	813.51
W. Grand Blvd.	730.77	36.66	-0-	694.11
Cleveland Drive	795.70	20.54	-0-	775.16
S. Huxley	816.52	21.05	-0-	795.47
Commodore Terrace	2,790.00	-0-	-0-	2,790.00
Darwin Drive	3,420.00	-0-	-0-	3,420.00
Homesgarth Avenue	1,540.00	-0-	-0-	1,540.00
	<u>\$18,845.98</u>	<u>\$1,583.24</u>	<u>\$706.36</u>	<u>\$17,969.10</u>

To be raised by assessment \$17,969.10

SIDEWALK DISTRICTS

	PRINCIPAL AND INTEREST DUE IN 1952	LESS AMOUNT PAYABLE OUT OF DISTRICTS RESERVE FUND	
Oehman	\$1,557.00	\$-0-	\$1,557.00
Evergreen	1,653.81	38.83	1,614.98
Wellworth	1,033.77	24.25	1,009.52
Clover	1,404.74	32.97	1,371.77
Rosler	706.93	16.60	690.33
	<u>\$6,356.25</u>	<u>\$112.65</u>	<u>\$6,243.60</u>
To be raised by assessment			\$ 6,243.60

CURBING DISTRICTS

Wanda Street			
Principal and interest due in 1952		\$3,076.50	
To be raised by assessment			<u>\$3,076.50</u>

STREET LIGHTING IMPROVEMENT

<u>GROUP (1)</u>	PRINCIPAL AND INTEREST DUE IN 1952	LESS AMOUNT PAYABLE OUT OF DISTRICTS RESERVE FUND	
Ravenswood Terr. \$	419.08	\$ 70.35	\$ 348.72
Cloverdale Road	477.53	80.15	397.38
Vernon Drive	378.04	63.46	314.58
Mayfair Court	159.18	26.72	132.46
Oehman Blvd.	715.05	120.03	595.02
Exeter Court	237.45	26.72	210.73
Highview Road	834.64	93.52	741.12
Heather Road	557.12	93.52	463.60
Willow Court	159.18	26.72	132.46
Peachtree Lane	238.76	40.08	198.68
Cleveland Drive	557.12	93.52	463.60
Allendale Drive	794.64	133.40	661.24
South Huxley Drive	671.52	112.73	558.79
Gardenvale Road	953.81	160.11	793.70
Washington Highway	167.88	28.19	139.69
Chopin Avenue	125.60	21.09	104.51
Burke Drive	952.57	159.91	792.66
Virginia Road	636.70	106.87	529.83
Ellen Drive	1,033.41	173.50	859.91
Garden Road	477.53	80.15	397.38
Mathew Lane	238.76	40.08	198.68
Jean Court Terr.	238.76	40.08	198.68
Krakus Blvd.	335.76	56.35	279.41
Croy Avenue	238.76	40.08	198.68
Century Road	715.05	120.02	595.02
Treehaven Road	238.76	40.08	198.68
Cherry Lane	238.76	40.08	198.68
	<u>\$12,791.42</u>	<u>\$2,087.52</u>	<u>\$10,703.90</u>
To be raised by assessment			\$10,703.90

BUDGET ESTIMATES FOR SPECIAL DISTRICTS  
SPREADING COSTS ON BENEFIT BASIS - ( Cont'D )

STREET LIGHTING IMPROVEMENT - Cont'd )

Group (2)

Principal and interest due in 1952:

Charnwood Drive	\$ 509.85
Charnwood Court	63.65
Campwood Court	190.96
Coralwood Court	318.89
Southgate Road	891.77
Rosswell Road	254.62
Cedar Road	700.81
Campbell Road	700.81
Tudor Road	700.81
Awood Place	318.89
Woodridge Avenue	1,274.32
Commodore Terrace	254.62

To be raised by assessment \$ 6,180.00

Group (3)

Principal and interest due in 1952:

Unionvale	\$ 606.23
Clearvale	952.64
Burdette Drive	606.23
Huth Road	259.81
Edga Park Drive	86.60
Wing Court	173.21
South Huth Road	606.23
Federal Avenue	519.62
Donald Drive	779.43

To be raised by assessment \$ 4,590.00

TOTAL FOR ALL THREE GROUPS \$ 21,473.90

OMITTED 1951 ASSESSMENTS

Trunk Lateral-Sewer District No. 5

Book 1-pg. 29-Cayuga Road.-E.	
Buffalo Trap & Field Club-45 Ac.	\$42.78
Book 6-pg. 5-M/c 1637-Sublot	36 2.98
	43 2.98
	44 3.07
	45 2.75
	46 2.75
	47 2.75
	48 2.75
	49 2.70
	50 2.29
	51 2.29
	52 2.29
Book 6-pg. 6-M/C 1669-Sublot	53 2.29
	54 2.29
	55 2.29
	56 2.29
	57 2.29
	58 2.29
	59 2.29
	60 2.29
	61 2.29
	62 2.29
	63 2.29
	64 2.29
	65 2.29
	66 3.20

BUDGET ESTIMATES FOR SPECIAL DISTRICTS  
SPREADING COSTS ON BENEFIT BASIS-(Cont-d)

