

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga New York, held at the Town Hall in the said Town of Cheektowaga on the 5th day of April, 1954, at 2:20 o'clock P.M., E.S. time, there were:

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

ABSENT: Benedict T. Holtz Supervisor

Also present were: Town Clerk Kenneth T. Hanby, Town Attorney George B. Doyle, General Foreman Mr. Eberl, Chairman of the Board of Assessors Mr. Jerezewski, Assessor Mr. Rudzynski, Highway Superintendent Mr. Zablotny, Chairman of the Zoning Board of Appeals Mr. Kurnick and Town Historian Julia Reinstein.

Item No. 2 Due to the absence of Supervisor Holtz from the Town during the next two weeks, Councilman Wroblewski moved, seconded by Councilman Neibert, that Councilman Henry J. Nagel be designated as Acting Supervisor.

Item No. 3 Without any objections the reading of the minutes of the previous meeting were dispensed with until a later date.

Item No. 4 Councilman Wroblewski moved, seconded by Councilman Neibert: RESOLVED, that the Town Clerk be authorized and directed to issue building permits on applications processed by the Petitions Committee on 5-3-54, after same have been approved by the Building Inspector.

CARRIED AYES 4

Item No. 5 RESOLVED that the bids received March 20th 1954, for trucks station wagon and police cars be rejected and new specifications be prepared and new bids be invited at a later date.

Seconded by Councilman Bystrak.

CARRIED: AYES 4

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

RESOLVED, that the Town Highway Department be authorized and directed to resurface the highway in the Town Park.

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

Councilman Wroblewski	voting aye
Councilman Neibert	voting aye
Councilman Bystrak	voting aye
Councilman Nagel	voting aye

CARRIED Ayes 4 Noes 0 Absent 1

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

RESOLVED, that Edward H. Pfohl, Receiver of Taxes and Assessments for the Town of Cheektowaga, New York, be authorized and directed to accept taxed from the County of Erie on County owned property for the year 1954 without fees or additions.

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

Councilman Wroblewski	voting aye
Councilman Neibert	voting aye
Councilman Nagel	voting aye
Councilman Bystrak	voting aye

CARRIED Ayes 4 Noes 0 Absent 1

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

RESOLVED, to request Mr. Bertram Tallany Chairman of the State Thruway Authority and Charles R. Waters, State District Engineer to consider the feasibility of constructing an overhead pedestrian bridge over the N.Y.S Thruway at Garland Avenue midway between Henry Street and Harlem Road, a distance of approximately 1/4 mile where a number of streets were dead ended by construction of the thruway. There are numerous people residing south of thruway who are inconvenienced when walking to church, schools bus stops and to shopping stores located on William Street which is on the north side of the N.Y.S. Thruway.

Seconded by Councilman Bystrak

CARRIED Ayes 4 Noes 0 Absent 1



Item No. 14 Councilman Bystrak moved and seconded by Councilman Wroblewski that the Chairman of the Board of Assessors, only be authorized to attend the State Assessors meeting at Syracuse, New York, on April 12th to 14th, 1954, inclusive.  
CARRIED Ayes 4

Noes 0

Absent 1

Item No. 15

NOTICE OF HEARING \* STREET LIGHTING EQUIPMENT

VEGOLA AVENUE FROM GENESEE STREET

TO WINSTON ROAD.

#### NOTICE OF HEARING

At a regular meeting of the Town Board of the Town of Cheektowaga Erie County, New York, held in the Town Hall, in said Town of Cheektowaga on the 5th day of April, 1954, at 2:30 o'clock P.M., Eastern Standard Time, there were:

#### PRESENT:

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

#### ABSENT:

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

WHEREAS, a petition for the improvement of both sides of the public highways situated in Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 11th day of March, 1954.

#### PUBLIC HIGHWAYS TO BE IMPROVED

Vegola Avenue from Genesee St. to Winston Road.

#### TYPE OF STREET LIGHTING INSTALLATION

Y-19 Standards

Underground Conduit

WHEREAS, EDWARD B. JERZEWSKI, BRONISLAUS T. ORLIKOWSKI and ANDREW H. SCHWENK, Assessors of said Town of Cheektowaga have certified in writing to this board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of each of said highways to be improved, as aforesaid, and

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of

Cheektowaga on the 19th day of April 1954, at 7:30 P.M. Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

Councilman Wroblewski voting Aye.

Councilman Neibert voting Aye.

Councilman Bystrak voting Aye.

Councilman Nagel voting Aye

Ayes, 4; Noes 0; Absent 1.

#### STATE OF NEW YORK

#### ERIE COUNTY

#### OFFICE OF THE CLERK SS: OF THE TOWN OF CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 5th day of April, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 5th day of April, 1954.

KENNETH T. HANLEY,  
Clerk of the Town Board.  
Town of Cheektowaga, N. Y.  
(SEAL) (Apr. 8)

Posted as follows on the 9th day of April, 1954;

- 1- Post at the corner of Vegola Avenue and Winston Avenue
- 2- Post in front of No. 89 Vegola Avenue
- 3- Telephone Pole No. 314 Vegola Avenue
- 4- Post in front of No. 29 Vegola Avenue
- 5- Telephone Pole at the corner of Genesee Street and Vegola Avenue

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

#### NOTICE OF HEARING

At a regular meeting of the Town Board of the Town of Cheektowaga Erie County, New York, held in the Town Hall, in said Town of Cheektowaga on the 5th day of April, 1954, at 2:30 o'clock P.M., Eastern Standard Time, there were:

#### PRESENT:

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

#### ABSENT:

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

WHEREAS, a petition for the improvement of both sides of the public highways situated in Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 11th day of March, 1954.

#### PUBLIC HIGHWAYS TO BE IMPROVED

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#### TYPE OF STREET LIGHTING INSTALLATION

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Underground Conduit

WHEREAS, EDWARD B. JERZEWSKI, BRONISLAUS T. ORLIKOWSKI and ANDREW H. SCHWENK, Assessors of said Town of Cheektowaga have certified in writing to this board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of each of said highways to be improved, as aforesaid, and

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of

Cheektowaga on the 19th day of April 1954, at 7:30 P.M. Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

Councilman Wroblewski voting Aye.  
Councilman Neibert voting Aye.  
Councilman Bystrak voting Aye.  
Councilman Nagel voting Aye  
Ayes, 4; Noes 0; Absent 1.

#### STATE OF NEW YORK ERIE COUNTY OFFICE OF THE CLERK OF THE TOWN OF CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 5th day of April, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 5th day of April, 1954.

KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.  
(SEAL) (Apr. 8)

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Item No. 16 The Town Clerk related to the Town Board that due to the closing of the Tiorunda School the Town has lost two polling places for election purposes, namely Election District No. 19 and No. 20. Ordered referred to the Board for study and recommendations. 58

Item No. 17 Petition presented for the improvement of Smallwood Terrace by the construction of a lateral sewer in said highway. Ordered referred to the Assessors for a property check.

Item No. 18 Petition presented for the improvement of Kendale Road by the installation of street lighting standards in said highway. Ordered referred to the Assessors for a property check.

Item No. 19 Councilman Bystrak moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized to draw a warrant on the Supervisor for payment of same. ( Warrant No. 552 to No. 692, inclusive, drawn on the Supervisor.

Item No. 20 Acting Supervisor Nagel adjourned this meeting with the following statement:

" We adjourn this meeting out of respect of the memory of the children who lost their lives in the recent school disaster. We extend to their families our sincerest sympathy".

SEAL

Kenneth T. Hanley

T1

venue

Vegola Avenue

he Cheektowaga

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks;  
first publication APR 8 1954  
last publication APR 8 1954;  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of APR 8 1954, 19.....

*Eve J. Allis*

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1956  
Registered No. 5029

Item No. 1 At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 10th day of April, 1954, at 10:00 o'clock A.M., Eastern Standard Time, there were:

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

ABSENT: Benedict T. Holtz Supervisor

Also present were: Town Clerk Hanley and Town Attorney Doyle.

Item No. 2 Due to the absence of Supervisor Holtz, Councilman Nagel was designated to act as chairman for this meeting.

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

RESOLVED, that the Subdivision Map of Zoladz Drive prepared by Herthe and Sonnenberger, Engineers, dated April 1, 1954, be approved by the Town Board, subject to approval by the New York State Health Department and the Town Highway Department, and ordered filed in the Town Clerks' Office.

Seconded by Councilman Nagel.

CARRIED: AYES: -4-.

Item No. 4 The Town Clerk then proceeded to read the minutes of the meetings held on March 22, 1954; March 26, 1954 and April 5, 1954, and there being no alterations or corrections, it was moved by Councilman Wroblewski, seconded by Councilman Bystrak, that these minutes stand approved as read and to be placed on file in the Town Clerks' Office.

CARRIED: AYES: -4-.

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

WHEREAS, Good Friday this year falls on the 16th day of April, 1954, and to encourage Town Employees and others to attend religious services on the afternoon of that day, be it

RESOLVED, that all Town Employees, except in cases where otherwise ordered by Department Heads, be released from work for a three-hour period commencing at 12 o'clock noon and ending at 3 o'clock P.M.,

Seconded by Councilman Neibert.

CARRIED: AYES: -4-.

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

WHEREAS, the Board of Elections is making a survey of the persons eligible to vote in the Town of Cheektowaga, New York, and

WHEREAS, last year, the Town of Cheektowaga experienced no difficulty in connection with the Town election in-so-far as being able to provide an opportunity for all voters within the Township to vote without any undue delay, be it

RESOLVED, that the Town of Cheektowaga request the Board of Elections to allow it to continue with the present number of election districts with the understanding that the number of election districts will be increased from 37 to 45 on or before June 1, 1955.

Seconded by Councilman Bystrak.

CARRIED: AYES: -4-.

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

WHEREAS, the Director of Recreation is about to open the Town Park and the Chapel and Tiorunda Playgrounds, and election booths can be used to store equipment belonging to that department, be it

RESOLVED, that four election booths be loaned to the Recreation Department and placed at the following locations:

2 at George Urban Town Park

1 at Tiorunda Playground

1 at Chapel Playground

that the cost of moving and returning said election booths be charged against the funds of the Recreation Department who have agreed to return said election booths in the same condition as received, ordinary wear and tear excepted.

Seconded by Councilman Neibert.

CARRIED: AYES: -4-.

Item No. 8  
to adjourn.

Councilman Neibert moved, seconded by Councilman Wroblewski,

Kenneth T. Hanley

SEAL

Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 19th day of April, 1954, at 7:30 P.M., E.S.T., there were:

PRESENT: Benedict T. Holts	Supervisor
Felix T. Wroblewski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

ABSENT: Henry J. Nagel	Councilman
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Also present were: Town Clerk Hanley; Town Attorney Doyle; General Foreman Eberl; Chief of Police Wersmann; Town Engineer Kam; Town Historian Julia B. Reinstein; Highway Superintendent Zablotny; Building & Plumbing Inspector Roehm; Dog Warden Kraska; Justice of the Peace Pyszczyński and Chairman of the Board of Appeals Kurnick.

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

Item No. 3 Communication read from the Town Park Homeowners Association relating to flood conditions in the Genesee-Harlem and George Urban areas. Ordered referred to the Town Engineer.

Item No. 4 Councilman Neibert moved, seconded by Councilman Wroblewski, that the Town Clerk be authorized and directed to issue Building Permits on applications processed by the Petitions Committee on April 10, 1954 and April 17, 1954, after same have been approved by the Building Inspector.

CARRIED: AYES: -4-  
ABSENT: -1-

Item No. 5 Councilman Neibert moved, seconded by Councilman Wroblewski, that Change Order No. 6, hereto annexed, relative to constructing a service road at Sewer Treatment Plant No. 3 at a cost of \$1,989.00 be approved.

CARRIED: AYES: -4-  
ABSENT: -1-

Councilman Neibert moved, seconded by Councilman Wroblewski, that Change Order No. 7, hereto attached, relative to providing parking area and access to Grit Chamber at Sewer Treatment Plant No. 3, at a cost of \$1,827.00, be approved.

CARRIED: AYES: -4-  
ABSENT: -1-

CHANGE ORDER NO. 6

SEWAGE TREATMENT PLANT NO. 3

Town of Cheektowaga, N.Y.

Contractor:  
C.E. Knowles Company

Engineer:  
Nussbaumer, Clarke and Velzy

Proposed Change and Cost:

Service Road

To furnish and install a 12 foot road from the edge of the main highway pavement at the gate entrance extending past the sludge beds around the sprinkling filter to the old final tank. The base of the roads shall be properly graded to work in with adjoining grades and a slag base shall be provided with an average thickness of 5 inches, over which shall be applied a 2 inch penetrating asphalt top. The total average thickness of the road shall be 7 inches. The Apron from the edge of the road to the sludge beds extending the length of the beds shall be constructed of road material instead of concrete as originally specified and the old concrete drive to the present sludge bed shall be black topped to match adjoining roadways.

Bid Price \$1,989.00

Reason for change:

This change is necessary to provide a road for access to Sludge beds and chlorine to the final tanks.

Item No. 5 Cont'd

Recommended by;

Newell L. Nussbaumer

Date: 4-8-54

Nussbaumer, Clarke and Velzy

Approved:

Town Board

Date: 4-19-54

April 7, 1954.

CHANGE ORDER NO. 7

SEWAGE TREATMENT PLANT NO. 3

TOWN OF CHEEKTOWAGA, N.Y.

Contractor:

C.E. Knowles Company

Engineer

Nussbaumer, Clarke and Velzy

Proposed Change and Cost:

Parking Area and Access to Grit Chamber

To furnish and install parking lot, service courts and access to grit collector properly graded to work in with adjoining grades. A slag base shall be provided with an average thickness of 5 inches over which shall be applied a 2 inch penetrating asphalt top. The total average thickness shall be 7 inches. Install a 22' x 50' parking area on the west side of the entrance drive near the entrance gate as directed by the Engineers. A drive 12 feet wide shall extend west from the parking area to the new inlet manhole addition with the center of the drive lining up with the southwest corner of the inlet manhole. A turn out 25 feet wide shall be provided at the final, extending to the southerly line of the old final settling tank. The entire area between the old greenhouse and the sprinkling filter shall be surfaced as specified above extending south and connecting with the road just east of the old final settling tank.

Bid price of \$1,827.00

Reason for change:

This change is necessary to provide access to grit chamber and parking.

Recommended by:

Newell L. Nussbaumer

Date: 4-8-54

Nussbaumer Clarke and Velzy.

Approved:

Town Board.

Date: 4-19-54

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

WHEREAS, Rosemary Ohl, Clerk in the office of the Receiver of Taxes & Assessments, has completed her probation period, be it

RESOLVED, that the salary of Rosemary Ohl be increased from \$100 immediately, and \$100 on July 1, 1954.

Seconded by Councilman Neibert.

CARRIED: AYES: 4-  
ABSENT: -1-



OF THE TOWN OF CHEEKTOWAGA, AUTHORIZING THE COUNTY OF ERIE TO CONTROL, REGULATE AND PROHIBIT POLLUTION OF THE AIR BY EMISSION OF SMOKE, NOXIOUS GASES AND ODORS, DEPOSITS, DUST OR OTHER POLLUTIONS FROM SOURCES WITHIN SAID COUNTY.

Moved by Councilman Wroblewski, seconded by Councilman Neibert, THAT PURSUANT to the provisions of Chapter 459 of the laws of 1954, the Town of Cheektowaga acting through its governing board, viz., the Town Board of the said Town, does hereby signify its consent to the granting of power and authority to the County of Erie to control, regulate and prohibit pollution of the air by emission of smoke, noxious gases and odors, deposits, dust or other pollution from sources within said County, and further signifies its concurrence therein.

VOTE: AYES: -4-

NOES: -0-

ABSENT: -1-

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

Item No. 8 Councilman Wroblewski moved, seconded by Councilman Neibert, that the Sub-division Map of Greenauer Sub-division prepared by Herthe and Sonnenberger, Engineers, date January 14, 1954, be approved and ordered filed in the Assessors Office, and be it

FURTHER RESOLVED, that the Sub-division Map of Tri-Abbott Sub-division prepared by Herthe and Sonnenberger, Engineers, dated February 27, 1954, be approved and ordered filed in the Assessors Office.

CARRIED: AYES: -4-

ABSENT: -1-

Item No. 9 Councilman Wroblewski moved, seconded by Councilman Bystrak, that the Supervisor be authorized to execute contract with the Superintendent of Public Works of the State of New York relating to the sale of Parcel No. 35 Map No. 35 by the Town of Cheektowaga, New York, to the State of New York. (Parcel 382; Map 382).

CARRIED: AYES: -4-

ABSENT: -1-

Item No. 10 Councilman Wroblewski moved, seconded by Councilman Bystrak, that the Iroquois Gas Corporation be requested to provide service to the residents on Losson Road, west of Borden Road, a distance of approximately one mile.

CARRIED: AYES: -4-

Absent; -1-

Item No. 11 Councilman Bystrak moved, seconded by Councilman Neibert, that the Supervisor be authorized to purchase thru Westinghouse Electric Company twelve (12) No. 1348 light standards to replace damaged standards in various lighting districts and that the cost thereof be charged against the general fund.

CARRIED: AYES: -4-

ABSENT: -1-

Item No. 12 ( Vegola Avenue Street Lighting-FINAL RESOLUTION )

This being the time and the place advertised for a public hearing on the proposed improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon order of the Supervisor, such proof was duly filed.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Vegola Avenue	Genesee Street	Winston Road

## Y-19 Standards-Underground Conduit

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

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

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

## PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS

FROM

TO

Vegola Avenue

Genesee Street

Winston Road

## TYPE OF STREET LIGHTING INSTALLATION

Y-19 Standards-Underground Conduit

and heard all persons interested in the subject thereof,

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

a) that such petition is signed and acknowledged as required by law and is otherwise sufficient, and

b) that it is in the public interest to grant in whole the relief sought, by the installation of street lighting equipment hereinabove particularly described along said streets, and

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

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

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

Councilman Wroblewski  
Councilman Neibert  
Councilman Bystrak  
Supervisor Holtz

Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE

Ayes: -4-

NOES: -0-

ABSENT: -1-

STATE OF NEW YORK ) SS.  
COUNTY OF ERIE )

I, Kenneth T. Hanley, Town Clerk of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town on the 19th day of April, 1954, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof; and that the resolutions and orders duly adopted by the said Town Board are on file in my office.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

I FURTHER CERTIFY that a certified copy of such resolution and order was caused by me to be recorded in the Office of the Clerk of Erie County, New York, on the 28th day of April, 1954.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 28th day of April, 1954.

SEAL

Kenneth T. Hanley.  
Town Clerk

NEW YORK STATE DEPARTMENT OF PUBLIC WORKS  
BUREAU OF RIGHTS OF WAY AND CLAIMS

AGREEMENT OF ADJUSTMENT

Project Ontario Thruway  
Map No. 35 Parcel No (s) 35 County Erie  
Map No. .... Parcel No (s) .... Town Cheektowaga  
Map No. .... Parcel No (s) .... City or Village .....

THIS AGREEMENT, made this 19<sup>th</sup> day of APRIL, 1957, between

Town of Cheektowaga  
Cheektowaga, N.Y.

hereinafter referred to as "the first party" and the SUPERINTENDENT OF PUBLIC WORKS FOR THE  
PEOPLE OF THE STATE OF NEW YORK, hereinafter referred to as "the State", pursuant to.....  
Article XII-A of the Highway Law.....as amended,

WITNESSETH:

WHEREAS, pursuant to the aforementioned statute, the State is appropriating or has appropriated, for the purpose of the above identified project, certain property shown and described on the above designated map(s); and

Item No. 13 Councilman Wroblewski moved, seconded by Councilman Bystrak, that the request of Pasquale Vitale, Operator at Sewage Plant No. 5, for an additional week of vacation without pay be granted. CARRIED: AYES: -4-  
ABSENT: -1-

Item No. 14 Councilman Bystrak moved, seconded by Councilman Neibert, that Andrew Kolniak be employed as a laborer at an hourly wage of \$1.80 and assigned to the Sewer Department. CARRIED: AYES: -4-  
ABSENT: -1-

Item No. 15 Councilman Wroblewski moved, seconded by Councilman Neibert, that Norman Bauer; Jack Kirisits; John Wasielewski and John Janus be employed as part time Park Attendants at the rate of \$1.32 $\frac{1}{2}$  per hour. CARRIED: AYES: -4-  
ABSENT: -1-

Item No. 16 HENRY J. POPIELA APPLICATION FOR RE-ZONING OF PROPERTY FROM RESIDENCE DISTRICT TO BUSINESS DISTRICT - GRANTED.

#### LEGAL NOTICE

##### Reasoning Granted

WHEREAS, the Zoning Board of Appeals held a public hearing on the 31st day of March, 1954, for the purpose of considering the application of Henry J. Popiela for the rezoning from Residence District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

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

WHEREAS, the Zoning Board of Appeals on the 14th day of April, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a regular meeting thereon on the 19th day of April, 1954.

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

NOW, THEREFORE, BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance" be and the same hereby is amended by changing the Zoning Map so as to change the following described property from that of "Residence District" to "Business District".

##### DESCRIPTION

South 16 feet of Subdivision lot 6, all of Subdivision lots 7 and 8 Union Road, west side corner of Marie Avenue as shown on Subdivision map filed in the Erie County Clerk's Office under Cover No. 527.

Dated: April 19, 1954.

KENNETH T. HANLEY.

Town Clerk

ap 22 Town of Cheektowaga, N. Y.

Posted on the Town Hall Bulletin Board on the 28th day of April, 1954.

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

STATE OF NEW YORK  
COUNTY OF ERIE

ss:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

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

1 week, the first insertion being on the 22nd day of April, 1954 and the last insertion being on the day of 19, and that not

more than six days intervened between any two publications thereof.

*Richard G. Bennett*

3rd day of

1954

KENNETH T. HANLEY,  
Town Clerk

Dep 22 Town of Cheektowaga, N. Y.

Notary Public in and for Erie County.

WHEREAS, the Zoning Board of Appeals on the 14th day of April, 1954, having rendered its decision granting the application of petitioner to rezone premises 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 15th day of April, 1954.

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

NOW, THEREFORE, BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1953, and as now amended, entitled "Zoning Ordinance" be and the same hereby is amended by changing the Zoning Map so as to change the following described property from that of "Residence District" to "Business District".

DESCRIPTION

South 15 feet of Subdivision lot 8, all of Subdivision lots 7 and 8, Union Road, west side corner of Erie Avenue as shown on Subdivision map filed in the Erie County Clerk's Office under Cover No. 527.

Dated: April 19, 1954.

purpose of considering the application of Frank Steffenhagen for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinances accordingly, and

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

WHEREAS, the Zoning Board of Appeals on the 14th day of April, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a special meeting thereon on the 19th day of April, 1954.

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

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21 1942 and as now amended, entitled "Zoning Ordinance" be and the same hereby is amended by changing the zoning map so as to change the following described property from that of "Residential District" to "Business District."

#### DESCRIPTION

Part of Lot No. 17, Township 11, Range 7; Old Genesee Street, north side, 30 feet west of the Ontario Thruway, 94.75 feet frontage, 200.00 feet in depth.

Posted on the Town Hall Bulletin Board on the 24th day of April, 1954.

Times;

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



Posted on the Town Hall Bulletin Board on the 28th day of April, 1954.

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

STATE OF NEW YORK  
COUNTY OF ERIE

Whereas, the Zoning Board of Appeals, on the 14th day of April, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District the property hereinafter described, and according the Zoning Map and Ordinance accordingly, and

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

ments, and  
WHEREAS, the Zoning Board of Appeals on the 14th day of April, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a regular meeting thereon on the 14th day of April, 1954.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residence District to Business District be and the same is hereby confirmed and approved.  
THEREFORE, BE IT RESOLVED, by this Town Board that the Ordinance adopted December 1st, 1953, be and the same is hereby confirmed and approved.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 22nd day of April, 1954 and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not

more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this 3rd day of

May, 1954

*Kenneth M. Mandy*

Notary Public in and for Erie County.

**LEGAL NOTICE  
REZONING GRANTED**

WHEREAS, the Zoning Board of Appeals held a public hearing on the 31st day of March, 1954, for the purpose of considering the application of Frank Steffenhagen for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinances accordingly, and

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

WHEREAS, the Zoning Board of Appeals on the 14th day of April, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a special meeting thereon on the 19th day of April, 1954.

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

**NOW, THEREFORE**

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942 and as now amended, entitled "Zoning Ordinance" be and the same hereby be amended by changing the zoning map so as to change the following described property from that of "Residential District" to "Business District."

**DESCRIPTION**

Part of Lot No. 17, Township 11, Range 7; Old Genesee Street, north side, 30 feet west of the Ontario Thruway, 94.75 feet frontage, 209.20 feet in depth.

Dated: April 19, 1954

KENNETH T. HANLEY

Town Clerk

Town of Cheektowaga,  
New York

(4-22)

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week;  
first publication APR 22 1954  
last publication APR 22 1954  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of APR 22 1954, 19.....

*Eve J. Allis*  
Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029

Lighting District of the Town of Cheektowaga, hereinafter referred to as the District, is set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 5th day of April, 1964.

**PUBLIC HIGHWAYS TO BE IMPROVED**

Kendale Road from Allen Road to Highway 19

**TYPE OF STREET LIGHTING INSTALLATION**  
Y-20 Standards

**Underground Conduit**

WHEREAS, EDWARD E. WROBLEWSKI, ANDREW H. SCHWARTZ and EUGENE A. RUDZENSKI, members of the Town of Cheektowaga, have certified in writing to this Board that the above petition is duly signed and acknowledged in the proper manner as a document requested by the owners of more than one-half of the entire frontage or frontage 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

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 May, 1964, 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 date set aside for the hearing aforesaid and that copies of this order be posted conspicuously in five public places on each of the said highways to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing aforesaid.

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

Councilman Wroblewski voting Aye.

Councilman Neibert voting Aye.

Councilman Bystrak voting Aye.

Supervisor Haller voting Aye.

AYES: 4 - NOES: 0 - ABSENT: 1

**STATE OF NEW YORK**

**ERIE COUNTY**

**OFFICE OF THE CLERK**

**OF THE TOWN OF CHEEKTOWAGA**

This is to certify that I, KENNETH HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 12th day of April, 1964, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and official seal of said Town this 15th day of April, 1964.

Kenneth Hanley  
Clerk of Cheektowaga

Item No. 18 - Cont'd

Posted as follows on the 24th day of April, 1954;

- 1- Post corner of Kendale Road and Allendale Road, north side;
- 2- Telephone Pole No. 1, Kendale Road;
- 3- Post in front of No. 30 Kendale Road;
- 4- Telephone Pole No. 99, Kendale Road;
- 5- Post corner of Kendale Road and Allendale Road, south side.

Cheektowaga Times;

Hereto attached is a copy of the notice published in the

**NOTICE OF HEARING  
Street Lighting Petition**

At a regular meeting of the Town Board of the Town of Cheektowaga Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 19th day of April, 1954, at 7:30 o'clock P.M., Eastern Standard Time, there were:

**PRESENT:**

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

**ABSENT:**

Henry J. Nagel, Councilman

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

**WHEREAS**, a petition for the improvement of both sides of the public highways situated in Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 5th day of April, 1954.

**PUBLIC HIGHWAYS TO  
BE IMPROVED**

Kendale Road from Allendale Rd. to Allendale Rd.

**TYPE OF STREET LIGHTING  
INSTALLATION**

Y-20 Standards  
Underground Conduit

**WHEREAS**, EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZYNSKI, Assessors of the Town of Cheektowaga have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of each of said highways to be improved, as aforesaid, and

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

**NOW, THEREFORE, IT IS HEREBY ORDERED** that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 3rd day of May, 1954, at 2:30 P.M. Eastern Daylight Saving Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

Councilman Wroblewski voting Aye.

Councilman Neibert voting Aye.

Councilman Bystrak voting Aye.

Supervisor Holtz voting Aye.

AYES: 4 - NOES: 0 - ABSENT: 1

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 19th day of April, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 19th day of April, 1954.

KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.  
(SEAL) (4-22)

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication APR 22 1954; last publication APR 22 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

APR 22 1954, 19.....

*Eve J. Allis*

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029

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

RESOLVED, that the Supervisor be authorized to execute, on behalf of the Town of Cheektowaga, New York, a sewer easement, for the extension of a sanitary sewer line on the south side of Parker Avenue, entered into between the said Town of Cheektowaga and Charles S. Pysz and Estelle M. Loptie (or Wladyslawa) Gorzynski, Victor Gorzynski and Priscilla and Celia Rydzynski, dated April 19, 1954, copy of which is hereto annexed.

Seconded by Councilman Neibert.

CARRIED: AYES: -4-  
ABSENT: -1-

*Enter easement  
when TA delrs  
same.*

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

RESOLVED, that the Supervisor be authorized to execute on behalf of the Town of Cheektowaga, New York, contract with Pelvin Land Company accepting Freda Avenue, South Colby Street, South Hedley Street and South Glidden Street as Town Highways.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -4-  
ABSENT: -1-

Item No. 21 Mrs. Gertrude Marshall of No. \_\_\_\_\_ was granted the floor and related to the Town Board that a group of Apartment Houses in the Town are not complying with the Town Building Code, in-as-much as doors which open inward should open outward. Ordered referred to the Building Inspector for investigation.

Item No. 22 Mr. Paul Kogler of No. \_\_\_\_\_ was granted the floor and related to the Town Board that to date nothing has been done to improve the highway known as Wilshire Road. Ordered referred to the Highway Superintendent for investigation.

Item No. 23 Mr. B. Mayzurk of No. \_\_\_\_\_ was granted the floor and complained about the bad condition of the highway in front of his residence. Ordered referred to the Highway Superintendent.

Item No. 24 Mr. Harry Schill of No. \_\_\_\_\_ was granted the floor and requested information relating to a grade for a storm ditch on Hemenway Road. Ordered referred to the Town Engineers.

Item No. 25 Councilman Wroblewski moved, seconded by Councilman Neibert, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. ( Warrant No. 693 to 780, inclusive, drawn on the Supervisor.)

Item No. 26 Councilman Bystrak moved, seconded by Councilman Wroblewski, to adjourn.

Kenneth T. Hanley

Town Clerk.

SEAL.



Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 3rd day of May, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were:

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

ABSENT: Henry J. Nagel	Councilman
------------------------	------------

Item No. 2 Also present were: Town Clerk Hanley; Town Attorney Doyle; Chief of Police Mersmann; Receiver of Taxes & Assessments Pfohl; Chairman of the Board of Assessors Jerzewski; Town Historian Julia Reinstein; Town Engineer Kam and Dog Warden Kraska.

Item No. 3 Without any objections the reading of the minutes of the previous meeting were dispensed with until a later date.

Item No. 4 Petitions presented for the improvement of Oehman Boulevard by the installation of street lighting equipment in said highway;  
Beechwood Place by the installation of a lateral sanitary sewer in said highway;

Homesgarth Avenue by the installation of street paving in said highway.  
All petitions ordered referred to the Board of Assessors for a property check by the chairman.

Item No. 5 Communications read from the Chamber of Commerce relating to traffic conditions on Genesee Street at Harlem Road and at Union Road and at Cayuga-Dick Road, also relating to Open Air Food Markets in the Town. Ordered referred to Councilman Wroblewski, chairman of the Petitions Committee, by the chairman.

Item No. 6 Communication read from the Chamber of Commerce relating to a shelter at the Town Park. Ordered referred to the Town Board and the Recreational Director by the chairman.

Item No. 7 Communication read from the Chamber of Commerce relating to flood conditions in the town. Ordered received and filed by the chairman.

Item No. 8 Councilman Neibert moved, seconded by Councilman Wroblewski, that the Town Health Officer be authorized to attend the Annual Health Conference at Lake Placid, New York, on June 6, 1954 to June 10, 1954, inclusive.

Item No. 9 Councilman Wroblewski moved, seconded by Councilman Bystrak, that the Town Clerk be authorized and directed to issue building permits on applications processed by the Petitions Committee on April 26, 1954 and May 1, 1954, after same have been approved by the Building Inspector.

CARRIED: AYES: -4- ABSENT: -1-

Item No. 10 Councilman Bystrak moved, seconded by Councilman Neibert, that the Supervisor be authorized to purchase from the Westinghouse Manufacturing Company 8 Y-20 street lighting standards to be used in Vegola Avenue special street lighting district.

CARRIED: AYES: -4- ABSENT: -1-

Item No. 11 Councilman Bystrak moved, seconded by Councilman Neibert, that the New York State Gas & Electric Company be authorized to install 1-2500 lumen street lamp on Pole No. 88/102, Lena Drive, Town of Cheektowaga, New York.

CARRIED: AYES: -4- ABSENT: -1-

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

#### RESOLUTION FOR PUBLIC HEARING

WHEREAS, Niagara Frontier Transit System, Inc., having filed application with this Town Board in writing dated April 22nd, 1954, requesting consent of this Board to operate buses and motor vehicles on and along Broadway between a point approximately 100 feet east of Wagner Avenue and a point approximately 75 feet east of Michael Avenue, as a part of its Broadway route,

NOW, THEREFORE, BE IT RESOLVED,

that a public hearing be held on such application in the Town Hall of Cheektowaga in the Council Chambers thereof on the 17th day of May, 1954, at 7:30 P.M., at which time and place all persons interested in said application will be heard.

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

Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE

Item No. 12-Cont'd

Councilman Bystrak  
Supervisor Holtz  
Councilman Nagel

Voting AYE  
Voting AYE  
Absent

Carried: Ayes; -4-

Absent; -1-

Noes: -0-

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that an application has been filed with the Town Board of the Town of Cheektowaga by Niagara Frontier Transit System, Inc. for consent under the provisions of the Public Service Law to operate a motor vehicle bus route on and along the following streets and highways in the Town of Cheektowaga:

On and along Broadway between a point approximately 100 feet east of its intersection with Wagner Avenue and a point approximately 75 feet east of its intersection with Michael Avenue, as part of its Broadway route.

Pursuant to a resolution duly passed by this Board on the 3rd day of May, 1954, a public hearing will be held upon said application in the Town Hall of the Town of Cheektowaga on the 17th day of May, 1954, at 7:30 P.M., at which time and place all persons interested in said application will be heard.

By order of the Town Board of the Town of Cheektowaga.

Dated: May 3, 1954.

KENNETH T. HANLEY  
Town Clerk

Posted as follows on the 7th day of May, 1954;

- 1- Town Hall Bulletin Board;
- 2- Telephone Pole No. 278 -Broadway
- 3- Telephone Pole No. 275-Broadway
- 4- Telephone Pole No. 282-Broadway
- 5- Telephone Pole No. 272-Broadway
- 6- Telephone Pole No. 2175-Broadway

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

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

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that an application has been filed with the Town Board of the Town of Cheektowaga by Niagara Frontier Transit System, Inc. for consent under the provisions of the Public Service Law to operate a motor vehicle bus route on and along the following streets and highways in the Town of Cheektowaga:

On and along Broadway between a point approximately 100 feet east of its intersection with Wagner Avenue and a point approximately 75 feet east of its intersection with Michael Avenue, as part of its Broadway route.

Pursuant to a resolution duly passed by this Board on the 3rd day of May, 1954, a public hearing will be held upon said application in the Town Hall of the Town of Cheektowaga on the 17th day of May, 1954, at 7:30 P.M., at which time and place all persons interested in said application will be heard.

By order of the Town Board of the Town of Cheektowaga.

Dated: May 3, 1954.

KENNETH T. HANLEY  
Town Clerk

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication MAY 6 1954; last publication MAY 6 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 6 1954, 19.....

*Eve J. Allis*

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029

Item No. 13  
its adoption:

Councilman Wroblewski presented the following resolution and moved

RESOLVED, that the request of the New Liberty Park, Inc., to have a fire works display at Liberty Park on Decoration Day, the 4th day of July and Labor Day, be granted, weather permitting. In the event they are unable to have the fire works display on the above dates, then permission is granted to have the fireworks display on June 6, 1954, July 11, 1954 and September 6, 1954. This consent is granted with the understanding that there be no fire works display on any public highway but fully on their own property and that said New Liberty Park, Inc., file with the Town Clerk, written proof that it has obtained public liability insurance in the maximum amount not less than one hundred thousand dollars (\$100,000.00).

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

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

Carried; Ayes; -4-

Noes: -0-

Absent: -1-

Item No. 14  
adoption:

Councilman Bystrak presented the following resolution and moved its

RESOLVED, that the following Play Supervisors and Assistant Play Supervisors be appointed in the Recreation Department:

PLAY SUPERVISORS

Frank Pry  
Matthew Szydlowski  
William Little  
Henry Andrzejewski

Assistant Play Supervisors

Florence Dondajewski  
Patricia A. Weiss  
Joanne Matuszewski

STATE OF NEW YORK }  
COUNTY OF ERIE }

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 6th week, the first insertion being on the 6th day of May, 1954, and the last insertion being on the day of 19, and that not more than six days intervened between any two publications thereof.

*R. G. Bennett*

On and along Broadway between a point approximately 100 feet east of its intersection with Wagner Avenue and a point approximately 75 feet east of its intersection with Michael Avenue, as a part of its Broadway route.  
Pursuant to a resolution duly passed by this Board on the 3rd day of May, 1954, a public hearing will be held upon said application in the Town Hall of Cheektowaga on the 17th day of May, 1954, at 7:30 P.M., at which time and place all persons interested in said application will be heard.  
By order of the Town Board of the Town of Cheektowaga.  
KENNETH T. HANLEY,  
Town Clerk  
Dated: May 3, 1954.

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as f

Sworn to before me this MAY 24 1954, 19

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

Councilman Nagel

ABSENT

Carried; Ayes; -4-

Noes; -0-

Absent: -1-

Item No. 14 adoption:

Councilman Bystrak presented the following resolution and moved its

RESOLVED, that the following Play Supervisors and Assistant Play Supervisors be appointed in the Recreation Department:

PLAY SUPERVISORS

Frank Pry  
Matthew Szydowski  
William Little  
Henry Andrzejewski

Assistant Play Supervisors

Florence Dondajewski  
Patricia A. Weiss  
Joanne Matuszewski

Item No. 13-Cont'd  
resulted as follows:

Seconded by Councilman Neibert and duly put to a vote which

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

Ayes: -4-

Noes: -0-

Absent; -1-

Item No. 14-a  
adoption:

Councilman Neibert presented the following resolution and moved its

RESOLVED, that the following named persons be appointed laborers in the Park Department at an hourly rate of \$1.80;

Peter Michalak  
John Godlewski  
George Ertel  
Leon Grabianowski  
Dominic Nartowicz  
Casmier Kozmerski  
Alex Godlewski  
William Selbert  
John Draszkievicz

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

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

Carried; Ayes; -4-

Noes: -0-

Absent; -1-

Item No. 15 Councilman Wroblewski moved, seconded by Councilman Neibert, RESOLVE, to designate the period of May 10, 1954 to May 14, 1954, for the Town's Annual Clean Up, Paint Up, Fix Up campaign and that General Foreman Eberl of the Sanitation Department is to distribute posters reminding residents of same.

Carried; Ayes; -4-, Absent: -1-

Item No. 16 Councilman Wroblewski moved, seconded by Councilman Neibert, RESOLVED, that the Sub-division map of Cherokee Park Part 2 prepared by Herthe and Sonnenberger, engineers, dated February 1, 1954, be approved and ordered filed in the Assessors Office, that Miami Parkway and Petan Drive shown on said map be accepted as Town Highways subject to the jurisdiction of the Town Highway Department upon the filing in the Town Clerks' Office a surety bond in the sum of \$100,000.00, required by agreement entered into between the Town of Cheektowaga and Alois Peinkofer and Lillian Balbach.

Carried: Ayes: -4- Absent: -1-

Item No. 17 Councilman Wroblewski moved, seconded by Councilman Neibert, WHEREAS, Ruth Grotz, Ronald Grotz and Edward Grotz were convicted of the crime of violating Section 722 of the Penal Law by a Justice of the Peace of the Town of Cheektowaga and their convictions were reversed upon appeal by the County Judge of Erie County on the 30th day of December 1952 and fines imposed must be returned, be it RESOLVED, that the Supervisor be authorized to make the following payments; Ruth Grotz fine remitted \$50; Ronald Grotz fine remitted \$25; Edward Grotz fine remitted \$100.

Carried: Ayes; -4- Absent: -1-

Item No. 18 Councilman Wroblewski moved, seconded by Councilman Neibert, RESOLVED, that the Town Highway Superintendent be authorized and directed to place appropriate signs on Henry Street for its entire length limiting the weight capacity of vehicles using said highway to six tons. Carried: Ayes: -4-, Absent: -1-.

Item No. 19 Councilman Wroblewski moved, seconded by Councilman Bystrak, RESOLVED that 2 reflector type signs be installed at the intersection of Meadowbrook Parkway and Griswold Street under the supervision of the Chief of Police.

Carried: Ayes: -4-, Absent: -1-.

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

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WHEREAS, the Town Board on the 5th day of March, 1954, adopted a resolution to purchase three police automobiles, one station wagon, one sanitation truck, one sewer truck, one disposal plant truck, two used 2-door 1952 passenger automobiles and a 1954 2-ton truck for the highway department, and

WHEREAS, a notice to bidders was duly published as required by law, and bids were publicly received by the Town Board on the 20th day of March, 1954, and thereafter all the bids received were by resolution of the Town Board duly rejected, and

WHEREAS, only two police automobiles are required at this time and one station wagon, one sanitation truck, one sewer truck and one disposal plant truck,

WHEREAS, it is advisable that two of the used police automobiles be sold to the successful bidder, in their present condition as used automobiles, and that no used cars be purchased, be it

RESOLVED, that the resolution adopted by the Town Board on the 5th day of March, 1954, relating to the purchase of trucks be rescinded, and in its place the following resolution be adopted:

RESOLVED, that the Town of Cheektowaga purchase the following 1954 new automobiles and trucks, fully equipped, to meet the specifications set forth in the notice to bidders, and that the Town Clerk be directed to publish the annexed notice to bidders in connection with the purchase of the hereinafter mentioned automobiles and trucks: two used police automobiles are to be sold to the successful bidder and be considered in the bid submitted, one station wagon, one sanitation truck, one sewer truck and one disposal plant truck.

There are filed in the Town Clerks' Office copies of the specifications to be made available for prospective bidders. A copy of the specifications be mailed to all persons, firms or corporations who previously submitted bids for the automobiles and trucks heretofore received, on or before May 6, 1954.

There are also filed in the Town Clerks' Office copies of the Specifications, which are made available for all prospective bidders.

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

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

Carried: Ayes: -4-

Noes: -0-

Absent: -1-

#### NOTICE TO BIDDERS

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of two police automobiles, one station wagon, one sanitation truck, one sewer truck, and one disposal plant truck.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than May 17, 1954, at 7:30 o'clock P.M., at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Road and Broadway, Town of Cheektowaga, New York, on the 17th day of May, 1954, at 7:30 o'clock P.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 3, 1954.

Kenneth T. Hanley  
Town Clerk

May, 1954;

The above mentioned notice was posted as follows on the 7th day of

- 1- Town Hall Bulletin Board;
- 2- U-Crest Fire Hall-Evergreen Street and Clover Place;
- 3- Pine Hill Fire House-Genesee Street and Normandy Avenue;
- 4- Rescue Fire Hall-Pine Ridge Road;
- 5- Doyle Fire House No. 1- William and Alaska Street.

Hereto attached are affidavits of publication of said notice;



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

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of two police automobiles, one station wagon, one sanitation truck, one sewer truck, and one disposal plant truck.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than May 17, 1954, at 7:30 o'clock P.M., at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Road and Broadway, Town of Cheektowaga, New York, on the 17th day of May, 1954, at 7:30 o'clock P.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 3, 1954.

KENNETH T. HANLEY  
Town Clerk

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication MAY 6 1954; last publication MAY 6 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 6 1954, 19.....

*Eugene J. Allis*

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

Engineering Department  
**SPECIFICATIONS FOR HANDYMAN**

1. 1954 Handyman (4 Door) Standard Type or Equal.
2. Engine—6 Cyl. 115 H.P. or Equal.
3. Clutch—10".
4. Cooling System—15 Quart Capacity or Equal.
5. Fresh Air Heater and Defroster.
6. Vacuum Booster.
7. Oil Bath Air Cleaner.
8. Oil Filter.
9. Directional Signals.
10. Spot Light.
11. 360° Flasher.
12. Two-Tone Green or Brown.

"BIDDERS ARE REQUESTED TO FURNISH COMPLETE SPECS WITH THEIR BID, OF TYPE OF EQUIPMENT SPECIFIED IN THE BID."

STATE OF NEW YORK  
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 6th week, the first insertion being on the 6th day of May, 1954, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

by resolution of the Town Board of the Town of Cheektowaga, Erie County, New York, to purchase one mobile sanitation truck, one disposal plant truck, and one disposal plant truck.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than May 17, 1954, at 7:30 o'clock P.M., at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Road and Broadway, Town of Cheektowaga, New York, on the 17th day of May, 1954, at 7:30 o'clock P.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 3, 1954.

KENNETH T. HANLEY,  
Town Clerk

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

MAY 24 1954

\_\_\_\_\_, 19\_\_\_\_

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

no 52483

Item No. 21 Councilman Neibert moved, seconded by Councilman Bystrak, that William M. Tyler of No. 50 Alpine Place be provisionally appointed Telephone Police Dispatcher at an annual salary of \$3,400 payable in semi-monthly installments. Carried; Ayes; -4-, Absent: -1-

Item No. 22 Councilman Wroblewski presented the following resolution and moved its adoption: RESOLVED, that the New York State Highway Department be requested to clean a ditch located on the west side of Transit Road between 5152 Transit Road and Como Park Boulevard, also at the corner of Union Road and the southeast corner of Maryvale Drive.

Seconded by Councilman Neibert. Carried; Ayes: -4-, Absent: -1-.

Item No. 23 Councilman Wroblewski presented the following resolution and moved its adoption: RESOLVED, that Holloway and Company, the Town Auditors, be authorized to prepare the necessary tax rolls in connection with the spread of the sewer tax, both capital expenditures and maintenance costs. Seconded by Councilman Neibert. Carried; Ayes; -4- Absent: -1-

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

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of two police automobiles, one station wagon, one sanitation truck, one sewer truck, and one disposal plant truck.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than May 17, 1954, at 7:30 o'clock P.M., at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Road and Broadway, Town of Cheektowaga, New York, on the 17th day of May, 1954, at 7:30 o'clock P.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 3, 1954.

KENNETH T. HANLEY  
Town Clerk

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication MAY 6 1954; last publication MAY 6 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 6 1954, 19.....

*Eugene J. Allis*

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

**Sewer Districts**

**SPECIFICATION FOR TRUCK**

1. 1954 Flat Face Cowl—1½ Ton Chassis; Approximately 137" Wheel Base; Six Cylinders; 235 Cu. In. Engine.
  2. 630-20-6 Ply Dual.
  3. Helper Springs.
  4. Fresh Air Heater.
  5. Directional Signals and Flashers.
  6. Oil Filter.
  7. Generator—45 Ampere.
  8. Boyertown S-10 Body or Equal—Built in 10' seat compartment with hinged, padded cover locker and lock.
  9. 10' x 12' Steel Shelves.
  10. Marker Lights to operate with Flasher.
  11. Rear Tow Hook.
  12. 2 Dome Lights.
  13. 2 Spot Lights.
  14. Painted Lettering — Town of Cheektowaga ident.
  15. Truck painted Dark Green.
  16. 6 Cylinder Ell or Overhead Valve of 235 Cu. In. Motor Displacement or Equal.
  17. 11" Clutch — Synchromesh — 4 speed Transmission.
- "BIDDERS ARE REQUESTED TO FURNISH COMPLETE SPECS WITH THEIR BID, OF TYPE OF EQUIPMENT SPECIFIED IN THE BID."

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

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of two police automobiles, one station wagon, one sanitation truck, one sewer truck, and one disposal plant truck.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than May 17, 1954, at 7:30 o'clock P.M., at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Road and Broadway, Town of Cheektowaga, New York, on the 17th day of May, 1954, at 7:30 o'clock P.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 3, 1954.

KENNETH T. HANLEY  
Town Clerk

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*Willard C. Allis*

Sworn to before me this.....

day of MAY 6 1954, 19.....

*Eugene J. Allis*

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

**Specifications For  
1954 SANITATION TRUCK**

1. 1954—2 Ton Chassis and Cab — 161" Wheel Base. 6 Cyl. Ell or Overhead Valve Motor of 235 Cu. In. Displacement or equal.
2. 11" Clutch.
3. Four Speed Synchronesh Transmission.
4. Tires—825 x 20 x 10 Ply.
5. Wheels—7-6-1/2" Rims.
6. Two Speed Rear Axle — Timken Double Reduction or Equal.
7. Two Quart Oil Filter.
8. Fresh Air Heater and Defroster.
9. Signals.
10. 5-8 Yard Garbage Body with Rail and Step on Cab. Fourteen (14) Rope Hooks.

"BIDDERS ARE REQUESTED TO FURNISH COMPLETE SPECS WITH THEIR BID, OF TYPE OF EQUIPMENT SPECIFIED IN THE BID."

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

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of two police automobiles, one station wagon, one sanitation truck, one sewer truck, and one disposal plant truck.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than May 17, 1954, at 7:30 o'clock P.M., at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Road and Broadway, Town of Cheektowaga, New York, on the 17th day of May, 1954, at 7:30 o'clock P.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 3, 1954.

KENNETH T. HANLEY  
Town Clerk

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication MAY 6 1954; last publication MAY 6 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 6 1954, 19.....

*Eugene J. Allis*

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

**Police Department  
SPECIFICATION FOR CARS**

1. 1954—2 Standard Two-Door Sedans.
2. Engine—6 Cyl. 115 H.P. or Equal.
3. Clutch—10".
4. Cooling System—15 Qt. Capacity or Equal.
5. Fresh Air Heater and Defroster.
6. Vacuum Booster.
7. Oil Bath Air Cleaner.
8. Oil Filter.
9. Right Hand Visor and Arm Rests and Seat Covers.
10. Directional Signals.
11. 360° Flasher.
12. Change-over Generator, Siren and Arm. Right Hand Spot Light, lettering Town Iden. Cars painted Black.
13. Two Cars to be turned in.

"BIDDERS ARE REQUESTED TO FURNISH COMPLETE SPECS WITH THEIR BID, OF TYPE OF EQUIPMENT SPECIFIED IN THE BID."

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

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of two police automobiles, one station wagon, one sanitation truck, one sewer truck, and one disposal plant truck.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than May 17, 1954, at 7:30 o'clock P.M., at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Road and Broadway, Town of Cheektowaga, New York, on the 17th day of May, 1954, at 7:30 o'clock P.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 3, 1954.

KENNETH T. HANLEY  
Town Clerk

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication MAY 6 1954; last publication MAY 6 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 6 1954, 19.....

*Eugene J. Allis*

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

**SPECIFICATION FOR TRUCK**

1. 1954-1½ Ton Chassis and Cab; 137" Wheel Base; Engine-235 Cu. In. in Displacement-6 Cyl. or Equal.
2. Dump Body Hoist to be changed over from present truck and replace all worn parts.
3. Clutch-11".
4. Transmission-4 speed Synchronesh.
5. 6 Tires-750 x 20 x 8 Ply Dual (4 Mud Grip opp.).
6. Helper Springs.
7. Generator-45 Ampere.
8. Oil Filter.
9. Fresh Air Heater and Defroster.
10. Vacuum Booster.
11. Directional Signal.
12. Lettering Cab Doors.
13. Truck Painted Green.
14. One Truck to be sold to successful bidder.

"BIDDERS ARE REQUESTED TO FURNISH COMPLETE SPECS WITH THEIR BID, OF TYPE OF EQUIPMENT SPECIFIED IN THE BID."

This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof was duly filed.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Kendale Road	Allendale Road	Allendale Road

TYPE OF STREET LIGHTING INSTALLATION

Y-20 Standards\* Underground Conduit

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

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

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

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Kendale Road	Allendale Road	Allendale Road

TYPE OF STREET LIGHTING INSTALLATION

Y-20 Standards-Underground Conduit

and heard all persons interested in the subject thereof.

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

(a) That such petition is signed and acknowledged as required by law and is otherwise sufficient, and

(b) That it is in the public interest to grant in whole the relief sought, by the installation of street lighting equipment hereinabove particularly described along said streets, and

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

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

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

<u>Councilman Wroblewski</u>	VOTING	<u>Aye</u>
<u>Councilman Neibert</u>	VOTING	<u>Aye</u>
<u>Councilman Bystrak</u>	VOTING	<u>Aye</u>
<u>Supervisor Holtz</u>	VOTING	<u>Aye</u>

AYES: -4-

ABSENT: -1-

NOES: -0-

STATE OF NEW YORK ) SS.  
COUNTY OF ERIE )

I, Kenneth T. Hanley, Town Clerk of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town on the 3rd day of May 19 54, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof; and that the resolutions and orders duly adopted by the said Town Board are on file in my office.

I FURTHER CERTIFY that all members of said Town Board has due notice of said meeting.

I FURTHER CERTIFY that a certified copy of such resolution and order was caused by me to be recorded in the Office of Clerk of Erie County, New York, on the 12th day of May 19 54.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Town of Cheektowaga, this 12th day of May 19 54.

Kenneth T. Hanley  
Town Clerk

SEAL

## Item No. 25

~~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 Maplevue Avenue by the construction of a lateral sewer in said highway commencing in the center of the intersection of Maplevue Avenue and Birkdale Road and extending easterly on Maplevue Avenue, a distance of approximately 660 feet, and

WHEREAS, this Board has heretofore directed Nussbaumer and Clarke, consulting engineers for the Town of Cheektowaga duly licensed by the State of New York, to prepare definite plans and specifications and make a careful estimate of the expense and with the assistance of the Town Attorney to prepare a proposed contract for the execution of the work, and such plans, specifications, estimate and proposed contract having been duly prepared and presented to this Town Board and likewise filed with the Town Clerk and the same having been carefully examined by this Board,

NOW, THEREFORE,

BE IT RESOLVED, that the estimate for said improvement in the sum of Seventy-six Hundred Dollars (\$7600.00) be and the same hereby is approved, and

BE IT RESOLVED, that sealed proposals be invited for the furnishing of labor and materials necessary for the doing of the work for the construction of said improvement in Maplevue Avenue in accordance with said plans, specifications, estimate and proposed contract heretofore approved, by the publication of notice thereof at least once in the Cheektowaga Times and DEPEW HERALD and CHEEKTOWAGA NEWS, official newspapers of the Town, requiring each person who shall offer to do said work to file a sealed proposal or offer to do the work with certified check in the sum of Three Hundred and Eighty Dollars (\$380.00) which is equal to Five Per Centum (5%) of the estimated expense of the improvement, payable to the order of the Supervisor, or a bond with sufficient sureties to be approved by the Supervisor, in a penal sum of Three Hundred Eighty Dollars (\$380.00), which is equal to Five Per Centum (5%) of the estimated expense of the improvement, conditioned that if his proposal shall be accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract; and

## NOTICE TO BIDDERS-BIRKDALE ROAD-MAPLEVUE ROAD

## LATERAL SEWER

BE IT FURTHER RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga at the Town Hall in said Town of Cheektowaga, on the 17th day of June, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time; and

BE IT FURTHER RESOLVED,

that the said notice to contractors be in substantially the following form, to wit:

## NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board, Town of Cheektowaga, New York sealed proposals shall be received and Considered by said Town Board on the 17th day of May, 1954 at 7:30 o'clock p.m. Daylight Saving Time, at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, New York, for the furnishing of all materials and equipment, together with all labor for the construction of certain improvements to the Sanitary Sewer System of District No. 5, to consist of the installation of sanitary sewers and appurtenances of the following streets:

Birkdale Road  
Maplevue Road

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers, for the Town of Cheektowaga and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where the same may be examined during the usual business hours. Copies of the proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be examined at the office of Nussbaumer, Clarke & Velzy, Consulting Engineers of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$15.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contracts or the rejection of bid of such bidder, will be refunded \$15.00, and any non-bidder, upon return of such copy, will be refunded \$5.00.

Each proposal shall be accompanied by a certified check payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney, in the sum of Three hundred eighty Dollars (\$380.00). If a bond is submitted, the same shall be conditioned, that if the bidder's proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract. The Town Board reserves the right to reject any and all bids and proposals and to advertise anew and to award one contract for the entire work or separate contracts for portions thereof, if in its judgment it shall deem it to be for the best interests of the Town to do so.

By order of the Town Board of the Town of Cheektowaga.

KENNETH T. HANLEY,  
Town Clerk

Dated: May 3, 1954

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

Supervisor Benedict T. Holtz,  
Voting AYE  
Councilman Joseph A. Neibert,  
Voting AYE  
Councilman Felix Wroblewski,  
Voting AYE

Councilman Stanley P. ...  
AYES: 4; NOES: 0; ABSENT: 1



**NOTICE TO BIDDERS**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in the said Town of Cheektowaga, New York, on the 3rd day of May, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were:

**PRESENT:**

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

**ABSENT:**

Henry Nagel, Councilman

Councilman Wroblewski presented the following resolution and moved its adoption:

**WHEREAS**, this Town Board has heretofore determined it to be in the public interest to make an improvement in Mapleview Avenue by the construction of a lateral sewer in said highway commencing in the center of the intersection of Mapleview Avenue and Birkdale Road and extending easterly on Mapleview Avenue, a distance of approximately 600 feet, and

**WHEREAS**, this Board has heretofore directed Nussbaumer and Clarke, consulting engineers for the Town of Cheektowaga duly licensed by the State of New York, to prepare definite plans and specifications and make a careful estimate of the expense and with the assistance of the Town Attorney to prepare a proposed contract for the execution of the work, and such plans, specifications, estimate and proposed contract having been duly prepared and presented to this Town Board and likewise filed with the Town Clerk and the same having been carefully examined by this Board.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the estimate of said improvement in the sum of Seventy-six Hundred Dollars (\$7600.00) be and the same hereby is approved, and

**BE IT RESOLVED**, that sealed proposals be invited for the furnishing of labor and materials necessary for the doing of the work for the construction of said improvement in Mapleview Avenue in accordance with said plans, specifications, estimate and proposed contract heretofore approved, by the publication of notice thereof at least once in the **CHEEKTOWAGA TIMES** and the **Cheektowaga News and Depew Herald**, official newspapers of the Town, requiring each person who shall offer to do said work to file a sealed proposal or offer to do the work with certified check in the sum of Three Hundred and Eighty Dollars (\$380.00) which is equal to Five Per Centum (5%) of the estimated expense of the improvement, payable to the order of the Supervisor, or a bond with sufficient sureties to be approved by the Supervisor, in a penal sum of Three Hundred Eighty Dollars (\$380.00), which is equal to Five Per Centum (5%) of the estimated expense of the improvement, conditioned that if his proposal shall be accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract; and

**BE IT FURTHER RESOLVED**, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga at the Town Hall in said Town of Cheektowaga, on the 17th day of June, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time; and

**BE IT FURTHER RESOLVED**, that the said notice to contractors be

in substantially the following form, to wit:

**NOTICE TO CONTRACTORS**

**NOTICE IS HEREBY GIVEN** that pursuant to a resolution of the Town Board, Town of Cheektowaga, New York sealed proposals shall be received and considered by said Town Board on the 17th day of May, 1954 at 7:30 o'clock P.M., Daylight Saving Time, at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, New York, for the furnishing of all materials and equipment, together with all labor for the construction of certain improvements to the Sanitary Sewer System of District No. 5, to consist of the installation of sanitary sewers and appurtenances of the following streets:

**BIRKDALE ROAD  
MAPLEVIEW ROAD**

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where the same may be examined during the usual business hours. Copies of the proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be examined at the office of Nussbaumer, Clarke & Velzy, Consulting Engineers of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$15.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contracts or the rejection of bid of such bidder, will be refunded \$15.00, and any non-bidder, upon return of such copy, will be refunded \$5.00.

Each proposal shall be accompanied by a certified check payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney, in the sum of Three Hundred Eighty Dollars (\$380.00). If a bond is submitted, the same shall be conditioned that if the bidder's proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract. The Town Board reserves the right to reject any and all bids and proposals and to advertise anew and to award one contract for the entire work or separate contracts for portions thereof, in its judgment it shall deem it to be for the best interests of the Town to do so.

By order of the Town Board of the Town of Cheektowaga.

**KENNETH T. HANLEY**  
Town Clerk

Dated: May 3, 1954.

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

Supervisor Benedict T. Holtz voting Aye.

Councilman Joseph A. Neibert voting Aye.

Councilman Felix Wroblewski voting Aye.

Councilman Stanley Bystrak voting Aye.

**AYES: 4 NOES: 0 ABSENT: 1**  
(May 6)

RK

WAGA

ss.

*C. Allis*, of the

, in said County of Erie, be-

es and says that *he* is

*an*..... of the

a public newspaper published

; that the notice, of which

slip, taken from said news-

inserted and published in

for *one* weeks; first

AY 6 1954.....;

AY 6 1954.....;

an six days intervened be-

*Edward C. Allis*

his.....

6 1954....., 19.....

*J. Allis*.....

for Erie County, N. Y.

J. ALLIS

STATE OF NEW YORK

Erie County

Notar Public March 30, 1955

Notar No. 5029



RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the 6<sup>th</sup> day of May, 1954, and the last insertion being on the ..... day of ....., 19....., and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

MAY 24 1954

19

*Kenneth T. Hanley*

Notary Public in and for Erie County.

hs 528800

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

*Willard C. Allis* of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *he* is  
*publisher* of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks; first  
publication *MAY 6 1954*;  
last publication *MAY 6 1954*;  
and that no more than six days intervened be-  
tween publications.

*Willard C. Allis*  
Sworn to before me this  
day of *MAY 6 1954*, 19  
*Eve J. Allis*  
Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 3rd day of May, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT:

Benedict T. Holtz, Supervisor  
Joseph A. Neilbert, Councilman  
Felix Wroblewski, Councilman  
Stanley Bystrak, Councilman

ABSENT:

Henry Nagel, Councilman

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board has heretofore determined it to be in the public interest to make an improvement in Mapleview Avenue by the construction of a lateral sewer in said highway commencing in the center of the intersection of Mapleview Avenue and Birkdale Road and extending easterly on Mapleview Avenue, a distance of approximately 660 feet, and

WHEREAS, this Board has heretofore directed Nussbaumer and Clarke, consulting engineers for the Town of Cheektowaga duly licensed by the State of New York, to prepare definite plans and specifications and make a careful estimate of the expense and with the assistance of the Town Attorney to prepare a proposed contract for the execution of the work, and such plans, specifications, estimate and proposed contract having been duly prepared and presented to this Town Board and likewise filed with the Town Clerk and the same having been carefully examined by this Board,

NOW, THEREFORE,

BE IT RESOLVED, that the estimate for said improvement in the sum of Seventy-six Hundred Dollars (\$7600.00) be and the same hereby is approved, and

BE IT RESOLVED, that sealed proposals be invited for the furnishing of labor and materials necessary for the doing of the work for the construction of said improvement in Mapleview Avenue in accordance with said plans, specifications, estimate and proposed contract heretofore approved, by the publication of notice thereof at least once in the Cheektowaga Times and DEPEW HERALD and CHEEKTOWAGA NEWS, official newspapers of the Town, requiring each person who shall offer to do said work to file a sealed proposal or offer to do the work with certified check in the sum of Three Hundred and Eighty Dollars (\$380.00) which is equal to Five Per Centum (5%) of the estimated expense of the improvement, payable to the order of the Supervisor, or a bond with sufficient sureties to be approved by the Supervisor, in a penal sum of Three Hundred Eighty Dollars (\$380.00), which is equal to Five Per Centum (5%) of the estimated expense of the improvement, conditioned that if his proposal shall be accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract; and

BE IT FURTHER RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga, at the Town Hall in the Town of Cheektowaga, Erie County, New York, on the 17th day of May, 1954, at 7:30 o'clock p.m. Daylight Saving Time, at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, New York, for the furnishing of all materials and equipment, together with all labor for the construction of certain improvements to the Sanitary Sewer System of District No. 5, to consist of the installation of sanitary sewers and appurtenances of the following streets:

Birkdale Road  
Mapleview Road

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where the same may be examined during the usual business hours. Copies of the proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be examined at the office of Nussbaumer, Clarke & Velzy, Consulting Engineers of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$15.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contracts or the rejection of bid of such bidder, will be refunded \$15.00, and any non-bidder, upon return of such copy, will be refunded \$5.00.

Each proposal shall be accompanied by a certified check payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Supervisor, in a penal sum of Three Hundred Eighty Dollars (\$380.00), which is equal to Five Per Centum (5%) of the estimated expense of the improvement, conditioned that if his proposal shall be accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract; and

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for week, the first insertion being on the 6th day of May, 1954, and the last insertion being on the day of 1954, and that not more than six days intervened between any two publications thereof.

day of

19

and for Erie County.

before directed Nussbaumer and Clarke, consulting engineers for the Town of Cheektowaga duly licensed by the State of New York, to prepare definite plans and specifications and make a careful estimate of the expense and with the assistance of the Town Attorney to prepare a proposed contract for the execution of the work, and such plans, specifications, estimate and proposed contract having been duly prepared and presented to this Town Board and likewise filed with the Town Clerk and the same having been carefully examined by this Board,

NOW, THEREFORE,  
BE IT RESOLVED, that the estimate for said improvement in the sum of Seventy-six Hundred Dollars (\$7600.00) be and the same hereby is approved, and

BE IT RESOLVED, that sealed proposals be invited for the furnishing of labor and materials necessary for the doing of the work for the construction of said improvement in Mapleview Avenue in accordance with said plans, specifications, estimate and proposed contract heretofore approved, by the publication of notice thereof at least once in the Cheektowaga Times and DEPEW HERALD and CHEEKTOWAGA NEWS, official newspapers of the Town, requiring each person who shall offer to do said work to file a sealed proposal or offer to do the work with certified check in the sum of Three Hundred and Eighty Dollars (\$380.00) which is equal to Five Per Centum (5%) of the estimated expense of the improvement, payable to the order of the Supervisor, or a bond with sufficient sureties to be approved by the Supervisor, in a penal sum of Three Hundred Eighty Dollars (\$380.00), which is equal to Five Per Centum (5%) of the estimated expense of the improvement, conditioned that if his proposal shall be accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract; and

BE IT FURTHER RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga at the Town Hall in the Town of Cheektowaga, Erie County, New York, on the 17th day of May, 1954, at 7:30 o'clock p.m. Daylight Saving Time, at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, New York, for the furnishing of all materials and equipment, together with all labor for the construction of certain improvements to the Sanitary Sewer System of District No. 5, to consist of the installation of sanitary sewers and appurtenances of the following streets:

Birkdale Road  
Mapleview Road

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where the same may be examined during the usual business hours. Copies of the proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be examined at the office of Nussbaumer, Clarke & Velzy, Consulting Engineers of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$15.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contracts or the rejection of bid of such bidder, will be refunded \$15.00, and any non-bidder, upon return of such copy, will be refunded \$5.00.

Each proposal shall be accompanied by a certified check payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney, in the sum of Three hundred eighty Dollars (\$380.00). If a bond is submitted, the same shall be conditioned, that if the bidder's proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract. The Town Board reserves the right to reject any and all proposals and to award the contract to any bidder in its judgment.

It is the policy of the Town of Cheektowaga to do so.  
By order of the Town Board of the Town of Cheektowaga.  
H. HANLEY,  
Town Clerk  
Dated: May 10, 1954  
Seconded by William Neibert and duly put to vote which resulted as follows:  
Supervisor Benedict T. Holtz,  
Voting AYE  
Councilman Joseph A. Neibert,  
Voting AYE  
Councilman Felix Wroblewski,  
Voting AYE  
Councilman Stanley Bystrak,  
Voting AYE

AYES: 4; NOES: 0; ABSENT: 1.

day of May, 1954, and the last insertion being on the day of May, 1954, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

day of May, 1954, and that not more than six days intervened between any two publications thereof.

Hanley

public in and for Erie County.

**LEGAL NOTICE  
REZONING GRANTED**

WHEREAS, the Zoning Board of Appeals held a public hearing on the 31st day of March, 1954, for the purpose of considering the application of Edward Kay for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

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

WHEREAS, the Zoning Board of Appeals on the 14th day of April, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 3rd day of May, 1954.

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

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance," be and the same hereby amended by changing the zoning map so as to change the following described property from that of "residential district" to "business district":

**DESCRIPTION**

Part of Lot No. 25, Township 11, Range 7, Harlem Road, east side, between Genesee Street and Northern Parkway.

Dated: May 3, 1954.

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

Posted as follows on the 9th day of May, 1954:

1- Town Hall Bulletin Board.

Hereto attached is the affidavit of publication:

**LEGAL NOTICE  
REZONING GRANTED**

WHEREAS, the Zoning Board of Appeals held a public hearing on the 31st day of March, 1954, for the purpose of considering the application of Edward Kay for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

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

WHEREAS, the Zoning Board of Appeals on the 14th day of April, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 3rd day of May, 1954.

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

**NOW, THEREFORE,**

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance," be and the same hereby amended by changing the zoning map so as to change the following described property from that of "residential district" to "business district":

**DESCRIPTION**

Part of Lot No. 25, Township 11, Range 7, Harlem Road, east side, between Genesee Street and Northern Parkway.

Dated: May 3, 1954.

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

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication MAY 6 1954; last publication MAY 6 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 6 1954, 19.....

*Eve J. Allis*

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1956  
Registered No. 5029

Item No. 27 Mrs. Gertrude Marshall No. \_\_\_\_\_ was granted the floor and requested information relating to No Parking on one side of Concord Drive; a report from the Building Inspector relating to Chapel Court Apartment Doors; Enforcement of the Dog Ordinance and Civil Defense duties in the Town. Ordered referred to the various department head involved by the Chairman.

Item No. 28. The Town Attorney rendered a report on the proposed side-walk ordinance for the Town, copy fo same follows:

"We have notified various property owners in areas near schools to construct sidewalks. We have not had very good responses.

In our letter to these property owners, we indicated that unless the sidewalks were constructed, the Town Engineer and myself would recommend the adoption of sidewalk ordinances in congested areas.

I think this is a matter that requires some consideration by the Town Board and unless we get some response by these property owners, the Town Board requests that such compulsory sidewalk ordinances be adopted.

It is not a matter that requires any action today, but it is something I would like to call to your attention, as you receive the complaints from the School Trustees, particularly in school areas."

Item No. 29 Councilman Wroblewski moved, seconded by Councilman Bystrak, that all claims presented at this meeting for audit be approved, and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. ( Warrant No. 1 to No. 55, inclusive, drawn on the Supervisor.)

Item No. 30 Councilman Bystrak moved, seconded by Councilman Neibert, to adjourn.

Kenneth T. Hanley

Town Clerk.

SEAL



Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 17th day of May, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

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

ABSENT: -0-

Also present were: Kenneth T. Hanley, Town Clerk; George B. Doyle, Town Attorney; Julia B. Reinstein, Town Historian; Albert J. Kamm, Town Engineer; John Eberl, General Foreman; John J. Zablotny, Town Highway Superintendent; A.T. Oberkircher, Director of Civilian Defense; Joseph Pyszczyansk, Justice of the Peace; and Edward B. Jerzewski, Chairman of the Board of Assessors.

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

Item No. 3 ( COMMUNICATIONS )

Communication read from Town Clerk Hanley requesting permission to have built one election booth to be used in Electric District No. 20 (Tiorunda). Ordered referred to Councilman Wroblewski by the Supervisor.

Communication read from the Board of Assessors certifying that the petition for street lighting equipment on Oehman Boulevard have the required 51 per cent in favor. Ordered referred to Councilman Bystrak by the Supervisor.

Communication read from the Como Parl Blvd. & Union Road Citizens & Taxpayers Association relating to new industries locating in the town. Ordered referred to the Town Attorney by the Supervisor.

Communication read from Kenneth W. Kitzinger, attorney for School District No. 3, relating to No Parking on the north side of Bigelow Road, north side, west from No. 22 Bigelow Road during school hours. Ordered referred to Councilman Wroblewski and the Chief of Police by the Supervisor.

Communication read from Kenneth W. Kitzinger, attorney for School District No. 3 relating to the removal of portable traffic signs at the intersection of Harlem Road and Mafalda Drive and Cleveland Drive at Merrymont Road. Ordered referred to Councilman Bystrak by the Supervisor.

Item No. 4 Councilman Wroblewski moved, seconded by Councilman Nagel, that Joseph Kubera be re-appointed as a member of the Zoning Board of Appeals, said appointment to expire on May 17, 1959. Carried; Ayes: -5-

Item No. 5 Councilman Wroblewski moved, seconded by Councilman Bystrak, that the Town Clerk be authorized and directed to issue building permits on applications processed by the Petitions Committee, after same have been approved by the Building Inspector ( Applications processed on May 8, 1954 and May 15, 1954) Carried; Ayes: -5-

Item No. 6 Councilman Wroblewski moved, seconded by Councilman Neibert, that Boulevard Stop and Go Signs be installed at the following intersections:

Northwest corner of Sugnet Road & Fontaine Drive;  
North west corner of Marsdale Road & Fontaine Drive;  
North west corner of Mafalda Drive & Fontaine Drive:  
Carried; Ayes: -5-.

Item No. 7 Councilman Bystrak moved, seconded by Councilman Neibert, that the New York State Gas & Electric Company be authorized and directed to install 1-2500 lumen street light on Pole No. 7 on Mansion Street, Town of Cheektowaga, New York, and 1-2500 lumen street light on Pole No. 13 on Cass Avenue, Cheektowaga, New York. Carried; Ayes: -5-.

Item No. 8 Councilman Nagel moved, seconded by Councilman Neibert, that Change Orders No. 8 and No. 9 for Sewage Treatment Plant No 3, be approved, as according to annexed copies:

CHANGE ORDER NO. 8  
Sewage Treatment Plant No. 3  
Town of Cheektowaga, New York

Contractor:  
C.E. Knowles Company

Engineer:  
Nussbaumer, Clarke & Velzy

Proposed Change and Cost:

1. Raise manhole north of present pump house approximately 3'0" and fill in to provide a more gradual grade between walk and the upper grade to the north. Also provide for a drainage inlet at north side of walk. \$112.00
  2. Relocate 48 I.F. of outside chlorine line and furnish new V.T. pipe at an elevation which will permit the installation of the new 15" V.T. pipe entering the pump house. 344.00
  3. Build a partition in chlorine room to form a storage closet using 2 x 4 studs,  $\frac{1}{2}$ " fir plywood facing on one side, and install a present door using new hardware. Also build six shelves using 2 x 12 material. Paint both sides of partition and shelves three coats to match adjoining work. 192.00
- Total Bid Price of \$648.00

Reason for Change:

These items developed during the process of construction.

Recommended by:

Newell L. Nussbaumer  
Nussbaumer, Clarke and Velzy

Date: May 11, 1954

Approved:  
Town Board

Date: 5-17-1954

May 11, 1954.

CHANGE ORDER NO. 9  
SEWAGE TREATMENT PLANT NO. 3  
Town of Cheektowaga, N.Y.

Contractor:  
C.E. Knowles Company

Engineer:  
Nussbaumer, Clarke and Velzy

Proposed Change and Cost:  
Dosing Chamber

- a. Remove loose concrete, patch cracks and gunite the interior of the dosing chamber (except floor) using 2" pressure concrete screeded true and left under a natural gun finish with 2x2#12x12 galvanized mesh for reinforcing.
- b. Remove disintegrated concrete from five areas on the exterior of the tanks and rebuild to their original lines and contours.
- c. Paint the outside of the tank with masonry concrete paint similar to Bondex.

Bid price of \$2,400.00

Reason for Change:

Dosing Tank badly in need of repair.

Recommended by:

Newell L. Nussbaumer  
Nussbaumer, Clarke and Velzy

Date: May 11, 1954

Approved:  
Town Board  
May 11, 1954

Date: May 17, 1954

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

75

RESOLVED, that the snow removal contract between the County Superintendent of Highways and the Town of Cheektowaga, New York, for the period beginning the 15th day of November, 1953, and ending the 14th day of November, 1954, be approved as to form sufficiency, and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute the same on behalf of the Town of Cheektowaga, New York.

Seconded by Councilman Wroblewski.

CARRIED: Ayes: -5-.

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

WHEREAS, the Town Board has established a 40-hour week in the Police Department, Sanitation Department and the Highway Department, but in none of the other Departments, be it

RESOLVED, that all employees of the Town of Cheektowaga, unless otherwise ordered by the Town Board, be in attendance at their respective positions from 9 A.M. to 4:30 P.M., every day except Saturday and on Saturday from 9 A.M., to 12 Noon.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-.

Item No. 11 Councilman Wroblewski moved, RESOLVED, that George Ertel be appointed a School Guard at an hourly wage of \$1.05 and ordered to report to the Chief of Police for assignment of duties.

Seconded by Councilman Nagel.

CARRIED: Ayes -5-.

Item No. 12 Councilman Wroblewski moved, RESOLVED, that the request of Civilian Defense Director Arthur J. Oberkircher to purchase 80 auto plates for Auxiliary Police costing \$80 be granted, and he is authorized to purchase them.

Seconded by Councilman Neibert.

CARRIED: Ayes: -5-.

Item No. 13 Councilman Wroblewski moved, RESOLVED, that Jerome Scherer and Leonard Kosubucki, be employed as Park Department Laborers.

Seconded by Councilman Nagel.

CARRIED: AYES-5-

Item No. 14 Councilman Wroblewski moved, RESOLVED, that the Supervisor be authorized to enter into a contract with Michael A. Wagner & Sons, Inc., to wash-down burnt areas at Town Hall, replace doors and repair damage done by fire at a cost of \$485.00.

Seconded by Councilman Nagel.

CARRIED: Ayes: -5-.

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

WHEREAS, the Incinerator Department has recommended the purchase of a tractor with side mounted mower for use in that department and that said truck is needed by the Incineration Department, be it

RESOLVED, that the Town of Cheektowaga purchase a 1954 tractor with side mounted mower to meet the specifications set forth in the Notice to Bidders; that the Town Clerk be directed to publish the annexed Notice to Bidders in connection with the purchase of said tractor. There are filed in the Town Clerks' Office, copies of the specifications which are available for all prospective bidders.

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

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

Carried; Ayes: -5-

Noes: -0-

#### NOTICE TO BIDDERS

The Town of Cheektowaga desires to purchase a 1954 tractor with side mounted mower for the Incinerator Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

The Town owns a Gibbons Tractor and a Case Tractor. The bidders should submit as a part of their bids, offer to purchase the aforementioned two tractors.

Sealed bids will be received not later than June 7, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Road and Broadway, Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock P.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 17, 1954.

Kenneth T. Hanley, Town Clerk

SPECIFICATIONS

**SPECIFICATIONS FOR TRACTOR**

Four wheel tractor with four cylinder engine, overhead valves, Piston displacement 134 Cu. in. Adjustable wheel tread from 48 In. to 76 In. in 4 inch increments. Hydraulic system positive displacement vane type, constant running, engine mounted. Maximum operating pressure 2000 lbs. PSI., adjustable from 2.1 to 4.8 gallons per minute by Hytrol Knob.

**SPECIFICATIONS ON**

**DUAL-ACTION DOZER BLADE & FRAME**

Frame Tubular constructed, attaching to front and rear of tractor. Two-way Hydraulic controlled blade, lifting 18" above wheel level, hydraulic pressure supplied by tractor pump.

Blade, Cutting width 60", angling left or right, lifts and lowers by hydraulic control of tractor.

**SPECIFICATIONS ON SIDE MOUNTED MOWER**

Side mounted mower, hydraulically controlled, safety ignition cut out switch, Cutting width 6'.

(2 Tractors to be traded in — 1 Gibson, 1 Case.)

The notice to bidders was posted on the 24th day of May, 1954 in the following locations:

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

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

**NOTICE TO BIDDERS**

The Town of Cheektowaga desires to purchase a 1954 tractor with side mounted mower for the Incinerator Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

The Town owns a Gibbons tractor and a Case tractor. The bidders should submit as a part of their bids, offer to purchase the aforementioned two tractors.

Saled bids will be received not later than June 7, 1954 at 2:30 o'clock P.M., Eastern Daylight Saving Time, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Rd. and Broadway, Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock P.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 17, 1954.

(5-20) **KENNETH T. HANLEY**  
Town Clerk  
Dated: May 17, 1954.

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks;  
first publication MAY 20 1954;  
last publication MAY 20 1954;  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
day of MAY 20 1954, 19.....

*Eve J. Allis*  
Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**Engineer's Department.**

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

The Town owns a Gibbons tractor and a Case tractor. The bidders should submit as a part of their bids, offer to purchase the aforementioned two tractors.

Sealed bids will be received not

later than June 7, 1954, at 2:30 o'clock P.M. Bids must be opened in public by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Road and Broadway, Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock P.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 17, 1954.

KENNETH T. HANLEY,  
Town Clerk.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 20th day of May, 1954, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*  
By C.H.B.

Sworn to before me this 21 day of May 1954

Kenneth T. Hanley  
Notary Public in and for Erie County.  
No 52880

Item No. 16  
adoption:

Councilman Nagel presented the following resolution and moved its 77

WHEREAS, the Town Superintendent of Highways has recommended to the Town Board that it adopt a resolution to purchase three trucks for use by the Town Highway Department, a complete description of which is set forth in the attached specifications, be it

RESOLVED, that the request of the Town Highway Superintendent be approved, and be it further

RESOLVED, that the Town of Cheektowaga purchase three trucks for the highway department fully equipped to meet the specifications set forth in the Notice to Bidders, and that the Town Clerk be directed to publish the attached Notice to Bidders in connection with the purchase of said three trucks. Sealed bids will be received not later than June 7, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time at which time they will be publicly opened by the Town Board and the Town Highway Superintendent at a public meeting called for that purpose to be held at the Town Hall, Broadway and Union Road, Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock P.M., There are filed in the Town Clerks' Office, copies of the specifications which are made available for prospective bidders.

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

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

Carried: Ayes: -5-

Noes: -0-

#### **NOTICE TO BIDDERS**

##### **LEGAL NOTICE NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of three 1954 trucks for the Town Highway Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than June 7, 1954 at 2:30 o'clock P.M. by the Town Board and the Town Highway Superintendent at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, Broadway and Union, Town of Cheektowaga, New York on the 7th day of June, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.  
Dated: May 17, 1954.

KENNETH T. HANLEY,  
Town Clerk.

Hereto attached is a copy of said specifications:

SPECIFICATIONS FOR TRUCKS FOR  
TOWN HIGHWAY DEPARTMENT

## Specifications for Highway Department 2 Trucks

ENGINE: 135 H.P.

CLUTCH: 11" Dia.

TRANS: 4-speed Synchronesh

WHEEL BASE: 137"

TIRE SIZE: 825-20-10 ply

WHEELS: 6.5 rims

BRAKES: Hydraulic 375 sq. in.

GENERATOR: 45 ampere

2 Quart Oil Filter

2 Mirrors

(Heater-Defroster-Fresh air)

Signals

Flasher

Coleman 4 x 4 Drive

Change over Dump Body

Remove Snow Plows from present trucks and install on new.

(2—1948 Chevrolet Truck to be traded in and sold to the successful bidder and will be considered in the bid submitted.)

## ONE MOTOR TRUCK

Gross vehicle weight of Chassis, 24,000 lbs; Wheelbase not to exceed 140"; C.A. dimensions—75 5/8".

## FRAME

Must be full double channel alloy frame

Minimum of 9" channel by 3" by 1/4"

Air Brakes

Tow hooks front and rear, forge steel

Minimum opening 2"

## ENGINE

Engine must be minimum of 331 cubic inch

Overhead design

Wet sleeve cylinders

## FRONT AXLE

8,000 lb. capacity, or equivalent to FD 900 Timken

## SPRINGS

3" front and rear springs. Springs must be heavy service type,

Extra leaves, other than standard.

## EQUIPMENT

DeLuxe Heater &amp; Defroster

Low pressure indicator

Directional signals, front &amp; rear

Must be equipped with self canceling switch

## REAR AXLE

Double reduction 2-speed manufacturers rating 18,500 lbs.

## FUEL

30 Gal. Gas tank

## CAB

All steel DeLuxe cab.

## BODY

Dump body to be over 8 gauge 4 yd. water level,

6 yd. ends.

10 ft. long, 7 ft. wide

Hoist to be rated 12 ton capacity, minimum of 8" diameter.

1/4 cab shield

1" mesh screen over rear cab window

marker lights on cab roof

(One Autocar Truck to be traded in and sold to the successful bidder and will be considered in the bid submitted.)



The Notice to Bidders was posted on the 24th day of May, 1954, in the following places:

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

Hereto attached is a copy the Notice to Bidders published in the Cheektowaga Times and The Depew Herald & Cheektowaga News:

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication MAY 20 1954; last publication MAY 20 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
day of MAY 20 1954, 19.....

*Eve J. Allis*

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of three 1954 trucks for the Town Highway Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Saled bids will be received not later than June 7, 1954 at 2:30 o'clock P.M. by the Town Board and the Town Highway Superintendent at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, Broadway and Union, Town of Cheektowaga, New York on the 7th day of June, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 17, 1954.

(5-20) **KENNETH T. HANLEY**  
Town Clerk

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

The Town of Cheektowaga, New York, requires separate sealed bids for the purchase of three 1954 trucks for the Town Highway Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than June 7, 1954 at 2:30 o'clock P.M. by the Town Board and the Town Highway Superintendent at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, Broadway and Union, Town of Cheektowaga, New York on the 7th day of June, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.  
Dated: May 17, 1954.

KENNETH T. HANLEY,  
Town Clerk.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 20th day of May, 1954, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*  
by *C.P.B.*

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 1954

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

IN 52 8830

Item No. 17  
its adoption:

Councilman Nagel presented the following resolution and moved

79

WHEREAS, Albert J. Kamm, Town Engineer, has recommended the purchase of a new two stage air cooled gasoline engine driven portable air compressor complete with electric starting and mounting on two-pneumatic tires, with a capacity of 60 to 75 C.F.M. actual at 100# pressure, that they are needed in his department, be it

RESOLVED, that the Town of Cheektowaga purchase a new compressor, described above, to meet the specifications set forth in the Notice to Bidders,

THAT, the Town Clerk be directed to publish the annexed Notice to Bidders in connection with the purchase of said compressor,

THERE, are filed in the Town Clerks' Office, copies of the specifications which are available for all, prospective bidders.

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

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

Carried: Ayes: -5-

Noes: -0-

#### NOTICE TO BIDDERS

##### **NOTICE TO BIDDERS**

The Town of Cheektowaga desires to purchase a new two stage air cooled gasoline engine driven portable air compressor complete with electric starting and mounting on two pneumatic tires with a capacity of 60 to 75 C.F.M. actual at 100# pressure.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than June 7, 1954, at 2:30 o'clock P.M., at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Road and Broadway, Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock P.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 17, 1954.

KENNETH T. HANLEY  
Town Clerk

(5-20)

Hereto attached are a copy of the specifications;

Specifications for 1 — New two stage air cooled gasoline engine driven portable air compressor complete with electric starting and mounting on two - pneumatic tires. Capacity shall be 60 to 75 C.F.M. actual at 100# pressure.

#### SPECIFICATIONS:

Compressor shall be two stage air cooled with two low pressure cylinders with 4¼" bore and one high pressure cylinder with 3¾" bore and 4" stroke. Each cylinder is to be separately cast. Compressor shaft is to be supported on outer end with a heavy duty ball bearing and inner end connecting directly to engine shaft. Splash system lubrication. Compressor shall be equipped with oil bath type air cleaner.

Intercooler shall be sectionalized radiator type intercooler served by a fan mounted on compressor crankshaft.

Gasoline engine shall be 4 cylinder water cooled with force feed lubrication and equipped with oil bath type air cleaner. Maximum engine speed approximately 1200 RPM.

Starting shall be push button electric starting complete with magneto, impulse coupling, generator and battery. Instrument panel shall be complete with air pressure gauge, engine oil pressure gauge, ammeter and starter button.

Gas tank is to be lead coated with capacity enough for a days run. Sediment and water traps and lockable filler cap shall be provided.

Air receiver shall be seamless pressed steel A.S.M.E. and National Board Code Welded. Fittings included pressure gauge, service and drain valves.

Tool boxes are to be built into sides of body complete with hinged covers.

Compressor mounting. Two pneumatic tired, spring mounted Timken bearing wheels. Tire sizes—6:00-16 4 ply. Complete with tow bar.

#### ACCESSORIES:

- 1—Medium Paving Breaker complete with Moil Point.
- 1—Backfill Tamper complete with on 3" and one 5¾ Pad.
- 1—Clay digger complete with clay scoop.
- 2—50 ft. lengths of Air Hose with Couplings.

The Notice to Bidders was posted on the 24th day of May, 1954, in the following places:

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

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

**NOTICE TO BIDDERS**

The Town of Cheektowaga desires to purchase a new two stage air cooled gasoline engine driven portable air compressor complete with electric starting and mounting on two pneumatic tires with a capacity of 60 to 75 C.F.M. actual at 100# pressure.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than June 7, 1954, at 2:30 o'clock P.M., at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Road and Broadway, Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock P.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 17, 1954.

(5-20) **KENNETH T. HANLEY**  
Town Clerk

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication MAY 20 1954; last publication MAY 20 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 20 1954, 19.....

*Eve J. Allis*

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1956  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 20th day of May, 1954, and the last insertion being on the ..... day of ....., 19....., and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*  
by *P/B*

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

May 21 1954, 19.....