OMITTED 1951 ASSESSMENTS-(Cont-d)

Trunk Lateral-Sewer District No. 5 (Cont-d)

Book 6-pg. 7-M/C 1637-Sublot	67	\$	3.20	
	68		2.29	
	69		2.29	
	70		2.29	
	71		2.29	
	72		2.29	
	73		2.29	
	74		2.29	
	75		2.29	
	76		2.29	
	77		2.29	
	78		2.29	
	79		2.33	
	80		2.43	
Book 6-pg. 15-M/C 1695-Sublot	65		2.29	
	66		2.29	\$143.08

Sewer District No. 5

Book 6-pg. 6-M/C 1637-Sublot	50	R.P.	1.26	
	53	"	1.54	
-pg. 8	90	"	3.20	
	91	"	3.69	
-pg. 15-M/C 1695-Sublot	66		7.13	
-pg. 44-M/C 1633-Sublot	96		11.46	
-pg. 155-M/C 1544-Sublot	25	Walczak(Owner)	11.50	
-pg. 97-M/C 1481-Sublot	8	Buthwick(Owner)	5.23	
Book 8-pg. 66-M/C 1205-Sublot	39	Murphy(Owner)	3.00	
-pg. 77-M/C 492-Sublot	3		10.28	58.29

Street Lighting Equipment- S. Huxley Dr.

Book 6-pg. 57-M/C 1500-Sublot	323/324			10.35
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Street Lighting Equipment-Treehaven Road

Book 7-	-M/C 16747			
	1692-Sublot	10	23.18	
		11	23.18	46.36

TOTAL OF 1951 OMITTED ASSESSMENTS TO BE LEVIED AGAINST RESPECTIVE PROPERTIES FOR 1952	<u>\$258.08</u>
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Councilman Wroblewski moved the following resolution and it was seconded by Councilman Bystrak:

WHEREAS, this Town Board has prepared a detailed estimate of the anticipated 1952 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 for 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 Hearing for the same in the Cheektowaga Times, a newspaper with general circulation in the Town of Cheektowaga, New York, said notice to be in the following form and to be published the week of September 13, 1951, said Public Hearing to be held at the Town Hall on the 24th day of September, 1951, at 2:30 o'clock P.M., Eastern Daylight Saving Time, and shall be in the following form, to wit:

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that the Town Board of Cheektowaga, New York, at a special meeting held on September 10, 1951, completed its Estimates and Assessments Roll relating to Special Districts spreading cost on a Benefit Basis and has filed the same with the Town Clerk for the following districts:

Sewer Districts: 1,2,3,4,5,6 and,  
Storm Sewer Districts: 1,2,3.  
All Lateral Sanitary Sewer Districts.  
All Sidewalk Districts.  
Curbing Districts.  
Street Lighting Improvement Districts.

Notice is also given that a public hearing on such Estimates and Assessment Roll will be held September 24, 1951, at 2:30 o'clock P.M., E.D.S.T., 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 10, 1951.

By order of The Town Board, of the Town of Cheektowaga, N.Y.

KENNETH T. HANLEY  
TOWN CLERK.

Posted as follows on the 14th day of September, 1951:

Town Hall Bulletin Board;  
U-Crest Fire House, Clover Place and Evergreen Street;  
Forks Fire House, Broadway and Union Road;  
Pine Hill Fire House, Genesee Street and Normandy Avenue;  
Doyle Fire House No. 1, William and Alaska Street.

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

A delegation of residents residing on Westbrooke Drive were present and requested the Town Board to alleviate flooded conditions on their highway. Ordered referred to the Town Engineer.

Mr. L. Zilbauer, 764 South Huth Road, was granted the floor and requested information in regard to the Town Board accepting South Huth Road Extension as a Town Highway.

The Supervisor explained to Mr. Zilbauer, that the contractor did not present a profile of the highway to the Town Highway Superintendent, and that was the apparent reason why the Town did not accept the highway.

Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting be audited, and that the Town Clerk be authorized and directed to draw orders on the Supervisor for payment of same.

Orders No. 5726 to No. 5761 inclusive, drawn on the Supervisor.

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

SEAL.

Kenneth T. Hanley  
Town Clerk.

*Kenneth T. Hanley*

BE IT FURTHER RESOLVED, that the Town Clerk be and he hereby is, authorized and directed to publish a Notice of Hearing for the same in the Cheektowaga Times, a newspaper with general circulation in the Town of Cheektowaga, New York, said notice to be in the following form and to be published the week of September 13, 1951, said Public Hearing to be held at the Town Hall on the 24th day of September, 1951, at 2:30 o'clock P.M., Eastern Daylight Saving Time, and shall be in the following form, to wit:

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that the Town Board of Cheektowaga, New York, at a special meeting held on September 10, 1951, completed its Estimates and Assessments Roll relating to Special Districts spreading cost on a Benefit Basis and has filed the same with the Town Clerk for the following

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 13 1951  
 last publication SEP 13 1951  
 and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
 day of SEP 13 1951, 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, 1953  
 Registered No. 5029