*Kenneth T. Hanley*  
Notary Public in and for Erie County.  
IN 52000

to purchase a new engine driven air cooled gasoline engine driven portable air compressor complete with electric starting and mounting on two-pneumatic tires with a capacity of 60 to 75 C.F.M. actual at 100-lbs. pressure.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are made available for all prospective bidders.

Sealed bids will be received not later than June 7, 1954, at 2:30 o'clock P.M., at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Union Road and Broadway, Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock P.M.

This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: May 17, 1954.  
KENNETH T. HANLEY,  
Town Clerk.

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

81

WHEREAS, the PELVION LAND COMPANY, INC. and the TOWN OF CHEEKTOWAGA entered into an agreement whereby the Pelvion Land Company Inc. has agreed to complete paving of Freda Avenue, South Colby Street, South Hedley Street and South Glidden Street, to conform with the requirements of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, and has duly filed with the said agreement a surety bond in the sum of \$10,000.00 that said highways will be completed on or before June 1, 1955, be it

RESOLVED, that Freda Avenue, South Colby Street, South Hedley Street, and South Glidden Street, all highways located in the Town of Cheektowaga, New York, and more specifically described in Maps filed in the Erie County Clerk's office under Covers No. 1804 and 1826, be accepted as Town Highways under the jurisdiction of the Town Highway Department, and be it further

RESOLVED, that the Town Attorney be authorized to record in the Erie County Clerk's Office the deed to said highways, which deed has been submitted to the Town Board and approved as to form and sufficiency of description.

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

SUPERVISOR Moltz	voting aye
Councilman Neibert	voting aye
Councilman Wroblewski	voting aye
Councilman Bystrak	voting aye
Councilman Nagel	voting aye

AYES 5

CARRIED

#### AGREEMENT

This agreement made this 6th day of April, 1954, by and between the Town of Cheektowaga, a municipal corporation of the State of New York with its office and principal place of business in the County of Erie, State of New York party of the first part and the Pelvion Land Company, a domestic corporation, organized and existing under and by virtue of the laws of the State of New York with its office and principal place of business of 4845 Union Road, Cheektowaga, New York party of the second part;

#### WITNESSETH:

WHEREAS, the party of the second part has constructed or caused to be constructed homes on Freda Avenue, South Colby Street, South Hedley Street, and South Glidden Street, all highways located in the Town of Cheektowaga, New York, and has constructed the foundation for the highways on said streets in accordance with the specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, and

WHEREAS, the party of the first part has requested the party of the second part not to place topping on said streets until all construction on the streets has been completed and weather conditions permit such work, it is hereby

AGREED, that the party of the second part agrees to place topping, on Freda Street, commencing at Harlem Avenue and extending to Tillotson Avenue, a distance of approximately 877 feet, and on South Colby Street, from Dingsen Street to Parker Street a distance of approximately 785 feet, South Hedley Street from Dingsen Street to Parker Street, and South Glidden Street from Dingsen Street to Parker Street, and where necessary to reconstruct the foundation of said highways and complete the same so that each highway will conform in every respect with the requirements of the Town Highway Department and the regulations of the Town of Cheektowaga, New York on or before June 1, 1955, it is further

UNDERSTOOD AND AGREED, that the party of the second part will furnish the party of the first part a Surety Company Bond executed by a Bonding Company authorized to do business in the State of New York in the sum of \$10,000, said Bond to provide, among other things, that the party of the second part will, in all respects, comply with the terms and conditions of this Agreement and the accompanying resolution of the Town Board on or before June 1, 1955. In the event the party of the second part fails to live up to the terms of this Agreement, then the party of the first part is authorized to complete said highway so that the same complies in every respect with the minimum requirements of the Town Highway Department and the regulations of the Town of Cheektowaga, New York and all expenses incurred by it in completing said highways shall be paid by the party of the second part and its surety, and in the event said sum of \$10,000 is insufficient to pay such cost, then the party of the second part hereby agrees to pay any sum required in excess of the amount, it is however,

AGREED, that the maximum liability of the Surety Company is limited to the sum of \$10,000.00.

Upon filing with the Town Board an executed copy of this Agreement and the Surety Company Bond, it is agreed that the party of the first part will immediately accept said highways as Town Highways.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

TOWN OF CHEEKTOWAGA NEW YORK  
BY: Benedict T. Moltz Supervisor  
BY: Gilbert T. Yeager (Pelvion Land Co. Inc.)  
Party of the second part

STATE OF NEW YORK SS  
COUNTY OF ERIE

On this 30th day of April, 1954, before me personally came Gilbert T. Yeager, to me personally know, who, being by me duly sworn, did depose and say that he resides in the City of Buffalo, Count of Erie and State of New York, that he is the Secretary of Pelvion Land Co., Inc., the corporation described in, and which executed, the within Instrument; that he knows the seal of said corporation; that the seal affixed to said Instrument is cudh corporate seal; that it was so affixed by order of the Board of Directors of said Corporation; and that he signed his name thereto by like Order.

R. F. Gardner  
Notary Public

STATE OF NEW YORK SS  
COUNTY OF ERIE

On this 30th day of April, 1954, before me personally came Benedict T. Holtz, to me known, who being by me duly sworn did depose and say that he resides in the Town of Cheektowaga, Erie County, New York; that he is the Supervisor of said Town of Cheektowaga, the municipal corporation described in and which executed the foregoin instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate sea;; that it was so affixed by order of the Town Board of Cheektowaga, and that he signed his name thereto by like order.

Geo. B. Doyle  
Notary Public

**CONTRACT BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, PELVION LAND COMPANY, INC., a domestic corporation organized and existing under and by virtue of the Laws of the State of New York, with its office and principal place of business at 4845 Union Road, Cheektowaga, New York, as Principal, and the SEABOARD SURETY COMPANY a New York corporation, with its principal office at 75 Maiden Lane New York, New York, as Surety, are held and firmly bound unto the TOWN OF CHEEKTOWAGA, NEW YORK, in the sum of TEN THOUSAND (\$10,000.00) Dollars, lawful money of the United States of America, to be paid to the said Town of Cheektowaga, its certain attorney, or assigns, for which payment well and truly to be made, we bind ourselves, our heirs executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Sealed with our seals. Dated the 15th day of April, 1954.

WHEREAS, the above bounde, Pelvion Land Company Inc., has entered or is about to enter into contract with the Town of Cheektowaga, to place topping on Freda Street, commencing at Harlem Avenue and extending to Tillotson Avenue, a distance of approximately 877 feet, and on South Colby Street, from Dingens Street to Parker Street, a distance of approximately 785 feet, South Hedley Street from Dingens Street to Parker Street, and South Glidden Street from Dingens Street to Parker Street, and whre necessary to reconstruct the foundation of said highways and complete the same so that each highway will conform in every respect with the requirements of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, which contract is by reference made a part hereof and is hereinafter referred to as the contract.

NOW THEREFORE, the condition of this obligation is such, that if the above bounde, Pelvion Land Company, Inc., shall well and truly and in good and sufficient manner faithfully and completely perform the said contract, in accordance with the terms and stipulations therein contained, and shall well and truly perform all the labor and furnish all the material necessary to fully complete the work or improvements therein contemplated; and shall well and truly pay for all material used and services rendered in the execution of such contract, then this obligation shall be void.

PELVION LAND COMPANY, INC.

BY G. T. Yeager Sec.

SEABOARD SURETY COMPANY

BY John N Walsh Jr.  
Attorney in fact



moved its adoption:

WHEREAS, the Town Highway Superintendent has submitted to the Town Board that certain town highways be improved by the construction of permanent improvements thereon, be it

RESOLVED, that the Town Superintendent of Highways be and he is hereby authorized to improve the highways, a list of which is hereto annexed and made a part of this resolution, pursuant to Sec. 284 of the Highway Law.

That the annexed agreement as to said highway be executed by the members of the Town Board.

This resolution shall become effective after the annexed agreement has been approved by the County Superintendent of Highways.

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

Supervisor	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Joseph A. Neibert	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanley Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

BRIGHT ST. -----from William St. to Cayuga Cr. Rd. a distance of .378 miles. at a cost of \$9,000.00 surface treated 28ft. wide 2" thick 8" base.

PARKER ST. -----from Harlem Rd. to Bright St. a distance of .278 miles at a cost of \$5500.00 surface treated 28 ft. wide 2" thick 8" base.

SHANLEY ST.-----from Griswold St. to Clinton St. a distance of .378 miles at a cost of \$5000.00 surface treated 28 ft. wide 2" thick 8" base.

HUXLEY DR. -----from Cleveland Dr. to Wherle Dr. a distance of .378 miles at a cost of \$6000.00 surface treated 28 ft. wide 2" thick 8" base.

ANDREW ST. -----from Genesee St. to Delavan Ave. a distance of .227 miles at a cost of \$7500.00 surface treated 28 ft. wide 2" thick 8" base.

BARBARA ST.-----from Genesee St. to Atwood Pl. a distance of .189 miles at a cost of \$4000.00 surface treated 28 ft. wide 2" thick 8" base.

CENTURY RD.-----from Kensington Ave. to Treehave Rd. a distance of .227 miles at a cost of \$8000.00 surface treated 28 ft. wide 2" thick 8" base.

KENDALE RD.-----from Allendale Rd. to Allendale Rd. a distance of .189 miles at a cost of \$3000.00 surface treated 28 ft. wide 2" thick 8" base.

CHARNWOOD CT. --from Charnwood Rd. to dead end circle a distance of .132 miles at a cost of \$3000.00 surface treated 28 ft. wide 2" thick 8" base.

CHARNWOOD DR. --from Kensington Ave. to Cleveland Dr. a distance of .132 miles at a cost of \$3000.00 surface treated 28 ft. wide 2" thick 8" base.

CAMPWOOD CT. ---from Charnwood Dr. to cultersack a distance of .095 miles at a cost of \$2000.00 surface treated 28 ft. wide 2" thick 8" base.

CORRALWOOD CT. -from Charnwood Dr. to cultersack a distance of .114 miles at a cost of \$3500.00 surface treated 28 ft. wide 2" thick 8" base.

CASS AVE. -----from Thruway to William St. a distance of .378 miles at a cost of \$6000.00 surface treated 28ft. wide 2" thick 8" base.

BARLAND ST. ----from Thruway to William St. a distance of .378 miles at a cost of \$6000.00 surface treated 28 ft. wide 2" thick 8" base.

Item No. 20

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Town of Cheektowaga cooperate with the Buffalo Courier Express Crusade for Safety and that the advertisement of such Crusade be exhibited on all motor vehicles operated by the Town of Cheektowaga and that the citizens of Cheektowaga be requested to join the Crusade for Safety and use every precaution to avoid accidents.

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

Supervisor	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Joseph A. Neibert	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanley Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 21

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, the culvert under George Urban Blvd. at Frederick St. should be lowered and enlarged in order to take care of the increase amount of storm waters, be it

RESOLVED, that the County Superintendent of Highways, Harry A. Crafts, be requested to lower and enlarge said culvert as soon as possible.

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

SUPERVISOR	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Joseph A. Neibert	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanley Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 22

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, Alois Peinkofer and Lillian Balbach and the said Town of Cheektowaga entered into an agreement whereby the said Alois Peinkofer and Lillian Balbach agreed to pave and install sewers in Petan Drive and Miami Pkwy. as shown on a subdivision map filed in the Erie County Clerk's Office under map cover No. 1847 in accordance with the terms of said agreement and as duly filed with the agreement, a surety bond in the sum of \$100,000.00, be it

RESOLVED, that Petan Drive and Miami Pkwy. as shown upon a subdivision map filed in the Erie County Clerk's Office under cover No. 1847, be accepted as Town highways under the jurisdiction of the Town Highway Department and be it further

RESOLVED, that the Town Attorney be authorized to record in the Erie County Clerk's Office the deed to said highways.

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

Supervisor	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Joseph A. Neibert	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanley Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 23  
its adoption:

Councilman Neibert presented the following resolution and moved

WHEREAS, there is located on the east side of Union Road near Genesee Street, an abandoned cemetery in which there have been no burials for the past 30 years, be it

RESOLVED, that the Town Attorney be authorized to institute proceedings pursuant to law to abandon the cemetery and that after said proceedings are concluded, the property be offered for sale;

That proper arrangements be made for reinterment of the remains of persons buried in said cemetery.

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

Supervisor	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Joseph A. Neibert	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanley Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 24

moved its adoption:

Councilman Wroblewski presented the following resolution and

WHEREAS, several motor vehicles traveling in an easterly direction on Genesee Street, make left turns from Genesee Street at its intersection with Harlem Road, Union Road and Cayuga Road, which intersects with the normal flow of traffic traveling on Genesee Street and there is presently no method of avoiding turn left turns at these intersections, be it

RESOLVED that the State Highway Department be requested to investigate the situation to see whether or not delayed action traffic signals should be installed at said intersections.

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

Supervisor	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Joseph A. Neibert	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanley Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 25

moved its adoption:

Councilman Bystrak presented the following resolution and

RESOLVED, that the following hydrants be ordered installed by the Erie County Water Authority within the Cleveland Hill Fire District No. 6, in compliance with the request of the Fire Commissioners:

(1) Walton Drive - 300 ft. South of Cheektowaga North Line

In North Hills Estate, subdivision of Knob Hill Cover 1628;

(2) Fairhaven Drive, Corner Greenway Blvd. Lot #14

(3) Fairhaven Drive at Yorktown Road Lot # 97

(4) Greenway Blvd. & Farmingdale Road Lot # 39

(5) Farmingdale Road & Glendale Lane Lot # 50

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

Supervisor	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Joseph A. Neibert	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanley Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 26  
moved its adoption:

Councilman Wroblewski presented the following resolution and

RESOLVED, that the following hydrants be ordered installed by the Erie County Water Authority within the Doyle Fire District No. 1, in compliance with the request of the Fire Commissioners:

(Hydrants to be installed on existing mains)

Rosser Street, S.E. corner of William  
Alaska Street, S.E. corner of William  
Hedley Street, S.E. corner of William  
Harlem Avenue, S.E. corner of William  
William Street, N.E. corner of Warsaw  
William Street, N.E. corner of Walkowiak  
William Street, N.E. corner of Ludwig  
Clidden Street, N.W. corner of Dingens  
Clidden Street, 500 feet north of Dingens  
Clinton Street, North side at West Line of Lehigh Valley RR.  
N. Meadowbrook, 430 feet north of Dingens.  
N. Pleasant, 500 feet north of Dingens.  
Shanley Street, end of new extension  
Cass Ave. in front of No. 60  
Cayuga Creek Rd. corner of Harlem Rd.

(Hydrants to be installed when mains are installed.)

Colby Street, N.E. corner of Dingens  
Colby Street, 500 feet north of Dingens  
Hedley Street, N.E. corner of Dingens  
Hedley Street, 500 feet north of Dingens  
Alaska Street, S.E. corner of Hurd  
Ludwig Street, 500 feet north of William  
Mansion Street, S.E. corner of Stradtman.

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

Councilman Nagel	Voting	<u>Aye</u>
Councilman Wroblewski	Voting	<u>Aye</u>
Councilman Neibert	Voting	<u>Aye</u>
Councilman Bystrak	Voting	<u>Aye</u>
Supervisor Holtz	Voting	<u>Aye</u>

CARRIED: AYES: -5-

Item No. 27  
moved its adoption:

Councilman Bystrak presented the following resolution and

WHEREAS, The Board of Fire Commissioners of Cleveland Hill Fire District No. 6, Cheektowaga, New York, has requested that the Town Board prohibit parking of motor vehicles on the north side of Cleveland Drive for its entire length from Century Road to Cayuga Road, because it is necessary to maintain a fire lane, and

WHEREAS the width of the road is not too wide and there is always the danger of people stepping into the path of the fire trucks and the automobiles of firemen from behind parked cars, and the hazard is increased on account of people walking on the highway due to the fact that there are very few sections of sidewalks along Cleveland Drive, be it

RESOLVED, that the request of the Board of Fire Commissioners be granted and that consent be requested of the Erie County Highway Department to erect signs along said highway prohibiting parking on the north side of Cleveland Drive for its entire length from Century Road to Cayuga Road.

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

Supervisor	Benedict T. Holtz	Voting	<u>Aye</u>
Councilman	Joseph A. Neibert	Voting	<u>Aye</u>
Councilman	Felix Wroblewski	Voting	<u>Aye</u>
Councilman	Stanley Bystrak	Voting	<u>Aye</u>
Councilman	Henry Nagel	Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 28

moved its adoption:

Councilman Neibert presented the following resolution and

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WHEREAS, the Town Board received a complaint of the dangerous condition of a building located at 44 Hedwig Street, be it

RESOLVED, that the Town Clerk immediately notify the owners of the buildings located near the above address requiring them to make said building safe and secure or remove the same from the premises;

That the Chief of Police be directed to inspect the premises and report, in writing, his findings of the condition thereof to the Town Board and if it is found that said building or structure located on the premises is unsafe so as to endanger a life, proceedings be instituted against the owners thereof in accordance with Ordinance 12 of the General Ordinances of the Town of Cheektowaga, New York.

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

Supervisor  
Councilman  
Councilman  
Councilman  
Councilman

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

Voting	<u>Aye</u>
Voting	<u>Aye</u>
Voting	<u>Aye</u>
Voting	<u>Aye</u>
Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

In the Matter of the Application of Schwenzer Tool and Die Company, Inc., to Rezone from "Residential" to First Industrial" certain property located on Clinton Street, in the Town of Cheektowaga, New York.

This application is made to zone a parcel of land on Clinton Street having a frontage of approximately 150 feet. This property adjoins the premises owned by the petitioner along the Right-of-Way of the Lehigh Valley Railroad, which the Zoning Board of Appeals, on May 21, 1953, recommended to the Town Board that the same be zoned "First Industrial". The Town Board thereafter confirmed the determination of the Zoning Board of Appeals.

At the time of the hearing a year ago, the petitioner brought with him a plan of the building he intended to construct if the zoning application was granted. During the year, which has expired, the petitioner did nothing to improve the property.

At the hearing of this Board on May 5, 1954, the petitioner produced the same drawing, but did not leave it with the Board. It was also brought out at the hearing that the petitioner sold to the Niagara Mohawk Power Company 50 feet of the property zoned which is located closest to the right-of-way of the Lehigh Valley Railroad Company. There still remains, of the property zoned last year, 150 feet of land fronting on Clinton Street. The petitioner has ample room to locate the building he proposes to build on the remaining property and has no present need for the additional zoning at this time.

When its representative was asked whether he would file with the Zoning Board of Appeals a letter stating that an application for a building permit would be made before September, 1954, he refused.

It has been the practice of the Zoning Board of Appeals not to rezone "Residence" property for "Industrial" use where the applicant fails to allege the type of industry to be located on the premises.

We recommend the application to ~~rezone~~ be denied at this time, without prejudice to the petitioner and reapplying when it needs the property and is in a position to inform the Zoning Board of Appeals of the kind of business it is proposed to be constructed on the premises.

Dated: May 13, 1954.

Leo Kurnick, chairman  
C.G. Hanson  
Michael L. Hanfling  
Joseph P. Kubera

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that this Town Board does hereby accept the recommendation of the Zoning Board of Appeals denying the application of the Schwenzer Tool and Die Company, Inc., to rezone from Residential District to First Industrial District the following described property:

Seconded by Councilman Nagel.

Carried; AYES: -5-.

(Enter Des)

YORK  
The following property is located in the Town of Cheektowaga, Erie County, New York, and is described as follows: Your petitioner's property is a strip of land 60 feet in width adjacent to and on the easterly side of the Lehigh Valley Railroad right of way. The property is 250 feet of your petitioner's property fronting on Clinton Street and extending back for its full depth of 500 feet is presently zoned 1st Industrial and the easterly 100 feet fronting on Clinton Street and extending back for its full depth of 500 feet is presently zoned Residential. This application for rezoning pertains only to the easterly 100 feet of your petitioner's property fronting on Clinton Street and extending back for its full depth of 500 feet.

2. Your petitioner desires to use this property for the following purposes: petitioner desires to utilize the property in connection with the operation of its plant.

3. That the easterly 100 feet of petitioner's property fronting on Clinton Street is now within a Residential Zone.

4. That in order for your petitioner to use the property for the purpose intended it is necessary that it be placed in a 1st Industrial Zone.

5. Petitioner has entered into a contract with Niagara Mohawk Power Corporation to sell a strip of land 60 feet in width adjacent to and on the easterly side of the Lehigh Valley Railroad right of way for the full depth of petitioner's property from Clinton Street. This sale is made by petitioner to accommodate Niagara Mohawk Power Corporation and to facilitate the construction of an electric power transmission line. Consequently your petitioner has lost 60 feet of that part of its plant site which is presently zoned Industrial and needs the additional 100 feet rezoned to a 1st Industrial District to permit petitioner to expand its plant operations.

WHEREFORE, your petitioner prays that the Town Board of the Town of Cheektowaga, take all necessary steps to rezone the aforementioned property from Residential to 1st Industrial.

Schwenzer Tool & Die Co. Inc.  
PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Town of Cheektowaga, Erie County, New York, will hold a public hearing on said application on the 5th day of May, 1954, at 7:30 o'clock P.M., E.D.S.T., to consider said application and all parties in interest and citizens will be given an opportunity to be heard in respect to such proposed application.

Dated: April 13, 1954.

KENNETH T. HANLEY,  
Town Clerk

Item No. 29 Cont'd  
as follows;

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

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

Carried: AYES: -5-

NOES: -0-

Item No. 30 The following order and resolution was offered by Councilman Nagel, who moved its adoption, seconded by Councilman Wroblewski, to wit:

WHEREAS, the Town Board of the Town of Cheektowaga, in the County of Erie, has determined it to be necessary for the proper maintenance and service of the existing trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, to increase, improve, or reconstruct the facilities of such trunk sewer system and the appurtenances thereto and, at the request of the Town Board, Nussbaumer, Clarke and Velzy, who are competent Civil Engineers duly licensed by the State of New York, have prepared a map and a general plan for the improvement of such trunk system and for the increase of the facilities thereof and also an estimate of the expense thereof, and said map and general plan and estimate are dated May 5, 1954, and have been presented to the Town Board and have been filed in the office of the Town Clerk; and

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

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

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

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

**NOTICE IS HEREBY GIVEN** that the Town Board of the Town of Cheektowaga, in the County of Erie and State of New York, will meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, and hold a public hearing for the purpose of considering a map and general plan describing proposed improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, and an estimate of the cost thereof, and that the Town Board will, at said time and place, hear all persons interested in the subject of such hearing and will receive all evidence offered which will enable the Town Board to determine, pursuant to the provisions of the Town Law of New York, whether it is in the public interest to make the improvements described in said map and general plan and estimate, either in whole, or in part, and whether the property located within the boundaries of said District will be benefited by the making of such improvements.

The improvements heretofore referred to are described in a map and general plan dated May 5, 1954, prepared at the request of the Town Board by Nussbaumer, Clarke and Velzy, Consulting Engineers, now on file in the office of the Town Clerk of the Town of Cheektowaga, and consist of a trunk sewer, and the manholes and other appurtenances suitable for the operation of such trunk sewer, to be connected with the existing 24-inch trunk sanitary sewer which is maintained by Sewer District No. 5 at a point located 103.7 feet south of the center line of Central Boulevard Extension and 10 feet west of the east line of the school site of Union Free School District No. 11, and to run from such point in an easterly direction for 204 feet, and thence in a northerly direction at approximately a right angle a distance of 200 feet, and thence easterly at approximately a right angle a distance of 340 feet, and thence northerly at approximately a right angle a distance of 221.5 feet, and thence easterly at a right angle a distance of 325 feet to the westerly line of the Extension of Sewer District No. 5, established by the Town Board on February 1, 1954, where it will be connected with sanitary sewers to be constructed in such Extension.

The estimated expense of making said improvements is Thirty-Five Thousand Dollars (\$35,000.00).

By Order of the Town Board of the Town of Cheektowaga.

Dated, May 17th, 1954.

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

Item No. 30 Cont'd (2) Such notice shall be published once in the Cheektowaga Times and the Depew Herald & Cheektowaga News, Newspapers published in the Town of Cheektowaga and circulating in said Sewer District No. 5, and which are the official newspapers of said Town, and a copy of such notice shall be posted conspicuously in not less than five public places within said District, such publication and posting to be made not less than ten nor more than twenty days prior to the date fixed for such public hearing.

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

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

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

Ayes: -5-

Noes: -0-

Absent: -0-

24th day of May, 1954;

The notice of the hearing was posted as follows on the

- 1- Telephone Pole at the north east corner of Genesee Street and Harlem Road;
- 2- Post at the corner of Maryvale Drive and Unionvale Road;
- 3- U-Crest Fire Hall Bulletin Board, Evergreen Street and Clover Place;
- 4- Telephone Pole No. 1590, Harlem Road at Mafalda Drive;
- 5- Telephone Pole at the south west corner of Cleveland Drive and Cayuga Road.

Here to attached are notices published in the Cheektowaga Times and the Depew Herald & Cheektowaga News:

#### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, in the County of Erie and State of New York, will meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, and hold a public hearing for the purpose of considering a map and general plan describing proposed improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, and an estimate of the cost thereof, and that the Town Board will, at said time and place, hear all persons interested in the subject of such hearing and will receive all evidence offered which will enable the Town Board to determine, pursuant to the provisions of the Town Law of New York, whether it is in the public interest to make the improvements described in said map and general plan and estimate, either in whole or in part, and whether the property located within the boundaries of said District will be benefited by the making of such improvements.

The improvements hereinbefore referred to are described in a map and general plan dated May 5, 1954, prepared at the request of the Town Board by Nussbaumer, Clarke and Velzy, Consulting Engineers, now on file in the office of the Town Clerk of the Town of Cheektowaga, and consist of a trunk sewer, and the manholes and other appurtenances suitable for the operation of such trunk sewer, to be connected with the existing 24-inch trunk sanitary sewer which is maintained by Sewer District No. 5 at a point located 103.7 feet south of the center line of Central Boulevard Extension and 10 feet west of the east line of the school site of Union Free School District No. 11, and to run from such point in an easterly direction for 204 feet, and thence in a northerly direction at approximately a right angle a distance of 200 feet, and thence easterly at approximately a right angle a distance of 340 feet, and thence northerly at approximately a right angle a distance of 221.5 feet, and thence easterly at a right angle a distance of 325 feet to the westerly line of the Extension of Sewer District No. 5, established by the Town Board on February 1, 1954, where it will be connected with sanitary sewers to be constructed in such Extension.

The estimated expense of making said improvements is Thirty-Five Thousand Dollars (\$35,000.00).

By order of the Town Board of the Town of Cheektowaga.

Dated: May 17, 1954.

KENNETH T. HANLEY  
Town Clerk of the  
Town of Cheektowaga

(5-20)

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication MAY 20 1954; last publication MAY 20 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 20 1954, 19.....

*Eve J. Allis*

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029



STATE OF NEW YORK  
COUNTY OF ERIE

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, in the County of Erie and State of New York, will meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, and hold a public hearing for the purpose of considering a map and general plan describing proposed improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, and an estimate of the cost thereof, and that the Town Board will, at said time and place, hear all persons interested in the subject of such hearing and will receive all evidence offered which will enable the Town Board to determine, pursuant to the provisions of the Town Law of New York, whether it is in the public interest to make the improvements described in said map and general plan and estimate, either in whole or in part, and whether the property located within the boundaries of said District will be benefitted by the making of such improvements. The improvements hereinbefore referred to are described in a map and general plan dated May 5, 1954, prepared at the request of the Town Board by Nussbaumer, Clarke and Veley, Consulting Engineers, now on file in the office of the Town Clerk of the Town of Cheektowaga, and consist of a trunk sewer, and the manholes and other appurtenances suitable for the operation of such trunk sewer, to be connected with the existing 24-inch trunk sanitary sewer which is maintained by Sewer District No. 5 at a point located 103.7 feet south of the centerline of Central Boulevard Extension and 10 feet west of the east line of the school site of Union Free School District No. 11, and to run from such point in an easterly direction for 204 feet, and thence in a northerly direction at approximately a right angle a distance of 200 feet, and thence easterly at approximately a right angle a distance of 340 feet, and thence northerly at approximately a right angle a distance of 221.5 feet, and thence easterly at a right angle a distance of 325 feet to the easterly line of the Extension of Sewer District No. 5, established by the Town Board on February 1, 1954, where it will be connected with sanitary sewers to be constructed in such Extension. The estimated expense of making said improvements is Thirty-five Thousand Dollars (\$35,000.00). By Order of the Town Board of the Town of Cheektowaga.  
Dated, May 17th, 1954.  
KENNETH T. HANLEY,  
Town Clerk of the  
Town of Cheektowaga

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the 20th day of May, 1954, and the last insertion being on the ..... day of ..... 19....., and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*  
by C.P.B.

..... day of

....., 19.....

.....  
lic in and for Erie County.

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

# LEGAL NOTICE

CAPITAL NOTE RESOLUTION  
 DATED MAY 17, 1954, AUTHORIZED BY THE TOWN BOARD OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

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

NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its capital notes of the aggregate principal amount of \$2,400.00, pursuant to the Local Finance Law of New York.

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

- a) West Grande Boulevard from Central Boulevard to Southern Parkway.
- b) McNaughton Avenue from Harlem Road to Tillotson Avenue.
- c) Merrymont Road from Cleveland Drive to Wayne Terrace.

Section 3. It is hereby stated that:

- a) The maximum cost of said purpose as estimated by the Town Board is \$2,400.00.
- b) No money has heretofore been applied to the payment of the cost of said purpose.
- c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.
- d) All of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued pursuant to the Local Finance Law, \$2,400.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series B of 1954, which shall bear a date not earlier than May 17, 1954, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and maturing as follows, to wit:

1. In the amount of \$1,200.00 maturing on April 1, 1955, and
2. In the amount of \$1,200.00 maturing on April 1, 1956.

Section 5. All other matters, except as provided herein, relating to such capital notes, shall be

determined by the Supervisor. Such capital notes shall contain substantially the recital of valid-  
 addition to those required by Section 51.00 of the Local Finance Law as the Supervisor shall determine.

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

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

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

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

Section 10. The validity of said capital notes may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication: or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 11. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the CHEEKTOWAGA TIMES and in the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers published and having a general circulation in said Town, and which newspapers are the official papers of this Town.

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

The Capital Note Resolution published herewith has been adopted on the 17th day of May, 1954, and the validity of the obligations authorized by such Capital Note resolution may be hereafter contested only if such obligations were authorized for and object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

Choose from 12 New 1954

"Key-Range" Color Key  
• Full Width Chassis  
• With Removable Easy  
• Built-in Zero Degradation  
• Only refrigerator for the  
• No dial to set. No  
• It's here for '54

THE WORLD'S

So Automatic  
thinks for itself

No Dials to Set

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 20th day of May, 1954, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not

more than six days intervened between any two publications thereof.

Richard G. Bennett  
by C.A.B.

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

MAY 21 1954

\_\_\_\_\_, 19\_\_\_\_

Herbert T. Hawley  
Notary Public in and for Erie County.

IN 528600

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

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

The resolution was duly adopted.

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

# LEGAL NOTICE

**CAPITAL NOTE RESOLUTION DATED MAY 17, 1954, AUTHORIZING THE ISSUANCE OF \$2,400.00 LIGHTING DISTRICT CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA IN THE COUNTY OF ERIE PURSUANT TO THE LOCAL FINANCE LAW**

WHEREAS, the expense of making the improvements hereinafter described must be borne by local assessments upon the several lots and parcels of land within the districts in proportion to the amount of benefit which the improvements shall confer upon the same and in the manner provided in Section 202-a of the Town Law for the assessment of the cost of maintenance in a sewer district as the same shall be annually determined and apportioned by the Town Board, and the Town Board desires to issue capital notes to finance the cost of said improvements and to annually apportion and assess upon the several lots and parcels of lands especially benefitted by such improvements in proportion to the amount of benefit which the improvements shall confer upon the same an amount sufficient to pay the principal of and interest on the capital notes issued for such improvements as the same shall become due and payable, all of which shall be done in accordance with the provisions of Subdivision 6 of Section 198 of Chapter 534 of the Laws of 1932 as amended by Chapter 325 of the Laws of 1946.

## NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga in the County of Erie, shall issue its capital notes of the aggregate principal amount of \$2,400.00, pursuant to the Local Finance Law of New York.

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

(a) West Grande Boulevard from Central Boulevard to Southern Parkway.

(b) McNaughton Avenue from Harlem Road to Tillotson Avenue.

(c) Merrymont Road from Cleveland Drive to Wayne Terrace.

Section 3. It is hereby stated that:

(a) The maximum cost of said purpose as estimated by the Town Board is \$2,400.00.

(b) No money has heretofore been applied to the payment of the cost of said purpose.

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

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

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued pursuant to the Local Finance Law, \$2,400.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series B of 1954, which shall bear a date not earlier than May 17, 1954, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and maturing as follows to wit:

1. In the amount of \$1,200.00 maturing on April 1, 1955, and

2. In the amount of \$1,200.00 maturing on April 1, 1956,

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

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

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

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

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

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

Section 10. The validity of said capital notes may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 11. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the CHEEKTOWAGA TIMES and in the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers published and having a general circulation in said Town, and which newspapers are the official papers of this Town.

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

The capital note resolution published herewith has been adopted on the 17th day of May, 1954, and the validity of the obligations authorized by such capital note resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

RK

WAGA

ss.

C. Allis, of the  
in said County of Erie, be-  
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is inserted and published in  
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MAY 20 1954  
MAY 20 1954  
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clard C. Allis

this  
20 1954, 19

J. Allis  
nd for Erie County, N. Y.

EVE J. ALLIS  
CLIC. STATE OF NEW YORK  
ied in Erie County  
ion Expires March 30, 1955  
gistered No. 5029

**HAVER**  
**Sewer Trouble?**  
**Call WI 7613**  
 We specialize in Sewer  
 and Drain Cleaning  
 Prompt 24-hour Service

**TRUSTEE KOSINICK, Absent**  
**TRUSTEE LIPUMA, Present**  
**MAYOR KOCIALSKI, Present**  
 Summary of roll call: 6 present,  
 1 absent.  
 Pursuant to due advertisement  
 in the official newspaper, a public  
 hearing was held on the application  
 of Roy Cepers, Humboldt Place,  
 Depew, N. Y., to rezone Subdivi-  
 sion Lots Nos. 15 and 16, situated  
 on the north side of Humboldt  
 Place, west of River Street, from  
 Residential District use to Business  
 District use.  
 The interested parties appeared to

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

A public newspaper published at Depew, Town of Cheek-  
 towaga, Erie County, New York, that notice of which the  
 annexed printed slip taken from said newspaper, is a copy,  
 was inserted and published therein once a week for  
 ..... week, the first insertion being on the  
 20th day of May, 1954, and  
 the last insertion being on the ..... day of  
 ....., 19....., and that not  
 more than six days intervened between any two publi-  
 cations thereof.

*Richard G. Bennett*  
 by C.P.B.

Sworn to before me this MAY 21 1954 day of

....., 19.....  
*Flora T. Hanley*  
 Notary Public in and for Erie County.  
 4452 0000

resolution was

ished in the

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

*Willard C. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *he* is  
... *publisher* ... of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks, first  
publication *MAY 20 1954*;  
last publication *MAY 20 1954*;  
and that no more than six days intervened be-  
tween publications.

*Willard C. Allis*

Sworn to before me this  
day of *MAY 20 1954*, 19...

..... *Eve J. Allis* .....

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 20th day of May, 1954, and the last insertion being on the day of 19, and that not more than six days intervened between any two publications thereof.

CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW. WHEREAS, the expense of making the improvements hereinafter described must be borne by local assessment upon the several lots and parcels of land within the districts in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law for the assessment of the cost of maintenance in a sewer district as the same shall be annually determined and apportioned by the Town Board, and the Town Board desires to issue capital notes to finance the cost of said improvements and to annually apportion and assess upon the several lots and parcels of lands especially benefitted by such improvements in proportion to the amount of benefit which the improvements shall confer upon the same an amount sufficient to pay the principal of and interest on the capital notes issued for such improvements as the same shall become due and payable, all of which shall be done in accordance with the provisions of Subdivision 6 of Section 193 of Chapter 634 of the Laws of 1953 as amended by Chapter 325

of the Laws of 1954.

IT IS RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, AS FOLLOWS:

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its capital notes of the aggregate principal amount of \$2,400.00, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the purchase and installation of street lighting equipment; pursuant to Section 193 of the Town Law of New York, along the highways as hereinafter set forth, to serve properties on both sides of said highways, to wit:

- West Grande Boulevard from Central Boulevard to Southern Parkway.
- McNaughton Avenue from Harlem Road to Tillotson Avenue.
- Merrymont Road from Cleveland Drive to Wayne Terrace.

Section 3. It is hereby stated that:

- The maximum cost of said purpose as estimated by the Town Board is \$2,400.00.
- No money has heretofore been applied to the payment of the cost of said purpose.
- The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.
- All of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued pursuant to the Local Finance Law, \$2,400.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series B of 1954, which shall bear a date not earlier than May 17, 1954, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and maturing as follows, to wit:

- In the amount of \$1,200.00 maturing on April 1, 1955, and
  - In the amount of \$1,200.00 maturing on April 1, 1956,
- each of such notes to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such Capital Notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

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

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

Section 7. Such capital notes shall be sold at private sale by the Supervisor at a price of not less than par value of and accrued interest, if any, and the proceeds of such sale shall be applied solely

Section 3. It is hereby stated that:

- a) The maximum cost of said purpose as estimated by the Town Board is \$2,400.00.
- b) No money has heretofore been applied to the payment of the cost of said purpose.
- c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.
- d) All of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued pursuant to the Local Finance Law, \$2,400.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series B of 1954, which shall bear a date not earlier than May 17, 1954, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and maturing as follows, to wit:

1. In the amount of \$1,200.00 maturing on April 1, 1955, and
  2. In the amount of \$1,200.00 maturing on April 1, 1956,
- each of such notes to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such Capital Notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

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

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

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

Section 8. It is hereby determined that said purpose is an object authorized in Sub-section 11.00 of the Local Finance Law, and that the period of prescription for such purpose is three years.

Section 9. It is hereby determined that the validity of the obligations authorized by this resolution will not be in excess of 3 years.

Section 10. The validity of said capital notes may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money or if the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 11. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the CHEEKTOWAGA TIMES and in the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers published and having a general circulation in said Town, and which newspapers are the official papers of this Town.

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

The Capital Note Resolution published herewith has been adopted on the 17th day of May, 1954, and the validity of the obligations authorized by such Capital Note Resolution may be heretofore

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

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



Item No. 32  
adoption:

Councilman Nagel presented the following resolution and moved its

WHEREAS, this Town Board has heretofore determined it to be in the public interest to extend Sanitary Sewer District No. 5 so as to embrace the real property mentioned and described in the resolution of the Town Board duly adopted the 25th day of February, 1954, extending said sewer district, and has likewise undertaken the increase of the facilities of the trunk sewer system of Sanitary Sewer District No. 5 in accordance with resolution of the Town Board duly adopted the 17th day of May, 1954, and

WHEREAS, this board has heretofore directed Nussbaumer, Clarke and Velzy, consulting engineers for the Town of Cheektowaga, New York to prepare definite plans and specifications and make a careful estimate of the expenses and with assistance of the Town Attorney to prepare a proposed contract for the execution of the work, and such plans, specifications, estimate and proposed contract having been duly prepared and presented to this Board and likewise filed with the Town Clerk, and the same having been carefully examined by the Town Board and approved, be it

RESOLVED, that sealed proposals be invited for the furnishing of labor and materials necessary for the doing of the work in connection with the extension to said Sanitary Sewer District No. 5 and in connection with the increase of the facilities of the Sewer District No. 5 by the publication of a notice there at least once in the Cheektowaga Times and the Depew Herald & Cheektowaga News, the official newspapers of the town requiring each person who shall offer to do said work to file a sealed proposal or offer to do the work, with a certified check of bid bond in the amount of \$3,000.00 for doing the work in connection with the extension of Sewer District No. 5 and in the amount of \$1,750.00 for doing the work in connection with the increase of the facilities of Sewer District No. 5, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, New York. The bond shall be approved by the Town Attorney, and

BE IT RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga, New York, in the Town Hall, Union Road and Broadway in said Township on the 7th day of June, 1954, at 2:30 P.M., E.D.S.T., and

BE IT FURTHER RESOLVED, that said notice to contractors be in substantially the following forms:

#### NOTICE TO CONTRACTORS

##### LEGAL NOTICE

##### NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, County of Erie, State of New York, sealed proposals shall be received and considered by said Town Board on the 7th day of June, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, in the Town Hall in the Town of Cheektowaga, Erie County, New York, for furnishing all materials and equipment, together with all labor for the construction of Sewers and Sewer extensions with appurtenances to serve Sanitary Sewer District No. 5, and the extension thereof, in accordance with proposed contract documents, plans, specifications, and instructions to bidders, prepared by Nussbaumer, Clarke & Velzy, consulting engineers, for the Town of Cheektowaga, New York, and approved by the Town Board of said Town, all of which are on file with the Town Clerk in his office in the Town Hall, where same may be examined during the usual business hours. Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be examined or secured at the office of the Consulting Engineers, Nussbaumer, Clarke & Velzy, 327 Franklin Street, Buffalo 2, New York. One copy of said documents may be obtained upon payment of \$50.00. Any bidder, upon returning such copy in good condition within thirty (30) days following the receipt of bids, will be refunded \$50.00, and any non-bidder upon so returning such copy, will be refunded \$25.00.

Each proposal must be accompanied by a certified check or bid bond in the amount of \$3,000.00 for the work in the extension of the District and \$1,750.00 for the work in the District, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Bid for Sewer Construction serving Sanitary Sewer District No. 5".

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities in any bid submitted, should it be in the best interests of the Town, or reject any and all bids.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Dated: May 17, 1954.

KENNETH T. HANLEY,  
Town Clerk.

Supervisor Holtz  
Councilman Nagel  
Councilman Wroblewski  
Councilman Neibert  
Councilman Bystrak

Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE  
Voting AYE

Carried: Ayes; -5-

Noes: -0-

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

**NOTICE TO CONTRACTORS**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, County of Erie, State of New York, sealed proposals shall be received and considered by said Town Board on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, in the Town Hall in the Town of Cheektowaga, Erie County, New York, for furnishing all materials and equipment, together with all labor for the construction of Sewers and Sewer extensions with appurtenances to serve Sanitary Sewer District No. 5, and the extension thereof, in accordance with proposed contract, documents, plans, specifications, and instructions to bidders, prepared by Nussbaumer, Clarke & Velzy, consulting engineers, for the Town of Cheektowaga, New York, and approved by the Town Board of said Town, all of which are on file with the Town Clerk in his office in the Town Hall, where same may be examined during the usual business hours. Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be examined or secured at the office of the Consulting Engineers, Nussbaumer, Clarke & Velzy, 327 Franklin Street, Buffalo 2, New York. One copy of said documents may be obtained upon payment of \$50.00. Any bidder, upon returning such copy in good condition within thirty (30) days following the receipt of bids, will be refunded \$50.00, and any non-bidder upon so returning such copy will be refunded \$25.00.

Each proposal must be accompanied by a certified check or bid bond in the amount of \$3,000.00 for the work in the extension of the District and \$1750.00 for the work in the District, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Bid for Sewer Construction serving Sanitary Sewer District No. 5."

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities in any bid submitted, should it be in the best interests of the Town, or reject any and all bids.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Dated: May 17, 1954.

KENNETH T. HANLEY  
Town Clerk

(5-20)

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication MAY 20 1954; last publication MAY 20 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 20 1954, 19.....

*Eve J. Allis*

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:



RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 20th day of May, 1954, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*  
by C.F.B.

Sworn to before me this MAY 21 1954 day of

19\_\_\_\_

*Emmett T. Hark*

Notary Public in and for Erie County.

ht 52 8600

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

The Town Board of Cheektowaga, Erie County, State of New York, sealed proposals shall be received and considered by said Town Board on the 7th day of June, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, in the Town Hall in the Town of Cheektowaga, Erie County, New York, for furnishing all materials and equipment, together with all labor for the construction of Sewers and Sewer extensions with appurtenances to serve Sanitary Sewer District No. 5, and the extension thereof, in accordance with proposed contract documents, plans, specifications, and instructions to bidders, prepared by Nussbaumer, Clarke & Veley, consulting engineers, for the Town of Cheektowaga, New York, and approved by the Town Board of said Town, all of which are on file with the Town Clerk in his office in the Town Hall, where same may be examined during the usual business hours. Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be examined or secured at the office of the Consulting Engineers, Nussbaumer, Clarke & Veley, 327 Franklin Street, Buffalo 2, New York. One copy of said documents may be obtained upon payment of \$50.00. Any bidder, upon returning such copy in good condition within thirty (30) days following the receipt of bids, will be refunded \$50.00, and any non-bidder upon so returning such copy will be refunded \$25.00.