**Town Board of Cheektowaga, New York**, at a special meeting held on September 10, 1951, completed its estimates and Assessments Roll relating to Special Districts spreading cost on a Benefit Basis and has filed the same with the Town Clerk for the following districts:  
 Sewer Districts  
 Street Lighting Improvements Districts  
 Notice is also given that a public hearing on such Estimates and Assessment Roll will be held September 24, 1951, at 2:30 P.M., E.D.S.T., 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 10, 1951.  
 By order of The Town Board of the Town of Cheektowaga, N. Y.  
**W. T. HANLEY**  
 Town Clerk  
 sept 13

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, on the 17th day of September, 1951, at 7:30 o'clock P.M., E.D.S.T., there were:

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

ABSENT: -0-

Also present were: Town Clerk, Kenneth T. Hanley; Town Attorney, George B. Doyle, and Chief of Police Marynowski.

Without any objections the reading of the minutes of the previous meeting were dispensed with until a later date.

Petition presented by the residents living close to new Walden Avenue and more particularly at or close to its intersection with Union Road, requesting the approval of an extension of bus service along Walden Avenue from its present terminus at Krakus Boulevard to Walden Avenue at Union Road. Ordered referred to the Town Attorney.

Communication read from Alois Peinkofer and Lillian Balbach, requesting the Board to approve the following named streets in the Valeway Extension Subdivision: Lucille Drive; Paul Court and Lucian Court. Ordered referred to the Town Attorney.

Communication read from the residents of Vernon Drive; Lynncrest Terrace; Ravenswood Terrace and Cresthaven Drive, requesting the installation of "Children at Play" signs on the aforementioned highways. On a motion of Councilman Wroblewski, seconded by Councilman Neibert, the request was granted.

Communication read from the residents of Manlon Terrace and Ravenswood Terrace, relating to a high hedge at the north east corner of Manlon Terrace and Ravenswood Terrace. Ordered referred to the Town Attorney.

-0-

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 order of the Supervisor, such proof was duly filed.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
South Huxley Drive	Huth Road	south, to beginning of street.

TYPE OF STREET LIGHTING INSTALLATION

Ornamental Bracket- Y-20 Standard, 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.

Councilman Wroblewski 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
South Huxley Drive	Huth Road	south, to beginning of street.

TYPE OF STREET LIGHTING INSTALLATION

Ornamental Bracket Y-20 Standard-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 Councilman Neibert and duly put to a vote which resulted as follows:

Benedict T. Holtz	Voting AYE
Henry Nagel	Voting AYE
Felix T. Wroblewski	Voting AYE
Joseph A. Neibert	Voting AYE
Stanley Bystrak	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -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 held on the 17th day of September, 1951, 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 \_\_\_\_\_ day of \_\_\_\_\_, 1951.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this \_\_\_\_\_ day of \_\_\_\_\_, 1951.

Kenneth T. Hanley  
Town Clerk.

NEWELL L. NUSSBAUMER  
IRVING CLARKE  
CHARLES R. VELEY

**NUSSBAUMER AND CLARKE**

Engineers

327 Franklin Street, Buffalo 2, N. Y.

September 14, 1951

TOWN PLANNING  
SEWAGE TREATMENT  
WATER SUPPLY  
INCINERATION

RE: Town of Cheektowaga, New York  
Sanitary Sewer for Toelsin Road

Mr. Benedict Holts, Supervisor  
Town of Cheektowaga  
Town Hall  
Union Road and Broadway  
Cheektowaga, New York

Dear Sir:

Bids were received on the above work on September 4, 1951. There were two bids in accordance with the enclosed summary. The totals were as follows:

	<u>Fago Bros.</u>	<u>H. F. Darling</u>
Sect. A - North ✓	\$3,965.50	\$6,405.00
Sect. B - South ✓	5,880.00	9,566.25
Total	\$9,845.50	\$15,971.25

The amounts allowed in the petitions were as follows:

Sect. A - \$5,000.00  
Sect. B - \$8,000.00

Assuming the use of the low bids, the project totals would be as follows:

	<u>Div. A</u>	<u>Div. B</u>
Low Bid	\$3,965.50	\$5,880.00
Contingencies 10%	396.50	588.00
Eng., Legal & Admin. 10%	396.50	588.00
Printing Spec. & Plans	75.00	75.00
Inspection	125.00	125.00
	\$4,958.50	\$7,256.00

Since the totals are within the estimate, we recommend an award to the low bidders, Fago Bros., in the bid amounts for the proposed work.

Fago Bros. have done similar work for the Town of Tonawanda and the Buffalo Sewer Authority which has been satisfactory.

Very truly yours,

NUSSBAUMER AND CLARKE

*Newell L. Nussbaumer*  
Newell L. Nussbaumer

NLN:S

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS bids were received on September 4, 1951, to construct a sewer on Toelsin Road, in accordance with the plans and specifications prepared by Nussbaumer and Clarke, the Towns Consulting Engineers, and the lowest bid to construct said sewer was submitted by Fago Brothers in the total amount of \$9,845.50, be it

RESOLVED that the bid of Fago Brothers, as submitted, be accepted, and that the Town Engineer and the Town Attorney be directed to prepare the contract to be entered into between the Town of Cheektowaga and said Fago Brothers, for the performance of the work and the supplying of the materials and specifications above mentioned.