Each proposal must be accompanied by a certified check or bid bond in the amount of \$3,000.00 for the work in the extension of the District and \$1750.00 for the work in the District, payable to the order of Benedict T. Holts, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Bid for Sewer Construction serving Sanitary Sewer District No. 5".

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities in any bid submitted, should it be in the best interests of the Town, or reject any and all bids.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.  
Dated: May 17, 1954.  
KENNETH T. HANLEY,  
Town Clerk.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 20th day of May, 1954, and the last insertion being on the day of 1954, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett  
by C.A.B.

1954

day of

1954

at in and for Erie County.

Item No. 33 This being the time and the place advertised for the receiving of sealed bids for the purchase of;

90

2 Police Automobiles  
1 Station Wagon  
1 Sanitation Truck  
1 Sewer Truck  
1 Disposal Plant Truck

Councilman Nagel moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to open the sealed bids received.

Following is a summary of the bids received:

	<u>Police Cars</u>	<u>Handyman</u>	<u>Disposal</u>	<u>Sewer</u>	<u>Sanitation</u>
Kenmore Motor Co.	\$2,600	-0-	\$1,950 6 cy. 1,970 8 cy.	\$3,495	\$4,017.35
Hal. Casey	2,945	\$1,956.23	1,685.75	2,750	2,999.81
Zapfel Bros.	-0-	-0-	1,935.34	3,005.20	Opt. A-1 3,078.13
					Opt. B 3,278.13
Read Motor Co.	2,774.40	2,000	-0-	2,970	-0-
Reiman Motors	3,037.00	-0-	-0-	-0-	-0-
Brost Bros.	2,520	1,813.23	1,940.27	2,851.84	3,183.51
High St. Garage	-0-	-0-	2,236.40	3,354.40	3,803.60
Mernan Chev.	2,634	1,930.50	1,513.57	2,788.99	3,208.90
Edw. H. Cottrell	2,090	2,048	2,058	3,223	3,593
Don. Allen Chev.	2,493.20	1,873.38	1,572.08	2,843.13	3,247.38
G.M.C. Coach					
Maier-Schule	-0-	-0-	1,386.81	2,812.05	2,906.42
Brost Motors	2,343.60	-0-	1,729.68	2,798	3,079.55

Councilman Nagel moved, seconded by Councilman Neibert, that the bids be referred to the Town Board for analysis and tabulation.

Item No. 34 This being the time and the place advertised for the receiving of bids for the installation of a lateral sanitary sewer in Mapleview Drive from Birkdale Road, extending easterly a distance of 660 feet.

Councilman Nagel moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to open the sealed bids received.

Hereto attached is a summary of the bids received;

BID SUMMARY  
FOR SANITARY SEWERS IN  
MAPLEVIEW ROAD AND BIRKDALE ROAD  
TOWN OF CHEMUNG, NEW YORK  
Received May 1954

					Straco, Inc.		Pariso Bros.	
Bid Item I - Pipe					Unit Price	Total	Unit Price	Total
Loc.	Dia.	Depth	Length	Quantity				
Birkdale Road	8"	6 - 8	400		\$ 2.75	\$1,300.00	\$ 2.45	\$1,160.00
		8 - 10	40		3.00	120.00	3.20	128.00
Total						\$1,220.00		\$1,288.00
Mapleview Road	8"	6 - 8	400		2.50	1,000.00	2.45	1,180.00
		8 - 10	265		2.50	669.00	3.20	848.00
Total						\$1,669.00		\$2,028.00
Bid Item II - Manholes								
Birkdale Road		6 - 8		2 ea.	225.00	450.00	240.00	480.00
		8 - 10		1 ea.	275.00	275.00	290.00	290.00
Total						725.00		770.00
Mapleview Road		6 - 8		2 ea.	225.00	450.00	240.00	480.00
		8 - 10		1 ea.	275.00	275.00	290.00	290.00
Total						725.00		770.00
Bid Item III - Class C. Concrete								
Birkdale Road				50 cu.yd.	15.00	750.00	14.00	700.00
Mapleview Road				10 cu.yd.	15.00	150.00	14.00	140.00
Total						900.00		840.00

Councilman Nagel moved, seconded by Councilman Neibert, that the bids be referred to the Engineers for analysis and tabulation.

Item No. 35 This being the time and the place advertised for a public hearing on the application of the Niagara Frontier Transit System to operate a motor vehicle bus route on and along the following streets and highways in the Town of Cheektowaga, New York:

91

On and along Broadway between a point approximately 100 feet east of its intersection with Wagner Avenue and a point approximately 75 feet east of its intersection with Michael Avenue, as a part of its Broadway route,

The following named persons appeared in favor of the proposed route:

Walter McClausland, representing the Niagara Frontier Transit System and Trustee Frank Kotlowski of the Sloan Village Board.

Petition presented bearing the signatures of 412 persons in favor.

The following named persons appeared in opposition:

Harold Kelley, Attorney for the Buffalo Transit Company;  
John Kaniecki, Sloan, N.Y.;  
Mrs. Reformat, Cheektowaga, New York.  
Supervisor Holtz ordered the hearing closed and decision was reserved.

Item No. 36

Trustees Podniesiowski, Kotlowski and Kaniecki, of the Village of Sloan were granted the floor and requested information relating to the proposed dissolution of the Village of Sloan.

The Supervisor and the Members of the Town Board advised the Trustees that they will not have any information on the matter until after the Village is officially dissolved.

Item No. 37

#### NOTICE OF HEARING-HOMESGARTH ROAD PAVING

WHEREAS, a petition for the improvement of both sides of Homesgarth Avenue, extending from Mapleview Road easterly to Roycroft Blvd., a distance of approximately 730 feet, by the construction of a permanent pavement along said highway was filed in the Town Clerk's Office on April 26, 1954, which petition was presented to this Town Board on the 17th day of May, 1954, and

WHEREAS, EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZINSKI, Assessors of said Town of Cheektowaga have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and also by resident owners owning more than one-half of the frontage owned by resident owners residing along both sides of said highway proposed to be improved, and

WHEREAS, the maximum amount proposed to be expended for the improvement aforesaid is the sum of Ten Thousand Dollars (\$10,000.00), and

WHEREAS, the portion of said improvement to be expended for the improvement of the portion of said highway extending from Mapleview Road easterly to Roycroft Blvd., a distance of approximately 730 feet, by the construction of a permanent pavement along said highway

IT IS ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the DEPEW HERALD & CHEEKTOWAGA NEWS, and the CHEEKTOWAGA TIMES, the official newspapers of the Town, and which newspapers are published in and which have a general circulation in said Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid, and that copies of this order be posted conspicuously in five public places along the said highway to be improved not less than ten nor more than twenty days before the day designated for the hearing as aforesaid.

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

Supervisor Holtz, voting AYE  
Councilman Bystrak, voting AYE  
Councilman Nagel, voting AYE  
Councilman Neibert, voting AYE

ATTEST: T. J. ...

Bid Item IV - Highway 14100

	Quantity	Unit Price	Total	Unit Price	Total
Birkdale Road	50	\$ 2.90	\$145.00	\$ 4.00	\$200.00
Mapleview Road	50	2.90	145.00	4.00	200.00
Total			290.00		400.00
Bid Item V - Pavement Replacement					
Birkdale Road			54.00		50.00
Mapleview Road			54.00		50.00
Total			108.00		100.00
Bid Item VI - 8" Wyo Branches					
Birkdale Road	22		68.00		99.00
Mapleview Road	5		20.00		22.50
Total			108.00		121.50
Bid Item VII - Connection Birkdale					
			30.00		40.00
Total for Bid Items I through VII inclusive			\$5,735.00		\$6,377.50

Councilman Nagel moved, seconded by Councilman Neibert, that the bids be referred to the Engineers for analysis and tabulation.



Item No. 35 This being the time and the place advertised for a public hearing on the application of the Niagara Frontier Transit System to operate a motor vehicle bus route on and along the following streets and highways in the Town of Cheektowaga, New York: 91

On and along Broadway between a point approximately 100 feet east of its intersection with Wagner Avenue and a point approximately 75 feet east of its intersection with Michael Avenue, as a part of its Broadway route,

The following named persons appeared in favor of the proposed route:

Walter McClausland, representing the Niagara Frontier Transit System and Trustee Frank Kotlowski of the Sloan Village Board.

Petition presented bearing the signatures of 412 persons in favor.

The following named persons appeared in opposition:

Harold Kelley, Attorney for the Buffalo Transit Company;  
John Kaniecki, , Sloan, N.Y.;  
Mrs. Reformat, , Cheektowaga, New York.  
Supervisor Holtz ordered the hearing closed and decision was reserved.

Item No. 36

Trustees Podniesienski, Kotlowski and Kaniecki, of the Village of Sloan were granted the floor and requested information relating to the proposed dissolution of the Village of Sloan.

The Supervisor and the Members of the Town Board advised the Trustees that they will not have any information on the matter until after the Village is officially dissolved.

Item No. 37

#### NOTICE OF HEARING-HOMESGARTH ROAD PAVING

WHEREAS, a petition for the improvement of both sides of Homesgarth Avenue, extending from Mapleview Road easterly to Roycroft Blvd., a distance of approximately 730 feet, by the construction of a permanent pavement along said highway was filed in the Town Clerk's Office on April 26, 1954, which petition was presented to this Town Board on the 17th day of May, 1954, and

WHEREAS, EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZINSKI, Assessors of said Town of Cheektowaga have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and also by resident owners owning more than one-half of the frontage owned by resident owners residing along both sides of said highway proposed to be improved, and

WHEREAS, the maximum amount proposed to be expended for the improvement aforesaid is the sum of Ten Thousand Dollars (\$10,000.00), and

WHEREAS, the portion of said

IT IS ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the DEPEW HERALD & CHEEKTOWAGA NEWS, and the CHEEKTOWAGA TIMES, the official newspapers of the Town, and which newspapers are published in and which have a general circulation in said Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid, and that copies of this order be posted conspicuously in five public places along the said highway to be improved not less than ten nor more than twenty days before the day designated for the hearing as aforesaid.

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

Supervisor Holtz, voting AYE  
Councilman Bystrak, voting AYE  
Councilman Nagel, voting AYE  
Councilman Neibert, voting AYE

ATTEST: 5 - 10000: 0

Item No. 37 Cont'd The notice of the public hearing was posted on the 28th day of May, 1954, in the following places:

- 1- Post at the corner of Homesgarth and Maplevlew Drive;
- 2- Post in front of No. 45 Homesgarth Avenue;
- 3- Post in front of No. 84 Homesgarth Avenue;
- 4- Post in front of No. 89 Homesgarth Avenue;
- 5- Post in front of No. 91 Homesgarth Avenue.

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

#### NOTICE OF HEARING

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in the said Town of Cheektowaga on the 17th day of May, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

#### PRESENT:

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

#### ABSENT: None.

Councilman Wroblewski presented the following resolution and moved its adoption.

WHEREAS, a petition for the improvement of both sides of Homesgarth Avenue, extending from Maplevlew Road easterly to Roycroft Blvd., a distance of approximately 730 feet, by the construction of a permanent pavement along said highway was filed in the Town Clerk's Office on April 28, 1954, which petition was presented to this Town Board on the 17th day of May, 1954, and

WHEREAS, EDWARD B. JERZESKI, ANDREW H. SCHWENK and EUGENE A. RUDZINSKI, Assessors of said Town of Cheektowaga have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and also by resident owners owning more than one-half of the frontage owned by resident owners residing along both sides of said highway proposed to be improved, and

WHEREAS, the maximum amount proposed to be expended for the improvement aforesaid is the sum of Ten Thousand Dollars (\$10,000.00), and

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

#### NOW, THEREFORE,

IT IS HEREBY ORDERED that the Town Board of the Town of Cheek-

towaga met at the Town Hall in said Town of Cheektowaga on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the CHEEKTOWAGA TIMES, and Depew Herald and Cheektowaga News, the official newspapers of the Town, and which newspaper is published in and which has a general circulation in said Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid, and that copies of this order be posted conspicuously in five public places along the said highway to be improved not less than ten nor more than twenty days before the day designated for the hearing as aforesaid.

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

Supervisor Holtz, voting Aye.  
Councilman Bystrak, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Wroblewski, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0  
STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 17th day of May, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 17th day of May, 1954.

KENNETH T. HANLEY,  
Clerk of the Town Board  
Town of Cheektowaga, N. Y.  
(SEAL) (may27)

AGA } ss.

the Town of Cheekto-

Erie, being duly sworn,

is the publisher of the

public newspaper pub-

own; that the notice, of

ed slip, taken from said

inserted and published

ek for one weeks:

AY 27 1954

AY 27 1954

six days intervened be-

*L.C. Allis*

1954, 19

*L.C. Allis*

for Erie County, N. Y.

LLIS  
OF NEW YORK  
County  
March 30, 1955  
5029

STAN J. LEWIS  
Notary Public - State of New York  
Qualified in Erie County  
My commission expires Mar. 30, 1951

Notary Public in and for Erie County.

Sworn to before me this 16 day of June 1954

Richard G. Bennett  
124 000

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 27th day of May, 1954, and the last insertion being on the day of , 19 , and that not more than six days intervened between any two publications thereof.

**Herald and News**  
Depew  
Cheektowaga

PUBLISHED  
of the

being duly sworn, deposes and says that he is the

RICHARD G. BENNETT

Depew Fire Department,  
Central Hose Co. No. 4  
Funeral services were held Saturday morning, May 22nd, from the Rutecki-Kwiatkowski Funeral Home, 83 Burlington Ave., Depew, at 9:30 a.m. and from SS. Peter and Paul Church at 10. Interment was in St. Augustine's Cemetery.

**This HOLIDAY**  
**Saturday, Sunday**

**Urban - Hyland**

Mrs. Lewis C. Fisher REgent 1173

Saturday Mr. and Mrs. Edward Danks and family motored to Sampson Air Base to visit a nephew, AB Richard M. Nichols who is stationed there for his basic training. They brought the young man to his home in Niagara Falls since he had a weekend pass.

Several of the members of the Urban Hose Co. attended the Communion Service held Sunday morning at Our Lady Help of Christians Chapel. Breakfast was served following the service at the U-Crest Fire Hall

I  
of

\$ 1.00 posted on the 28th day

and Mapleview Drive;  
North Avenue;  
North Avenue;  
North Avenue;  
North Avenue.

he notice published in the

Ch.

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication MAY 27 1954; last publication MAY 27 1954; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of MAY 28 1954, 19.....

Eve J. Allis

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 27th day of May, 1954, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*  
124 C.P.B.

day of

1954

in and for Erie County.

STAN J. LEWER  
Notary Public - State of New York  
Qualified in Erie County  
My commission expires Mar. 30, 1954

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, in said Town on the 17th day of May, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT:

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

ABSENT: NONE

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of Highway No. 19, from the intersection of Highway No. 19 and Highway No. 19, to the intersection of Highway No. 19 and Highway No. 19, was filed in the Town Clerk's Office on April 26, 1954, which petition was presented to this Town Board on the 17th day of May, 1954, and

WHEREAS, EDWARD B. JERZYSKI, ANDREW H. SCHWENK and EUGENE A. RUDZINSKI, Assessors of said Town of Cheektowaga have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and also by resident owners owning more than one-half of the frontage owned by resident owners residing along both sides of said highway proposed to be improved, and

WHEREAS, the maximum amount proposed to be expended for the improvement aforesaid is the sum of Ten Thousand Dollars (\$10,000.00), and

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

NOW, THEREFORE,

IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the DEPEW HERALD & CHEEKTOWAGA NEWS, and the CHEEKTOWAGA TIMES, the official newspapers of the Town, and which newspapers are published in and which have a general circulation in said Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid, and that copies of this order be posted conspicuously in five public places along the said highway to be improved not less than ten nor more than twenty days before the day designated for the hearing as aforesaid.

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

Supervisor Holtz, voting AYE  
Councilman Bystrak, voting AYE  
Councilman Nagel, voting AYE  
Councilman Neibert, voting AYE  
Councilman Wroblewski, voting AYE

Attest: I, \_\_\_\_\_  
County Clerk of \_\_\_\_\_  
Town of Cheektowaga

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said

County of Erie, on the 17th day of May, 1954, and that the same is a correct and true transcript of the original resolution and the whereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 17th day of May, 1954.

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

Item No. 38 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the S<sup>u</sup>pervisor for payment of same.  
( Warrant No. 897 to 1033, inclusive, drawn on the S<sup>u</sup>pervisor )

Item No. 39 Councilman Neibert moved, seconded by Councilman Bystrak, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 27th day of May, 1954, at 11:00 o'clock A.M., E.D.S.T., there were:

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

ABSENT: Joseph A. Neibert	Councilman
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Due to the absence of Town Clerk Hanley, Councilman Nagel was designated to act as Town Clerk for this meeting.

Item No. 2 Councilman Nagel presented the following information and moved its adoption:

WHEREAS, the Merchants Association at the Thruway Plaza has requested a permit to display fireworks on the private property of the Thruway Plaza on July 3, 1954, be it

RESOLVED, that permission is granted to the Thruway Plaza Merchants Association, Inc., to display fireworks on July 3, 1954, upon the premises belonging to the Thruway Plaza, providing the owner of said property consents thereto, in writing, and providing adequate Public Liability Insurance in a maximum amount of at least \$100,000.00 is provided to insure persons in an accident or injury resulting from such display;

THAT said policy of insurance include coverage for the Town of Cheektowaga, and be it further

RESOLVED, that said display of fireworks be conducted strictly in accordance with all state laws applicable thereto and only upon the private premises of the Thruway Plaza. This permit does not allow a fireworks display on abutting highways and is confined solely to the property belonging to the Thruway Plaza,

THAT a copy of this resolution be forwarded to the Thruway Plaza Merchants Association, Inc., by the Town Clerk.

Seconded by Councilman Bystrak.

CARRIED: AYES: -4-

ABSENT: -1-

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

WHEREAS, the Town Highway Superintendent has recommended to the Town Board that Wheaton Drive, running from Genesee Street to George Urban Boulevard be accepted as Town Highways, the same having been paved in accordance with the specifications of the Town Highway Superintendent and the regulations of the Town of Cheektowaga, be it

RESOLVED, that Wheaton Drive be accepted as a Town Highway of the Town of Cheektowaga, New York, subject to the jurisdiction of the Town Highway Superintendent.

Seconded by Councilman Nagel.

CARRIED: AYES: -4-

ABSENT: -1-

Item No. 4 Councilman Nagel moved, seconded by Councilman Wroblewski, to adjourn.

Henry J. Nagel, Acting Town Clerk.

SEAL

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were:

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

Also present were: Town Clerk Hanley; Town Attorney Doyle; Town Engineer Kamm; Assessor Jerzewski; Tax Collector Pfohl; Chief of Police Mersmann; Dog Warden Kraska; Recreational Director Janiak; Town Historian Julia B. Reinstein and General Foreman Eberl.

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

Item No. 3 COMMUNICATION read from the Board of Assessors certifying that the petition for the construction of a lateral sanitary sewer in Genesee Street, extending from Awood Place, north easterly to Beechwood Place and Beechwood Place for its entire length from Genesee Street to Greenwood Place has sufficient percentage of signatures for approval. Ordered referred to the Town Attorney to draw up a resolution for a public hearing.

Item No. 4 COMMUNICATIONS

Communication read from State of New York, Department of Public Works, relating to left turns from Genesee Street into Harlem Road, Union Road and Cayuga Road. Ordered received and filed.

Communication read from the New York State Thruway Authority relating to construction of a pedestrian bridge over the New York State Thruway at Garland Avenue. Ordered received and filed.

Communication read from the Cayuga Hose Company inviting the Board to attend its Annual Parade on June 12, 1954. Ordered received, filed and to attend.

Item No. 5 This being the time and the place advertised for a public hearing for the proposed improvement of Homesgarth Avenue, extending from Mapleview Road easterly to Roycroft Boulevard, a distance of approximately 730 feet, by the construction of a permanent pavement along said highway..

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

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

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

Item No. 6 This being the time and the place advertised for the receiving of sealed bids for the purchase of a new two stage air cooled gasoline engine driven portable air compressor complete with electric starting and mounting on two-pneumatic tires with a capacity of 60 to 75 C.F.M. actual at 100 lbs. pressure.

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

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

Councilman Neibert moved, seconded by Councilman Nagel, that the Town Clerk be authorized to open the sealed bids received.

Hereto is a list of the bids received:

Rupp Equipment Company.....	\$2,874.35
Gleason Corporation.....	2,274.00
LeRoi Equipment Corporation.....	2,222.00
Murray Construction Equipment Corporation..	2,405.00

Councilman Neibert moved, seconded by Councilman Nagel, that the bids be referred to Town Engineer Kamm for analysis and tabulation.



Item No. 7 This being the time and the place advertised for the receiving of sealed bids for the purchase of three (3) 1954 trucks for the Highway Department.

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

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

Councilman Nagel moved, seconded by Councilman Neibert, that the Town Clerk be authorized to open the sealed bids received.

Hereto is a list of the bidders,

Reo Motors.....	\$6,429.33
Mernan Chevrolet.....	8,566.00
Edward H. Cottrell.....	4,868.00    6,881.00

Councilman Nagel moved, seconded by Councilman Neibert, that the bids be referred to the Highway Superintendent for analysis and tabulation.

Item No. 8 This being the time and the place advertised for the receiving of bids for the purchase of a 1954 tractor with side mounted mower for the Incinerator Department.

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

The Town Clerk presented proof that such notice has been duly published and posted.

Councilman Wroblewski moved, seconded by Councilman Bystrak, that the Town Clerk be authorized to open the sealed bids received.

Hereto are a list of the sealed bids received:

Buffalo Tractor & Implement Company ( only bid received ).....\$2,377.75.

Councilman Wroblewski moved, seconded by Councilman Bystrak, that the bid be referred to the Town Engineer.

Item No. 9 The following order and resolution was offered by Mr. Neibert, who moved its adoption, seconded by Mr. Nagel, to wit:

BOND RESOLUTION DATED JUNE 7, 1954  
AUTHORIZING THE ISSUANCE OF \$5,500  
SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA,  
IN THE COUNTY OF ERIE, PURSUANT TO THE  
LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION  
OF SIDEWALKS.

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

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$5,500.00, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose ( hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of concrete sidewalks four (4) feet in width on both sides of Peinkofer Drive, from Beach Road easterly to Northvale Drive, on the south side of Peinkofer Drive and Lot No. 106 on the north side of Peinkofer Drive, excepting 207.43 feet on the north side of Peinkofer Drive belonging to Otto Gangloff, in accordance with the resolution adopted by the Town Board of said Town on June 30, 1952.

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

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$5,500.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purposes, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Item No. 9 Cont'd Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 24 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

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

Section 7. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the "Depew Herald & Cheektowaga News" and "Cheektowaga Times", the official newspapers of the Town of Cheektowaga, published and having a general circulation in said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication or if such obligations are authorized in violation of the provisions of the Constitution of New York.

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

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

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

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

Item No. 9 Cont'd Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 24 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years. 35

LEGAL NOTICE

BOND RESOLUTION DATED JUNE 7, 1954, AUTHORIZING THE ISSUANCE OF \$5,500 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF SIDEWALKS.

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

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$5,500.00, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of concrete sidewalks four (4) feet in width on both sides of Peinkofer Drive, from Beach Road easterly to Northvale Drive, on the south side of Peinkofer Drive and Lot Number 106 on the north side of Peinkofer Drive, excepting 207.43 feet on the north side of Peinkofer Drive belonging to Otto Gangloff, in accordance with the resolution adopted by the Town Board of said Town on June 30, 1952.

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

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$5,500.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined

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

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

Section 7. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 51.00 of said Local Finance Law, and such publication shall be in the "CHEEKTOWAGA TIMES," and "The Depew Herald and Cheektowaga News," the official newspapers of the Town of Cheektowaga, published and having a general circulation in said Town. The validity of said Serial Bonds or any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with 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 (20) days after the date of such publication or if such obligations are authorized in violation of the provisions of the Constitution of New York.

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

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

Supervisor Benedict T. Holtz voting Aye.

Councilman Felix Wroblewski voting Aye.

Councilman Stanley Bystrak voting Aye.

Councilman Henry Nagel voting Aye.

Councilman Joseph A. Neibert voting Aye.

The bond resolution published herewith has been duly adopted on June 7, 1954, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, State of New York, is not authorized to expend money or if the provisions of the law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution of New York.

KENNETH T. HANLEY

EW YORK  
ERIE  
CHEEKTOWAGA } ss.

rd C. Allis, of the

town, in said County of Erie, be-

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Willard C. Allis

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JUN 11 1954

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W. J. Allis

in and for Erie County, N. Y.

EVE J. ALLIS  
RY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
Commission Expires March 30, 1955  
Registered No. 5029

aid purpose is an object  
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STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA } ss.

*Willard C. Allis* of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *he* is  
..... *publisher* ..... of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks, first  
publication *JUN 10 1954* .....;  
last publication *JUN 10 1954* .....;  
and that no more than six days intervened be-  
tween publications.

*Willard C. Allis*

Sworn to before me this .....  
day of *JUN 11 1954*, 19.....

..... *Eve J. Allis* .....

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 10th day of June, 1954, and the last insertion being on the day of 19, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

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

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$5,500.00, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of concrete sidewalks four (4) feet in width on both sides of Peinkofer Drive, from Beach Road easterly to Northvale Drive, on the south side of Peinkofer Drive and Lot Number 106 on the north side of Peinkofer Drive, excepting 207.43 feet on the north side of Peinkofer Drive belonging to Otto Gangloff, in accordance with the resolution adopted by the Town Board of said Town on June 30, 1952.

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

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$5,500.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

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

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in violation of the provisions of the Constitution of the State of New York.

Section 7. The validity of the bonds or of any bonds or notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication or if such obligations are authorized in violation of the provisions of the Constitution of New York.

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

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

Supervisor Benedict T. Holtz, Voting Aye  
Councilman Felix Wroblewski, Voting Aye  
Councilman Stanley Bystak, Voting Aye  
Councilman Henry Nagel, Voting Aye  
Councilman Joseph A. Nelbert, Voting Aye

The bond resolution published herewith has been adopted on June 7, 1954, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, State of New York, is not authorized to expend money, or if the provisions of the law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution of New York.

KENNETH T. HANLEY,  
Town Clerk

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

BOND ANTICIPATION NOTE RESOLUTION, DATED  
JUNE 7, 1954, AUTHORIZING THE ISSUANCE OF  
\$5,500 BOND ANTICIPATION NOTES OF THE TOWN  
OF CHEEKTOWAGA, IN THE COUNTY OF ERIE,  
PURSUANT TO THE LOCAL FINANCE LAW, TO  
FINANCE THE CONSTRUCTION OF SIDEWALKS.

BE IT RESOLVED, by the Town Board as follows:

Section 1. The Town of Cheektowaga shall issue its Bond anticipation Notes of the aggregate principal amount of \$5,500, pursuant to the Local Finance Law of New York, in order to finance the specific object or purpose hereinafter described, in anticipation of the issuance of \$5,500 Serial Bonds authorized by the Bond Resolution entitled "Bond Resolution Dated June 7, 1954, authorizing the issuance of \$5,500 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the construction of sidewalks", adopted by the Town Board on June 7, 1954.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed by the issuance of said notes is the construction of concrete sidewalks four feet in width on both sides of Peinkofer Drive, from Beach Road easterly to Northvale Drive; on the south side of Peinkofer Drive and Lot No. 106 on the north side of Peinkofer Drive, excepting 207.43 feet on the north side of Peinkofer Drive belonging to Otto Gangleff.

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

Section 4. The power to prescribe the terms, form and contents of said Bond Anticipation Notes, subject to the provisions of this resolution, and to sell and deliver such Bond Anticipations Notes, is hereby delegated to the Supervisor. The Supervisor and the Town Clerk are hereby directed to sign any Bond Anticipation Notes pursuant to this resolution and the Town Clerk is hereby directed to affix to such notes the corporate seal of the Town.

Section 5. This resolution shall take effect immediately upon its adoption.

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

Supervisor Benedict T. Holts	Voting AYE
Councilman Felix Wroblewski	Voting AYE
Councilman Stanley Bystrak	Voting AYE
Councilman Henry Nagel	Voting AYE
Councilman Joseph A. Neibert	Voting AYE

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

BOND ANTICIPATION NOTE OF 1954 \$2,600.00

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

---TWENTY SIX HUNDRED DOLLARS--- (\$2,600.00)---

on the 1st day of September, 1954, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable September 1, 1954 and annually thereafter.

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

This note is one of an authorized issue, the aggregate principal amount of which is Fifty Five Hundred Dollars, (\$5,500.00).

This note is issued pursuant to the provisions of a bond anticipation note resolution, dated June 7, 1954, authorizing the issuance of bond anticipation notes of the Town of Cheektowaga, New York, in the amount of Fifty-Five Hundred Dollars

COMMITTEES ANNOUNCE  
FOR FISH DINNER



RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 10th day of June, 1954, and the last insertion being on the        day of       , 19      , and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this        day of         
**JUN 18 1954**

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

hn 52 8800

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

BOND ANTICIPATION NOTE RESOLUTION, DATED  
JUNE 7, 1954, AUTHORIZING THE ISSUANCE OF  
\$5,500 BOND ANTICIPATION NOTES OF THE TOWN  
OF CHEEKTOWAGA, IN THE COUNTY OF ERIE,  
PURSUANT TO THE LOCAL FINANCE LAW, TO  
FINANCE THE CONSTRUCTION OF SIDEWALKS.

BE IT RESOLVED, by the Town Board as follows:

Section 1. The Town of Cheektowaga shall issue its Bond anticipation Notes of the aggregate principal amount of \$5,500, pursuant to the Local Finance Law of New York, in order to finance the specific object or purpose hereinafter described, in anticipation of the issuance of \$5,500 Serial Bonds authorized by the Bond Resolution entitled "Bond Resolution Dated June 7, 1954, authorizing the issuance of \$5,500 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the construction of sidewalks", adopted by the Town Board on June 7, 1954.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed by the issuance of said notes is the construction of concrete sidewalks four feet in width on both sides of Peinkofer Drive, from Beach Road easterly to Northvale Drive; on the south side of Peinkofer Drive and Lot No. 106 on the north side of Peinkofer Drive, excepting 207.43 feet on the north side of Peinkofer Drive belonging to Otto Gangloff.

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

Section 4. The power to prescribe the terms, form and contents of said Bond Anticipation Notes, subject to the provisions of this resolution, and to sell and deliver such Bond Anticipations Notes, is hereby delegated to the Supervisor. The Supervisor and the Town Clerk are hereby directed to sign any Bond Anticipation Notes pursuant to this resolution and the Town Clerk is hereby directed to affix to such notes the corporate seal of the Town.

Section 5. This resolution shall take effect immediately upon its adoption.

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

Supervisor Benedict T. Holts	Voting AYE
Councilman Felix Wroblewski	Voting AYE
Councilman Stanley Bystrak	Voting AYE
Councilman Henry Nagel	Voting AYE
Councilman Joseph A. Neibert	Voting AYE

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

BOND ANTICIPATION NOTE OF 1954 \$2,600.00

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

---TWENTY SIX HUNDRED DOLLARS--- (\$2,600.00)---

on the 1st day of September, 1954, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable September 1, 1954 and annually thereafter.

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

This note is one of an authorized issue, the aggregate principal amount of which is Fifty Five Hundred Dollars, (\$5,500.00).

This note is issued pursuant to the provisions of a bond anticipation note resolution, dated June 7, 1954, authorizing the issuance of bond anticipation notes of the Town of Cheektowaga, New York, in the amount of Fifty-Five Hundred Dollars



(\$5,500.00) in anticipation of the sale of serial bonds authorized to finance the construction of concrete sidewalks four feet in width on both sides of Peinkofer Drive, from Beach Road easterly to Northvale Drive, on the south side of Peinkofer Drive Lot No. 106 on the north side of Peinkofer Drive, excepting 207.43 feet on the north side of Peinkofer Drive belonging to Otto Gangloff.

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

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Statutes of the State of New York, to exist, to have happened and to have been performed precedent to and in the issuance of this note, exist, have happened and have been performed, and that this note, together with all other indebtedness of such Town of Cheektowaga is within every debt and limit prescribed by the Constitution and Laws of such State.

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

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BY:

Benedict T. Holtz, Supervisor.

ATTEST:

TOWN CLERK.

Item No. 11 This being the time and the place advertised for a public hearing for the purpose of considering a map and general plan describing proposed improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, and an estimate of the cost thereof,

The Supervisor directed the Town Clerk to present proof that such notice has been duly published.

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

The Supervisor announced that the Town Board would hear all persons interest<sup>ed</sup> in the subject of the hearing, and no person appearing in opposition to the proposed improvement, the following order and resolution was offered by Mr. Nagel, who moved its adoption, seconded by Mr. Neibert, to wit:

WHEREAS, the Town Board of the Town of Cheektowaga, in the County of Erie, has determined it to be necessary for the proper maintenance and service of the existing trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, to increase, improve, or reconstruct the facilities of such trunk sewer system and the appurtenances thereto, and, at the request of the Town Board, Nussbaumer, Clarke and Velzy, who are competent Civil Engineers duly licensed by the State of New York, have prepared a map and a general plan for the improvement of such trunk sewer system and for the increase of the facilities thereof and also an estimate of the expense thereof, and said map and general plan and estimate are dated May 5, 1954, and have been presented to the Town Board and have been filed in the office of the Town Clerk, and

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

WHEREAS, the Town Board did, on the 17th day of May, 1954, duly adopt an order which provided that the Town Board should meet at the Town Hall, corner of Broadway and Union Road, in said Town, on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, on that day, to consider said map and general plan and estimate and the improvements therein described, and to hear all persons interested therein concerning the same, and to take such action on the part of said Town Board with relation to said improvements as may be authorized and required by law, and

WHEREAS, a notice of said public hearing in the form

prescribed by said resolution was published on the 20th day of May, 1954, in the Cheektowaga Times and in the Depew Herald and Cheektowaga News, official newspapers published in said Town, and copies of said notice were posted conspicuously in 5 public place within said District on the 24th day of May, 1954, all as shown by affidavits submitted to the Town Board, and

WHEREAS, said Town Board has, at the time and place specified in said order, considered said map and general plan and estimate and the making of the improvements therein described, and has heard all persons interested who have desired to be heard concerning the same, and has considered all evidence submitted at said time and place which will enable said Town Board to make the determinations hereinafter made: NOW, THEREFORE,

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

(1) It is hereby determined that (a) all the property and property owners within said Sewer District No. 5 will be benefited by the construction of said improvements: (b) all the property and property owners benefitted by the construction of said improvements are included in said Sewer District No. 5: and (c) it is in the public interest to authorize the construction of the improvements described in said map and general plan as set forth in said map and general plan.

(2) The improvements described in said map and general plan shall be constructed in accordance with said map and general plan, at a cost of not exceeding Thirty-Five Thousand Dollars (\$35,000.00).

(3) The Town Clerk is hereby directed to record a certified copy of this order in the office of the Clerk of the County of Erie pursuant to and in accordance with Section 195 of the Town Law.

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

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

Item No. 11 A This being the time and the place advertised for the receiving of sealed bids for furnishing all materials and equipment, together with all labor for the construction of Sewers and Sewer Extensions with appurtenances to serve Sanitary Sewer District No. 5, and the extension thereof.

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

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

Councilman Nagel moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to open the sealed bids received.

Hereto attached is a copy and summary of the bids received:

Councilman Bystrak presented the following resolution and moved its adoption:  
RESOLVED, that the Supervisor be authorized to make a contract with the  
Niagara Mohawk Power Corporation to repair or replace light standards.

# BID SUMMARY - TOWN OF CHEEKTOWAGA, N. Y. - SANITARY SEWER DISTRICT No 5 and ORIOLE EXTENSION

Bid Opening - <sup>JUNE 7</sup> May 17, 1954 - 2:30 PM. E.D.S.T.

Item No.	DESCRIPTION	DEPEN PAVING CO. INC.		STRACO INC.		FAGO BROS. CONST. CO.		THEODORE BIENIEK		H.F. DARLING		W.J. IRVINS & SONS		RIEFLER BROS. & BENNETT					
		UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
No. 1	120 L.F. 12" V.C.P. 14'-16' Deep	8 <sup>00</sup>	1520 <sup>00</sup>	9 <sup>50</sup>	1425 <sup>00</sup>	12 <sup>00</sup>	2280 <sup>00</sup>	11 <sup>00</sup>	2090 <sup>00</sup>	8 <sup>00</sup>	1577 <sup>00</sup>	23 <sup>00</sup>	4370 <sup>00</sup>	8 <sup>50</sup>	1615 <sup>00</sup>				
No. 2	717 L.F. 12" V.C.P. 16'-18' Deep	8 <sup>50</sup>	6094 <sup>50</sup>	11 <sup>00</sup>	7887 <sup>00</sup>	13 <sup>00</sup>	9321 <sup>00</sup>	14 <sup>00</sup>	10,038 <sup>00</sup>	8 <sup>60</sup>	6166 <sup>20</sup>	27 <sup>00</sup>	19,359 <sup>00</sup>	11 <sup>00</sup>	7887 <sup>00</sup>				
No. 3	1010 L.F. 12" V.C.P. 18' and over in depth	9 <sup>00</sup>	9090 <sup>00</sup>	12 <sup>50</sup>	12,625 <sup>00</sup>	15 <sup>00</sup>	15,150 <sup>00</sup>	20 <sup>00</sup>	20,200 <sup>00</sup>	9 <sup>15</sup>	9191 <sup>00</sup>	32 <sup>00</sup>	32,320 <sup>00</sup>	15 <sup>00</sup>	15,150 <sup>00</sup>				
No. 4	8 Manholes 3' or less in depth	500 <sup>00</sup>	4000 <sup>00</sup>	240 <sup>00</sup>	1920 <sup>00</sup>	300 <sup>00</sup>	2400 <sup>00</sup>	240 <sup>00</sup>	1920 <sup>00</sup>	420 <sup>00</sup>	3360 <sup>00</sup>	300 <sup>00</sup>	2400 <sup>00</sup>	250 <sup>00</sup>	2000 <sup>00</sup>				
No. 5	90' L.F. of manhole barrel	70 <sup>00</sup>	6300 <sup>00</sup>	40 <sup>00</sup>	3600 <sup>00</sup>	18 <sup>00</sup>	1620 <sup>00</sup>	30 <sup>00</sup>	2700 <sup>00</sup>	36 <sup>00</sup>	3240 <sup>00</sup>	30 <sup>00</sup>	2700 <sup>00</sup>	60 <sup>00</sup>	5400 <sup>00</sup>				
No. 6	1917 L.F. Concrete cradle	2 <sup>50</sup>	4792 <sup>50</sup>	2 <sup>00</sup>	3834 <sup>00</sup>	2 <sup>00</sup>	3834 <sup>00</sup>	3 <sup>00</sup>	5751 <sup>00</sup>	1 <sup>50</sup>	2875 <sup>50</sup>	3 <sup>00</sup>	5751 <sup>00</sup>	2 <sup>00</sup>	3834 <sup>00</sup>				
No. 7	16 12" x 6" Wye branches	9 <sup>00</sup>	144 <sup>00</sup>	8 <sup>50</sup>	136 <sup>00</sup>	10 <sup>00</sup>	160 <sup>00</sup>	15 <sup>00</sup>	240 <sup>00</sup>	10 <sup>00</sup>	160 <sup>00</sup>	5 <sup>00</sup>	80 <sup>00</sup>	7 <sup>00</sup>	112 <sup>00</sup>				
No. 8	200 L.F. 6" Riser pipe	1 <sup>25</sup>	250 <sup>00</sup>	1 <sup>50</sup>	300 <sup>00</sup>	2 <sup>00</sup>	400 <sup>00</sup>	3 <sup>00</sup>	600 <sup>00</sup>	1 <sup>25</sup>	250 <sup>00</sup>	4 <sup>00</sup>	800 <sup>00</sup>	3 <sup>00</sup>	600 <sup>00</sup>				
No. 9	Work at Station 0+00	L.S.	500 <sup>00</sup>	L.S.	300 <sup>00</sup>	L.S.	100 <sup>00</sup>	L.S.	200 <sup>00</sup>	L.S.	50 <sup>00</sup>	L.S.	250 <sup>00</sup>	L.S.	50 <sup>00</sup>				
No. 10	Creek crossing	L.S.	1000 <sup>00</sup>	L.S.	300 <sup>00</sup>	L.S.	500 <sup>00</sup>	L.S.	400 <sup>00</sup>	L.S.	500 <sup>00</sup>	L.S.	1500 <sup>00</sup>	L.S.	100 <sup>00</sup>				
No. 11	160 L.F. 48" R.C.P. & 12" Sewer pipe under Thruway	162 <sup>50</sup>	26,000 <sup>00</sup>	110 <sup>00</sup>	17,600 <sup>00</sup>	27 <sup>00</sup>	4320 <sup>00</sup>	60 <sup>00</sup>	9600 <sup>00</sup>	75 <sup>00</sup>	12,000 <sup>00</sup>	120 <sup>00</sup>	19,200 <sup>00</sup>	70 <sup>00</sup>	11,200 <sup>00</sup>				
	Totals for Items No. 1 thru No. 11		59,691 <sup>00</sup>		49,927 <sup>00</sup>		40,085 <sup>00</sup>		53,739 <sup>00</sup>		39,369 <sup>70</sup>		88,730 <sup>00</sup>		47,948 <sup>00</sup>				
	Alternate 12" Coated R.C.P. Add or Deduct	NONE	NONE	ADD	2815 <sup>50</sup>	DEDUCT	1000 <sup>00</sup>	ADD	3,000 <sup>00</sup>	ADD	2775 <sup>00</sup>	ADD	3500 <sup>00</sup>	ADD	4000 <sup>00</sup>				
			59,691 <sup>00</sup>		52,742 <sup>50</sup>		39,085 <sup>00</sup>		56,739 <sup>00</sup>		42,144 <sup>70</sup>		92,230 <sup>00</sup>		51,948 <sup>00</sup>				
	Bid Security																		
		AMERICAN SURETY CO.		MARYLAND CASUALTY CO. OF BALTIMORE		NEW AMSTERDAM CASUALTY CO.		TRAVELERS INDEMNITY CO., HARTFORD, CONN.		FIDELITY & DEPOSIT CO. OF MARYLAND		NEW AMSTERDAM CASUALTY CO.		FIDELITY & DEPOSIT CO. OF MARYLAND					

NUSSBAUMER, CLARKE & VELZY - ENGINEERS  
327 FRANKLIN ST., BFLA N.Y.

Dwg. No.

Councilman Nagel moved, seconded by Councilman Neibert, that the bids be referred to Nussbaumer Clarke and Velzy for analysis and tabulation.

AYES: -5-

Henry Nagel

NOES: -0-

Voting Aye

ABSENT: -0-

Councilman Nagel moved, seconded by Councilman Neibert, that the bids be referred to Nussbaumer Clarke and Velzy for analysis and tabulation.

Item No. 12

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Supervisor be authorized to make a contract with the Niagara Mohawk Power Corporation to repair or replace light standards in front of No. 86 Preston Road and in front of No. 228 Cleveland Drive, Town of Cheektowaga, New York, and that the cost thereof be charged to General Lighting District.

Seconded by Councilman Neibert.

Carried; Ayes: -5-

Item No. 13

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVE that New York State Gas and Electric Company is hereby authorized to install 5 - 2500 lumen globe type lights on South Glidden Street between Dingen Street and Parker Ave. on the following pole numbers 12 - 14 - 16 - 18 - 20.

Seconded by Councilman Wroblewski.

Carried, Ayes: -5-

Item No. 14

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVE that the Town of Cheektowaga installs 3 "Children at Play" signs on Burdette Drive, one on Union Road, one at Beach Road and one at Wing Court under the supervision of Chief of Police John Mersmann.

ALSO Boulevard stop signs to be installed at the following places:

Rosewood at Southern  
Rosewood at Lindbergh  
Rosewood at Central  
Central at Eastland  
Lindbergh at Eastland  
Southern at Eastland  
Eastland at Southern  
West Grand at Southern  
West Grand at Central

Seconded by Councilman Neibert.

Carried; Ayes; -5-

Item No. 15

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the New York State Electric and Gas Corporation be authorized to install five 2500 lumen lights on Baltic Drive between Beach Road and Genesee Street.

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

Supervisor  
Councilman  
Councilman  
Councilman  
Councilman

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

Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 16

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the New York State Electric and Gas Corporation be authorized to change the present lights on Beach Road from 1000 lumen to 2500 lumen on the following poles:

# 39 $\frac{1}{2}$ , 38, 37, 36, 34 $\frac{1}{2}$ , 33 $\frac{1}{2}$ , 32 $\frac{1}{2}$ , 31, 31, 29, 28, 27, 26 $\frac{1}{2}$ , 25, 24, 23, 20, 18, 17, and be it further

RESOLVED, that an additional light be installed on pole # 16.

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

Supervisor  
Councilman  
Councilman  
Councilman  
Councilman

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

Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye

AYES: -5-

NOES: -0-

ABSENT: -0-

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, Section 6, Paragraph A of the Zoning Ordinances of the Town of Cheektowaga, New York, regulated side yard requirements in residence districts and provides as follows:

SECTION 6

SIDE YARDS IN RESIDENCE DISTRICTS

(a) In a residence district for every dwelling erected there shall be two side yards, one along each side line of the lot; at least twenty per cent (20%) of the width of an interior lot shall be devoted to side yards, but not more than seventeen and one-half ( $17\frac{1}{2}$ ) feet need be so devoted. The least dimensions of a side yard shall be not less than four (4) feet.

and,

WHEREAS, it is deemed in the public interest to make some changes in its provisions, which changes are as follows:

(a) In a residence district, there shall be two side yards, one along each side line of the lot. In lots having a width of fifty (50) feet, but less than sixty (60) feet, the least dimensions of a side yard shall not be less than three (3) feet providing that the other side yard is at least five (5) feet.

In lots having a width of sixty (60) feet, but less than seventy (70) feet, the least dimensions of a side yard shall be not less than four (4) feet providing that the other side yard is at least six (6) feet.

In lots having a width of seventy (70) feet or more, the least dimensions of a side yard shall be not less than five (5) feet providing that the other side yard is at least seven (7) feet.

In old subdivisions where lots have been subdivided into widths of forty (40) feet or less, the least dimensions of a side yard shall be not less than two (2) feet on each side of said lot.

In lots having a width of forty-one (41) feet but less than fifty (50) feet, the least dimensions of a side yard shall be not less than three (3) feet on each side of said lot.

In irregular shaped lots, the Town Board may modify the above requirements by taking into account the width of the lot at its narrowest point and apply the provisions above mentioned on the same basis as if that were the width of the entire lot.

be it

RESOLVED, that pursuant to the provisions of the Town Law, the Town Board shall meet at the Town Hall, corner of Union Road and Broadway in said Town on the 21 st day of June, 1954 at 7:30 o'clock P.M. Eastern Daylight Saving Time for the purpose of considering the advisability of repealing Paragraph A of Section 6 of the Zoning Ordinances of the Town of Cheektowaga as above set forth, and adopting in its place, Paragraph A as hereinbefore set forth.

That at such public hearing, all persons interested in the subject matter shall be given an opportunity to be heard, be it further

RESOLVED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Towns and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing and that on or before said date, he post or cause to be posted conspicuously on a sign board maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order.

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

Supervisor  
Councilman  
Councilman  
Councilman  
Councilman

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

Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye

AYES: -5-

NOES: -0-

ABSENT: -0-

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

( Cheektowaga Times)

#### NOTICE OF HEARING

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in the said Town of Cheektowaga, New York, on the 7th day of June, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, there were:

#### PRESENT:

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

#### ABSENT: None.

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, Section 6, Paragraph A of the Zoning Ordinances of the Town of Cheektowaga, New York, regulates side yard requirements in residence districts and provides as follows:

#### SECTION 6 SIDE YARDS IN RESIDENCE DISTRICTS

(a) In a residence district for every dwelling erected there shall be two side yards, one along each side line of the lot; at least twenty percent (20%) of the width of an interior lot shall be devoted to side yards, but not more than seventeen and one-half (17½) feet need be so devoted. The least dimensions of a side yard shall be not less than four (4) feet and,

WHEREAS, it is deemed in the public interest to make some changes in its provisions, which changes are as follows:

(a) In a residence district, there shall be two side yards, one along each side line of the lot. In lots having a width of fifty (50) feet, but less than sixty (60) feet, the least dimensions of a side yard shall not be less than three (3) feet providing that the other side yard is at least five (5) feet.

In lots having a width of sixty (60) feet, but less than seventy (70) feet, the least dimensions of a side yard shall be not less than four (4) feet providing that the other side yard is at least six (6) feet.

In lots having a width of seventy (70) feet or more, the least dimensions of a single yard shall be not less than five (5) feet providing that the other side yard is at least seven (7) feet.

In old subdivisions where lots have been subdivided into width of forty (40) feet or less, the least dimensions of a side yard shall be not less than two (2) feet on each side of said lot.

In lots having a width of forty-one (41) feet but less than fifty (50) feet, the least dimensions of a side yard shall be not less than three (3) feet on each side of said lot.

In irregular shaped lots, the Town Board may modify the above re-

quirements by taking into account the width of the lot at its narrowest point and apply the provisions above mentioned on the same basis as if that were the width of the entire lot. BE IT

RESOLVED, that pursuant to the provisions of the Town Law, the Town Board shall meet at the Town Hall, corner of Union Road and Broadway in said Town on the 21st day of June, 1954 at 7:30 o'clock P.M. Eastern Daylight Saving Time for the purpose of considering the advisability of repealing Paragraph A of Section 6 of the Zoning Ordinances of the Town of Cheektowaga as above set forth, and adopting in its place, Paragraph A as hereinbefore set forth.

That at such public hearing, all persons interested in the subject matter shall be given an opportunity to be heard, be it further

RESOLVED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," newspapers having general circulation in the said Towns and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing and that on or before said date, he post or cause to be posted conspicuously on a sign board maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order.

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

Supervisor Holtz, voting Aye.

Councilman Bystrak, voting Aye.

Councilman Nagel, voting Aye.

Councilman Neibert, voting Aye.

Councilman Wroblewski, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0

STATE OF NEW YORK

ERIE COUNTY

OFFICE OF THE CLERK SS:

OF THE TOWN OF

CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 7th day of June, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 7th day of June, 1954.

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

NEW YORK  
ERIE  
CHEEKTOWAGA

ss.

*E. C. Allis*, of the

Cheektowaga, in said County of Erie, be-

deposes and says that *he* is

*lisher* of the

Times, a public newspaper published

Town; that the notice, of which

intended slip, taken from said news-

7, was inserted and published in

a week for *one* weeks, first

JUN 10 1954

JUN 10 1954

more than six days intervened be-

fore.  
*William C. Allis*

me this

JUN 11 1954

19

*E. J. Allis*

and for Erie County, N. Y.

EVE J. ALLIS  
CLERK, STATE OF NEW YORK  
Resided in Erie County  
Commission Expires March 30, 1955  
Registered No. 5029

the 11th day of June,

99

published in the Cheektowaga

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

*Willard C. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *he* is  
*publisher* of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks, first  
publication *JUN 10 1954*;  
last publication *JUN 10 1954*;  
and that no more than six days intervened be-  
tween publications.

*Willard C. Allis*

Sworn to before me this  
day of *JUN 11 1954*, 19....

*Eve J. Allis*  
Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029



being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

York, near the Town Hall, in the said Town of Cheektowaga, New York, on the 7th day of June, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time; were:

**PRESENT:**

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

**ABSENT:** 0

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, Section 6, Paragraph A of the Zoning Ordinances of the Town of Cheektowaga, New York, regulates side yard requirements in residence districts and provides as follows:

**SECTION 6  
SIDE YARDS IN RESIDENCE DISTRICTS**

(a) In a residence district for every dwelling erected there shall be two side yards, one along each side line of the lot; at least twenty per cent (20%) of the width of an interior lot shall be devoted to side yards, but not more than seventeen and one-half (17½) feet need be so devoted. The least dimensions of a side yard shall be not less than four (4) feet.

and

It is further provided that

the least dimensions of a side

yard shall not be less than three

(3) feet providing that the other

side yard is at least five (5) feet.

In lots having a width of sixty

(60) feet, but less than seventy

(70) feet, the least dimensions of

a side yard shall be not less than

four (4) feet providing that the

other side yard is at least six (6)

feet.

In lots having a width of sev-

enty (70) feet or more, the least

dimensions of a side yard shall be

not less than five (5) feet provid-

ing that the other side yard is at

least six (6) feet.

In

lots having a width of less than

thirty (30) feet, the least dimen-

sions of a side yard shall be not

less than three (3) feet on each

side.

It is further provided that

the Town Board may modify the

requirements by taking into

account the width of the lot at its

narrowest point and apply the pro-

visions above mentioned on the

same basis as if that were the

width of the entire lot.

It is further provided that

the Town Board may modify the

requirements by taking into

account the width of the lot at its

narrowest point and apply the pro-

visions above mentioned on the

same basis as if that were the

width of the entire lot.

It is further provided that

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visions above mentioned on the

same basis as if that were the

width of the entire lot.

It is further provided that

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requirements by taking into

account the width of the lot at its

narrowest point and apply the pro-

visions above mentioned on the

same basis as if that were the

width of the entire lot.

It is further provided that

the Town Board may modify the

requirements by taking into

account the width of the lot at its

narrowest point and apply the pro-

visions above mentioned on the

same basis as if that were the

width of the entire lot.

It is further provided that

the Town Board may modify the

requirements by taking into

account the width of the lot at its

narrowest point and apply the pro-

visions above mentioned on the

same basis as if that were the

width of the entire lot.

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

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

was inserted and published therein once a week for

1 week, the first insertion being on the

10th day of June, 1954, and

the last insertion being on the day of

1954, and that not

more than six days intervened between any two publications thereof.

Richard G. Bennett

**RESOLVED**, that pursuant to

the provisions of the Town Law,

the Town Board shall meet at the

Town Hall, corner of Union Road

and Broadway in said Town on the

21st day of June, 1954 at 7:30 o'clock P.M. Eastern Daylight Saving Time for the purpose of considering the advisability of repealing Paragraph A of Section 6 of the Zoning Ordinances of the Town of Cheektowaga as above set forth, and adopting in its place Paragraph A as hereinbefore set forth.

That at such public hearing, all persons interested in the subject matter shall be given an opportunity to be heard, be it further

**RESOLVED**, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing and that on or before said date, he post or cause to be posted conspicuously on a sign board maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order.

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

Supervisor Benedict T. Holtz,

Voting Aye

Councilman Joseph A. Neibert,

Voting Aye

Councilman Felix Wroblewski,

Voting Aye

Councilman Stanley Bystrak,

Voting Aye

Councilman Henry Nagel,

Voting Aye

AYES: 5; NOES: 0; ABSENT: 0

State of New York

Erie County

Office of the Clerk of the ss:

Town of Cheektowaga

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 7th day of June, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 7th day of June, 1954.

KENNETH T. HANLEY,

Clerk of the Town Board,

Town of Cheektowaga, N. Y.

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisabel to regulate the construction of buildings in First and Industrial Districts, be it

RESOLVED, that pursuant to the provisions of the Town Law of the State of New York, the Town Board shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 21st day of June, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20(b), to provide as follows:

Section 20(b)

CONSTRUCTION OF BUILDINGS IN FIRST AND  
SECOND INDUSTRIAL DISTRICTS

"The construction residences in an Industrial District is not recommended, neither is it prohibited. In Industrial Districts, even though the equipment and apparatus is modern and up to date, and in accordance with approved practices, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes.

"In both Industrial Districts a minimum setback line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

"It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

"Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

"If property located in an Industrial District is used for residence purposes of any kind or description, then the setback line of twenty-five (25) feet is established and all Ordinances as they relate to a Residence District shall apply, including Sections 2 to 13, inclusive, of the Zoning Ordinances."

A Strict compliance of the aforementioned Ordinance shall be required in all cases, except when the enforcement thereof creates an undue hardship, due to the fact that there is insufficient depth of the property located in an "Industrial" district.

If such condition exists, then the Town Board may modify the foregoing provisions of this Ordinance subject to appropriate conditions and safeguard with due regard for the interest of the property owners in the immediate vicinity and no such modification shall be made except upon notice, in writing, being given to the property owners within a distance of 300 feet from the nearest lot line of the property upon which a modification is sought, such notice to be served by mail properly addressed to the last known address of the owners of the property in the immediate vicinity at least 10 days before the Town Board takes action on the application for a modification.

and be it further

RESOLVED, that at such public hearing, all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order.



Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisabel to regulate the construction of buildings in First and Industrial Districts, be it

RESOLVED, that pursuant to the provisions of the Town Law of the State of New York, the Town Board shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 21st day of June, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20(b), to provide as follows:

Section 20(b)

CONSTRUCTION OF BUILDINGS IN FIRST AND  
SECOND INDUSTRIAL DISTRICTS

"The construction residences in an Industrial District is not recommended, neither is it prohibited. In Industrial Districts, even though the equipment and apparatus is modern and up to date, and in accordance with approved practices, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes.

"In both Industrial Districts a minimum setback line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

"It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

"Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

"If property located in an Industrial District is used for residence purposes of any kind or description, then the setback line of twenty-five (25) feet is established and all Ordinances as they relate to a Residence District shall apply, including Sections 2 to 13, inclusive, of the Zoning Ordinances."

A Strict compliance of the aforementioned Ordinance shall be required in all cases, except when the enforcement thereof creates an undue hardship, due to the fact that there is insufficient depth of the property located in an "Industrial" district.

If such condition exists, then the Town Board may modify the foregoing provisions of this Ordinance subject to appropriate conditions and safeguard with due regard for the interest of the property owners in the immediate vicinity and no such modification shall be made except upon notice, in writing, being given to the property owners within a distance of 300 feet from the nearest lot line of the property upon which a modification is sought, such notice to be served by mail properly addressed to the last known address of the owners of the property in the immediate vicinity at least 10 days before the Town Board takes action on the application for a modification.

and be it further

RESOLVED, that at such public hearing, all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order.

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

Supervisor Holtz,  
Councilman Bystrak,  
Councilman Nagel,  
Councilman Neibert,  
Councilman Wroblewski,

Voting	<u>Aye</u>
Voting	<u>Aye</u>
Voting	<u>Aye</u>
Voting	<u>Aye</u>
Voting	<u>Aye</u>

CARRIED: AYES: -5-

Posted on the Town Hall Bulletin Board on the 11th day of June, 1954:

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

**NOTICE OF RESOLUTION**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were:

**PRESENT:**

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

**ABSENT:** None

Councilman Nagel presented the following resolution and moved its adoption:

**WHEREAS**, it is deemed advisable to regulate the construction of buildings in First and Second Industrial Districts, be it

**RESOLVED**, that pursuant to the provisions of the Town Law of the State of New York, the Town Board shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 21st day of June, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20 (b), to provide as follows:

**Section 20(b)**

**CONSTRUCTION OF BUILDINGS IN FIRST AND SECOND INDUSTRIAL DISTRICTS.**

"The construction of residences in an Industrial District is not recommended, neither is it prohibited. In Industrial Districts, even though the equipment and apparatus is modern and up to date, and in accordance with approved practices, there is always some noise and fumes incidental to the operation of businesses, plants, and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes.

"In both Industrial Districts a minimum setback line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

"It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

"Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

"If property located in an Industrial District is used for residence purposes of any kind or description, then the setback line of twenty-five (25) feet is established and all Ordinances as they relate to a Residence District shall apply, including Sections 2 to 13, inclusive of the Zoning Ordinances."

A strict compliance of the aforementioned Ordinance shall be required in all cases, except when the

enforcement thereof would be due hardship, due to the fact that there is insufficient space for the property located in an industrial district.

If such a condition exists, the Town Board may modify the foregoing provisions of this Ordinance subject to appropriate conditions and safeguards with due regard for the interest of the property owners in the immediate vicinity and no such modification shall be made except upon notice, in writing, being given to the property owners within a distance of 300 feet from the nearest lot line of the property upon which a modification is sought, such notice to be served by mail properly addressed to the last known address of the owners of the property in the immediate vicinity at least 10 days before the Town Board takes action on the application for such a modification and be it further

**RESOLVED**, that at such public hearing, all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

**RESOLVED**, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order.

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

Supervisor Holtz, voting Aye.  
Councilman Bystrak, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Wroblewski, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0  
STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 7th day of June, 1954, and that the same is a correct and true transcription of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 7th day of June, 1954.

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

NEW YORK  
ERIE  
CHEEKTOWAGA

ss.

*E. C. Allis* of the  
Cheektowaga, in said County of Erie, be-  
deposes and says that *he* is  
*lisher* of the

times, a public newspaper published

Town; that the notice, of which

printed slip, taken from said news-

y, was inserted and published in

a week for *one* weeks, first

JUN 10 1954

JUN 10 1954

more than six days intervened be-

lions.

*Killard C. Allis*

me this

JUN 11 1954

19

*E. J. Allis*

in and for Erie County, N. Y.

EVE J. ALLIS  
PUBLIC STATE OF NEW YORK  
Qualified in Erie County  
Commission Expires March 30, 1955  
Registered No. 5029

( Depew Herald )

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

PUBLISHER

of the

**Depew  
Herald and News**  
Cheektowaga

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for week, the first insertion being on the 10th day of June, 1954 and the last insertion being on the day of 1954, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this day of

JUN 10 1954

19

Notary Public in and for Erie County.

IN 52 8900

Spend enough money to enjoy yourself--and whack your conscience with a fishing rod if it interferes. Beware of the hook, however.

Let others wear themselves out by "not missing anything." Drink deep of beauty wherever you go, even if it takes five or ten minutes.

Refrain, if you can, from boasting that you covered 6,791 miles on your trip.

Never let your fun depend entirely on good weather, tasty meals, a soft bed or good fishing. Prepare a second line of defense if things go wrong.

One of the best things to take on a vacation is your hobby. If you don't start out with one, maybe you can bring one back. (Single girls please read it "hubby.")

Be careful!

With these things in mind, chances are at least fifty-fifty that you'll enjoy yourself.



**DEPEW POST 1528  
AMERICAN LEGION  
NEWS BRIEFS**

As a result of the June 3rd meeting the following members were elected to leadership for the 1954-1955 term. Your new commander is Leonard Swierat, 1st vice-commander, Henry C. Baran; 2nd vice-commander, Leonard J. Goprek; peace officer, Alexan-

which resulted as

of June, 1954:

the Cheektowaga

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA

ss.

*Willard C. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *he* is  
*publisher* of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks, first  
publication *JUN 10 1954*;  
last publication *JUN 10 1954*;  
and that no more than six days intervened be-  
tween publications.

*Willard C. Allis*

Sworn to before me this

day of *JUN 11 1954*, 19

*Eve J. Allis*

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew

Cheektowaga

**Herald and News**

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

*Richard G. Bennett*

in  
New York, on the 7th day of  
June, 1954, at 2:30 o'clock P.M.,  
Eastern Daylight Saving Time,  
there were:

PRESENT:

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

ABSENT: 0

Councilman Nagel presented the  
following resolution and moved  
its adoption:

WHEREAS, it is deemed advisa-  
ble to regulate the construction of  
buildings in First and Industrial  
Districts, be it

RESOLVED, that pursuant to  
the provisions of the Town Law  
of the State of New York, the  
Town Board shall meet at the  
Town Hall, corner of Union Road  
and Broadway, in said Town, on  
the 21st day of June, 1954, at 7:30  
o'clock P.M., Eastern Daylight  
Saving Time, for the purpose of  
considering the advisability of a-  
mending the Zoning Ordinances so  
as to add thereto Section 20(b),  
to provide as follows:

Section 20(b)

**CONSTRUCTION OF BUILDINGS  
IN FIRST AND SECOND INDUS-  
TRIAL DISTRICTS.**

"The construction of residences  
in an Industrial District is not  
recommended, neither is it pro-  
hibited. In Industrial Districts,  
even though the equipment and  
apparatus is modern and up to  
date, there is always some noise  
and fumes incidental to the opera-  
tion of businesses, plants and fac-  
tories which sometimes interfere  
with the peaceful and quiet en-  
joyment of residence properties.  
It is for that reason the Town does  
not recommend the use of indus-  
trial property for residence pur-  
poses.

"In both Industrial Districts a  
minimum setback line of fifty (50)  
feet from the nearest highway is  
required. No permanent storage in  
the open of any personal property  
is permitted within one hundred  
(100) feet of the nearest high-  
way.

"It is recommended that the  
area in front of buildings facing  
the highway be landscaped and  
buildings constructed of high-  
grade material so as to improve  
the appearance of the buildings.

"Parking lots for customers and  
employees should be constructed  
in the rear and sides of premises  
and not in the area in front of  
the buildings.

"If property located in an In-  
dustrial District is used for resi-  
dence purposes of any kind or  
description, then the setback line  
of twenty-five (25) feet is estab-  
lished and all Ordinances as they  
relate to a Residence District  
shall apply, including Section 2  
to 13, inclusive, of the Zoning Or-  
dinances."

A strict compliance of the afore-  
mentioned Ordinance shall be re-  
quired in all cases, except when  
the enforcement thereof creates  
an undue hardship, due to the  
fact that there is insufficient  
depth of the property located in  
an "Industrial" district.

If such a condition exists, then  
the Town Board may modify the  
foregoing provisions of this Ordi-  
nance subject to appropriate condi-  
tions and safeguards with due re-  
gard for the interest of the prop-  
erty owners in the immediate vicin-  
ity and no such modification shall  
be made except upon notice in  
writing, being given to the prop-  
erty owners within a distance of 300  
feet from the nearest lot line of  
the property upon which a modi-  
fication is sought, such notice to  
be served by mail properly ad-  
dressed to the last known address  
of the owners of the property in  
the immediate vicinity at least 10  
days before the Town Board  
takes action on the application for  
a modification.

and be it further

RESOLVED, that at such public  
hearing, all persons interested in  
the subject matter shall be given  
an opportunity to be heard, and  
be it further.

RESOLVED, that the Town  
Clerk be and he is hereby ordered  
and directed to publish a certi-  
fied copy of this resolution and  
order in the CHEEKTOWAGA  
TIMES and the DEPEW HERALD  
AND CHEEKTOWAGA NEWS,  
newspapers having general circula-  
tion in the said Town and be-  
ing official newspapers thereof,  
not less than ten (10) nor more  
than twenty (20) days prior to  
the date of hearing, and that on  
or before said date he post or  
cause to be posted conspicuously  
on a signboard maintained by him  
at the entrance of the Town  
Clerk's Office, a certified copy of  
this resolution and order.

Seconded by Councilman Bys-  
trak and duly put to a vote which  
resulted as follows:

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

Ayes 5; Noes 0; Absent 0.

State of New York..

Erie County

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

This is to certify that I, 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



there were:

**PRESENT:**

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

**ABSENT:** 0

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisable to regulate the construction of buildings in First and Industrial Districts, be it

RESOLVED, that pursuant to the provisions of the Town Law of the State of New York, the Town Board shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 21st day of June, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20(b), to provide as follows:

**Section 20(b)**

**CONSTRUCTION OF BUILDINGS IN FIRST AND SECOND INDUSTRIAL DISTRICTS.**

"The construction of residences in an Industrial District is not recommended, neither is it prohibited. In Industrial Districts, even though the equipment and apparatus is modern and up to date, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes.

"In both Industrial Districts a minimum setback line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

"It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

"Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

"If property located in an Industrial District is used for residence purposes of any kind or description, then the setback line of twenty-five (25) feet is established and all Ordinances as they relate to a Residence District shall apply, including Section 2 to 13, inclusive, of the Zoning Ordinances."

A strict compliance of the aforementioned Ordinance shall be required in all cases, except when the enforcement thereof creates an undue hardship, due to the fact that there is insufficient depth of the property located in an "Industrial" district.

If such a condition exists, then the Town Board may modify the foregoing provisions of this Ordinance subject to appropriate conditions and safeguards with due regard for the interest of the property owners in the immediate vicinity and no such modification shall be made except upon notice in writing, being given to the property owners within a distance of 300 feet from the nearest lot line of the property upon which a modification is sought, such notice to be served by mail properly addressed to the last known address of the owners of the property in the immediate vicinity at least 10 days before the Town Board takes action on the application for a modification.

and be it further

RESOLVED, that at such public hearing, all persons interested in the subject matter shall be given an opportunity to be heard, and be it further.

RESOLVED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution and order.

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

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

Ayes 5; Noes 0; Absent 0.  
State of New York...  
Erie County...  
Office of the Clerk of the ss:  
Town of Cheektowaga...

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 7th day of June, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 7th day of June, 1954.

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

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy,

was inserted and published therein once a week for 1 week, the first insertion being on the 10th day of June, 1954 and the last insertion being on the day of

19, and that not more than six days intervened between any two publications thereof.

day of

19

and for Erie County.

ITEM NO. 19. Councilman Neibert presented the following resolution and moved its adoption:

102

RESOLVED, that the Town of Cheektowaga request the County Highway Superintendent to establish a maximum speed 35 mph. on Como Park Blvd., a County highway, from Union Road to Transit Road.

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

Supervisor	Benedict T. Holtz	Voting Aye
Councilman	Joseph A. Neibert	Voting aye
Councilman	Felix Wroblewski	Voting aye
Councilman	Stanley Bystrak	Voting aye
Councilman	Henry Nagel	Voting aye

AYES 5

NOES 0

ABSENT 0

ITEM NO. 20. Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, bids were received on May 17, 1954, for the construction of a sanitary sewer on Maplevue Road and Birkdale Road and the lowest bid submitted was that of Straco, Inc. in the sum of \$5795.00 and the consulting engineers of the Town of Cheektowaga having recommended that the bid by Straco, Inc. be accepted, be it

RESOLVED, that said bid be accepted and that the Supervisor be and he is hereby authorized to enter into a contract with Straco, Inc. in accordance with the plans and specifications for the sum of \$5795.00, and be it further

RESOLVED, that Straco, Inc. be instructed to immediately commence the installation of the sanitary sewer upon the execution of the contract.

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

AYES 5

NOES 0

ABSENT 0

ITEM NO. 21. Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, the Town Clerk has made a diligent search the records filed in his office to ascertain whether or not the Town Board adopted a resolution requiring the consent of the Town Board to operate any state, omnibus or motor vehicle line or route carrying passengers for hire over the streets located in said township, and has been unable to find any such resolution in the Town Clerk's Office, and

WHEREAS, it is advisable for the Town Board to adopt such a resolution so as to be able to furnish copies thereof to persons, firms or corporations requesting them, and

WHEREAS, the adoption of a resolution for such consent is required, be it,

RESOLVED, that the provisions of Section 67 of the Transportation Law shall hereafter apply to the Town of Cheektowaga New York.

This resolution shall take effect immediately.

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

AYES 5

NOES 0

ABSENT 0

ITEM NO. 22. Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Board of Fire Commissioners of Pine Hill Fire Dist. No. 5 has requested the Town Board to prohibit parking on either side of Neibert Place because the pavement is very narrow and in case of an emergency, it would be difficult to move the fire fighting equipment on this highway, be it

RESOLVED that the request of the Board of Fire Commissioners be granted and that parking of automobiles on either side of Neibert Place be and the same is hereby prohibited, and be it further

RESOLVED, that the Chief of Police be authorized to erect suitable "No Parking" signs on both sides of said highway, and be it further

RESOLVED, that the Town Clerk mail to the Board of Fire Commissioners of Pine Hill Fire District No. 5 a certified copy of this resolution

This resolution shall take effect immediately.

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

AYES 5

NOES 0

ABSENT 0

ITEM. NO. 23. Councilman B ystrak presented the following resolution and moved its adoption.

WHEREAS, many residents in the Cleveland Hill area requested that the pavement on Cleveland Drive be widened to at least 30 feet from Beach Road to Cayuga Road, and

WHEREAS, Cleveland Drive is a County highway, be it

RESOLVED, that the Erie County Highway Superintendent be requested to widen the pavement on said Cleveland Drive, and be it further

RESOLVED, that the Town Clerk forward to the Erie County Highway Superintendent, a certified copy of this resolution.

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

AYES 5

NOES 0

ABSENT 0

ITEM NO. 24 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that Arthur B. Prestine of Depew, New York be appointed a Laborer in the Recreation Department and be paid for his services at the rate of \$1.80 per hour.

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

AYES 5

NOES 0

ABSENT 0

ITEM NO 25. Councilman Neibert presented the following resolution and moved its adoption?

RESOLVED, that the Supervisor be authorized to enter into a contract with Jack Piazza to install hot water heating equipment at the Alpine Pumping Station to replace the present steam heat equipment, and the cost thereof not to exceed \$450.00

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

AYES 5

NOES 0

ABSENT 0

ITEM NO. 26. Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, the Town of Cheektowaga advertised for competitive bidding on the purchase of two police cars, a station wagon and three trucks, and WHEREAS, the Town Board has determined that the bids hereinafter mentioned were submitted by the lowest responsible bidder, be it

RESOLVED, that the supervisor be and he is hereby authorized to enter into a contract with Don Allen for the purchase of two police cars, in accordance with bids submitted for the sum of \$2493.20.

That the Supervisor be authorized to enter into a contract with Brost Bros. for the purchase of the Handyman station wagon, in accordance with the bid submitted for the sum of \$1813.23.

That the Supervisor be authorized to purchase the disposal truck from Mernan Chevrolet in accordance with the bid submitted for the sum of \$1513.57.

That the Supervisor be authorized to enter into a contract with Mernan Chevrolet for the purchase of a sewer truck in accordance with the bid submitted for the sum of \$2788.99.

That the Supervisor be authorized to enter into a contract with Hal Casey for the purchase of sanitation truck in accordance with the bid submitted for the sum of \$2999.81.

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

AYES 5

NOES 0

ABSENT 0

ITEM NO #27. A councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that Albert J. Kamm, Town Engineer, be authorized to attend the "Spring Meeting of the New York Sewage & Industrial Wastes Association" at Syracuse, New York, on 14th and 15th, 1954, and that reasonable expenses incurred by him be charged against the Sanitation and Sewer districts.

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

AYES 5

NOES 0

ABSENT 0

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

RESOLVED, that the Town Clerk be authorized and directed to issue Building permits on applications processed by Petitions Committee 5-22-54, 5-29-54, 6-5-54, after the same have been approved by Building Inspector

AYES 5

NOES 0

ABSENT 0

ITEM NO. 29. Mrs. Jerry Suozzi, , was granted the floor and requested information relating to playground equipment for the following playgrounds; School No. 4, 5 and 4. Ordered referred to Councilman Nagel and Recreational Director Janiak.

ITEM NO. 30. Councilman Nagel moved, seconded by Councilman Wroblewski that all claims at this meeting for audit to be approved and that the Town Clerk is authorized and directed to draw a warrant on the Supervisor for payment of same. Warrant NO. 1034 to No. 1130, inclusive, drawn on the Supervisor.

ITEM no. 31. Councilman Wroblewski moved, seconded by Councilman Nagel to adjourn.

SEAL

Kenneth T. Hanley  
Town clerk

**Item No. 1** At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, on the 12th day of June, 1954, at 10:00 o'clock A.M., Eastern Daylight Savings Time, there were:

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

Also present were: Town Clerk Hanley; Town Attorney Doyle; Town Engineer Kamm; Highway Superintendent Zablotay; Receiver of Taxes & Assessments Pfohl; Health Officer Dr. Vendetti and Assistant Building Inspector Trafalski.

**Item No. 2** The Town Clerk then proceeded to read the minutes of the previous meetings held on April 10, 1954; April 19, 1954; May 3rd, 1954; May 17th, 1954; May 27th, 1954; and June 7th, 1954, and there being no alterations or corrections, Councilman Nagel moved, seconded by Councilman Neibert, that the minutes stand as read and that a copy of same be placed on file in the Town Clerks' Office.

**Item No. 3** The following order and resolution was offered by Mr. Wroblewski, who moved its adoption, seconded by Mr. Nagel, to wit:

WHEREAS, the Town Board of the Town of Cheektowaga, in the County of Erie, has determined it to be necessary for the proper maintenance and service of the existing trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, to increase, improve, or reconstruct the facilities of such trunk sewer system and the appurtenances thereto and, at the request of the Town Board, Nussbaumer, Clarke and Velzy, who are competent Civil Engineers duly licensed by the State of New York, have prepared a map and general plan for the improvement of such trunk sewer system and for the increase of the facilities thereof and also an estimate of the expense thereof, and said map and general plan and estimate are dated June 11, 1954, and have been presented to the Town Board and have been filed in the office of the Town Clerk; and

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

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

NOW, THEREFORE,

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

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

#### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, in the County of Erie and State of New York, will meet at the Town Hall, corner of Broadway and Union Road, in said Town, on the 28th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, and hold a public hearing for the purpose of considering a map and general plan describing proposed improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, and an estimate of the cost thereof, and that the Town Board will, at said time and place, hear all persons interested in the subject of such hearing and will receive all evidence offered which will enable the Town Board to determine, pursuant to the provisions of the Town Law of New York, whether it is in the public interest to make the improvements described in said map and general plan and estimate, either in whole or in part, and whether the property located within the boundaries of said District will be benefitted by the making of such improvements.

The improvements hereinbefore referred to are described in a map and general plan dated June 11, 1954, prepared at the request of the Town Board by Nussbaumer, Clarke and Velzy, Consulting Engineers, now on file in the office of the Town Clerk of the Town of Cheektowaga, and consist of the following construction:

#### Division A- George Urban Boulevard Pumping Station

1. Interception and overflow chamber to be constructed in existing 42" sanitary sewer on the north side of George Urban Boulevard east of Scajaguada Creek and a diversion pipe, therefrom, to the proposed pump station.

2. Construction of a pumping station at the northwest corner of George Urban Boulevard and Frederick Drive, approximately 30' x 35' to house three

Item No. 3 - Cont'd

pumping units with a total capacity of 35 m.g.d., together with necessary appurtenances and accessories and including a chlorination unit with accessories, for feeding chlorine and handling cylinders.

3. Discharge piping from the pumping station to Scajaquada Creek together with an outfall structure.

4. Miscellaneous piping, roadways, fencing and other site improvements.

Division B - Improvements at the District 5 Sewage Treatment Plant on the Southside of Central Avenue East of Harlem Avenue.

1. Change electric equipment from 25 cycles to 60 cycles to coordinate with general change-over program of electric service corporation.

2. Remodel pumping station to include one additional screening mechanism and two additional pumping units with a total capacity of about 8 m.g.d., together with necessary auxiliary equipment.

3. Construction of 36" and 30" force mains from pumping station to venturi vault and to grit chamber, with venturi metering equipment and chambers.

4. Remodel present grit chamber and construct additional grit removal facilities for increased capacity of treatment plant.

5. Two primary sedimentation basins 16' wide and 100' long with sludge and scum removal equipment.

6. Sludge digestion tank 75' in diameter with floating cover and control room, together with necessary gas control and heating facilities.

7. Revision to heating system and present digesters and building and substitution of external type sludge heaters for present heating equipment.

8. Conversion of two standard sprinkling filters into high capacity sprinkling filters, together with necessary dosing equipment, distributors, recirculation pumps and piping, and other accessory equipment.

9. Two final sedimentation basins to serve the new high capacity filters.

10. Necessary piping, valves, sludge pumps, driveways, fencing and other miscellaneous site improvements to coordinate with the proposed structures.

The estimated expense of making said improvements is Nine Hundred and Fifty Thousand Dollars (\$950,000.00).

By order of the Town Board of the Town of Cheektowaga, New York.

Dated: June 12, 1954.

Kenneth T. Haxley

Town Clerk of the Town of Cheektowaga.

(2) Such notice shall be published once in the Cheektowaga Times and in the Depew Herald & Cheektowaga News, newspapers published in the Town of Cheektowaga and circulating in said Sewer District No. 5, and which are the official newspapers of said Town, and a copy of such notice shall be posted conspicuously in not less than five public places within said District, such publication and posting to be made not less than ten nor more than twenty days prior to the date fixed for such public hearing.

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

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

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

Posted as follows on the 17th day of June, 1954;

- 1- U-Crest Fire Hall Bulletin Board-Clover Place and Evergreen Street;
- 2- Telephone Pole No. 332 1-4 corner of Maryvale Drive and Union Road;
- 3- Telephone Pole No. 2654 corner of Genesee Street and Harlem Road;
- 4- Telephone Pole No. 26 corner of Union Road and Cleveland Drive;
- 5- Telephone Pole No. 903 corner of Cleveland Drive and Beach Road.

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



**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, in the County of Erie and State of New York, will meet at the Town Hall, corner of Broadway and Union Road, in said Town, on the 28th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, and hold a public hearing for the purpose of considering a map and general plan describing proposed improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, and an estimate of the cost thereof, and that the Town Board will, at said time and place, hear all persons interested in the subject of such hearing and will receive all evidence offered which will enable the Town Board to determine, pursuant to the provisions of the Town Law of New York, whether it is in the public interest to make the improvements described in said map and general plan and estimate, either in whole or in part, and whether the property located within the boundaries of said District will be benefitted by the making of such improvements.

The improvements hereinbefore referred to are described in a map and general plan dated June 11, 1954, prepared at the request of the Town Board by Nussbaumer, Clarke and Velzy, Consulting Engineers, now on file in the office of the Town Clerk of the Town of Cheektowaga, and consist of the following construction:

**Division A—George Urban Boulevard Pumping Station**

1. Interception and overflow chamber to be constructed in existing 42" sanitary sewer on the north side of George Urban Boulevard east of Scajaquada Creek and a diversion pipe, therefrom, to the proposed pump station.

2. Construction of a pumping station at the northwest corner of George Urban Boulevard and Frederick Drive, approximately 30'x35' to house three pumping units with a total capacity of 35 m.g.d., together with necessary appurtenances and accessories and including a chlorination unit with accessories, for feeding chlorine and handling cylinders.

3. Discharge piping from the pumping station to Scajaquada Creek together with an outfall structure.

4. Miscellaneous piping, roadways, fencing and other site improvements.

**Division B—Improvements at the District No. 5 Sewage Treatment Plant on the Southside of Central Avenue East of Harlem Avenue**

1. Change electric equipment from 25 cycles to 60 cycles to coordinate with general change-over program of electric service corporation.

2. Remodel pumping station to include one additional screening mechanism and two additional pumping units with a total capacity of 8 m.g.d., together with necessary auxiliary equipment.

3. Construction of 36" and 30" force mains from pumping station to venturi vault and to grit chamber, with venturi metering equipment and chambers.

4. Remodel present grit chamber and construct additional grit removal facilities for increased capacity of treatment plant.

5. Two primary sedimentation basins 16' wide and 100' long with sludge and scum removal equipment.

6. Sludge digestion tank 75' in diameter with floating cover and control room, together with necessary gas control and heating facilities.

7. Revision to heating system and present digesters and building and

substitution of external type sludge heaters for present heating equipment.

8. Conversion of two standard sprinkling filters into high capacity sprinkling filters, together with necessary dosing equipment, distributors, recirculation pumps and piping, and other accessory equipment.

9. Two final sedimentation basins to serve the new high capacity filters.

10. Necessary piping, valves, sludge pumps, driveways, fencing and other miscellaneous site improvements to coordinate with the proposed structures.

The estimated expense of making said improvements is Nine Hundred and Fifty Thousand Dollars (\$950,000.00).

By order of the Town Board of the Town of Cheektowaga.

Dated: June 12, 1954.

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

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA

ss.

*Willard C. Allis*, of the  
Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that *he* is  
*publisher* of the  
Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for *one* week; first publication *JUN 17 1954*; last publication *JUN 17 1954*; and that no more than six days intervened between publications.

Sworn to before me this *JUN 17 1954*  
day of *JUN 17 1954*, 19*54*.

*Eve J. Allis*  
Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029





Item No. 4 Councilman Wroblewski presented the following resolution and moved its adoption: 106

WHEREAS, bids were received by the Town Board for the construction of a sewer extension in Sewer District No. 5, known as the Oriole Extension and Herbert F. Darling Company submitted a bid to supply the necessary labor and material for the sum of Thirty-Nine Thousand Three Hundred Sixty-nine Dollars and Seventy Cents (\$39,369.70) which bid was the lowest of all bids received,

BE IT RESOLVED, that the bid of Herbert F. Darling Company to install vitrified clay pipe, in accordance with the plans and specifications, in said Oriole Extension be, and the same is hereby accepted and that Nussbaumer, Clarke and Velzy, Consulting Engineers of the Town of Cheektowaga, New York, and the Town Attorney are directed to prepare the necessary formal contracts in accordance with specifications prepared by the Consulting Engineers and the Town Engineer.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-

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

RESOLVED, that John J. Zablotny, Town Superintendent of Highways, is authorized to attend the training school for New York State Association of Town Superintendents of highways to be held at Cornell University, Ithaca, New York, on July 21st to 23rd, inclusive, and his reasonable expenses are to be charged against the Highway Budget, further

RESOLVED, that Julia Boyer Reinstein be authorized to attend the New York State Historical Association at Cooperstown, New York, from July 6th to 13th, inclusive, and that her reasonable expenses be charged against the item in the Budget in connection with the Office of Town Historian, further

RESOLVED, that John F. Mersmann be authorized to attend the New York State Association of Chiefs of Police at New York City from July 26th to July 29th, inclusive, and that his reasonable expenses be paid from the Police Budget, further

RESOLVED, that Kenneth T. Hanley, Town Clerk, be authorized to attend the Town Clerks School Session at Cornell University on July 21st to 23rd, inclusive, and his reasonable expenses be paid from the General Fund.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-

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

WHEREAS, this Town Board on the 7th day of June, 1954, held a public hearing on the improvement of Homestead Avenue extending from Mapleview Road easterly to Roycroft Boulevard a distance of approximately 730 feet, by the construction of a permanent pavement along said highway and heard all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED,

That this Town Board does hereby decide after such public hearing and upon the evidence given thereat, that it is in the public interest to improve Homestead Avenue by the construction of a permanent pavement along said highway extending from Mapleview Road easterly to Roycroft Boulevard a distance of approximately 730 feet, and

BE IT FURTHER RESOLVED, that Nussbaumer, Clarke and Velzy, Consulting Engineers for the Town of Cheektowaga, be and they are directed to prepare definite plans and specifications and to make a careful estimate of the expenses, and with the assistance of the Town Attorney, prepare a proposed contract for the execution of the work required to be performed as follows:

PERMANENT PAVEMENT ALONG SAID HIGHWAY EXTENDING  
FROM MAPLEVIEW ROAD EASTERLY TO ROYCROFT BOULEVARD  
A DISTANCE OF APPROXIMATELY 730 FEET.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-

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

WHEREAS, the Chief of Police, the Town Health Officer, the Building & Plumbing Inspector and the Fire Chief have made an inspection of premises known as 44 Hedwig Street, being sub-division No. 92, as shown on map filed in the Erie County Clerks' Office, under Cover 577 and according to their reports the building located on 44 Hedwig Street is in such a run-down condition and bad state of repair that it creates an attractive nuisance, a fire hazard and because of being infested with rats and debris is a health menace and because of existing conditions it is necessary in the public interest to immediately have the house removed, and

WHEREAS, the Rev. Carl Kirschler of , Buffalo, New York, has informed the Town Board that to the best of his knowledge, information and belief the owners of this property are Mrs. Rosa Ermonis, about 90 years old, address Buffalo State Hospital; Miss Anna Ermonis, her daughter, about 50 years old, address Buffalo State Hospital, Max Ermonis, son, address Buffalo State Hospital and Alfred E. Ermonis, son, address unknown, and

STATE OF NEW YORK  
COUNTY OF ERIE

That the Town Board of Cheektowaga, in the County of Erie and State of New York, will meet at the Town Hall, corner of Broadway and Union Road, in said Town, on the 28th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, and hold a public hearing for the purpose of considering a map and general plan describing proposed improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, and an estimate of the cost thereof, and that the Town Board will, at said time and place, hear all persons interested in the subject of such hearings and will receive all evidence offered which will enable the Town Board to determine, pursuant to the provisions of the Town Law of New York, whether it is in the public interest to make the improvements described in said map and general plan and estimate, either in whole or in part, and whether the property located within the boundaries of said District will be benefitted by the making of such improvements.

The improvements hereinbefore referred to are described in a map and general plan dated June 11, 1954, prepared at the request of the Town Board by Nussbaumer, Clarke and Velzy, Consulting Engineers, now on file in the office of the Town Clerk of the Town of Cheektowaga, and consists of the following construction:

Division A — George Urban  
Boulevard Pumping Station

1. Interception and overflow chamber to be constructed in existing 42" sanitary sewer on the north side of George Urban Boulevard east of Scajaquada Creek and a diversion pipe, therefrom, to the proposed pump station.

2. Construction of a pumping station at the northwest corner of George Urban Boulevard and Frederick Drive, approximately 30' x 35' to house three pumping units with a total capacity of 35 m.g.d., together with necessary appurtenances and accessories and including a chlorination unit with accessories, for feeding chlorine and handling cylinders.

3. Discharge piping from the pumping station to Scajaquada Creek together with an outfall structure.

4. Miscellaneous piping, roadways, fencing and other site improvements.

Division B — Improvements at  
the District No. 5 Sewage Treatment Plant on the Southside of  
Central Avenue East of Harlem  
Avenue

1. Change electric equipment from 25 cycles to 60 cycles to coordinate with general change-over program of electric service corporation.

2. Remodel pumping station to include one additional screening mechanism and two additional pumping units with a total capacity of about 8 m.g.d., together with necessary auxiliary equipment.

3. Construction of 36" and 30" force mains from pumping station to venturi vault and to grit chamber, with venturi metering equipment and chambers.