Seconded by Councilman Wroblewski.

CARRIED; AYES: -5-.

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED that the Town Clerk be authorized to direct the Niagara Mohawk Power Company to install Two 1000 lumen lights on Huth Road on Poles No's. 19 and 63, also to install One 2500 lumen light on Pole No. 95 on Andrew Avenue, also remove present light on Pole No. 85 and replace it with 2500 lumen light.

Seconded by Councilman Neibert.

CARRIED; AYES: -5-.

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED that the Town Clerk be authorized to direct the New York State Gas and Electric Company to install One 1000 lumen light on first pole south of Broadway on Lemoine Street, and to increase from 1000 lumen to 2500 lumen, lights on Orchard Place, on Poles No's. 14, 11 and 8.

Seconded by Councilman Wroblewski.

CARRIED; AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Iroquois Gas Company be requested to make a survey of the feasibility of laying a gas line in French Road, in the Town of Cheektowaga, New York.

Seconded by Councilman Neibert.

CARRIED; AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED that the Supervisor be authorized to apply to the State Post War Planning Commission for an allocation of funds for the preparation of plans for the creation of a Sewer District to include the Shopping Center and Industrial Plants on Harlem Road and Walden Avenue, and also to prepare plans for the remodelling of the Sewer Treatment Plant of Sewer District No. 3.

Seconded by Councilman Neibert.

CARRIED; AYES: -5-.

Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED that the Town of Cheektowaga, New York, hereby waives the fee of the Collector of Receiver of Taxes and Assessments, in connection with the collection of school taxes for the school year of 1951-1952.

Seconded by Councilman Bystrak.

CARRIED; AYES: -5-.

Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED that the Town Attorney be authorized to represent the Town of Cheektowaga, in the proceeding instituted by Henry Juette, against the Town of Cheektowaga, New York.

Seconded by Councilman Bystrak.

CARRIED; AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED that the Town Clerk be authorized and directed to issue building permits on applications processed by the Petitions Committee on, September 8, 1951 and September 15, 1951, after same have been approved by the Building Inspector.

Seconded by Councilman Neibert.

CARRIED; AYES: -5-

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLUTION, DATED SEPTEMBER 17, 1951, AUTHORIZING THE ISSUANCE OF CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, NEW YORK, IN THE AMOUNT OF \$21,468.00 TO PAY PART OF THE COST OF ONE NEW 1951 M7G FOUR WHEEL DRIVE TRUCK COMPLETE WITH WAUSAW SNOWPLOW AND WING.

BE IT RESOLVED, this 17th day of September, 1951, by the Town Board of the Town of Cheektowaga, New York, as follows:

Sec. 1. The object and purpose for which the obligation herein authorized are to be issued, is to pay a portion of the cost of One Model M7G Four Wheel Drive Truck complete with directional signals, cab lights, 2 spotlights, snow plow lights, clearance lights, flasher light, reflectors, directional signals, two 35-gallon gas tanks, tool box, hydraulic jack, 12:00 x 20 tires with duals rear, power steer, pintle hook, dual wipers, 5-yard heavy-duty hydraulic dump body, Model XF90 Wausaw Plow with 12' wing and full power hydraulic control with front mounted pump.

Sec. 2. The plan for financing such object or purpose consists of the issuance of capital notes of said Town of Cheektowaga in the total amount of not to exceed \$21,468.00, and by payment of the balance of the cost out of an allowance made in the sum of \$2,500.00 for one used FCKD Walters Truck with Frank Plow.

Sec. 3. The amount of capital notes hereby authorized to be issued \$21,468.00, to consist of two (2) notes to be dated September 17, 1951, to mature as follows: \$10,734.00 on March 1, 1952, and \$10,734.00 on March 1, 1953, respectively.

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

CAPITAL NOTE OF 1951.

\$10,734.00

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

-(TEN THOUSAND, SEVEN HUNDRED AND THIRTY-FOUR DOLLARS (\$10,734.00))-

on the 1st day of March, 1952, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable March 1, 1952, 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 Twenty-one Thousand, Four Hundred and Sixty eight Dollars (\$21,468.00), 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 resolution entitled "Resolution, Dated September, 17, 1951, authorizing the issuance of Capital Notes of the Town of Cheektowaga, N.Y., in the amount of \$21,468.00, to pay part of the cost of one new 1951 M7G Four Wheel Drive Truck complete with Wausaw snowplow and Wing", duly adopted by the Town Board of Cheektowaga, New York, on September 17, 1951.

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 17th day of September, 1951.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

By Benedict T. Holtz  
Its Supervisor

Attest:  
Kenneth T. Hanley  
Town Clerk ( Seal )



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

CAPITAL NOTE OF 1951

\$10,734.00

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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 Cheektowagam 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 17th day of September, 1951.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

By Benedict T. Holtz  
its Supervisor

Attest:

Kenneth T. Hanley  
Town Clerk

SEAL

At the request of Councilman Wroblewski, the Chief of Police was authorized and directed to investigate the complain of residents residing on William Street and Ludwig Street, regarding the deplorable conditions of the highway at this point, due to the construction of the new State Thru-way.