4. Remodel present grit chamber and construct additional grit removal facilities for increased capacity of treatment plant.

5. Two primary sedimentation basins 16' wide and 100' long with sludge and scum removal equipment.

6. Sludge digestion tank 75' in diameter with floating cover and control room, together with necessary gas control and heating facilities.

7. Revision to heating system and present digesters and building and substitution of external type sludge heaters for present heating equipment.

8. Conversion of two standard sprinkling filters into high capacity sprinkling filters, together with necessary dosing equipment, distributors, recirculation pumps and piping, and other necessary equipment.

9. Two final sedimentation basins to serve the new high capacity filters.

10. Necessary piping, valves, sludge pumps, driveways, fencing and other miscellaneous site improvements to coordinate with the proposed structures.

The estimated expense of making said improvements is Nine Hundred and Fifty Thousand Dollars (\$950,000.00).

By Order of the Town Board  
of the Town of Cheektowaga.

Dated: June 12, 1954.

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

Item No. 4 Councilman Wroblewski presented the following resolution and moved its adoption: 206

WHEREAS, bids were received by the Town Board for the construction of a sewer extension in Sewer District No. 5, known as the Oriole Extension and Herbert F. Darling Company submitted a bid to supply the necessary labor and material for the sum of Thirty-Nine Thousand Three Hundred Sixty-nine Dollars and Seventy Cents (\$39,369.70) which bid was the lowest of all bids received,

BE IT RESOLVED, that the bid of Herbert F. Darling Company to install vitrified clay pipe, in accordance with the plans and specifications, in said Oriole Extension be, and the same is hereby accepted and that Nussbaumer, Clarke and Velzy, Consulting Engineers of the Town of Cheektowaga, New York, and the Town Attorney are directed to prepare the necessary formal contracts in accordance with specifications prepared by the Consulting Engineers and the Town Engineer.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-

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

RESOLVED, that John J. Zablotny, Town Superintendent of Highways, is authorized to attend the training school for New York State Association of Town Superintendents of highways to be held at Cornell University, Ithaca, New York, on July 21st to 23rd, inclusive, and his reasonable expenses are to be charged against the Highway Budget, further

RESOLVED, that Julia Boyer Reinstein be authorized to attend the New York State Historical Association at Cooperstown, New York, from July 6th to 13th, inclusive, and that her reasonable expenses be charged against the item in the Budget in connection with the Office of Town Historian, further

RESOLVED, that John F. Mersmann be authorized to attend the New York State Association of Chiefs of Police at New York City from July 26th to July 29th, inclusive, and that his reasonable expenses be paid from the Police Budget, further

RESOLVED, that Kenneth T. Hanley, Town Clerk, be authorized to attend the Town Clerks School Session at Cornell University on July 21st to 23rd, inclusive, and his reasonable expenses be paid from the General Fund.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-

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

WHEREAS, this Town Board on the 7th day of June, 1954, held a public hearing on the improvement of Homestead Avenue extending from Mapleview Road easterly to Roycroft Boulevard a distance of approximately 730 feet, by the construction of a permanent pavement along said highway and heard all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED,

That this Town Board does hereby decide after such public hearing and upon the evidence given thereat, that it is in the public interest to improve Homestead Avenue by the construction of a permanent pavement along said highway extending from Mapleview Road easterly to Roycroft Boulevard a distance of approximately 730 feet, and

BE IT FURTHER RESOLVED, that Nussbaumer, Clarke and Velzy, Consulting Engineers for the Town of Cheektowaga, be and they are directed to prepare definite plans and specifications and to make a careful estimate of the expenses, and with the assistance of the Town Attorney, prepare a proposed contract for the execution of the work required to be performed as follows:

PERMANENT PAVEMENT ALONG SAID HIGHWAY EXTENDING  
FROM MAPLEVIEW ROAD EASTERLY TO ROYCROFT BOULEVARD  
A DISTANCE OF APPROXIMATELY 730 FEET.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-

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

WHEREAS, the Chief of Police, the Town Health Officer, the Building & Plumbing Inspector and the Fire Chief have made an inspection of premises known as 44 Hedwig Street, being sub-division No. 92, as shown on map filed in the Erie County Clerks' Office, under Cover 577 and according to their reports the building located on 44 Hedwig Street is in such a run-down condition and bad state of repair that it creates an attractive nuisance, a fire hazard and because of being infested with rats and debris is a health menace and because of existing conditions it is necessary in the public interest to immediately have the house removed, and

WHEREAS, the Rev. Carl Kirschler of Buffalo, New York, has informed the Town Board that to the best of his knowledge, information and belief the owners of this property are Mrs. Rosa Ermonis, about 90 years old, address Buffalo State Hospital; Miss Anna Ermonis, her daughter, about 50 years old, address Buffalo State Hospital; Max Ermonis, son, address Buffalo State Hospital and Alfred E. Ermonis, son, address unknown, and

WHEREAS, the Rev. Carl Kirschler has been paying the taxes on this property for several years, but discontinued doing so because the house is uninhabitable and the cost of putting the building in a livable condition would far exceed its value and he does not know anyone in the family of the owners who would be interested in raising the money to pay for the repairs, and has stated in writing that tearing down the building is now a necessity, be it

RESOLVED, that the building on premises known as 44 Hedwig Street be hereby condemned as a public nuisance, a menace to health, a fire hazard and an attractive nuisance and should be immediately torn down, be it further

RESOLVED, that the Supervisor be and he is hereby authorized to enter into a contract for the tearing down and removing of said building from the premises, with any person, firm or corporation upon the following conditions:

1. The contractor must remove the building in its entirety and all parts thereof from the premises without cost to the Town of Cheektowaga.
2. He must agree to comply with all laws of the State of New York relative to compensation, insurance and other applicable provisions of the labor law.
3. He must agree to save the Town harmless from any claim of any kind or description which may arise from the manner in which the contract is performed by him.
4. He must proceed with the work immediately.

The contractor is not expected to fill in any excavation on the property; that work is to be done subject to the order and direction of the Supervisor.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-

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

I, HEREBY, submit and offer to remove the building in its entirety, and all parts thereof from the premises at 44 Hedwig Street without cost to the Town of Cheektowaga. I agree to comply with all laws of the State of New York relative to compensation insurance and all other provisions of the Labor Law.

I, FURTHER AGREE, to save the Town harmless from any claim of any kind or description which may arise from the manner in which I perform this contract and I agree to commence work and complete the same within two weeks. I will remove all property from the premises. It is understood the Town will fill in any excavation on the property, that is the record is not bound to do any of this work.

Dated: June 12th, 1954.

\_\_\_\_\_  
Contractor.

Accepted: \_\_\_\_\_, Supervisor

Town of Cheektowaga, New York.



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In the matter of the application of

SCHARELL CORPORATION

To zone from "Residence" District to  
"First Industrial" District with variances.

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The Scharell Corporation has made application to zone from "Residence" District to "First Industrial" District, with variances, the property located on the north side of New Walden Avenue extending northerly to the right-of-way of the West Shore Railroad, a short distance easterly from Harlem Avenue.

The Zoning Board of Appeals was advised by the petitioner that it had sold or was about to sell to the Ackley Holding Co., Inc. the easterly 300 feet of the premises described in the petition. The representatives of the Ackley Holding Co., Inc., appeared at the public hearing and requested that the application be amended so as to include that company as an applicant for rezoning, with variances, the portion of the premises described in the petition which it had contracted to purchase.

The Zoning Board of Appeals granted the request and in its decision, is considering the matter as if two applications have been filed, one by the Scharell Corporation and the other by the Ackley Holding Co., Inc. Its reason for doing so is that the parties who are to occupy and use the property were present at the public hearing and were interviewed as to the purposes for which the property would be used.

By adopting such proceedings, the Zoning Board of Appeals is dealing with the user of the property. In that way, there can be no misunderstanding as to the Board's decision.

The hearing was held before the Zoning Board of Appeals on the 17th day of May, 1954. Every Board member was present. The Town Clerk produced proof that the owners within 300 feet of the property sought to be zoned, with variances, received notice of the time and place of the public hearing. No one appeared and opposed the application.

SCHARELL CORPORATION

The representatives of the Scharell Corporation appeared at the public hearing and presented a drawing showing the location of the buildings it plans to construct on the portion of the premises it intends to retain. It has filed with the Town Engineer, definite plans and specifications for the construction of buildings.

It was brought out at the hearing that they intend to erect a building on the front portion of the premises which is to be used for the sale and display of its products and that the buildings in the rear are to be used for storage building, materials, machiner, equipment and finished metal products, and that it also intends to store in the building in the rear, motor vehicles used in the business conducted on the premises by the owner or occupant thereof.

The Scharell Corporation is a subsidiary of the Globe Plaster Co., an old established builders supply concern in the Buffalo area.

The Scharell Corporation requested permission to construct railroad sidings at the rear of the premises so as to connect the New York Central Railroad. It requested permission to do such manufacturing on said premises, as is permitted in a "First Industrial" District. It was specifically requested that such buildings located on its property for the sale and storage of its products and the products manufactured by the Globe Plaster Co. including building materials, machinery, equipment and finished metal products. It made no request for a variance to establish a lumber yard on the premises.

ACKLEY HOLDING CO., INC.

The representatives of this corporation appeared and explained that it was the intention of the corporation to erect on the premises, buildings which would be used for practically the same purposes as the Scharell Corporation. A plan of the buildings was filed with the Zoning Board and it was stated that additional buildings might be erected by it on the premises.

It was further stated that these buildings might be used for light manufacturing of the type permitted in a "First Industrial" District. It stated, however, that the main purpose of the corporation was to build buildings to meet tenant demands mostly for storage purposes.

This company also intends to construct a railroad siding at the rear of the property so as to connect with the New York Central Railroad Co. The Zoning Board of Appeals advised the representatives of both corporations that all buildings were to be set back from the street line a distance of 50 feet to comply with the Zoning Ordinances and that there was to be no permanent storage in the open of any goods, wares, merchandise, machinery or equipment within 100 feet of the highway.

Both corporations agreed to comply with these requirements. Before taking final action on the application for rezoning, with variances, this board made a thorough investigation of the application of the Scharell Corporation and the Ackley Holding Co., Inc. It also made a complete survey of all of the adjoining properties.

There are many industries already located along the north side of New Walden Avenue, south of the New York Central right-of-way between Harlem Avenue and the Thruway. Several these plants are engaged in light manufacturing of the type permitted in a "First Industrial" District. There are several warehouses located in the area which have been set aside for light manufacturing use. No property located within the area has been zoned to a "Second Industrial" District. The Zoning Board of Appeals, on March 19 1953, zoned property belonging to the Ernst Buffalo Corporation and granted variances which permitted it to fabricate structural steel and other materials and to store the same on its property.

The Ernst Buffalo Corporation and its operating companies are presently using the property in accordance with the variances allowed. No complaint has been received by any member of this Board as to the manner in which the Ernst properties are being used.

The application here under consideration should receive the same treatment as was extended to the Ernst Buffalo Corporation.

THE ZONING BOARD OF APPEALS, therefore, decides as follows:

1. The Zoning Board of Appeals recommends to the Town Board that the application to rezone the entire premises hereinafter described from "Residence" District to "First Industrial" District, with variances, be granted.

2. If the Town Board approves the recommendation of the Zoning Board of Appeals as to rezoning, the Zoning Board of Appeals, pursuant to Paragraph 10 of Section 29 of the Zoning Ordinances of the Town of Cheektowaga, to Scharell Corporation, Ackley Holding Co., Inc., Globe Plaster Company of Buffalo, and to their tenants, if any, the following variances:

(a) Permission is granted to use the premises for any purposes permitted in a "First Industrial" District.

(b) Permission is granted to use any buildings erected on the premises for the sale, display and storage builders supplies, goods, wares and merchandise of all types, including machinery and metal products.

(c) Permission is granted to use those portions of the premises which lie more than 100 feet northerly of Walden Avenue for the outside storage of any of the classifications mentioned in (b) above, except the permanent storage of junk and waste materials and lumber.

(d) Permission is granted to construct two or more railroad sidings to connect with the New York Central Railroad.

(e) Permission is granted for the storage of motor vehicles used in the business conducted on the premises by the owner or occupant thereof.

Dated, - June 12 1954.

Leo Kurnick

Chairman

Lawrence W. Jamszozak

Michael L. Henfling

C.G. Hanson

Joseph P. Kubera

DESCRIPTION  
ALL THAT CERTAIN

108

BEGINNING at the point formed by the intersection of the northerly line of that parcel of land appropriated by The People of the State of New York from New York State Realty and Terminal Company for purposes connected with the Thruway System as shown and described on a map prepared by New York State Department of Public Works and entitled, "Ontario Thruway—Erie County—Town of Cheektowaga—Dist. No. 5—Map No. 252 Par. No. 252" dated April 20, 1950 and filed in the

County of Erie in Liber 58 of Deeds at page 542, and easterly line of the parcel of land firstly described in deed by Fair Land Realty Company to New York State Realty and Terminal Company dated September 19, 1916, recorded in the office of the Clerk of said County of Erie in Liber 1360 of Deeds at page 246; and running thence northerly along said easterly line of the parcel of land firstly described in deed to New York State Realty and Terminal Company dated and recorded as aforesaid, 812.7 feet, more or less, to a point distant southeasterly 68.5 feet measured at right angles from the monumented line of the West Shore Railroad, said monumented line being 6.5 feet southeasterly of and parallel with the center line of the altered and changed route of the New York, West Shore and Buffalo Railway; thence southwesterly parallel with and distant southeasterly 68.5 feet measured at right angles from said monumented line, 625.3 feet, more or less, to a point in the southeasterly line of the parcel of land firstly described in deed by David C. Bennet to New York, West Shore and Buffalo Railway Company dated July 23, 1883, recorded in the office of the Clerk of said County of Erie in Liber 447 of Deeds at page 477; thence southwesterly along said southeasterly line of the parcel of land firstly described in deed to New York, West Shore and Buffalo Railway Company dated and recorded as aforesaid, 156.2 feet, more or less, to the westerly line of said parcel of land firstly described in deed to New York State Realty and Terminal Company; thence southerly along said westerly line of said parcel of land firstly described in deed to New York State Realty and Terminal Company dated and recorded as aforesaid, 439.5 feet, more or less, to the northeasterly corner of that parcel of land appropriated by The People of the State of New York from New York State Realty and Terminal Company for purposes connected with the Thruway System as shown and described on a map prepared by New York State Department of Public Works and entitled, "Ontario Thruway—Erie County—Town of Cheektowaga—Dist. No. 5—Map No. 254 Par. No. 254"; thence easterly 30 feet, more or less, to the northwesterly corner of said parcel of land appropriated as aforesaid and designated on Map No. 254 Par. No. 252; thence

more or less, to the point or place of beginning.

ENCLOSURE, however, all those

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

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

a public newspaper, at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 17th day of June, 1954, and the last insertion being on the ..... day of ....., 19....., and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

all parties interested in such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 12th day of June, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to First Industrial (With Variances) District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 12th day of June, 1954

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residence District to First Industrial (With Variances) District, be and the same is hereby confirmed and approved.

NOW, THEREFORE, BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance" be and the same hereby is amended by changing the Zoning Map so as to change the following described property from that of "Residence District" to "First Industrial (With Variances) District."

DESCRIPTION

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 24, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the point formed by the intersection of the northerly line of that parcel of land appropriated by The People of the State of New York from New York State Realty and Terminal Company for purposes connected with the Thruway System as shown and described on a map prepared by New York State Department of Public Works and entitled, "Ontario Thruway - Erie County - Town of Cheektowaga - Dist. No. 5 - Map No. 252 Par. No. 252" dated April 20, 1950 and filed in the office of the Clerk of said County of Erie on November 28, 1950, with the easterly line of land conveyed by Farmers Loan and Trust Company to Elnathan Bennet by deed recorded in the office of the Clerk of said County of Erie in Liber 58 of Deeds at page 549, said easterly line being also the westerly line of the parcel of land first described in deed to New York State Realty and Terminal Company dated and recorded as aforesaid, 812.7 feet, more or less, to a point distant southeasterly 68.5 feet measured at right angles from the monumented line of the West Shore Railroad, said monumented line being 6.5 feet southeasterly of and parallel with the center line of the altered and changed route of the New York, West Shore and Buffalo Railway; thence southwesterly parallel with and distant southeasterly 68.5 feet measured at right angles from said monumented line, 625.3 feet, more or less, to a point in the southeasterly line of the parcel of land first described in deed by David C. Bennet to New York, West Shore and Buffalo Railway Company dated July 23, 1883, recorded in the office of the Clerk of said County of Erie in Liber 447 of Deeds at page 477; thence southwesterly along said southeasterly line of the parcel of land first described in deed to New York, West Shore and Buffalo Railway Company dated and recorded as aforesaid, 156.2 feet, more or less, to the westerly line of said parcel of land first described in deed to New York State Realty and Terminal Company; thence southerly along said westerly line of said parcel of land first described in deed to New York State Realty and Terminal Company dated and recorded as aforesaid, 439.5 feet, more or less, to the northeasterly corner of that parcel of land appropriated by The People of the State of New York from New York State Realty and Terminal Company for purposes connected with the Thruway System as shown and described on a map prepared by New York State Department of Public Works and entitled, "Ontario Thruway - Erie County - Town of Cheektowaga - Dist. No. 5 - Map No. 254 Par. No. 254"; thence easterly 30 feet, more or less, to the northwesterly corner of said parcel of land appropriated as aforesaid and designated on Map No. 252 as Par. No. 252; thence easterly along said northerly line of said parcel of land appropriated as aforesaid and designated on Map No. 252 as Par. No. 252, 641.6 feet, more or less, to the point or place of beginning.

thence southerly along said westerly line of said parcel of land first described in deed to New York State Realty and Terminal Company dated and recorded as aforesaid, 439.5 feet, more or less, to the northeasterly corner of that parcel of land appropriated by The People of the State of New York from New York State Realty and Terminal Company for purposes connected with the Thruway System as shown and described on a map prepared by New York State Department of Public Works and entitled, "Ontario Thruway - Erie County - Town of Cheektowaga - Dist. No. 5 - Map No. 254 Par. No. 254"; thence easterly 30 feet, more or less, to the northwesterly corner of said parcel of land appropriated as aforesaid and designated on Map No. 252 as Par. No. 252; thence easterly along said northerly line of said parcel of land appropriated as aforesaid and designated on Map No. 252 as Par. No. 252, 641.6 feet, more or less, to the point or place of beginning.

thence southerly along said westerly line of said parcel of land first described in deed to New York State Realty and Terminal Company dated and recorded as aforesaid, 439.5 feet, more or less, to the northeasterly corner of that parcel of land appropriated by The People of the State of New York from New York State Realty and Terminal Company for purposes connected with the Thruway System as shown and described on a map prepared by New York State Department of Public Works and entitled, "Ontario Thruway - Erie County - Town of Cheektowaga - Dist. No. 5 - Map No. 254 Par. No. 254"; thence easterly 30 feet, more or less, to the northwesterly corner of said parcel of land appropriated as aforesaid and designated on Map No. 252 as Par. No. 252; thence easterly along said northerly line of said parcel of land appropriated as aforesaid and designated on Map No. 252 as Par. No. 252, 641.6 feet, more or less, to the point or place of beginning.



Posted as follows on the 2nd day of July, 1954;

1- Town Hall Bulletin Board.

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

STATE OF NEW YORK  
COUNTY OF ERIE

that a public hearing was held by the Zoning Board of the Town of Cheektowaga, New York, at the Town Hall in the said Town of Cheektowaga on the 19 day of May, 1954, at 7:30 o'clock P.M., of said day, for the purpose of considering the application of Michael G. Koepfel, for the rezoning from "Residential District" to "First Industrial District" (with variances), of the property hereinafter described and amending the Zoning Map and Ordinance accordingly.

DESCRIPTION

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 24, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the point formed by the intersection of the northerly line of that parcel of land appropriated by The People of the State of New York from New York State Realty and Terminal Company for purposes connected with the Thruway System as shown and described on a map prepared by New York State Department of Public Works and entitled, "Ontario Thruway-Erie County-Town of Cheektowaga-Dist. No. 5-Map No. 252 Par. No. 252" dated April 20, 1950 and filed in the office of the Clerk of said County of Erie on November 23, 1950, with

recorded in the office of the Clerk of said County of Erie in Liber 38 of Deeds at page 546; said easterly line being also the easterly line of the parcel of land firstly described in deed by Fair Land Realty Company to New York State Realty and Terminal Company dated September 19, 1916, recorded in the office of the Clerk of said County of Erie in Liber 1360 of Deeds at page 246; and running thence northerly along said easterly line of the parcel of land firstly described in deed to New York State Realty and Terminal Company dated and recorded as aforesaid, 812.7 feet, more or less, to a point distant southeasterly 68.5 feet measured at right angles from the monumented line of the West Shore Railroad, said monumented line being 6.5 feet southeasterly of and parallel with the center line of the altered and changed route of the New York, West Shore and Buffalo Railway; thence southwesterly parallel with and distant southeasterly 68.5 feet measured at right angles from said monumented line, 625.3 feet, more or less, to a point in the southeasterly line of the parcel of land firstly described in deed by David C. Bennet to New York, West Shore and Buffalo Railway Company dated July 23, 1883, recorded in the office of the Clerk of said County of Erie in Liber 447 of Deeds at page 477; thence southwesterly along said southeasterly line of the parcel of land firstly described in deed to New York, West Shore and Buffalo Railway Company dated and recorded as aforesaid, 156.2 feet, more or less, to the westerly line of said parcel of land firstly described in deed to New York State Realty and Terminal Company; thence southerly along said westerly line of said parcel of land first described in deed to New York State Realty and Terminal Company dated and recorded as aforesaid, 439.5 feet, more or less, to the northeasterly corner of that parcel of land appropriated by The People of the State of New York from New York State Realty and Terminal Company for purposes connected with the Thruway System as shown and described on a map prepared by New York State Department of Public Works and entitled, "Ontario Thruway-Erie County-Town of Cheektowaga-Dist. No. 5-Map No. 254 Par. No. 254"; thence easterly 30 feet, more or less, to the northwesterly corner of said parcel of land appropriated as aforesaid and designated on Map No. 252 as Par. No. 252; thence easterly along said northerly line of said parcel of land appropriated as aforesaid and designated on Map No. 252 as Par. No. 252, 441 feet, more or less, to the point of beginning and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said (seal) Town this 22nd day of June, 1954.

ELIZABETH BENIASZ,  
Deputy Clerk of the Town Board,  
Je24 Town of Cheektowaga, N. Y.

more or less, to the point or place of beginning.

EXCEPTING, however, all those portions of the above described parcel of land which are parts of the premises excepted and reserved in deed from Fair Land Realty Company to New York State Realty and Terminal Company, and says that he is the recorded as aforesaid.

NETT

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 6th day of May, 1954, and the last insertion being on the 19th day of May, 1954, and that not more than six days intervened between any two publications thereof.

day of

1954

in and for Erie County.

1954

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Cheektowaga  
**Herald and News**

a public newspaper, at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 17th day of June, 1954, and the last insertion being on the ..... day of ....., 19....., and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

day of

19.....

all parties interested in such proposed application and amendments, and

WHEREAS, the Zoning Board of Appeals on the 12th day of June, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to First Industrial (With Variances) District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 12th day of June, 1954

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residence District to First Industrial (With Variances) District, be and the same is hereby confirmed and approved.

NOW, THEREFORE, BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance" be and the same hereby is amended by changing the Zoning Map so as to change the following described property from that of "Residence District" to "First Industrial (With Variances) District."

DESCRIPTION

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 24, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the point formed by the intersection of the northerly line of that parcel of land appropriated by The People of the State of New York from New York State Realty and Terminal Company for purposes connected with the Thruway System as shown and described on a map prepared by New York State Department of Public Works and entitled, "Ontario Thruway — Erie County — Town of Cheektowaga — Dist. No. 5 — Map No. 252 Par. No. 252" dated April 20, 1950 and filed in the office of the Clerk of said County of Erie on November 28, 1950, with the easterly line of land conveyed by Farmers Loan and Trust Company to Elnathan Bennet by deed recorded in the office of the Clerk of said County of Erie in Liber 58 of Deeds at page 549, said easterly line being also the westerly line of the parcel of land first described in deed by David C. Bennet to New York, West Shore and Buffalo Railway Company dated July 23, 1883; recorded in the office of the Clerk of said County of Erie in Liber 447 of Deeds at page 477; thence southerly along said southeasterly line of the parcel of land first described in deed to New York, West Shore and Buffalo Railway Company dated and recorded as aforesaid, 156.2 feet, more or less, to the westerly line of said parcel of land first described in deed to New York State Realty and Terminal Company; thence southerly along said westerly line of said parcel of land first described in deed to New York State Realty and Terminal Company dated and recorded as aforesaid, 439.5 feet, more or less, to the northeasterly corner of that parcel of land appropriated by The People of the State of New York from New York State Realty and Terminal Company for purposes connected with the Thruway System as shown and described on a map prepared by New York State Department of Public Works and entitled, "Ontario Thruway — Erie County — Town of Cheektowaga — Dist. No. 5 — Map No. 254 Par. No. 254"; thence easterly 30 feet, more or less, to the northwesterly corner of said parcel of land appropriated as aforesaid and designated on Map No. 252 as Par. No. 252; thence easterly along said northerly line of said parcel of land appropriated as aforesaid and designated on Map No. 252 as Par. No. 252, 641.6 feet, more or less, to the point or place of beginning.

EXHIBIT A, however, all those portions of said parcel of land first described in deed to New York, West Shore and Buffalo Railway Company dated and recorded as aforesaid, 156.2 feet, more or less, to the westerly line of said parcel of land first described in deed to New York State Realty and Terminal Company; thence southerly along said westerly line of said parcel of land first described in deed to New York State Realty and Terminal Company dated and recorded as aforesaid, 439.5 feet, more or less, to the northeasterly corner of that parcel of land appropriated by The People of the State of New York from New York State Realty and Terminal Company for purposes connected with the Thruway System as shown and described on a map prepared by New York State Department of Public Works and entitled, "Ontario Thruway — Erie County — Town of Cheektowaga — Dist. No. 5 — Map No. 254 Par. No. 254"; thence easterly 30 feet, more or less, to the northwesterly corner of said parcel of land appropriated as aforesaid and designated on Map No. 252 as Par. No. 252; thence easterly along said northerly line of said parcel of land appropriated as aforesaid and designated on Map No. 252 as Par. No. 252, 641.6 feet, more or less, to the point or place of beginning.

EXHIBIT B, however, all those portions of said parcel of land first described in deed to New York, West Shore and Buffalo Railway Company dated and recorded as aforesaid, 156.2 feet, more or less, to the westerly line of said parcel of land first described in deed to New York State Realty and Terminal Company; thence southerly along said westerly line of said parcel of land first described in deed to New York State Realty and Terminal Company dated and recorded as aforesaid, 439.5 feet, more or less, to the northeasterly corner of that parcel of land appropriated by The People of the State of New York from New York State Realty and Terminal Company for purposes connected with the Thruway System as shown and described on a map prepared by New York State Department of Public Works and entitled, "Ontario Thruway — Erie County — Town of Cheektowaga — Dist. No. 5 — Map No. 254 Par. No. 254"; thence easterly 30 feet, more or less, to the northwesterly corner of said parcel of land appropriated as aforesaid and designated on Map No. 252 as Par. No. 252; thence easterly along said northerly line of said parcel of land appropriated as aforesaid and designated on Map No. 252 as Par. No. 252, 641.6 feet, more or less, to the point or place of beginning.

Town of Cheektowaga, N. Y.

STATE OF NEW YORK  
COUNTY OF ERIE

ss:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

**Herald and News**

a public newspaper, at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 17th day of June, 1954, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

day of

19

Public in and for Erie County.

**FEATWAY**

• ADVERTISING •  
• CIRCULATION •  
• NEW EDITION •  
• LATEST NEWS •

**FEATWAY**

• ADVERTISING •  
• CIRCULATION •  
• NEW EDITION •  
• LATEST NEWS •

**FEATWAY**

• ADVERTISING •  
• CIRCULATION •  
• NEW EDITION •  
• LATEST NEWS •

Notary Public in and for Erie County.

4432830

MAY 24 1954

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

a public newspaper published at Depew, Town of Cheek-  
towns, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
week, the first insertion being on the ..... day of  
the first insertion being on the ..... day of  
more than six days intervened between any two publi-  
cations thereof.

**Herald and News**  
Depew  
Cheektowas

of the

FOOTNOTES

recorded as follows:  
in deed from the State of New York, County of Erie, to the  
premises excepted and reserved  
of land which are parts of  
of the above described  
however, all those  
to the point or place

will take the sisters' roles. The King and Queen will be enacted by Richard Schrier and Gail Crowl. In order to have a tiny Flower Girl for the show, Linda Thompson, a 5th grader, was borrowed from the Cleveland Hill Grammar School.

Co-directors of Cinderella are Miss Annette Bettinger and Mrs. Lois Bandaccio.

Tickets may be purchased in either of the Cleveland Hill school offices or in the high school physical education department office. The proceeds will go to the Athletic Council for use in the physical education department. The public is cordially invited to attend as this is expected to be a rather unusual production.

#### ST. ALOYSIUS BOWLING LEAGUE NEWS

Sahlen Packing came through with flying colors last Thursday. Monica Miller of that team bowled a 268 game which is the highest ever bowled in the St. Aloysius Bowling League. Jean Dombrowski also on the same team bowled 190, 167 and 160.

With these beautiful scores Sahlen took: high three-game total: 2219; high team single game: 838; high single: Monica Miller, 268.

ched is a copy of the notice published in the

1 Bulletin Board.

ollows on the 2nd day of July, 1954;

DECISION OF THE  
ZONING BOARD OF APPEALS

-----  
In the Matter of the Application of  
Westinghouse Buffalo Salaried Employees' Association  
To zone from "Residence District to "Business District".  
-----

The petitioners in this application seek to rezone the following described property from residence to business district:

"All that tract or parcel of land situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 17, Township 11, Range 7 of the Holland Land Company's Survey, and further distinguished as Subdivision Lot No. 5 as shown on map filed in Erie County Clerk's Office under Cover No. 962".

It is stated in the application that it is the purpose of the petitioners to use the property for meeting rooms and union office of the Westinghouse Buffalo Salaried Employees' Association. This Association is presently using property for the same purposes on Union Road a few doors away. Several residents in the immediate neighborhood appeared at the public hearing and questioned the advisability of zoning this property for use by the petitioners, because it might create a parking problem on Union Road.

The petitioners have furnished the Zoning Board with information that they have made arrangements with Mr. Ray Schieder and with Our Lady Help of Christians Church for off the street parking in the event a large group of people attend their meetings.

We are advised that there will be limited activities of the Association and no one has complained about the manner in which the present headquarters are operating.

We recommend that their request for rezoning from "Residence" to "Business District" be granted.

Dated: June 12, 1954.

Leo H. Kurnick, Chairman

Lawrence M. Januszcak

Michael L. Henfling

C.G. Hanson

Joseph P. Kubera.

LEGAL NOTICE

Gulas for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

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

WHEREAS, the Zoning Board of Appeals on the 12th day of June, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 12th day of June, 1954.

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

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance," be and the same hereby is amended by changing the zoning map so as to change the following described property from that of "residential district" to "business district":

DESCRIPTION

All that tract or parcel of land situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 17, Township 11, Range 7 of the Holland Land Company's survey, and further distinguished as Subdivision Lot No. 5 as shown on map filed in Erie County Clerk's Office under Cover No. 962.

(4484 Union Road, west side)

Posted as follows on the 25th day of June, 1954;

110

1- Town Hall Bulletin Board.

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

**LEGAL NOTICE  
REZONING GRANTED**

WHEREAS, the Zoning Board of Appeals held a public hearing on the 19th day of May, 1954, for the purpose of considering the application of John D. Murin and Albert E. Gulas for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

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

WHEREAS, the Zoning Board of Appeals on the 12th day of June, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 12th day of June, 1954.

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

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance," be and the same hereby is amended by changing the zoning map so as to change the following described property from that of "residential district" to "business district":

**DESCRIPTION**

All that tract or parcel of land situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 17, Township 11, Range 7 of the Holland Land Company's survey, and further distinguished as Subdivision Lot No. 5 as shown on map filed in Erie County Clerk's Office under Cover No. 962.

(#4024 Union Road, west side)  
**KENNETH T. HANLEY,**  
Town Clerk,  
Town of Cheektowaga,  
New York.

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks;  
first publication JUN 17 1954;  
last publication JUN 17 1954;  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of JUN 17 1954, 19.....

*Eve J. Allis*

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

**EVE J. ALLIS**  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029

DECISION OF  
ZONING BOARD OF APPEALS

-----  
In the Matter of the Application of  
B. G. King Building Corporation  
To zone from "Residence" District to  
"Business" District.  
-----

The Zoning Board of Appeals of the Town of Cheektowaga, New York, held a meeting and a hearing on this application on June 2, 1954. The petitioner did not appear at the hearing, nor was he represented. He seeks in his application for rezoning to use the present field office for a refreshment stand.

Notice was given to the property owners within a distance of 300 feet of the property of the applicant, described as follows:

BEING PART OF Lot 36, Township 11, Range 7,  
Town of Cheektowaga under Cover No. 1726, known as S.L. 10  
and 10 A, being 127.38' on south-westerly corner of  
Harlem Road and 100' deep on Mafalda Drive.

Many of the property owners appeared in person and voiced their objection, stating that the operation of a refreshment stand on the property would create a traffic hazard and become a health menace. There was also filed with the Zoning Board of Appeals a petition signed by one hundred and twenty-nine residents in the immediate area opposing the application for rezoning.

We do not believe this property should be zoned for business purposes in order to conduct thereon a refreshment stand. Therefore we recommend the application be denied.

Dated: June 12, 1954.

Leo H. Kurnick, Chairman  
Lawrence M. Januszczak  
Michael L. Henfling  
C.G. Hanson  
Joseph P. Kubera

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the application of B.G. King Building Corporation to rezone premises known as Part of Lot No. 36, Township 11, Range 7, Town of Cheektowaga under Cover No. 1726 known as S.L. 10 and 10 A being 127.38 feet on south westerly corner of Harlem Road and 100 feet on Mafalda Drive be denied.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-

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

WHEREAS, all lots facing Freda Avenue, in the Town of Cheektowaga, are zoned "Residential" and under the ordinances of the Town of Cheektowaga can only be used for residential purposes, and

WHEREAS, the owner of the Bowling alley, or someone in his behalf, is making an excavation on the two lots adjoining the bowling alley on Freda Avenue, and the persons doing the work have been notified that this property cannot be used for a parking lot or any other business purpose, and the owner has been requested not to proceed with the excavation or any other work on said lots, but has refused to pay any attention to the advice given by members of the Police Department and the Building and Plumbing Inspector, and

WHEREAS, the work has not as yet proceeded to a point where the intention of the owner to use this as "Business" can be established, be it

RESOLVED, that in the event the owner of the property or any other person uses the property for business purposes in violation of the Ordinances of the Town of Cheektowaga, New York, the Town Attorney be, and he is hereby authorized to institute appropriate proceedings to enforce the Ordinances and to restrain the use of said property for business purposes, be it

RESOLVED, that a certified copy of this resolution be served upon any persons owning the property or engaged in any construction activities on the premises.

Seconded by Councilman Bystrak

Unanimously carried.

Dated June 12, 1954.

ITEM #12. Resolution by Town Councilman Nagel and Seconded by Councilman Neibert.

WHEREAS the Town Superintendent of Highways did on the 7th day of June 1954 duly recommend the purchase of certain (machinery) (equipment) (tools) pursuant to the provisions of Section 142 of the Highway Law, and a notice of such recommendation has been duly published as provided in section 103 of the General Municipal Law.

NOW THEREFORE, BE IT RESOLVED that pursuant to Section 142 of the Highway Law the Town Superintendent of Highways is hereby authorized to purchase from Mernan Chevrolet, Inc. with the approval of the County Superintendent of Highways:

Two (2) 1954 Chevrolet Trucks Model #6103 HP Engine 8.25 x 10 Ply Tires 6.5 Wheels - 2 Qt Oil Filter - R. H. Mirror - Heater - Flasher Signals Coleman 4 x 4 Drive Change over dump body and change over Snow Plow- Replacement of worn out parts extra. Less trade-in on two 1948 Chev. C & Cab less dis. and Tax exemption certificate.

Ten Thousand Three Hundred Forty-Four & 14/100 Dollars (\$10,344.14) delivered at Cheektowaga New York and to be delivered on or about August 1, 1954.

The Town Superintendent of Highways is hereby authorized, subject to the approval of the County Superintendent of Highways, to surrender to the above named vendor two (2) 1948 Chev. C & Cab.

as part payment for the above (machinery) (equipment) (tools) to be purchased.

The terms of payment will be as follows:

Trade in allowance	\$1778.14
Check Drawn on Machinery Fund	428.30
Check from proceeds of obligations	8137.70
Total	\$10,344.14

A contract of purchase for the item(s) purchased shall be duly executed between the Town Superintendent of Highways and such vendor, and when duly approved by the County Superintendent of Highways, it shall become effective. When such contract has been duly executed and approved, the Supervisor is authorized to complete such purchase upon delivery of the item (s) purchased in accordance with the terms of such resolution and such contract, and to pay the above amount(s) specified to be paid by check of checks.

(1) by a check drawn on the Machinery Fund (item 3) for \$428.30

(2) by a check in the amount of \$8137.70, drawn on the account established from the proceeds of obligations to be used pursuant to the Local Finance Law to finance such purchase. Such obligations will be authorized to be issued by this Board by a separate resolution.



ITEM #13. Resolution by Councilman Nagel  
Seconded by Councilman Neibert

WHEREAS, the Town Superintendent of Highways did on the 7th day of June 1954, duly recommend the purchase of certain (machinery) (equipment) (tools) pursuant to the provisions of Section 142 of the Highway Law, and a notice of such recommendation has been duly published as provided in such section.

NOW, THEREFORE BE IT RESOLVED that pursuant to Section 103 of the General Municipal Law the Town Superintendent of Highways is hereby authorized to purchase from Reo Motors, Inc. with the approval of the County Superintendent of Highways One Reo F-22 RB-1 for a total price of Seven Thousand Five Hundred eight and 98/100 Dollars (\$7508.98), delivered at Cheektowaga New York and to be delivered on or about \_\_\_\_\_.

The Town Superintendent of Highways is hereby authorized, subject to approval of the County Superintendent of Highways, to surrender to the above named vendor one old truck 1940 Autocar, as part payment for the above (machinery) (equipment) (tools) to be purchased.  
the terms of payment will be as follows:

trade in allowance	\$1,079.65
Check drawn on	
Machinery Fund	321.47
Check from proceeds of	
obligations	6,107.86
Total	<u>\$7,508.98</u>

A contract of purchase for the item(s) purchased shall be duly executed between the Town Superintendent of Highways and such vendor, and when duly approved by the County Superintendent of Highways, it shall become effective. When such contract has been duly executed and approved, the Supervisor is authorized to complete such purchase upon delivery of the item(s) purchased in accordance with the terms of such resolution and such contract, and to pay the above mentioned amount(s) specified to be paid by check or checks

(1) by a check drawn on the Machinery Fund (Item 3) for \$321.47

(2) by a check in the amount of \$6,107.86, drawn on the account established from the proceeds of obligations to be issued pursuant to the Local Finance Law to finance such purchase. Such obligations will be authorized to be issued by this Board by a separate resolution.

If this Board subsequently decides to issue bonds to finance such purchase, the value of the above mentioned item(s) trade-in toward the purchase price shall be considered as (a down payment) (a part of the down payment) required by Section 107.00 of the Local Finance Law.

Vote of the Town Board

Benedict T. Holtz	voting aye
Henry J. Nagel	voting aye
Felix T. Wroblewski	voting aye
Joseph A. Neibert	voting aye
Stanley R. Bystrak	voting aye

State of New York  
County of Erie  
Town of Cheektowaga

I, Kenneth T. Hanley Town Clerk of the Town of Cheektowaga in the County of Erie, New York do hereby certify that I have compared the preceding copy of a resolution with the original thereof, duly adopted by the Town Board of such, town at a (regular) special meeting of such board held on June 12, 1954, and that the same is a true and correct copy of such resolution and of the whole thereof.

In Testimony Whereof I have hereunto set my hand and affixed the seal of said Town this 12th day of June 1954.

TOWN SEAL

Kenneth T. Hanley  
Town Clerk of Town of Cheektowaga.

Item No. 14 Councilman Nagel moved, seconded by Councilman Neibert, that Matthew Frank be employed as a part time laborer in the Parks Department at a salary of \$1.80 per hour, effective on or about June 22, 1954. CARRIED: AYES: -5-. 112

Item No. 15 BOND ANTICIPATION NOTE OF 1954 \$25,000.00

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
TOWN OF CHEEKTOWAGA

BOND ANTICIPATION NOTE OF 1954 \$25,000.00

Note No. 2.

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

-----Twenty Five Thousand Dollars-----\$25,000.00 ----

on the 1st day of October, 1954, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable October 1, 1954 and annually thereafter. Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This note is one of an authorized issue, the aggregate principal amount of which is One Hundred Twenty Thousand Dollars (\$120,000.00).

This note is issued pursuant to the provisions of a bond anticipation note resolution, dated February 19, 1954, authorizing the issuance of bond anticipation notes of the Town of Cheektowaga, New York in the amount of One Hundred Twenty Thousand Dollars (\$120,000.00) in anticipation of the sale of Serial Bonds authorized to finance improvements to the sewage and treatment plant and site of Sewer District No. 5 by the construction of about 40,000 square feet of sludge drying beds, construction of access roads to new sludge beds, necessary drainage facilities for roads, installation of piping from present sludge control building to new sludge beds, together with necessary pumps, in the Town of Cheektowaga, New York.

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

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Statutes of the State of New York, to exist, to have happened and to have been performed precedent to and in the issuance of this note, exist, have happened and have been performed, and that this note, together with all other indebtedness of such Town of Cheektowaga is within every debt and other limit prescribed by the Constitution of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this note to be signed by its Supervisor, and its corporate seal to be hereunto affixed and attested by its Town Clerk and this note to be dated as of the 12th day of June, 1954.

TOWN OF CHEEKTOWAGA, ERIE COUNTY,  
NEW YORK.

BY: Benedict T. Holtz  
Supervisor

ATTEST:  
Kenneth T. Hanley  
Town Clerk.

Item No. 16 Councilman Nagel moved, seconded by Councilman Wroblewski, to adjourn.

SEAL.

Kenneth T. Hanley  
Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

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

Also present were: Deputy Town Clerk Elizabeth Biniasz; Town Attorney Doyle; Chief of Police Mersmann; Building & Plumbing Inspector Rohan; Town Engineer Kamm; Chairman of the Zoning Board of Appeals Kurnick.

Item No. 2      The Town Clerk advised the Board that the minutes of the last meeting  
has been mailed to their respective homes.

Item No. 3      Application of the Buffalo Transit Company presented to the Board for consent to operate motor buses on and over the so-called Kensington Expressway when the same is opened for vehicle traffic. Ordered referred to Councilman Bystrak.

Item No. 4 Communication read from the Sloan Public Schools relating to the use of schools for election purposes. Ordered referred to the Town Attorney.

Item No. 5 Communication read from the Doyle Hose Company No. 2 inviting the Board to attend their annual field day to be held on July 4, 1954. Ordered received, filed and to attend.

Item No. 6      Communication read from Chief of Police Mersmann relating to Electrical Speed Timing Device. Ordered referred to the Town Board as a whole.

Item No. 7 Communication read from the Board of Fire Commissioners of U-Crest Fire District No. 4 relating the the removal of a fire hydrant in front of No. 229 Clover Place. Ordered referred to Councilman Bystrak.

Item No. 8      Communication read from the Town Highway Superintendent advising the Board that the highway known as Wilshire Road meets with Town specifications and requests that the Board accept same as a Town Highway. Ordered referred to the Town Attorney.

Item No. 9. This being the time and the place advertised for a public hearing for the purpose of amending the administrative of amending the Zoning Ordances so as to add the following: (b) Copy of same hereto attached)

The association of residences in an industrial district is not recommended, neither is it prohibited. In industrial districts, even though the equipment and apparatus is modern and up to date, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes.

"In both Industrial Districts a minimum setback line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

"It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high grade material so as to improve the appearance of the buildings.

"Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

"If property located in an Industrial District is used for residence purposes of any kind or description, then the Ordinance of twenty-five (25) feet established and all Ordinances relating to a Residential District shall apply, including Sections 2 to 13, inclusive, of the existing Ordinances."

A strict compliance of the afore-

mentioned Ordinance shall be required in all cases, except when the enforcement thereof creates an undue hardship, due to the fact that there is insufficient depth of the property located in an "Industrial" district.