John Salamanchuk of No. \_\_\_\_\_, was granted the floor and asked the Town Board, if they had ever granted Mr. Fischer, residing on \_\_\_\_\_, permission to raise chickens until October 1, 1951.

The Board advised Mr. Salamanchuk that at no time was such a request ever granted.

Mr. Robert Geary, representing the Town Park Home Owners Association, was granted the floor and related to the Board that student automobile drivers were still using the Beverly Hill section of the town streets as a practice course.

Chief of Police Marynowski stated to the Board that he had made an investigation of this complaint and found that all the drivers had licenses which comply with the State Vehicle Law.

The Supervisor promised Mr. Geary that everything possible will be done to discourage this type of driving in the area.

On a motion of Councilman Nagel, seconded by Councilman Wroblewski, that all claims presented for audit at this meeting be approved, and that the Town Clerk be authorized and directed to draw orders on the Supervisor for payment of same.

( Orders No. 5762 to No. 5811 inclusive, drawn on the Supervisor.

Councilman Neibert moved, seconded by Councilman Nagel to adjourn.

Kenneth T. Hanley.

Town Clerk.

SEAL

*Kenneth T. Hanley*

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 24th day of September, 1951, at 2:30 o'clock P.M., E.D.S.T., there were:

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

ABSENT: -0-

Also present were: Town Clerk, Kenneth T. Hanley and Building Inspector, William M. Tadio.

The chairman called the meeting to order.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the following changes be made in the Budget Estimates for Special Districts, for the year 1952, spreading costs on Benefit Basis:

STREET LIGHTING IMPROVEMENT DISTRICTS

GROUP 4- Insert Principal and Interest due in 1952, Kenview Boulevard, \$520.00.

GROUP 1- Less Amount Payable out of Districts Reserve Fund, to be changed from \$2,087.52 to \$1,967.67.

GROUP 1- Item " To be raised by Assessment ", to be changed from \$10,703.90 to \$10,823.75.

Total for all Street Lighting Improvement groups to be changed from \$21,473.90 to \$22,113.75.

Seconded by Councilman Nagel.

CARRIED; AYES: -5-.

The Supervisor announced that this was the time and the place advertised for a public hearing on the Special Districts Budget and Assessment Roll for the year 1952.

The Town Clerk then presented proof of publication of a Notice of Hearing and followed by reading same.

( Copy of notice is hereto attached )

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for *one*.....weeks: first publication ..... **SEP 13 1951** .....; last publication ..... **SEP 13 1951** .....; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of ..... **SEP 13 1951** ....., 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, 1953  
Registered No. 5029

the Town Board of Cheektowaga, New York, at a special meeting held on September 10, 1951, completed its estimates and Assessments Roll relating to Special Districts spreading cost on a Benefit Basis and has filed the same with the Town Clerk for the following districts:

Sewer Districts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 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.

Curbing Districts.

Street Lighting Improvement Districts.

Notice is also given that a public hearing on such Estimates and Assessment Roll will be held September 24, 1951, at 2:30 P.M., E.D.S.T., 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 10, 1951.

By order of The Town Board, of the Town of Cheektowaga, N. Y.

**KENNETH T. HANLEY**  
Town Clerk

sept 13

Supervisor Holtz then asked if there was anyone present who wished to speak against the Special Districts Budget and Assessment Roll as published and read by the Town Clerk.

Dr. Victor Reinstein was granted the floor and stated that the \$300 sewer-rental charge to the Village of Sloan was excessively low considering the number of industries using the sewer facilities.

The Supervisor then asked if anyone present wished to speak in favor.

No one was heard.

Councilman Nagel 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 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 AS ADOPTED BY THE TOWN  
BOARD FOR THE YEAR 1952 --

**SEWER DISTRICTS**

District No. 1

Rent to City of Buffalo	\$ 695.29	
To be raised by assessment		\$ 695.29

District No. 2

Rent-Payable to District No. 5	\$ 2,500.00	
Erie County Chargebacks	5.46	
Maintenance	1,000.00	
TOTAL EXPENSE FOR 1952	\$ 3,505.46	
Less: Amount payable out of District's Reserve Fund	2,000.00	
To be raised by assessment		\$ 1,505.46

District No. 3

Bond principal and interest due in 1952	\$ 7,772.33	
Operation of Disposal Plant	19,250.00	
Real estate taxes - 1952	2,500.00	
Services of Superintendent	1,100.00	
Maintenance of sewers	1,500.00	
Repayment of capital note and interest	1,157.70	
TOTAL EXPENSE FOR 1952	\$33,280.03	
Less: Amount payable out of District's Reserve Fund	\$5,000.00	
Revenue from Village of Sloan	300.00	
To be raised by assessment	5,300.00	\$27,980.03

District No. 4

Rent-Payable to District No. 5	\$ 3,000.00	
Operation of Pump Station	1,000.00	
Maintenance	500.00	
Erie County chargebacks-Current	32.02	
TOTAL EXPENSE FOR 1952	\$ 4,532.02	
Less: Amount payable out of District's Reserve Fund	2,500.00	
To be raised by assessment		\$ 2,032.02

District No. 5

Bond principal and interest due in 1952	\$102,798.79	
Operation of Disposal Plant	88,975.00	
Services of Superintendent	3,100.00	
Maintenance of Sewers	5,296.00	
Erie County chargebacks-Current	1,969.80	
Erie County chargebacks-Cemeteries	6,386.43	
TOTAL EXPENSE FOR 1952	\$208,526.02	
Less: Revenue from charges to:		
Sewer District No. 2	\$ 2,500.00	
Sewer District No. 4	3,000.00	
Sewer District No. 6	15,800.00	
Amount payable out of District's Reserve Fund	2,000.00	
To be raised by assessment	23,300.00	185,226.02

SEWER DISTRICTS (CONT'D)District No. 6

Bond principal and interest due in 1952	\$ 2,420.00	
Rent-Payable to District No. 5	15,000.00	
Maintenance-Payable to District No. 5	800.00	
TOTAL EXPENSE FOR 1952	\$ 18,220.00	
Less: Amount payable out of District's Reserve Fund	500.00	
To be raised by assessment		\$ 17,720.00
TOTAL FOR ALL SIX SEWER DISTRICTS		\$ 235,158.82

STORM SEWER DISTRICTSDistrict No. 1

Maintenance \$ -0-

District No. 2

Erie County chargebacks-Cemeteries Maintenance	\$ 9,229.06	
To be raised by assessment	-0-	9,229.06

District No. 3

Bond principal and interest due in 1952	\$ 6,430.00	
Maintenance	-0-	
	\$ 6,430.00	
Less: Amount payable out of District's Reserve Fund	500.00	
To be raised by assessment		5,930.00
TOTAL FOR ALL THREE STORM SEWER DISTRICTS		\$ 15,159.06

LATERAL SANITARY SEWER DISTRICTS

	PRINCIPAL AND INTEREST DUE IN 1952	LESS AMOUNT PAYABLE OUT OF DISTRICTS RESERVE FUND	ERIE COUNTY CHARGEBACKS	
Arthur Street	\$ 328.87	\$ -0-		\$ 328.87
Lincoln Drive	758.57	-0-		758.87
Huth Road	574.28	-0-		574.28
Aberdeen Street	717.85	-0-		717.85
Roycroft Blvd.	299.11	97.36		402.64
Crestwood Place	1111.82	290.80	-0-	821.02
Cleveland Drive	954.80	249.72	435.28	1,140.36
Commodore Terrace	1,050.29	274.73	-0-	775.56
Buell and W. Sobieski	1,527.70	399.55	70.19	1,198.34
Harlem Avenue	572.89	149.83	-0-	423.06
Maryvale Drive	856.51	43.00	-0-	813.51
W. Grand Blvd.	730.77	36.66	-0-	694.11
Cleveland Drive	795.70	20.54	-0-	775.16
S. Huxley Dr.	816.52	21.05	-0-	795.47
Commodore Terr.	2,790.00	-0-	-0-	2,790.00
Darwin Drive	3,420.00	-0-	-0-	3,420.00
Homesgarth Ave.	1,540.00	-0-	-0-	1,540.00
	<u>\$18,845.98</u>	<u>1,583.24</u>	<u>\$706.36</u>	<u>\$17,969.10</u>
To be raised by assessment				<u>\$17,969.10</u>

BUDGET ESTIMATES FOR SPECIAL DISTRICTS  
SPREADING COSTS ON BENEFIT BASIS-( Cont'd)

SIDEWALK DISTRICTS

	PRINCIPAL AND INTEREST DUE IN 1952	LESS AMOUNT PAYABLE OUT OF DISTRICTS RESERVE FUND	
Oehman	\$1,557.00	\$ -0-	\$1,557.00
Evergreen	1,653.81	38.83	1,614.98
Wellworth	1,033.77	24.25	1,009.52
Clover	1,404.74	32.97	1,371.77
Rosler	706.93	16.60	690.33
	<u>\$6,356.25</u>	<u>\$112.65</u>	<u>\$6,243.60</u>
To be raised by assessment			\$ 6,243.60

CURBING DISTRICTS

Wanda Street			
Principal and interest due in 1952			\$3,076.50
To be raised by assessment			\$ 3,076.50