If such a condition exists, then the Town Board may modify the foregoing provisions of this Ordinance subject to appropriate conditions and safeguards with due regard for the interest of the property owners in the immediate vicinity and no such modification shall be made except upon notice in writing, being given to the property owners within a distance of 300 feet from the nearest lot line of the property upon which a modification is sought, such notice to be served by mail properly addressed to the last known address of the owners of the property in the immediate vicinity of the property upon which the modification is sought. The Town Board may also, upon the application for a modification,

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

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing, and no person appearing in opposition to the proposed amendment of the Ordinances:

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga on the 21st day of June, 1954, at 7:30 o'clock P.M. Eastern Daylight Saving Time, there were:

PRESENT: Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting held in the Town Hall in the Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, adopted a resolution that the Town Board meet at the Town Hall corner Union Road and Broadway, Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20 (b) to provide as follows:

**Section 20 (b)**  
**CONSTRUCTION OF BUILDINGS IN FIRST AND SECOND INDUSTRIAL DISTRICTS.**

"The construction of residences in an Industrial District is not recommended, neither is it prohibited. In Industrial Districts, even though the equipment and apparatus is modern and up to date, and in accordance with approved practices, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes."

In both Industrial Districts a minimum setback line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

If property located in an Industrial District is used for residence purposes of any kind or description, then the setback line of twenty-five (25) feet is established and all Ordinances as they relate to Residence District shall apply, including Sections 2 to 13, inclusive, of the Zoning Ordinances."

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

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, did meet on the 21st day of June, 1954, at 7:30 o'clock P.M. Eastern Daylight Saving Time, at the Town Hall, in the Town of Cheektowaga, New York, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20 (b), and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard, and at the conclusion of said public hearing, the Town Board decided that it

was in the public interest to amend the Zoning Ordinances so as to add thereto Section 20 (b) and be it

RESOLVED, that Section 20 (b) of the Zoning Ordinances as hereinbefore set forth be added to read as follows:

**Section 20 (b)**  
**CONSTRUCTION OF BUILDINGS IN FIRST AND SECOND INDUSTRIAL DISTRICTS.**

"The construction of residences in an industrial District is not recommended, neither is it prohibited. In industrial Districts, even though the equipment and apparatus is modern and up to date, and in accordance with approved practices, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes."

In both Industrial Districts a minimum setback line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

If property is located in an Industrial District is used for residence purposes of any kind or description, then the setback line of twenty-five (25) feet is established and all Ordinances as they relate to a Residence District shall apply, including Sections 2 to 13, inclusive, of the Zoning Ordinances."

and be it further

RESOLVED, that a copy of this resolution, certified by the Town Clerk, shall be entered in the minutes and published at least once in the CHEEKTOWAGA TIMES and the Depew Herald and Cheektowaga News, newspapers having general circulation in said Towns and being the official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavit of the publication and posting thereof shall be filed with the Town Clerk.

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

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

Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.

Councilman Neibert, voting Aye.

Councilman Bystrak, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0

**STATE OF NEW YORK**  
**COUNTY OF ERIE**  
**OFFICE OF THE CLERK SS:**  
**OF THE TOWN OF**  
**CHEEKTOWAGA**

This is to certify that I, Elizabeth Biniasz, Deputy Clerk of the Town of Cheektowaga, in said County of Erie, have compared the foregoing copy of the resolution with the original resolution now on file in this office, and which was passed by the

Town Board of the Town of Cheektowaga in said County of Erie, on the 21st day of June, 1954, and that the same is a correct and true transcription of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal in said Town this 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

Posted as follows on the 28th day of June, 1954;

1- Town Hall Bulletin Board.

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

**ORDINANCE AMENDED**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga on the 21st day of June, 1954, at 7:30 o'clock P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**  
Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Feix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

**WHEREAS**, this Town Board, at a regular meeting held in the Town Hall in the Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, adopted a resolution that the Town Board meet at the Town Hall corner Union Road and Broadway, Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time for the purpose of con-

was in the public interest to amend the Zoning Ordinances so as to add hereto Section 20 (b) and be it

**RESOLVED**, that Section 20 (b) of the Zoning Ordinances as hereinbefore set forth be added to read as follows:

**Section 20 (b)  
CONSTRUCTION OF BUILDINGS  
IN FIRST AND SECOND INDUSTRIAL DISTRICTS.**

"The construction of residences in an Industrial District is not recommended, neither is it prohibited. In industrial Districts, even though the equipment and apparatus is modern and up to date, and in accordance with approved practices, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes.

In both Industrial Districts a minimum set-back line of fifty (50) feet from the nearest highway is re-

Town Board of the Town of Cheektowaga in said County of Erie, on the 21st day of June, 1954, and that the same is a correct and true transcription of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal in said Town this 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

C. ALLIS, of the Town of Cheektowaga in said County of Erie, being duly sworn, says that he is the publisher of the Cheektowaga Times, a public newspaper published in said Town; that the notice, of the foregoing resolution, printed on a printed slip, taken from said slip, was inserted and published once a week for one week, on June 24, 1954 and June 24, 1954; more than six days intervened between the two publications.

Willard C. Allis

Witness my hand and seal this 1st day of July, 1954.

Eve J. Allis

in and for Erie County, N. Y.

EVE J. ALLIS  
Notary Public, State of New York  
Qualified in Erie County  
Commission Expires March 30, 1955  
Registered No. 5029

Posted as follows on the 28th day of June, 1954;  
1- Town Hall Bulletin Board.

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

#### ORDINANCE AMENDED

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga on the 21st day of June, 1954, at 7:30 o'clock P.M. Eastern Daylight Saving Time, there were:

#### PRESENT:

Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Feix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting held in the Town Hall in the Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, adopted a resolution that the Town Board meet at the Town Hall corner Union Road and Broadway, Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20 (b) to provide as follows:

#### Section 20 (b) CONSTRUCTION OF BUILDINGS IN FIRST AND SECOND INDUSTRIAL DISTRICTS.

"The construction of residences in an Industrial District is not recommended, neither is it prohibited. In Industrial Districts, even though the equipment and apparatus is modern and up to date, and in accordance with approved practices, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes.

In both Industrial Districts a minimum setback line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

If property located in an Industrial District is used for residence purposes of any kind or description, then the set-back line of twenty-five (25) feet is established and all Ordinances as they relate to Residence District shall apply, including Sections 2 to 13, inclusive, of the Zoning Ordinances."

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

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, did meet on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, at the Town Hall, in the Town of Cheektowaga, New York, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20 (b), and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard, and at the conclusion of said public hearing, the Town Board decided that it

was in the public interest to amend the Zoning Ordinances so as to add thereto Section 20 (b) and be it

RESOLVED, that Section 20 (b) of the Zoning Ordinances as hereinbefore set forth be added to read as follows:

#### Section 20 (b) CONSTRUCTION OF BUILDINGS IN FIRST AND SECOND INDUSTRIAL DISTRICTS.

"The construction of residences in an Industrial District is not recommended, neither is it prohibited. In Industrial Districts, even though the equipment and apparatus is modern and up to date, and in accordance with approved practices, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes.

In both Industrial Districts a minimum set-back line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

If property is located in an Industrial District is used for residence purposes of any kind or description, then the setback line of twenty-five (25) feet is established and all Ordinances as they relate to a Residence District shall apply, including Sections 2 to 13, inclusive, of the Zoning Ordinances."

RESOLVED, that a copy of this resolution, certified by the Town Clerk, shall be entered in the minutes and published at least once in the CHEEKTOWAGA TIMES and the Depew Herald and Cheektowaga News, newspapers having general circulation in said Towns and being the official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavit of the publication and posting thereof shall be filed with the Town Clerk.

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

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

Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.  
AYES: 5 NOES:0 ABSENT: 0

#### STATE OF NEW YORK COUNTY OF ERIE OFFICE OF THE CLERK SS: OF THE TOWN OF CHEEKTOWAGA

This is to certify that I, Elizabeth Biniasz, Deputy Clerk of the Town of Cheektowaga, in said County of Erie, have compared the foregoing copy of the resolution with the original resolution now on file at this office, and which was passed by the

Town Board of the Town of Cheektowaga in said County of Erie, on the 21st day of June, 1954, and that the same is a correct and true transcription of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal in said Town this 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

C. ALLIS, of the Town of Cheektowaga, County of Erie, being duly sworn, says that he is the publisher of the Cheektowaga Times, a public newspaper published in said Town; that the notice, of annexed printed slip, taken from said a copy, was inserted and published once a week for one week on June 24, 1954 and June 24, 1954; more than six days intervened before the publication.

William C. Allis

me this 1st

July, 19 54

W. C. Allis

in and for Erie County, N. Y.

EVE J. ALLIS  
PUBLIC STATE OF NEW YORK  
Qualified in Erie County  
Commission Expires March 30, 1955  
Registered No. 5029

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication June 24, 1954; last publication June 24, 1954; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 1st

day of July, 19 54

Eve J. Allis

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029



RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 24 day of June, 1954, and the last insertion being on the 24 day of June, 1954, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

JUN 26 1954

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

IN 52000



This being the time and the place advertised for a public hearing on the following proposal:

" WHEREAS, Section 6, Paragraph A of the Zoning Ordinances of the Town of Cheektowaga, New York, regulates side yard requirements in residence districts and provides as follows:"

(a) In a residence district for every dwelling erected there shall be two side yards, one along each side line of the lot; at least twenty percent (20%) of the width of an interior lot shall be devoted to side yards, but not more than seventeen and one-half (17½) feet need be so devoted. The least dimensions of a side yard shall be not less than four (4) feet.

and, WHEREAS, it is deemed in the public interest to make some changes in its provisions, which changes are as follows:

(a) In a residence district, there shall be two side yards, one along each side line of the lot. In lots having a width of fifty (50) feet, but less than sixty (60) feet, the least dimensions of a side yard shall not be less than three (3) feet providing that the other side yard is at least five (5) feet.

In lots having a width of sixty (60) feet, but less than seventy (70) feet, the least dimensions of a side yard shall be not less than four (4) feet, providing that the other side yard is at least six (6) feet.

In lots having a width of seventy (70) feet or more, the least dimensions of a side yard shall be not less than five (5) feet providing that the other side yard is at least seven (7) feet.

In old subdivisions where lots have been subdivided into widths of forty (40) feet or less, the least dimensions of a side yard shall be not less than two (2) feet on each side of said lot.

In lots having a width of forty-one (41) feet but less than fifty (50) feet, the least dimensions of a side yard shall be not less than three (3) feet on each side of said lot.

In irregular shaped lots, the Town Board may modify the above requirements by taking into account the width of the lot at its narrowest point and apply the provisions above mentioned on the same basis as if that were the width of the entire lot.

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

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, did meet on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, at the

WHEREAS, an opportunity was afforded all persons interested in

the subject matter to be heard and at the conclusion of the said public hearing, the Town Board Town Hall, in the Town of Cheektowaga, New York, for the purpose of considering the advisability of repealing Paragraph A of Section 6, of the existing zoning ordinances, and

decided that it was in the public interest that the Zoning Ordinances of the Town of Cheektowaga, New York be changed by repealing Paragraph A of Section 6 and be it

RESOLVED, that paragraph A of Section 6 of the Zoning Ordinances as hereinbefore set forth be repealed as follows:

#### SECTION 6 SIDE YARDS IN RESIDENCE DISTRICTS

(a) In a residence district for every dwelling erected there shall be two side yards, one along each side of the lot; at least twenty per cent (20) of the width of an interior lot shall be devoted to side yards, but not more than seventeen and one-half (17½) feet need be so devoted. The least dimensions of a side yard shall be not less than four (4) feet.

and, be it further RESOLVED, that in its place the following ordinances be adopted to be known as

#### SECTION 6 SIDE YARDS IN RESIDENCE DISTRICT

(a) In a residence district, there shall be two side yards, one along each side line of the lot. In lots having a width of fifty (50) feet, but less than sixty (60) feet, the least dimensions of a side yard shall not be less than three (3) feet providing that the other side yard is at least five (5) feet.

In lots having a width of sixty (60) feet, but less than seventy (70) feet, the least dimensions of a side yard shall be not less than four (4) feet providing that the other side yard is at least six (6) feet.

In lots having a width of seventy (70) feet or more, the least dimensions of a side yard shall be not less than five (5) feet providing that the other side yard is at least seven (7) feet.

In old subdivisions where lots have been subdivided into widths of forty (40) feet or less, the least dimensions of a side yard shall be not less than two (2) feet on each side of said lot.

In lots having a width of forty-one (41) feet but less than fifty (50) feet, the least dimensions of a side yard shall be not less than three (3) feet on each side of said lot.

In irregular shaped lots, the Town Board may modify the above requirements by taking into account the width of the lot at its narrowest point and apply the provisions above mentioned on the same basis as if that were the width of the entire lot.

STATE OF NEW YORK  
COUNTY OF ERIE

ss:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

and Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock, P.M. Eastern Daylight Saving Time, State of New York.

PRESENT:

Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman

Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman  
Councilman Wroblewski presented the following resolution moved its adoption:

WHEREAS, this Town Board, at a regular meeting held at the Town Hall in the Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock, P.M. Eastern Daylight Saving Time, adopted a resolution that the Town Board meet at the Town Hall corner Union Road and Broadway, Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20 (b) so provide as follows:

SECTION 20 (b)  
CONSTRUCTION OF BUILDINGS  
IN FIRST AND SECOND INDUSTRIAL DISTRICTS

"The construction of residences in an Industrial District is not recommended, neither is it prohibited. In Industrial Districts, even though the equipment and apparatus is modern and up to date, and in accordance with approved practices, there is always some noise and fumes incident to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason that the Town does not recommend the use of property for residence purposes.

In both Industrial Districts a minimum setback line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

If property located in an Industrial District is used for residence purposes of any kind or description, then the set-back line of twenty-five (25) feet is established and all Ordinances as they relate to a Residence District shall apply, including Sections 2 to 13, inclusive, of the Zoning Ordinances."

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

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, did meet on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, at the Town Hall, in the Town of Cheektowaga, New York, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20 (b), and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard, and at the conclusion of said public hearing, the Town Board decided that it was in the public interest to amend the Zoning Ordinances so as to add thereto Section 20 (b), and be it

RESOLVED, that Section 20 (b) of the Zoning Ordinances as heretofore set forth be added to read as follows:

SECTION 20 (b)  
CONSTRUCTION OF BUILDINGS  
IN FIRST AND SECOND INDUSTRIAL DISTRICTS.

"The construction of residences in an Industrial District is not

" WHEREAS, Section 6, Paragraph A of the Zoning Ordinances of the Town of Cheektowaga, New York, regulates side yard requirements in residence districts and provides as follows:"

(a) In a residence district for every dwelling erected there shall be two side yards, one along each side line of the lot; at least twenty percent (20%) of the width of an interior lot shall be devoted to side yards, but not more than seventeen and one-half (17½) feet need be so devoted. The least dimensions of a side yard shall be not less than four (4) feet.

and,

WHEREAS, it is deemed in the public interest to make some changes in its provisions, which changes are as follows:

(a) In a residence district, there shall be two side yards, one along each side line of the lot. In lots having a width of fifty (50) feet, but less than sixty (60) feet, the least dimensions of a side yard shall not be less than three (3) feet providing that the other side yard is at least five (5) feet.

In lots having a width of sixty (60) feet, but less than seventy (70) feet, the least dimensions of a side yard shall be not less than four (4) feet, providing that the other side yard is at least six (6) feet.

In lots having a width of seventy (70) feet or more, the least dimensions of a side yard shall be not less than five (5) feet providing that the other side yard is at least seven (7) feet.

In old subdivisions where lots have been subdivided into widths of forty (40) feet or less, the least dimensions of a side yard shall be not less than two (2) feet on each side of said lot.

In lots having a width of forty-one (41) feet but less than fifty (50) feet, the least dimensions of a side yard shall be not less than three (3) feet on each side of said lot.

In irregular shaped lots, the Town Board may modify the above requirements by taking into account the width of the lot at its narrowest point and apply the provisions above mentioned on the same basis as if that were the width of the entire lot.

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

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, did meet on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, at the

WHEREAS, an opportunity was afforded all persons interested in

the subject matter to be heard and at the conclusion of the said public hearing, the Town Board Town Hall, in the Town of Cheektowaga, New York, for the purpose of considering the advisability of repealing Paragraph A of Section 6, of the existing zoning ordinances, and

decided that it was in the public interest that the Zoning Ordinances of the Town of Cheektowaga, New York be changed by repealing Paragraph A of Section 6 and be it

RESOLVED, that paragraph A of Section 6 of the Zoning Ordinances as hereinbefore set forth be repealed as follows:

#### SECTION 6 SIDE YARDS IN RESIDENCE DISTRICTS

(a) In a residence district for every dwelling erected there shall be two side yards, one along each side of the lot; at least twenty per cent (20) of the width of an interior lot shall be devoted to side yards, but not more than seventeen and one-half (17½) feet need be so devoted. The least dimensions of a side yard shall be not less than four (4) feet.

and, be it further

RESOLVED, that in its place the following ordinances be adopted to be known as

#### SECTION 6 SIDE YARDS IN RESIDENCE DISTRICT

(a) In a residence district, there shall be two side yards, one along each side line of the lot. In lots having a width of fifty (50) feet, but less than sixty (60) feet, the least dimensions of a side yard shall not be less than three (3) feet providing that the other side yard is at least five (5) feet.

In lots having a width of sixty (60) feet, but less than seventy (70) feet, the least dimensions of a side yard shall be not less than four (4) feet providing that the other side yard is at least six (6) feet.

In lots having a width of seventy (70) feet or more, the least dimensions of a side yard shall be not less than five (5) feet providing that the other side yard is at least seven (7) feet.

In old subdivisions where lots have been subdivided into widths of forty (40) feet or less, the least dimensions of a side yard shall be not less than two (2) feet on each side of said lot.

In lots having a width of forty-one (41) feet but less than fifty (50) feet, the least dimensions of a side yard shall be not less than three (3) feet on each side of said lot.

In irregular shaped lots, the Town Board may modify the above requirements by taking into account the width of the lot at its narrowest point and apply the provisions above mentioned on the same basis as if that were the width of the entire lot.

STATE OF NEW YORK  
COUNTY OF ERIE

ss:

of the Zoning Ordinances as here-  
inbefore set forth be added to  
read as follows:

SECTION 20 (b)  
CONSTRUCTION OF BUILDINGS  
IN FIRST AND SECOND INDUS-  
TRIAL DISTRICTS.

"The construction of residences  
in an Industrial District is not  
recommended, neither is it prohib-  
ited. In Industrial Districts, even  
though the equipment and appara-  
tus is modern and up to date, and  
in accordance with approved prac-  
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tories which sometimes interfere  
with the peaceful and quiet en-  
joyment of residence properties. It  
is for that reason the Town does  
not recommend the use of indus-  
trial property for residence pur-  
poses.

In both Industrial Districts a  
minimum set-back line of fifty (50)  
feet from the nearest highway is  
required. No permanent storage in  
the open of any personal property  
is permitted within one hundred  
(100) feet of the nearest highway.

It is recommended that the area  
in front of buildings facing the  
highway be landscaped and build-  
ings constructed of high-grade ma-  
terial so as to improve the ap-  
pearance of the buildings.

Buildings with flat roofs and  
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Industrial Districts.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

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

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing and no person appearing in opposition to the proposal.

#### ORDINANCE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were:

#### PRESENT:

Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman  
Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting held at the Town Hall in the Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock, P.M. Eastern Daylight Saving Time, adopted a resolution that the Town Board meet at the Town Hall corner Union Road and Broadway, Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock, P.M., for the purpose of considering the advisability of repealing Paragraph A of Section 6 of the Zoning Ordinances of the Town of Cheektowaga, which provides as follows:

#### Section 6 SIDE YARDS IN RESIDENCE DISTRICTS

(a) In a residence district for every dwelling erected there shall be two side yards, one along each side line of the lot; at least twenty percent (20%) of the width of an interior lot shall be devoted to side yards, but not more than seventeen and one-half (17½) feet need be so devoted. The least dimensions of a side yard shall be not less than four (4) feet.

AND,

WHEREAS, it is deemed in the public interest to make some changes in its provisions, which changes are as follows:

(a) In a residence district, there shall be two side yards, one along each side line of the lot. In lots having a width of fifty (50) feet, but less than sixty (60) feet, the least dimensions of a side yard shall not be less than three (3) feet providing that the other side yard is at least five (5) feet.

In lots having a width of sixty (60) feet, but less than seventy (70) feet, the least dimensions of a side yard shall be not less than four (4) feet, providing that the other side yard is at least six (6) feet.

In lots having a width of seventy (70) feet or more, the least dimensions of a side yard shall be not less than five (5) feet providing that the other side yard is at least seven (7) feet.

In old subdivisions where lots have been subdivided into widths of forty (40) feet or less, the least dimensions of a side yard shall be not less than two (2) feet on each side of said lot.

In lots having a width of forty-one (41) feet but less than fifty (50) feet, the least dimensions of a side yard shall be not less than three (3) feet on each side of said lot.

In irregular shaped lots, the Town Board may modify the above requirements by taking into account the width of the lot at its narrowest point and apply the provisions above mentioned on the same basis as if that were the width of the entire lot.

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

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, did meet on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Sav-

ing Time, at the Town Hall, in the Town of Cheektowaga, New York, for the purpose of considering the advisability of repealing Paragraph A of Section 6, of the existing zoning ordinances, and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard, and at the conclusion of the said public hearing, the Town Board decided that it was in the public interest that the Zoning Ordinances of the Town of Cheektowaga, New York be changed by repealing Paragraph A of Section 6 and be it

RESOLVED, that paragraph A of Section 6 of the Zoning Ordinances as hereinbefore set forth be repealed.

#### Section 6 SIDES YARDS IN RESIDENCE DISTRICTS

(a) In a residence district for every dwelling erected there shall be two side yards, one along each side line of the lot; at least twenty percent (20%) of the width of an interior lot shall be devoted to side yards, but not more than seventeen and one-half (17½) feet need be so devoted. The least dimensions of a side yard shall be not less than four (4) feet.

RESOLVED, that in its place the following ordinances be adopted to be known as

#### Section 6 SIDE YARDS IN RESIDENCE DISTRICTS

(a) In a residence district, there shall be two side yards, one along each side line of the lot. In lots having a width of fifty (50) feet, but less than sixty (60) feet, the least dimensions of a side yard shall not be less than three (3) feet providing that the other side yard is at least five (5) feet.

In lots having a width of sixty (60) feet, but less than seventy (70) feet, the least dimensions of a side yard shall be not less than four (4) feet providing that the other side yard is at least six (6) feet.

In lots having a width of seventy (70) feet or more, the least dimensions of a side yard shall be not less than five (5) feet providing that the other side yard is at least seven (7) feet.

In old subdivisions where lots have been subdivided into widths of forty (40) feet or less, the least dimensions of a side yard shall be not less than two (2) feet on each side of said lot.

In lots having a width of forty-one (41) feet but less than fifty (50) feet, the least dimensions of a side yard shall be not less than three (3) feet on each side of said lot.

In irregular shaped lots, the Town Board may modify the above requirements by taking into account the width of the lot at its narrowest point and apply the provisions above mentioned on the same basis as if that were the width of the entire lot.

#### AND BE IT FURTHER

RESOLVED that a copy of this resolution, certified by the Town Clerk, shall be entered in the minutes and published at least once in the CHEEKTOWAGA TIMES, a newspaper having general circulation, and the Depew Herald and Cheektowaga News, also a newspaper having general circulation in the said Town of Cheektowaga and being official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavit of publication and posting thereof, and that the Town Clerk

This ordinance shall take effect ten (10) days after such publication and posting, but such ordinance shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the cor-

porate seal of the Town and showing the date of its passage and entry into the minutes.

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.  
Council Neibert, voting Aye.  
Councilman Bystrak, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0  
STATE OF NEW YORK  
COUNTY OF ERIE  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, Elizabeth Biniasz, Deputy Clerk of the Town of Cheektowaga, in said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 21st day of June, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

Posted as follows on the 28th day of June, 1954;

1- Town Hall Bulletin Board.

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

# ORDINANCE AMENDED

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga on the 21st day of June, 1954, at 7:30 o'clock P.M. Eastern Daylight Saving Time, there were:

## PRESENT:

Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Leix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting held in the Town Hall in the Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, adopted a resolution that the Town Board meet at the Town Hall corner Union Road and Broadway, Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20 (b) to provide as follows:

## Section 20 (b) CONSTRUCTION OF BUILDINGS IN FIRST AND SECOND INDUSTRIAL DISTRICTS.

"The construction of residences in an Industrial District is not recommended, neither is it prohibited. In Industrial Districts, even though the equipment and apparatus is modern and up to date, and in accordance with approved practices, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes.

In both Industrial Districts a minimum setback line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

If property located in an Industrial District is used for residence purposes of any kind or description, then the set-back line of twenty-five (25) feet is established and all Ordinances as they relate to Residence District shall apply, including Sections 2 to 13, inclusive, of the Zoning Ordinances."

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

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, did meet on the 21st day of June, 1954, at 7:30 o'clock P.M. Eastern Daylight Saving Time, at the Town Hall, in the Town of Cheektowaga, New York, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20 (b), and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard, and at the conclusion of said public hearing, the Town Board decided that it

was in the public interest to amend the Zoning Ordinances so as to add thereto Section 20 (b) and be it

RESOLVED, that Section 20 (b) of the Zoning Ordinances as hereinbefore set forth be added to read as follows:

## Section 20 (b) CONSTRUCTION OF BUILDINGS IN FIRST AND SECOND INDUSTRIAL DISTRICTS.

"The construction of residences in an Industrial District is not recommended, neither is it prohibited. In Industrial Districts, even though the equipment and apparatus is modern and up to date, and in accordance with approved practices, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. It is for that reason the Town does not recommend the use of industrial property for residence purposes.

In both Industrial Districts a minimum set-back line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

If property is located in an Industrial District is used for residence purposes of any kind or description, then the setback line of twenty-five (25) feet is established and all Ordinances as they relate to a Residence District shall apply, including Sections 2 to 13, inclusive, of the Zoning Ordinances."

RESOLVED, that a copy of this resolution, certified by the Town Clerk, shall be entered in the minutes and published at least once in the CHEEKTOWAGA TIMES and the Depew Herald and Cheektowaga News, newspapers having general circulation in said Towns and being the official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavit of the publication and posting thereof shall be filed with the Town Clerk.

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

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

Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.  
AYES: 5 NOES:0 ABSENT: 0

STATE OF NEW YORK  
COUNTY OF ERIE  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, Elizabeth Biniasz, Deputy Clerk of the Town of Cheektowaga, in said County of Erie, have compared the foregoing copy of the resolution with the original resolution now on file at this office, and which was passed by the

Town Board of the Town of Cheektowaga in said County of Erie, on the 21st day of June, 1954, and that the same is a correct and true transcription of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal in said Town this 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

County of Erie, being duly sworn,

that he is the publisher of the

times, a public newspaper published

said Town; that the notice, of

and printed slip, taken from said

copy, was inserted and published

for a week for one week;

June 28, 1954

June 28, 1954

more than six days intervened between

the

E. J. Allis

on this 1st

July 1, 1954

E. J. Allis

and for Erie County, N. Y.

EVE J. ALLIS  
PUBLIC STATE OF NEW YORK  
officed in Erie County  
Commission Expires March 30, 19  
Registered No. 5029



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

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing and no person appearing in opposition to the proposal.

#### ORDINANCE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were:

#### PRESENT:

Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman  
Stanley Bystrak, Councilman  
Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting held at the Town Hall in the Town of Cheektowaga, New York, on the 7th day of June, 1954 at 2:30 o'clock, P.M. Eastern Daylight Saving Time, adopted a resolution that the Town Board meet at the Town Hall corner Union Road and Broadway, Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock, P.M., for the purpose of considering the advisability of repealing Paragraph A of Section 6 of the Zoning Ordinances of the Town of Cheektowaga, which provides as follows:

#### Section 6 SIDE YARDS IN RESIDENCE DISTRICTS

(a) In a residence district for every dwelling erected there shall be two side yards, one along each side line of the lot; at least twenty percent (20%) of the width of an interior lot shall be devoted to side yards, but not more than seventeen and one-half (17½) feet need be so devoted. The least dimensions of a side yard shall be not less than four (4) feet.

#### AND,

WHEREAS, it is deemed in the public interest to make some changes in its provisions, which changes are as follows:

(a) In a residence district, there shall be two side yards, one along each side line of the lot. In lots having a width of fifty (50) feet, but less than sixty (60) feet, the least dimensions of a side yard shall not be less than three (3) feet providing that the other side yard is at least five (5) feet.

In lots having a width of sixty (60) feet, but less than seventy (70) feet, the least dimensions of a side yard shall be not less than four (4) feet, providing that the other side yard is at least six (6) feet.

In lots having a width of seventy (70) feet or more, the least dimensions of a side yard shall be not less than five (5) feet providing that the other side yard is at least seven (7) feet.

In old subdivisions where lots have been subdivided into widths of forty (40) feet or less, the least dimensions of a side yard shall be not less than two (2) feet on each side of said lot.

In lots having a width of forty-one (41) feet but less than fifty (50) feet, the least dimensions of a side yard shall be not less than three (3) feet on each side of said lot.

In irregular shaped lots, the Town Board may modify the above requirements by taking into account the width of the lot at its narrowest point and apply the provisions above mentioned on the same basis as if that were the width of the entire lot.

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

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, did meet on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Sav-

ing Time, at the Town Hall, in the Town of Cheektowaga, New York, for the purpose of considering the advisability of repealing Paragraph A of Section 6, of the existing zoning ordinances, and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard, and at the conclusion of the said public hearing, the Town Board decided that it was in the public interest that the Zoning Ordinances of the Town of Cheektowaga, New York be changed by repealing Paragraph A of Section 6 and be it

RESOLVED, that paragraph A of Section 6 of the Zoning Ordinances as hereinbefore set forth be repealed.

#### Section 6 SIDES YARDS IN RESIDENCE DISTRICTS

(a) In a residence district for every dwelling erected there shall be two side yards, one along each side line of the lot; at least twenty percent (20%) of the width of an interior lot shall be devoted to side yards, but not more than seventeen and one-half (17½) feet need be so devoted. The least dimensions of a side yard shall be not less than four (4) feet.

RESOLVED, that in its place the following ordinances be adopted to be known as

#### Section 6 SIDE YARDS IN RESIDENCE DISTRICTS

(a) In a residence district, there shall be two side yards, one along each side line of the lot. In lots having a width of fifty (50) feet, but less than sixty (60) feet, the least dimensions of a side yard shall not be less than three (3) feet providing that the other side yard is at least five (5) feet.

In lots having a width of sixty (60) feet, but less than seventy (70) feet, the least dimensions of a side yard shall be not less than four (4) feet providing that the other side yard is at least six (6) feet.

In lots having a width of seventy (70) feet or more, the least dimensions of a side yard shall be not less than five (5) feet providing that the other side yard is at least seven (7) feet.

In old subdivisions where lots have been subdivided into widths of forty (40) feet or less, the least dimensions of a side yard shall be not less than two (2) feet on each side of said lot.

In lots having a width of forty-one (41) feet but less than fifty (50) feet, the least dimensions of a side yard shall be not less than three (3) feet on each side of said lot.

In irregular shaped lots, the Town Board may modify the above requirements by taking into account the width of the lot at its narrowest point and apply the provisions above mentioned on the same basis as if that were the width of the entire lot.

#### AND BE IT FURTHER

RESOLVED that a copy of this resolution, certified by the Town Clerk, shall be entered in the minutes and published at least once in the CHEEKTOWAGA TIMES, a newspaper having general circulation, and the Depew Herald and Cheektowaga News, also a newspaper having general circulation in the said Town of Cheektowaga and being official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavit of publication and posting thereof in that the Town Clerk

This ordinance shall take effect ten (10) days after such publication and posting, but such ordinance shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the cor-

porate seal of the Town and showing the date of its passage and entry into the minutes.

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.

Council Neibert, voting Aye.  
Councilman Bystrak, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0  
STATE OF NEW YORK  
COUNTY OF ERIE  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, Elizabeth Biniasz, Deputy Clerk of the Town of Cheektowaga, in said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 21st day of June, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

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

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

Willard C. Allis

Sworn to before me this 1st

day of July, 1954

Eve J. Allis

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 19  
Registered No. 5029



STATE OF NEW YORK

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 24th day of June, 1954, and the last insertion being on the        day of       , 19      , and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

Sworn to before me this        day of       .

JUN 26 1954

Kenneth T. Hanley

Notary Public in and for Erie County.

IN 53 0000

Item No. 11

Councilman Nagel presented the following resolution and moved its adoption: 117

WHEREAS, the sewer on Maryvale Drive is in need of repairs and requires an emergency action on the part of the Town Engineer, be it

RESOLVED, that he be authorized to engage Straco, Inc., Sewer Contractors, to repair the sewer and that the reasonable cost thereof be charged against Sanitary Sewer District No. 5.

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

Supervisor  
Councilman  
Councilman  
Councilman  
Councilman

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

Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 12

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the sewer on the north and south side of Northcrest Avenue is in need of repairs and requires an emergency action on the part of the Town Engineer, be it

RESOLVED, that he be authorized to engage Straco, Inc., Sewer Contractors, to repair the sewer and that the reasonable cost thereof be charged against Sanitary Sewer District No. 5.

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

Supervisor  
Councilman  
Councilman  
Councilman  
Councilman

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

Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 13

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, the sewer on Beach Road is in need of repairs and requires an emergency action on the part of the Town Engineer, be it

RESOLVED, that he be authorized to engage Straco, Inc., Sewer Contractors, to repair the sewer and that the reasonable cost thereof be charged against Sanitary Sewer District No. 5.

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

Supervisor  
Councilman  
Councilman  
Councilman  
Councilman

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

Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 14

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisable and in the public interest to repeal Ordinance No. 3, which was adopted by the Town Board on the 4th day of June, 1934, which ordinance is known as "Soft Drink Ordinance", said Ordinance has now become ineffective and obsolete, be it

STATE OF NEW YORK  
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

PRESENT:

Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman

Joseph A. Nebert, Councilman  
Stanley Bystrak, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting held at the Town Hall in the Town of Cheektowaga, New York, on the 7th day of June, 1954, at 2:30 o'clock, P.M. Eastern Daylight Saving Time, adopted a resolution that the Town Board meet at the Town Hall corner Union Road and Broadway, Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of amending the Zoning Ordinance so as to add thereto Section 20 (b) to provide as follows:

SECTION 20 (b)  
CONSTRUCTION OF BUILDINGS  
IN FIRST AND SECOND INDUSTRIAL DISTRICTS.

The construction of residences in an Industrial District is not recommended, neither is it prohibited. In Industrial Districts, even though the equipment and apparatus is modern and up to date, and in accordance with approved practices, there is always some noise and fumes incidental to the operation of businesses, plants and factories which sometimes interfere with the peaceful and quiet enjoyment of residence properties. For that reason the Town does not recommend the use of industrial property for residence purposes.

In both Industrial Districts a minimum setback line of fifty (50) feet from the nearest highway is required. No permanent storage in the open of any personal property is permitted within one hundred (100) feet of the nearest highway.

It is recommended that the area in front of buildings facing the highway be landscaped and buildings constructed of high-grade material so as to improve the appearance of the buildings.

Parking lots for customers and employees should be constructed in the rear and sides of premises and not in the area in front of the buildings.

If property located in an Industrial District is used for residence purposes of any kind or description, then the set-back line of twenty-five (25) feet is established and all Ordinances as they relate to a Residence District shall apply, including Sections 2 to 13, inclusive, of the Zoning Ordinances.

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

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, did meet on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, at the Town Hall, in the Town of Cheektowaga, New York, for the purpose of considering the advisability of amending the Zoning Ordinances so as to add thereto Section 20 (b), and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard, and at the conclusion of said public hearing, the Town Board decided that it was in the public interest to amend the Zoning Ordinances so as to add thereto Section 20 (b), and be it

RESOLVED, that Section 20 (b) of the Zoning Ordinances as hereinbefore set forth be added to read as follows:

SECTION 20 (b)

Item No. 11

Councilman Nagel presented the following resolution and moved its

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adoption:

WHEREAS, the sewer on Maryvale Drive is in need of repairs and requires an emergency action on the part of the Town Engineer, be it

RESOLVED, that he be authorized to engage Straco, Inc., Sewer Contractors, to repair the sewer and that the reasonable cost thereof be charged against Sanitary Sewer District No. 5.

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

Supervisor  
Councilman  
Councilman  
Councilman  
Councilman

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

Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 12

Councilman Wroblewski presented the following resolution and moved its

adoption:

WHEREAS, the sewer on the north and south side of Northcrest Avenue is in need of repairs and requires an emergency action on the part of the Town Engineer, be it

RESOLVED, that he be authorized to engage Straco, Inc., Sewer Contractors, to repair the sewer and that the reasonable cost thereof be charged against Sanitary Sewer District No. 5.

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

Supervisor  
Councilman  
Councilman  
Councilman  
Councilman

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

Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 13

Councilman Bystrak presented the following resolution and moved its

adoption:

WHEREAS, the sewer on Beach Road is in need of repairs and requires an emergency action on the part of the Town Engineer, be it

RESOLVED, that he be authorized to engage Straco, Inc., Sewer Contractors, to repair the sewer and that the reasonable cost thereof be charged against Sanitary Sewer District No. 5.

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

Supervisor  
Councilman  
Councilman  
Councilman  
Councilman

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

Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 14

Councilman Neibert presented the following resolution and moved its

adoption:

WHEREAS, it is deemed advisable and in the public interest to repeal Ordinance No. 3, which was adopted by the Town Board on the 4th day of June, 1934, which ordinance is known as "Soft Drink Ordinance", said Ordinance has now become ineffective and obsolete, be it

of the Zoning Ordinances as here-  
inbefore set forth be added to  
read as follows:

**SECTION 20 (b)  
CONSTRUCTION OF BUILDINGS  
IN FIRST AND SECOND INDUS-  
TRIAL DISTRICTS.**

"The construction of residences  
in an Industrial District is not  
recommended, neither is it prohib-  
ited. In Industrial Districts, even  
though the equipment and appara-  
tus is modern and up to date, and  
in accordance with approved prac-  
tices, there is always some noise  
and fumes incidental to the opera-  
tion of businesses, plants and fac-  
tories which sometimes interfere  
with the peaceful and quiet en-  
joyment of residence properties. It  
is for that reason the Town does  
not recommend the use of indus-  
trial property for residence pur-  
poses.

In both Industrial Districts a  
minimum set-back line of fifty (50)  
feet from the nearest highway is  
required. No permanent storage in  
the open of any personal property  
is permitted within one hundred  
(100) feet of the nearest highway.

It is recommended that the area  
in front of buildings facing the  
highway be landscaped and build-  
ings constructed of high-grade ma-  
terial so as to improve the ap-  
pearance of the buildings.

Parking lots for customers and  
employees should be constructed in

the rear and side of premises and  
not in the area in front of the  
buildings.

If property is used for indus-  
trial District purposes, then the setback line of  
twenty-five (25) feet is established  
and all Ordinances as they relate  
to a Residence District shall ap-  
ply, including Sections 2 to 13, in-  
clusive, of the Zoning Ordinances."

and be it further

**RESOLVED**, that a copy of this  
resolution, certified by the Town  
Clerk, shall be entered in the min-  
utes and published at least once  
in the CHEEKTOWAGA TIMES  
and the DEPEW HERALD AND  
CHEEKTOWAGA NEWS, news-  
papers having general circulation  
in said Towns and being the offi-  
cial newspapers thereof. That the  
Town Clerk post, or cause to be  
posted conspicuously on a sign-  
board maintained by him at the  
entrance of the Town Clerk's Of-  
fice a certified copy of this reso-  
lution and affidavit of the publi-  
cation and posting thereof shall  
be filed with the Town Clerk.

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

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

Supervisor Holtz, Voting Aye  
Councilman Nagel, Voting Aye  
Councilman Wroblewski,

Voting Aye  
Councilman Neibert, Voting Aye  
Councilman Bystrak, Voting Aye  
5 Ayes, Noes 0, Absent 0. Carried.

State of New York )  
Erie County )

Office of the Clerk of the ss:  
Town of Cheektowaga )

This is to certify that I, ELIZA-  
BETH BINIASZ, Deputy Clerk of  
the Town of Cheektowaga, in the  
said County of Erie, have com-  
pared the foregoing copy of reso-  
lution with the original resolu-  
tion now on file at this office, and  
which was passed by the Town  
Board of the Town of Cheekto-  
waga in said County of Erie, on  
the 21st day of June, 1954, and  
the same is a correct and true  
transcript of such original resolu-  
tion and the whole thereof.

In Witness Whereof, I  
have hereunto set my hand  
and affixed the seal of said  
(seal) Town this 22nd day of  
June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Je24 Town of Cheektowaga, N. Y.

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

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

annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for

1 week, the first insertion being on the

24th day of June, 1954, and

the last insertion being on the day of

19, and that not

more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

day of

19

*Handy*

at in and for Erie County.

That no person shall sell, expose for sale, or give away soft drinks within the Town of Cheektowaga without first obtaining a soft drink license.

Such application shall further state whether the applicant had been convicted of any crime, and if so, a complete statement of the offense of which he was convicted, and penalty imposed. Such application shall be filed with the Town Clerk and the same may be acted upon at any regular or special meeting of the Town Board. The fee for such license shall be the sum of \$3.00 per year or fraction thereof, all licenses to end on May 1st of each year.

Carried                      Ayes 5                      Noes 0

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

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

Voting	<u>Aye</u>
Voting	<u>Aye</u>
Voting	<u>Aye</u>
Voting	<u>Aye</u>
Voting	<u>Aye</u>

AYES: 5-

Posted as follows on the 28th day of June, 1954;

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1- Town Hall Bulletin Board.

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

# NOTICE OF HEARING

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were:

PRESENT:  
Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Henry J. Nagel, Councilman  
Joseph A. Neibert, Councilman  
Renx T. Wroblewski, Councilman  
Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisable and in the public interest to repeal Ordinance No. 3, which was adopted by the Town Board on the 4th day of June, 1934, which ordinance is known as "Soft Drink Ordinance," said Ordinance has now become inoperative and obsolete, be it

RESOLVED that the Town Board shall met on the 12th day of July, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time at the Town Hall, Union Road and Broadway, Cheektowaga, New York, for the purpose of considering the advisability of repealing Ordinance No. 3 of the General Ordinances of the Town of Cheektowaga, New York, which provide as follows:

## Ordinance No. 3

That no person shall sell, expose for sale, or give away soft drinks within the Town of Cheektowaga without first obtaining a soft drink license.

The issuance of such licenses shall be in the discretion of the Town Board, and shall only be issued to persons of good moral character. The Town Clerk is hereby empowered to provide the necessary application blanks for such licenses, which application blanks shall contain the name, address, occupation of the applicant, the location of the premises to be licensed, the name of the owner of such premises, and the name of the person, firm or corporation who is to carry on the soft drink business, and a general description of the business now carried on in said premises.

Such application shall further state whether the applicant had been convicted of any crime, and if so, a complete statement of the offense of which he was convicted, and penalty imposed. Such application shall be filed with the Town Clerk and the same may be acted upon at any regular or special meeting of the Town Board. The fee for such license shall be the sum of \$3.00 per year or fraction thereof, all licenses to end on May 1st of each year.

Any person who sells, offers for sale or gives away, soft drinks without first obtaining a license shall be liable to a fine of not less than \$25.00 nor more than \$100.00.

Carried—AYES, 5; NOES, 0.

Adopted this 4th day of June, 1934 by order of the Town Board.

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of the resolution in the CHEEKTOWAGA TIMES and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post, or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

as follows:

Supervisor Holtz, voting Aye.  
Councilman Bystrak, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Wroblewski, voting Aye.

AYES: 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, Elizabeth Biniasz, Deputy Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 21st day of June, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

NEW YORK  
ERIE  
CHEEKTOWAGA } ss.

ALLIS, of the Town of Cheektowaga, Erie County, being duly sworn, deposes that he is the publisher of the Cheektowaga Times, a public newspaper published in said Town; that the notice, of said resolution, printed on a printed slip, taken from said copy, was inserted and published

once a week for one week.

June 24, 1954

last publication June 24, 1954

and that no more than six days intervened between publications.

Willard O. Allis

Sworn to before me this 1st

day of July, 1954

Eve J. Allis

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029

RESOLVED that the Town Board shall meet on the 12th day of July, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time at the Town Hall, Union Road and Broadway, Cheektowaga, New York, for the purpose of considering the advisability of repealing Ordinance No. 3 of the General Ordinances of the Town of Cheektowaga, New York, which provide as follows:

ORDINANCE NO. 3

That no person shall sell, expose for sale, or give away soft drinks within the Town of Cheektowaga without first obtaining a soft drink license.

The issuance of such licenses shall be in the discretion of the Town Board, and shall only be issued to persons of good moral character. The Town Clerk is hereby empowered to provide the necessary application blanks for such licenses, which application blanks shall contain the name, address, occupation of the applicant, the location of the premises to be licensed, the name of the owner of such premises, and the name of the person, firm or corporation who is to carry on the soft drink business, and a general description of the business now carried on in said premises.