STREET LIGHTING IMPROVEMENT

GROUP (1)	PRINCIPAL AND INTEREST DUE IN 1952	LESS AMOUNT PAYABLE OUT OF DISTRICTS RESERVE FUND	
Ravenswood Terrace	\$ 419.08	\$ 66.31	\$ 352.77
Cloverdale Road	477.53	75.55	401.98
Vernon Drive	378.04	59.82	318.22
Mayfair Court	159.18	25.19	133.99
Oehman Blvd.	715.05	113.14	601.91
Exeter Court	237.45	25.19	212.26
Highview Road	834.64	88.15	746.49
Heather Road	557.12	88.15	468.97
Willow Court	159.18	25.19	133.99
Peachtree Lane	238.76	37.78	200.98
Cleveland Drive	557.12	88.15	468.97
Allendale Drive	795.64	125.74	668.90
South Huxley Dr.	671.52	106.25	565.27
Gardenvale Road	953.81	150.91	802.90
Washington Highway	167.88	26.57	141.31
Chopin Avenue	125.60	19.88	105.72
Burke Dr.	952.57	150.73	801.84
Virginia Road	636.70	100.73	535.97
Ellen Dr.	1,033.41	163.53	869.88
Garden Rd.	477.53	75.55	401.98
Mathew Lane	238.76	37.78	200.98
Jean Court Terr.	238.76	37.78	200.98
Krakus Blvd.	335.76	53.12	282.64
Croy Avenue	238.76	37.78	200.98
Century Rd.	715.05	113.14	601.91
Treehaven Rd.	238.76	37.78	200.98
Cherry Lane	238.76	37.78	200.98
To be raised by assessment			\$10,823.75

GROUP (4)

Principal and interest due in 1952:			
Kenview Boulevard			\$ 520.00



BUDGET ESTIMATES FOR SPECIAL DISTRICTS  
SPREADING COSTS ON BENEFIT BASIS - (Cont-d)

STREET LIGHTING IMPROVEMENT - ( Cont-d)

GROUP (2)

Principal and interest due in 1952:

Charnwood Drive	\$ 509.85	
Charnwood Court	63.65	
Campwood Court	190.96	
Coralwood Court	318.89	
Southgate Road	891.77	
Rosswell Road	254.62	
Cedar Road	700.81	
Campbell Road	700.81	
Tudor Road	700.81	
Awood Place	318.89	
Woodridge Avenue	1,274.32	
Commodore Terrace	254.62	
To be raised by assessment	<u>\$</u>	\$ 6,180.00

GROUP (3)

Principal and interest due in 1952:

Unionvale	606.23	
Clearvale	952.64	
Burdette Drive	606.23	
Huth Road	259.81	
Edge Park Dr.	86.60	
Wing Court	173.21	
South Huth Road	606.23	
Federal Avenue	519.62	
Donald Drive	779.43	
To be raised by assessment	<u>\$</u>	\$ 4,590.00
<b>TOTAL FOR ALL FOUR GROUPS</b>		<u>\$</u> <b>22,113.75</b>

OMITTED 1951 ASSESSMENTS

Trunk Lateral-Sewer District No. 5

Book 1-pg. 29 - Cayuga Road.-E.		
Buffalo Trap & Field Club - 45 Ac.	42.78	
Book 6-pg. 5 - M/C 1637 - Sublot		
36	2.98	
43	2.98	
44	3.07	
45	2.75	
46	2.75	
47	2.75	
48	2.75	
49	2.70	
50	2.29	
51	2.29	
52	2.29	
Book 6-pg. 6 - M/C 1669 - Sublot		
53	2.29	
54	2.29	
55	2.29	
56	2.29	
57	2.29	
58	2.29	
59	2.29	
60	2.29	
61	2.29	
62	2.29	
63	2.29	
64	2.29	
65	2.29	
66	3.20	

BUDGET ESTIMATES FOR SPECIAL DISTRICTS  
SPREADING COSTS ON BENEFIT BASIS - (Cont'd)

OMITTED 1951 ASSESSMENTS - (Cont-d)

Trunk Lateral - Sewer District No. 5 (Cont'd)

Book 6 - pg. 7 - M/C - Sublot	67	\$	3.20	
	68		2.29	
	69		2.29	
	70		2.29	
	71		2.29	
	72		2.29	
	73		2.29	
	74		2.29	
	75		2.29	
	76		2.29	
	77		2.29	
	78		2.29	
	79		2.33	
	80		2.43	
Book 6 - pg.15 - M/C 1695- Sublot	65		2.29	
	66		2.29	\$143.08

Sewer District No. 5

Book 6 -pg. 6-M/c 1637 - Sublot	50 R.P.		1.26	
	53 "		1.54	
-pg. 8	90 "		3.20	
	91 "		3.69	
-pg.15 -M/C 1695- Sublot	66		7.13	
-pg.44 -M/C 1633- Sublot	96		11.46	
-pg.155-M/C 1544-Sublot	25 Walczak(owner)		11.50	
-pg. 97-M/C 1481-Sublot	8 Buthwick(Owner)		5.23	
Book 8 -pg. 66-M/C 1205- Sublot	39 Murphy (Owner)		3.00	
-pg. 77-M/C 492- Sublot	3		10.28	59.29

Street Lighting Equipment-S. Huxley Drive

Book 6 -pg. 57-M/C 1500- Sublot	323/324			10.35
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Street Lighting Equipment- Treehaven Road

Book 7 -	- M/C 1674/			
	1692-Sublot	10	23.18	
		11	23.18	46.36

TOTAL OF 1951 OMITTED ASSESSMENTS TO BE LEVIED  
 AGAINST RESPECTIVE PROPERTIES FOR 1952 \$258.08

and

WHEREAS, a public hearing was duly held on this day, September 24th, 1951, and there being no corrections to same.

NOW, THEREFORE, BE IT RESOLVED that the Budget Assessment Roll for Special Districts in the Town of Cheektowaga, New York, be and the same is hereby approved and be it further,

RESOLVED, that the Supervisor, Benedict T. Holtz, be and he hereby is directed to cause same to be spread on the Tax Roll for the year 1952.

Seconded by Councilman Neibert.

CARRIED; AYES: -5-.

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, there is located in front of Our Lady of Czestochowa Church, 2144 Clinton Street, Cheektowaga, New York, a traffic signal light, and the meter to furnish electricity for said light is located in the church,

BE IT RESOLVED, that the meter be removed from the church and be placed on a telephone pole at or near the school, and that the charge for replacing same be a Town charge, and

BE IT FURTHER RESOLVED, that in the future the Town of Cheektowaga be billed for the cost of the operation of said traffic signal light.

Seconded by Councilman Neibert.

CARRIED; AYES: -5-

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the traffic signal light located in front of Our Lady of Czestochowa Church, 2144 Clinton Street, in the Town of Cheektowaga, New York, operates only on the Red, Amber and Green, during school hours,

BE IT RESOLVED, that the State of New York, Department of Public Works, be requested to have same traffic signal light operate on Red, Amber and Green, Twenty-four hours a day.

Seconded by Councilman Neibert.

CARRIED; AYES: -5-

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Iroquois Gas Corporation be authorized to make a survey to determine the feasibility of installing gas lines in Kennedy Road, in the Town of Cheektowaga, New York.

Seconded by Councilman Neibert.

CARRIED; AYES: -5-

Mr. Bystrak offered 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 June, 1951.

**PUBLIC HIGHWAYS  
TO BE IMPROVED**

HIGHVIEW ROAD from LOT #35 to LOT #63.

**TYPE OF STREET LIGHTING  
INSTALLATION**

Y 20 Ornamental 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 15th day of October, 1951, 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, the official newspaper of the Town, not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as 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:

Benedict T. Holtz, voting Aye.

Henry Nagel, voting Aye.

Felix T. Wroblewski, voting Aye.

Joseph A. Neibert, voting Aye.

Stanley 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 24th day of September, 1951, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have heretofore set my hand and affixed the seal of said Town this 24th day of September, 1951.

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

(SEAL)

sep 27

Posted as follows on the 4th day of October, 1951;  
 Post in front of No. 24 Highview Road;  
 Post in front of No. 15 Highview Road;  
 Tree in front of No. 63 Highview Road;  
 Telephone Pole No. 73, Highview Road;  
 Tree in front of No. 78 Highview Road.

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

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

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 24th day of September, 1951, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
 Henry Nagel, Councilman  
 Felix T. Wroblewski, Councilman  
 Joseph A. Neibert, Councilman  
 Stanley Bystrak, Councilman

**ABSENT: None.**

Mr. Bystrak offered 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 June, 1951.

**PUBLIC HIGHWAYS**  
**TO BE IMPROVED**

HIGHVIEW ROAD from LOT #35 to LOT #63.

**TYPE OF STREET LIGHTING**  
**INSTALLATION**

Y 20 Ornamental 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 15th day of October, 1951, 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, the official newspaper of the Town, not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as 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:

Benedict T. Holtz, voting Aye.  
 Henry Nagel, voting Aye.  
 Felix T. Wroblewski, voting Aye.  
 Joseph A. Neibert, voting Aye.  
 Stanley 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 24th day of September, 1951, 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 24th day of September, 1951.

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

(SEAL)

sep 27

**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 September 27, 1951; last publication (same); and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of SEP 28 1951, 19.....

*Evel 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, 1953  
 Registered No. 5029

Councilman Nagel presented the following resolution and moved its adoption: 162

RESOLVED, that the amount of Six Hundred Fifty Three Dollars and Sixteen Cents (\$653.16), due the Town of West Seneca, New York, for School District No. Jt. 9 taxes, be paid.

Seconded by Councilman Neibert.

CARRIED;AYES: -5-.

Petition presented by Thirty-five residents of the Harlem Road and Parker Street area of the Town, requesting the Town Board to rescind the zoning of property at the corner of Harlem Road and Parker Street, if same is to be used as a Tavern. Ordered referred to the Town Attorney.

The request of the residents of Southgate Road for the installation of Boulevard Stop Signs on Betty Lane, Southgate Road and South Century Road, ordered referred to the Town Board.

At the request of Councilman Wroblewski the Town Clerk was authorized and directed to communicate with the Reynders Electric Company of Lancaster, New York, to ascertain what the reason is for the delay in installing Traffic Signal Lights in the following locations;

In front of St. Aloysius Church School, Cleveland Drive;  
In front of Bellevue Fire House, Como Park Boulevard;  
In front of Forks Fire House, Broadway;  
In front of Rescue Fire House, Pine Ridge Road;  
In front of Our Mother of Divine Grace Church, Maryvale Drive;  
In front of Infant of Prague Church, Cleveland Drive;  
In front of Pine Hill Fire House, Genesee Street.

Councilman Bystrak moved, seconded by Councilman Wroblewski to adjourn.

Kenneth T. Hanley

Town Clerk.

SEAL.

*Hanley*