Such application shall further state whether the applicant had been convicted of any crime, and if so, a complete statement of the offense of which he was convicted, and penalty imposed. Such application shall be filed with the Town Clerk and the same may be acted upon at any regular or special meeting of the Town Board. The fee for such license shall be the sum of \$3.00 per year or fraction thereof, all licenses to end on May 1st of each year.

Any person who sells, offers for sale or gives away, soft drinks without first obtaining a license shall be liable to a fine of not less than \$25.00 nor more than \$100.00.

Carried                      Ayes 5                      Noes 0

Adopted this 4th day of June 1954 by order of the Town Board.

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post, or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

Supervisor Holtz,  
Councilman Bystrak,  
Councilman Nagel,  
Councilman Neibert,  
Councilman Wroblewski,

Voting	<u>Aye</u>
Voting	<u>Aye</u>
Voting	<u>Aye</u>
Voting	<u>Aye</u>
Voting	<u>Aye</u>

AYES: -5-



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1954;

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lished in the

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week first publication June 24, 1954 last publication June 24, 1954 and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 1st

day of July, 1954

Eve J. Allis

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
1 week, the first insertion being on the  
24th day of June, 1954, and  
the last insertion being on the day of  
1954, and that not  
more than six days intervened between any two publi-  
cations thereof.

day of

1954

Public in and for Erie County.

1954, at 7:00 o'clock P.M. Eastern Daylight Saving Time, there were:

PRESENT:

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

Councilman

Councilman Nebert presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisable and in the public interest to repeal Ordinance No. 3, which was adopted by the Town Board on the 24th day of June, 1954, which ordinance is known as "Soft Drink Ordinance", said Ordinance has now become ineffective and obsolete, be it

RESOLVED, that the Town Board shall meet on the 12th day of July, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time at the Town Hall, Union Road and Broadway, Cheektowaga, New York, for the purpose of considering the advisability of repealing Ordinance No. 3 of the General Ordinances of the Town of Cheektowaga, New York, which provide as follows:

ORDINANCE NO. 3

That no person shall sell, expose for sale, or give away, soft drinks within the Town of Cheektowaga without first obtaining a soft drink license.

The issuance of such licenses shall be in the discretion of the Town Board, and shall only be issued to persons of good moral character. The Town Clerk is hereby empowered to provide the necessary application blanks for such licenses, which application blanks shall contain the name, address, occupation of the applicant, the location of the premises to be licensed, the name of the owner of such premises, and the name of the person, firm or corporation who is to carry on the soft drink business, and a general description of the business now carried on in said premises.

Such application shall further state whether the applicant had been convicted of any crime, and if so, a complete statement of the offense of which he was convicted, and penalty imposed. Such application shall be filed with the Town Clerk and the same may be acted upon at any regular or special meeting of the Town Board. The fee for such license shall be the sum of \$3.00 per year or fraction thereof, all licenses to end on May 1st of each year.

Any person who sells, offers for sale or gives away, soft drinks without first obtaining a license shall be liable to a fine of not less than \$25.00 nor more than \$100.00.

Carried. AYES 5, NOES 0.

Adopted this 4th day of June, 1954 by order of the Town Board.

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED,

that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the DEPUEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said town and being official newspapers, at least ten (10) days more than twenty (20) days prior to the date of the hearing.

That on or before said date he shall cause a copy of this resolution to be placed on a table in the Town Clerk's Office, a certified copy of this resolution.

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

Supervisor Holtz, Voting Aye  
Councilman Bystrak, Voting Aye  
Councilman Nagel, Voting Aye  
Councilman Nebert, Voting Aye  
Councilman Wroblewski,

Voting Aye

5 Ayes, Noes 0, Absent 0. Carried.  
State of New York )  
Erie County )

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisable and in the public interest to amend the Zoning Ordinances of the Town of Cheektowaga, New York to fix the fees to be paid for all matters referred to or considered by the Zoning Board of Appeals, to in part reimburse the Town for the expenses incurred in matters referred to or considered by the Zoning Board of Appeals, be it

RESOLVED that the Town Board shall meet on the 12th day of July, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York for the purpose of considering the advisability of amending Section 29 of the Zoning Ordinances of the Town of Cheektowaga, New York so as to add thereto Paragraph 12, to provide as follows:

Fees to be paid by applicant to the Town Clerk for matters referred to or considered by the Zoning Board of Appeals Request for rezoning - - - Forty Dollars (\$40.00) Request for granting of variances, except as to modification of area of rear yards and side yards, - - Forty Dollars (\$40.00). Applications for permit by public utilities in residence and business district, under Section 17 of the Zoning Ordinances, - - - - - Forty Dollars - - - - - (\$40.00). Application for side yard and rear yard variances - - - - - Twenty Dollars - - - - - (\$20.00).

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

Supervisor Holtz,  
Councilman Bystrak,  
Councilman Nagel,  
Councilman Neibert,  
Councilman Wroblewski,

Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye

AYES: -5-

Posted as follows on the 28th day of June, 1954;

1- Town Hall Bulletin Board.

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

#### NOTICE OF HEARING

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were:

#### PRESENT:

Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Henry Nagel, Councilman  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisable and in the public interest to amend the Zoning Ordinances of the Town of Cheektowaga, New York to fix the fees to be paid for all matters referred to or considered by the Zoning Board of Appeals, to in part reimburse the Town for the expenses incurred in matters referred to or considered by the Zoning Board of Appeals, be it

RESOLVED that the Town Board shall meet on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, at the Town Hall, corner of Union and Broadway, Cheektowaga, New York for the purpose of considering the advisability of amending Section 29 of the Zoning Ordinances of the Town of Cheektowaga, New York so as to add thereto Paragraph 12, to provide as follows:

Fees to be paid by applicant to the Town Clerk for matters referred to or considered by the Zoning Board of Appeals.

Request for rezoning—Forty Dollars (\$40.00).

Request of granting of variances, except as to modification of area of rear yards and side yards — Forty Dollars (\$40.00).

Appeals to the Zoning Board of Appeals—Forty Dollars (\$40.00).

Applications for permit by public utilities in residence and business district, under Section 17 of the Zoning Ordinances—Forty (\$40.00) Dollars.

Application for side yard and rear yard variances — Twenty Dollars (\$20.00).

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication June 24, 1954; last publication June 24, 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 1st

day of July, 1954

*Eve J. Allis*

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

1954, at 7:30 o'clock P.M. Eastern Daylight Saving Time, there were:

PRESENT:

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

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisable and in the public interest to repeal Ordinance No. 3, which was adopted by the Town Board on the 4th day of June, 1934, which ordinance is known as "Soft Drink Ordinance", said Ordinance has now become ineffective and obsolete, be it

RESOLVED, that the Town Board shall meet on the 12th day of July, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time at the Town Hall, Union Road and Broadway, Cheektowaga, New York, for the purpose of considering the advisability of repealing Ordinance No. 3 of the General Ordinances of the Town of Cheektowaga, New York, which provide as follows:

ORDINANCE NO. 3

That no person shall sell, expose for sale, or give away soft drinks within the Town of Cheektowaga without first obtaining a soft drink license.

The issuance of such licenses shall be in the discretion of the Town Board, and shall only be issued to persons of good moral character. The Town Clerk is hereby empowered to provide the necessary application blanks for such licenses, which application blanks shall contain the name, address, occupation of the applicant, the location of the premises to be licensed, the name of the owner of such premises, and the name of the person, firm or corporation who is to carry on the soft drink business, and a general description of the business now carried on in said premises.

Such application shall further state whether the applicant had been convicted of any crime, and if so, a complete statement of the offense of which he was convicted and penalty imposed. Such application shall be filed with the Town Clerk and the same may be acted upon at any regular or special meeting of the Town Board. The fee for each license shall be \$1.00 per year or fraction thereof, all licenses to end on the 1st of each year.

Any person who sells, offers for sale or gives away soft drinks without first obtaining a license shall be liable to a fine of not less than \$25.00 nor more than \$50.00.

Carried: AYES 3, NOES 0.

Adopted this 4th day of June, 1954, by order of the Town Board.

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the CHEEKTOWAGA HERALD AND NEWS, newspapers having general circulation in the said Town, and being official newspapers of the Town of Cheektowaga, New York.

Attest: Elizabeth Biniasz, Deputy Clerk of the Town Board.

Witness my hand and seal this 4th day of June, 1954.

Elizabeth Biniasz, Deputy Clerk of the Town Board.

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

Supervisor Holtz, Voting Aye  
Councilman Bystrak, Voting Aye  
Councilman Nagel, Voting Aye  
Councilman Neibert, Voting Aye  
Councilman Wroblewski, Voting Aye

5 Ayes, Noes 0, Absent 0. Carried.

State of New York )  
Erie County )  
Office of the Clerk of the ) ss:  
Town of Cheektowaga )

This is to certify that I, ELIZABETH BINIASZ, Deputy Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 4th day of June 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 24th day of June, 1954, and the last insertion being on the 19th day of June, 1954, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

day of

19

Public in and for Erie County.

AYES: 5-

under Section 17 of the Zoning Ordinances, - - - - - Forty Dollars - - - - - (\$40.00).  
Application for side yard and rear yard variances - - - - - Twenty Dollars - - - - - (\$20.00).

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

Supervisor Holtz,  
Councilman Bystrak,  
Councilman Nagel,  
Councilman Neibert,  
Councilman Wroblewski,

Voting	Aye
Voting	Aye
Voting	Aye
Voting	Aye
Voting	Aye

AYES: -5-

Posted as follows on the 28th day of June, 1954;

1- Town Hall Bulletin Board.

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

#### NOTICE OF HEARING

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were:

#### PRESENT:

Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Henry Nagel, Councilman  
Joseph A. Neibert, Councilman  
Felix Wroblewski, Councilman  
Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisable and in the public interest to amend the Zoning Ordinances of the Town of Cheektowaga, New York to fix the fees to be paid for all matters referred to or considered by the Zoning Board of Appeals, to in part reimburse the Town for the expenses incurred in matters referred to or considered by the Zoning Board of Appeals, be it

RESOLVED that the Town Board shall meet on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, at the Town Hall, corner of Union and Broadway, Cheektowaga, New York for the purpose of considering the advisability of amending Section 29 of the Zoning Ordinances of the Town of Cheektowaga, New York so as to add thereto Paragraph 12, to provide as follows:

Fees to be paid by applicant to the Town Clerk for matters referred to or considered by the Zoning Board of Appeals.

Request for rezoning—Forty Dollars (\$40.00).

Request of granting of variances, except as to modification of area of rear yards and side yards — Forty Dollars (\$40.00).

Appeals to the Zoning Board of Appeals—Forty Dollars (\$40.00).

Applications for permit by public utilities in residence and business district, under Section 17 of the Zoning Ordinances—Forty (\$40.00) Dollars.

Application for side yard and rear yard variances — Twenty Dollars (\$20.00).

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

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

STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, Elizabeth Biniasz, Deputy Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga, in said County of Erie, on the 21st day of June, 1954 and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 22nd day of June, 1954.

ELIZABETH BINIASZ  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication June 24, 1954; last publication June 24, 1954; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 1st

day of July, 1954

Eve J. Allis

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 24th day of June, 1954, and the last insertion being on the 19th day of July, 1954, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

day of

19

Public in and for Erie County.

on the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were present:

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

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisable and in the public interest to amend the Zoning Ordinances of the Town of Cheektowaga, New York to fix the fees to be paid for all matters referred to or considered by the Zoning Board of Appeals to in part reimburse the Town for the expenses incurred in matters referred to or considered by the Zoning Board of Appeals,

RESOLVED that the Town Board shall meet on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York for the purpose of considering the advisability of amending Section 29 of the Zoning Ordinances of the Town of Cheektowaga, New York so as to add thereto Paragraph 12, to provide as follows:

Fees to be paid by applicant to the Town Clerk for matters referred to or considered by the Zoning Board of Appeals Request for Zoning . . . Forty Dollars (\$40.00). Request for granting of variances, except as to modification of area . . . rear yards and side yards, . . . Forty Dollars (\$40.00). Appeals to Zoning Board of Appeals . . . Forty Dollars (\$40.00). Application for permit by public utility in residence and business district under Section 17 of the Zoning Ordinances, . . . Forty Dollars (\$40.00). Application for side yard and rear yard variances . . . Twenty Dollars (\$20.00).

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is directed to publish a certain copy of this resolution in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) days prior to the date of the hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certain copy of this resolution.

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

5 Ayes, Noes 0, Absent 0. Carried.  
State of New York )  
Erie County )  
Office of the Clerk of the ) ss:  
Town of Cheektowaga )

This is to certify that, I, ELIZABETH BINIASZ, Deputy Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 21st day of June, 1954, and the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a written petition was filed with this Board for the improvement of that portion of Genesee Street extending from Awood Place, northeasterly to Beechwood Place, and Beechwood Place for its entire length from Genesee Street north to Greenwood Place, by the construction of a lateral sewer in said highways so as to serve both sides thereof, and

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

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said highways, as stated in the petition is the sum of \$4,000.00, and

WHEREAS, said highways to be improved are located in Sewer District No. 5 of the Town of Cheektowaga, New York and are entirely in said town.

NOW, THEREFORE,

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

ORDERED, that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 12th day of July, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, of that day for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and be it

FURTHER RESOLVED AND ORDERED, that the Town Clerk be and he is hereby ORDERED AND DIRECTED to publish a certified copy of this resolution and order in the Cheektowaga Times, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post conspicuously or cause to be posted conspicuously certified copies of this order in five (5) public places along the said portion of said highways to be improved.

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

Supervisor Holtz,	Voting <u>Aye</u>
Councilman Wroblewski,	Voting <u>Aye</u>
Councilman Nagel,	Voting <u>Aye</u>
Councilman Neibert,	Voting <u>Aye</u>
Councilman Bystrak,	Voting <u>Aye</u>

AYES: -5-

Posted as follows on the 1st day of July, 1954;

- 1- Telephone Pole No. 2915 on Genesee Street;
- 2- Telephone Pole No. 2918 on Genesee Street;
- 3- Post at the corner of Genesee Street and Beechwood Place;
- 4- Telephone Pole No. 2908 on Genesee Street;
- 5- Telephone Pole No. 2998 on Genesee Street;
- 6- Post in front of No. 22 Beechwood Place;
- 7- Post in front of No. 40 Beechwood Place;
- 8- Post in front of No. 45 Beechwood Place;
- 9- Post in front of No. 36 Beechwood Place;
- 10- Post on Beechwood Place, 50 feet south of House No. 45.

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

MO

Depew  
Cheektowaga  
Herald and News  
a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 24th day of June, 1954, and the last insertion being on the day of 19, and that not more than six days intervened between any two publications thereof.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 24th day of June, 1954, and the last insertion being on the day of 19, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

Sworn to before me this day of

JUN 26 1954, 19

Notary Public in and for Erie County.

4452 6880



Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a written petition was filed with this Board for the improvement of that portion of Genesee Street extending from Awood Place, northeasterly to Beechwood Place, and Beechwood Place for its entire length from Genesee Street north to Greenwood Place, by the construction of a lateral sewer in said highways so as to serve both sides thereof, and

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

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said highways, as stated in the petition is the sum of \$4,000.00, and

WHEREAS, said highways to be improved are located in Sewer District No. 5 of the Town of Cheektowaga, New York and are entirely in said town.

NOW, THEREFORE,

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

ORDERED, that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 12th day of July, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, of that day for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and be it

FURTHER RESOLVED AND ORDERED, that the Town Clerk be and he is hereby ORDERED AND DIRECTED to publish a certified copy of this resolution and order in the Cheektowaga Times, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post conspicuously or cause to be posted conspicuously certified copies of this order in five (5) public places along the said portion of said highways to be improved.

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

Supervisor Holtz,	Voting	Aye
Councilman Wroblewski,	Voting	Aye
Councilman Nagel,	Voting	Aye
Councilman Neibert,	Voting	Aye
Councilman Bystrak,	Voting	Aye

AYES: -5-

Posted as follows on the 1st day of July, 1954;

- 1- Telephone Pole No. 2915 on Genesee Street;
- 2- Telephone Pole No. 2918 on Genesee Street;
- 3- Post at the corner of Genesee Street and Beechwood Place;
- 4- Telephone Pole No. 2908 on Genesee Street;
- 5- Telephone Pole No. 2998 on Genesee Street;
- 6- Post in front of No. 22 Beechwood Place;
- 7- Post in front of No. 40 Beechwood Place;
- 8- Post in front of No. 45 Beechwood Place;
- 9- Post in front of No. 36 Beechwood Place;
- 10- Post on Beechwood Place, 50 feet south of House No. 45.

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

**NOTICE OF HEARING**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 21st day of June, 1954, at 7:30 o'clock P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**

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

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a written petition was filed with this Board for the improvement of that portion of Genesee Street extending from Awood Place, northeasterly to Beechwood Place, and Beechwood Place for its entire length from Genesee Street north to Greenwood Place, by the construction of a lateral sewer in said highways so as to serve both sides thereof, and

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

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said highways, as stated in the petition is the sum of \$4,000.00, and

WHEREAS, said highways to be improved are located in Sewer District #5 of the Town of Cheektowaga, New York and are entirely in said town.

**NOW, THEREFORE,**

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

ORDERED, that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 12th day of July, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, of that day for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and be it

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

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

Supervisor Holtz, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.

**STATE OF NEW YORK  
ERIE COUNTY  
OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA**

This is to certify that I, Elizabeth Biniasz, Deputy Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 21st day of June, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 22nd day of June, 1954.

**ELIZABETH BINIASZ,**  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

NEW YORK  
OF ERIE } ss.  
CHEEKTOWAGA }

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

at June 24, 1954  
on June 24, 1954

more than six days intervened before publication.

Willard C. Allis  
before me this 1st

July, 1954  
Eve J. Allis  
public in and for Erie County, N. Y.

**EVE J. ALLIS**  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029

( Depew Herald)

STATE OF NEW YORK  
COUNTY OF CHEEKTOWAGA

Seconded by Councilman Bystrak  
and duly put to a vote, which re-  
sulted as follows:  
Supervisor Holtz, Voting Aye  
Councilman Wroblewski, Voting Aye  
Councilman Nagel, Voting Aye  
Councilman Neibert, Voting Aye  
Councilman Bystrak, Voting Aye  
5 Ayes, Noes 0. Carried.  
State of New York )  
Erie County ) ss:  
Office of the )  
Town of Cheektowaga, N.Y. )  
This is to certify that ELIZA-  
BETH BINIASZ, Clerk of  
the Town of Cheektowaga, in the  
said County of Cheektowaga, have com-  
pared the original resolu-  
tion with the copy thereof.  
In Witness Whereof, I  
have hereunto set my hand  
and affixed the seal of said  
Town this 22nd day of  
June, 1954.  
ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N.Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

Depew Cheektowaga  
**Herald and News**

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

*Richard G. Bennett*

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

JUL 26 1954

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

IN 52 6000

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication June 24, 1954; last publication June 24, 1954; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 1st

day of July, 1954

Eve J. Allis

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029

( Depew Herald)

STATE OF NEW YORK  
COUNTY OF ERIE

Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, said Town of Cheektowaga on the 21st day of June, 1954, at 7:30 o'clock P.M. Eastern Daylight Saving Time, there were:

## PRESENT:

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

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a written petition was filed with this Board for the improvement of that portion of Genesee Street extending from Awood Place, northeasterly to Beechwood Place, and Beechwood Place for its entire length from Genesee Street north to Greenwood Place, by the construction of a lateral sewer in said highways so as to serve both sides thereof and

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

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said highways, as stated in the petition is the sum of \$4,000.00, and

WHEREAS, said highways to be improved are located in Sewer District No. 5 of the Town of Cheektowaga, New York and are entirely in said town.

## NOW, THEREFORE,

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

ORDERED, that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 12th day of July, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, of that day for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and be it

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

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

Supervisor Holtz, Voting Aye  
Councilman Wroblewski, Voting Aye  
Councilman Nagel, Voting Aye  
Councilman Nelbert, Voting Aye  
Councilman Bystrak, Voting Aye  
5 Ayes, No Absent, 0 Carried.

State of New York )  
Erie County )  
Office of the Clerk of the ) ss:  
Town of Cheektowaga )

This is to certify that I, ELIZABETH BINIASZ, Deputy Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file in the Town

which was filed with the Town Board of the Town of Cheektowaga in the County of Erie, on the 21st day of June, 1954, and the same is a true and correct transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said (seal) Town this 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

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

day of

19

in and for Erie County.

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisable and in the public interest to repeal Ordinance No. 12, which was adopted by the Town Board June 16, 1941, which Ordinance defines the "Removal of Unsafe Buildings", said Ordinance having become obsolete and no longer needed, be it

RESOLVED that the Town Board shall meet on the 12th day of July, 1954 at 2:30 o'clock, P.M. Eastern Daylight Saving Time at the Town Hall, Union Road And Broadway, Cheektowaga, New York, for the purpose of considering the advisability of repealing Ordinance No. 12 of the General Ordinances of the Town of Cheektowaga, New York, which provide as follows:

ORDINANCE NO. 12

"ORDINANCE FOR THE REMOVAL OF  
UNSAFE BUILDINGS"

Proposed Ordinance of the Town of Cheektowaga, Chapter 4,  
Section 1 Chapter 4 - Entitled "Unsafe Buildings, Collapsed Structures  
and Open Cellars",

1. The owner or other party having an interest in any building staging or other structure, or anything attached to or connected with any building or other structure or open cellar or excavation which shall be unsafe so far as to endanger life shall immediately, upon notice from the Town Clerk, cause the same to be made safe and secure or taken down, and where the public safety requires immediate action persons or corporations as may be directed to do so by a resolution of the Town Board may enter upon the premises with such assistance as may be had to secure or take down or to fill in an excavation without delay, and the passers by to be protected at the expense of such owner or party interested therein.

2. The Town Board, upon its own initiative or after receipt of a complaint complaining of the dangerous condition of any buildings or excavations, shall designate the Chief of Police or some other suitable person or official to immediately inspect the premises and to report in writing his findings as to the conditions thereof to the Town Board.

3. The Town Board after receiving a report of the inspection of the premise, shall determine from said report whether said building or premises is in a dangerous condition and if they so determined, shall direct the Town Clerk to serve a notice in writing upon the owner or some one of the owners, executors, legal representatives, agents lessees or ther person having a vested on contingent interest in the premises, said notice to contain a description of the premises, a statement of the particulars in which the building or structure or excavation is unsafe or dangerous and an order requiring same to be made safe and secure or removed and shall provide the time within which the person served with such notice may commence the securing or removal of the buildings or structures or the filling of the excavation and the time in which it shall be completed.

The notice shall be served by the Town Clerk in the following manner:

By posting a copy thereof on the bulletin board in the Town Hall; by posting a copy thereof upon the structure or excavation on the premises and by mailing a copy thereof to the owner or some one of the owners, executors, legal representatives, agents, lessees or any other person having a vested or contingent interst in same or by mailing a copy thereof to the owner as named on the latest assessment roll of the Town.

4. The aforesaid notice shall be served at least forty-eight hours (48) before the time designated for the commencement or the finishing of the securing or removal of the buildings or structures or the filling of said excavation. The inspector heretofore appointed by the Town Board shall again inspect the premises at the commencement and completion time as set forth in said notice and shall report to the Town Board whether or not the notice has not been complied with and in the event that the notice has not been complied the Town Board shall then appoint a Board of Surveyors consisting of an inspector and an architect and a practical builder, engineer or architect appointed by person notified as above and in the event of refusal or neglect of person so notified to appoint such surveyor, the two surveyors named shall make the survey and report to the Town Board.

The notice shall further state that in the event that the building or other structures shall be reported unsafe or dangerous under such survey that an application will be made at a Special Term of the Supreme Court in the judicial department in which the property is located for an order determining the building or other structure or excavation to be a public nuisance and directing that it shall be repaired and secured or taken down and removed or filled.

5. The surveyors shall be compensated by a fee not exceeding the sum of \$25.00 per day.

6. All costs and expenses incurred by the Town in connection with the proceedings to remove or secure, including the cost of actually removing said building or structure or filling said excavation shall be assessed against the land on which the said building or structure is located and collected in the same manner as other real estate taxes.

7. This ordinance shall take effect on the 15th day of July 1941 or as soon thereafter as it may become legally effective.

By order of the Town Board of the Town of Cheektowaga.

Dated: June 16, 1941.

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

Supervisor Holtz,  
Councilman Bystrak,  
Councilman Nagel,  
Councilman Neibert,  
Councilman Wroblewski,

Voting	<u>Aye</u>
Voting	<u>Aye</u>
Voting	<u>Aye</u>
Voting	<u>Aye</u>
Voting	<u>Aye</u>

AYES: -5-

Posted as follows on the 28th day of June, 1954;

1- Town Hall Bulletin Board.

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

**NOTICE OF HEARING**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Henry Nagel, Councilman  
Joseph A. Neibert, Councilman  
Felix T. Wroblewski, Councilman  
Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisable and in the public interest to repeal Ordinance #12, which was adopted by the Town Board June 16, 1941, which Ordinance defines the "Removal of Unsafe Buildings," said Ordinance having become obsolete and no longer needed, be it

RESOLVED that the Town Board shall meet on the 12th day of July, 1954 at 2:30 o'clock, P.M. Eastern Daylight Saving Time at the Town Hall, Union Road and Broadway, Cheektowaga, New York, for the purpose of considering the advisability of repealing Ordinance No. 12 of the General Ordinances of the Town of Cheektowaga, New York, which provide as follows:

**Ordinance No. 12  
"ORDINANCE FOR THE REMOVAL  
OF UNSAFE BUILDINGS"**

Proposed Ordinance of the Town of Cheektowaga, Chapter 4, Section 1 Chapter 4—Entitled "Unsafe Buildings, Collapsed Structures and Open Cellars."

1. The owner or other party having an interest in any building, structure, or anything attached to or connected with any building or other structure or open cellar or excavation which shall be unsafe so far as to endanger life shall immediately, upon notice from the Town Clerk, cause the same to be made safe and secure or taken down, and where the public safety requires immediate action persons or corporations as may be directed to do so by a resolution of the Town Board may enter upon the premises with such assistance as may be had to secure or take down or to fill in an excavation without delay, and the passers-by to be protected at the expense of such owner or party interested therein.

2. The Town Board, upon its own initiative or after receipt of a complaint complaining of the dangerous condition of any buildings or excavations, shall designate the Chief of Police or some other suitable person or official to immediately inspect the premises and to report in writing his findings as to the conditions thereof to the Town Board.

3. The Town Board after receiving a report of the inspection of the premises, shall determine from said report whether said building or premises is in a dangerous condition and if they so determined, shall direct the Town Clerk to serve a notice in writing upon the owner or some one of the owners, executors, legal representatives, agents, lessees or other person having a vested or contingent interest in the premises, said notice to contain a description of the premises, a statement of the particulars in which the building or structure or excavation is unsafe or dangerous and an order requiring same to be made safe and secure or removed and shall provide the time within which the person served with such notice may commence the securing or removal of the buildings or structures or the filling of the excavation and the time in which it shall be completed.

The notice shall be served by the Town Clerk in the following manner:

By posting a copy thereof on the bulletin board in the Town Hall; by posting a copy thereof upon the structure or excavation on the premises and by mailing a copy thereof to the owner or some one of the owners, executors, legal representatives, agents, lessees or any other person having a vested or contingent interest in same or by mailing a copy thereof to the owner as named on the latest assessment roll of the Town.

4. The aforesaid notice shall be served at least forty-eight (48) hours before the time designated for the commencement or the finishing of the securing or removal of the buildings or structures or the filling of said excavation. The inspector heretofore appointed by the Town Board shall again inspect the premises at the commencement and completion time as set forth in said notice and shall report to the Town Board whether or not the notice has not been complied with and in the event that the notice has not been complied

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication June 24, 1954; last publication June 24, 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 1st

day of July, 1954  
*Eve J. Allis*

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029



STATE OF NEW YORK  
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew

Cheektowaga

**Herald and News**

Public newspaper published at Depew, Town of Cheek-

ta, Erie County, New York, that notice of which the

printed slip taken from said newspaper, is a copy,

inserted and published therein once a week for

1 week, the first insertion being on the

24th day of June, 1954, and

the last insertion being on the day of

1954, and that not

more than six days intervened between any two publi-

cations thereon

*Richard G. Bennett*

by of

*only*  
ad for Erie County.

and at  
York, on the 21st day of  
1954, at 7:30 o'clock, P.M. East-  
ern Daylight Saving Time, there

present:  
Joseph T. Heltz, Supervisor  
Joseph Bystrak, Councilman  
Henry J. Magel, Councilman  
Joseph A. Neltner, Councilman  
Felix T. Wroblewski, Councilman

Councilman Bystrak presented  
the following resolution and mov-

adoption:  
WHEREAS, it is deemed ad-  
visable and in the public interest  
to repeal Ordinance No. 12, which  
was adopted by the Town Board  
June 16, 1941, which Ordinance  
reads the "Removal of Unsafe  
Buildings", said Ordinance having  
become obsolete and no longer  
needed be it

RESOLVED that the Town  
Board shall meet on the 12th day  
of July, 1954 at 2:30 o'clock, P.M.  
Eastern Daylight Saving Time at  
Town Hall, Union Road and  
Boulevard, Cheektowaga, New  
York for the purpose of consider-

ing the advisability of repealing  
said Ordinance No. 12.

ORDINANCE No. 12  
"ORDINANCE FOR THE  
REMOVAL OF UNSAFE  
BUILDINGS"

Proposed Ordinance of the  
Town of Cheektowaga, Chapter 4,  
Section 1 Chapter 4 - Entitled  
"Unsafe Buildings, Collapsed  
Structures and Open Cellars",

1. The owner or other party  
having an interest in any building  
staging or other structure, or any-  
thing attached to or connected  
with any building or other struc-  
ture or open cellar or excavation  
which shall be unsafe so far as to  
endanger life shall immediately,  
upon notice from the Town Clerk,  
cause the same to be made safe  
and secure or taken down, and  
where the public safety requires  
immediate action persons or cor-  
porations as may be directed to  
do so by a resolution of the Town  
Board may enter upon the prem-  
ises with such assistance as may  
be had to secure or take down or  
to fill in an excavation without  
delay, and the passers by to be  
protected at the expense of such  
owner or party interested there-  
in.

2. The Town Board, upon its  
own initiative or after receipt of  
a complaint complaining of the  
dangerous condition of any build-  
ings or excavations, shall design-  
ate the Chief of Police or some  
other suitable person or official  
to immediately inspect the prem-  
ises and to report in writing his  
findings as to the conditions there-  
of to the Town Board.

3. The Town Board after re-  
ceiving a report of the inspection  
of the premise, shall determine  
from said report whether said  
building or premises is in a dan-  
gerous condition and if they so  
determined, shall direct the Town  
Clerk to serve a notice in writ-  
ing upon the owner or some one  
of the owners, executors, legal  
representatives, agents lessees or  
other person having a vested or  
contingent interest in the prem-  
ises, said notice to contain a des-  
cription of the premises, a state-  
ment of the particulars in which  
the building or structure or exca-  
vation is unsafe or dangerous and  
an order requiring same to be  
made safe and secure or removed  
and shall provide the time within

which the person served with such  
notice may commence the securing  
or removal of the building or  
structures or the filling in of the  
excavation and the time within  
which shall be complete.

The notice shall be served by  
the Town Clerk in the following  
manner:

By posting a copy thereof on  
the bulletin board in the Town  
Hall; by posting a copy thereof  
upon the structure or excavation  
on the premises and by mailing a  
copy thereof to the owner or some  
one of the owners, executors, legal  
representatives, agents, lessees or  
any other person having a vested  
or contingent interest in same or  
by mailing a copy thereof to the  
owner as named on the latest as-  
sessment roll of the Town.

Item No. 17-Cont'd

4. The aforesaid notice shall be served at least forty-eight (48) hours before the time designated for the commencement or the finishing of the securing or removal of the buildings or structures or the filling of said excavation. The inspector heretofore appointed by the Town Board shall again inspect the premises at the commencement and completion time as set forth in said notice and shall report to the Town Board whether or not the notice has not been complied with and in the event that the notice has not been complied the Town Board shall then appoint a Board of Surveyors consisting of an inspector and an architect and a practical builder, engineer or architect appointed by person notified as above and in the event of refusal or neglect of person so notified to appoint such surveyor, the two surveyors named shall make the survey and report to the Town Board.

The notice shall further state that in the event that the building or other structures shall be reported unsafe or dangerous under such survey that an application will be made at a Special Term of the Supreme Court in the judicial department in which the property is located for an order determining the building or other structure or excavation to be a public nuisance and directing that it shall be repaired and secured or taken down and removed or filled.

5. The surveyors shall be compensated by a fee not exceeding the sum of \$25.00 per day.

6. All costs and expenses incurred by the Town in connection with the proceedings to remove or secure, including the cost of actually removing said building or structure or filling said excavation shall be assessed against the land on which the said building or structure is located and collected in the same manner as other real estate taxes.

7. This ordinance shall take effect on the 1st day of July, 1954, and upon thereafter as it may become legally effective.

By order of the Town Board of the Town of Cheektowaga.

Dated: June 16, 1954.

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

Supervisor Holtz, voting Aye.

Councilman Bystrak, voting Aye.

Councilman Nagel, voting Aye.

Councilman Neibert, voting Aye.

Councilman Wroblewski, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0

STATE OF NEW YORK

ERIE COUNTY

OFFICE OF THE CLERK SS:

OF THE TOWN OF

CHEEKTOWAGA

This is to certify that I, Elizabeth Biniasz, Deputy Clerk of the Town of Cheektowaga, in the said County of Erie, having compared the foregoing copy of the resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 21st day of June, 1954 and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have heretofore set my hand and affixed the seal of said Town this 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication June 24, 1954; last publication June 24, 1954; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 1st

day of July, 1954

Eve J. Allis

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029

By posting a copy thereof on the bulletin board in the Town Hall; by posting a copy thereof upon the structure or excavation on the premises and by mailing a copy thereof to the owner or some one of the owners, executors, legal representatives, agents, lessees or any other person having a vested or contingent interest in same or by mailing a copy thereof to the owner as named on the latest assessment roll of the Town.

4. The aforesaid notice shall be served at least forty-eight hours (48) before the time designated for the commencement or the finishing of the securing or removal of the buildings or structures or the filling of said excavation. The inspector heretofore appointed by the Town Board shall again inspect the premises at the commencement and completion time as set forth in said notice and shall report to the Town Board whether or not the notice has not been complied with and in the event that the notice has not been complied the Town Board shall then appoint a Board of Surveyors consisting of an inspector and an architect and a practical builder, engineer or architect appointed by person notified as above and in the event of refusal or neglect of person so notified to appoint such surveyor, the two surveyors named shall make the survey and report to the Town Board.

The notice shall further state that in the event that the building or other structures shall be reported unsafe or dangerous under such survey that an application will be made at a Special Term of the Supreme Court in the judicial department in which the property is located for an order determining the building or other structure or excavation to be a public nuisance and directing that it shall be repaired and secured or taken down and removed or filled.

5. The surveyors shall be compensated by a fee not exceeding the sum of \$25.00 per day.

6. All costs and expenses incurred by the Town in connection with the proceedings to remove or secure, including the cost of actually removing said building or structure or filling said excavation shall be assessed against the land on which the said building or structure is located and collected in the same manner as other real estate taxes.

7. This ordinance shall take effect on the 15th day of July 1941 or as soon thereafter as it may become legally effective.

By order of the Town Board of the Town of Cheektowaga.

Dated: June 16, 1941.

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

Supervisor Holtz, Voting Aye  
Councilman Bystrak, Voting Aye  
Councilman Nagel, Voting Aye  
Councilman Neibert, Voting Aye  
Councilman Wroblewski,

Voting Aye  
5 Ayes, Noes 0, Absent 0, Carried.

State of New York

Erie County

Office of the Clerk of the ss.

Town of Cheektowaga

This is to certify that I, ELIZABETH BINIASZ, Deputy Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 21st day of June, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said (seal) Town this 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Je24 Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

ing duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the printed slip taken from said newspaper, is a copy, started and published therein once a week for week, the first insertion being on the day of June, 1954, and insertion being on the day of , 1954, and that not

in six days intervened between any two publications

hereof

Richard G. Bennett

for Erie County.

4. The aforesaid notice shall be served at least forty-eight (48) hours before the time designated for the commencement or the finishing of the securing or removal of the buildings or structures or the filling of said excavation. The inspector heretofore appointed by the Town Board shall again inspect the premises at the commencement and completion time as set forth in said notice and shall report to the Town Board whether or not the notice has not been complied with and in the event that the notice has not been complied the Town Board shall then appoint a Board of Surveyors consisting of an inspector and an architect and a practical builder, engineer or architect appointed by person notified as above and in the event of refusal or neglect of person so notified to appoint such surveyor, the two surveyors named shall make the survey and report to the Town Board.

The notice shall further state that in the event that the building or other structures shall be reported unsafe or dangerous under such survey that an application will be made at a Special Term of the Supreme Court in the judicial department in which the property is located for an order determining the building or other structure or excavation to be a public nuisance and directing that it shall be repaired and secured or taken down and removed or filled.

5. The surveyors shall be compensated by a fee not exceeding the sum of \$25.00 per day.

6. All costs and expenses incurred by the Town in connection with the proceedings to remove or secure, including the cost of actually removing said building or structure or filling said excavation shall be assessed against the land on which the said building or structure is located and collected in the same manner as other real estate taxes.

7. This ordinance shall take effect ~~on the 15th day of July, 1941~~ on thereafter as it may become legally effective.

By order of the Town Board of the Town of Cheektowaga.

Dated: June 16, 1941.

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

Supervisor Holtz, voting Aye.  
Councilman Bystrak, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Wroblewski, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0

STATE OF NEW YORK

ERIE COUNTY

OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, Elizabeth Biniasz, Deputy Clerk of the Town of Cheektowaga, in the said County of Erie, having compared the foregoing copy of the resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 21st day of June, 1954 and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication June 24, 1954; last publication June 24, 1954; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 1st

day of July, 1954

Eve J. Allis

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029

FOR BREAKFAST

SEN. COOK

the University of Buffalo, in conjunction with the State Teachers of Buffalo, will have at the Hamburg Fair, in conjunction with the County As

...the same meeting. He will direct the fair committee

member of Buffalo professor, a Unv  
District School Lancaster, and

the first non-political election  
the history of the school's  
Dr. Walter D. ...

Thursday evening  
was re-elected president  
of the new School of  
Mr. and Mrs. B. B. B.

Assoc. of School  
treasurer  
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Doyle & Co.

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cations

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sworn to before me this ..... day of .....

JUN 26 1954

....., 19.....  
Kenneth T. ...

Notary Public in and for

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

**RICHARD G. BENNETT**

duly sworn, deposes and says that he is the

**PUBLISHER**

**of the**

Depew

### Checktowers

**Herald and News**

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

Richard G. Burnett

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

JUN 26 1954

19

*Kenneth T. Haskin*  
Notary Public in and for Erie

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

**Item 52 ends**

Item No. 18

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisable and in the public interest to repeal Ordinance No. 10, which ordinance was adopted by the Town Board July 1, 1940 to License Coin Control Amusement Devices, which Ordinance has become obsolete and no longer enforceable, be it

RESOLVED that the Town Board shall meet on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time at the Town Hall, Union Road and Broadway, Cheektowaga, New York, for the purpose of considering the advisability of repealing Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York, which provide as follows:

ORDINANCE NO. 10

"Ordinance to License Coin Control  
Amusement Devices not in Violation of  
State Law"

Section 1. Definitions. The term "person" wherever used in this section shall mean and include one or more individuals, a partnership, company, an association of persons and a corporation. The term "coin" controlled amusement device" shall mean and include any mechanical device used or designed to be operated for amusement, by the insertion of a coin, and shall include the type of mechanical devices commonly known as bagatelle, baseball, football and pinball amusement games.

The above enumeration shall not be deemed to be exclusive. Said definition, however, shall exclude any device, the possession or use of which is prohibited by law or for musical purposes only.

Section 2. Notwithstanding any other provision of this chapter, no person after this ordinance takes effect shall place or deliver for use, any coin-controlled amusement device on any premises in the Town of Cheektowaga, or permit the use thereof in any place under his control without a license so to do having first been obtained from the Town Clerk.

Section 3. The owner of any such coin-controlled amusement device, or his duly authorized agent acting in his behalf, who desires to distribute or place any such device for use, shall make application to the Town Clerk for such permission upon blanks to be furnished by him, giving the name and address of the applicant, the name and address of the manufacturer of the device, a detailed description of the mechanical features of the device, the method of its operation, the name and address of the person having responsible charge of the premises upon which the device is proposed to be located for use and the location of said premises by street and number.

The Town Clerk may require such further information as he may deem reasonable necessary. The application shall be verified.

Section 4. Said application shall be referred by the Town Clerk to the Chief of Police for his investigation and recommendation. Such investigation shall include an inquiry as to the reputation of the applicant and the person in responsible charge of the premises upon which the device is proposed to be located, and whether the possession and use of such device is forbidden by law, the Chief of Police shall return the application within a reasonable time to the Town Clerk, with his recommendation as to approval or disapproval.

Section 5. The Town Clerk upon receipt of any such application approved by the Chief of Police, may issue a license to the applicant to place and permit the use upon the premises designated in the application of the coin-controlled amusement device described therein and in the manner therein specified.

A license shall be procured for each device so placed. A metal tag, bearing same number as the license, shall be obtained from the Town Clerk and securely attached to the licensed device.

Section 6. The Town Clerk shall not issue any license hereunder until the sum of Fifteen (\$15.00) Dollars therefor for each licensed device and the sum of One (\$1.00) Dollar for each tag shall expire on the 30th day of June next succeeding the date of its issuance.

Section 7. No license or tag shall be transferable from one device to another, nor from one location to another, without permission in writing from the Town Clerk endorsed upon said license.

Section 8. The Town Clerk may revoke any license or tag issued hereunder in the manner prescribed by law.

Section 9. A person convicted of the violation of this section is punishable by imprisonment in the penitentiary or the County Jail for a term not to exceed ten days or by a fine of not less than Twenty-five (\$25.00) Dollars or not more than One Hundred (\$100.00) Dollars or both.

This ordinance shall take effect beginning with the 1st day of July, 1940.

Adopted by the Town Board of the Town of Cheektowaga, N.Y.  
May 20, 1940.

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga, on the 7th day of May, 1951 at 2:30 o'clock P.M. Eastern Daylight Saving Time, there were:

PRESENT:

Henry J. Nagel,	Councilman
Felix T. Wroblewski,	Councilman
Joseph A. Neibert,	Councilman

ABSENT:

Benedict T. Holtz,	Supervisor
Stanley Bystrak,	Councilman

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, the Town Board of the Town of Cheektowaga on May 20, 1940, adopted an Ordinances to license coin controlled amusement devices not in violation of the State Law; and

WHEREAS, said Ordinances was amended by the Town Board on the 18th day of July, 1949, and

WHEREAS, the licensing of pinball machines is illegal and in violation of the law,

BE IT RESOLVED, that the Ordinance to license coin controlled amusement devices not in violation of State Law, as amended, in so far as it provides for the licensing of pinball amusement games, be repealed; and

BE IT FURTHER RESOLVED, that no applications for the licensing of pinball amusement games be accepted by the Town Clerk now any action taken upon an application except to reject it; and

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BE IT FURTHER RESOLVED, thall all other provisions of said Ordinances, as amended, remain in full force and effect, in so far as the same relates to the issuance of licenses for coin controlled amusement devices not in violation of State Law; and

BE IT FURTHER RESOLVED, that the licensing of gambling devices, by whatever name called, is hereby prohibited.

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

Supervisor Holtz,	Absent
Councilman Neibert,	Voting <u>Aye</u>
Councilman Nagel,	Voting <u>Aye</u>
Councilman Bystrak,	Absent
Councilman Wroblewski,	Voting <u>Aye</u>

AYES: -3-

NOES: -0-

ABSENT: -2-

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

Supervisor Holtz,	Voting <u>Aye</u>
Councilman Bystrak,	Voting <u>Aye</u>
Councilman Nagel,	Voting <u>Aye</u>
Councilman Neibert,	Voting <u>Aye</u>
Councilman Wroblewski,	Voting <u>Aye</u>

Posted as follows on the 28th day of June, 1954;

1- Town Hall Bulletin Board;

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



## NOTICE OF HEARING

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 21st day of June, 1954, at 7:30 o'clock, P.M., Eastern Daylight Saving Time, there were:

## PRESENT:

Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Henry Nagel, Councilman  
Joseph A. Neibert, Councilman  
Felix T. Wroblewski, Councilman  
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, it is deemed advisable and in the public interest to repeal Ordinance #10, which ordinance was adopted by the Town Board July 1, 1940 to License Coin Control Amusement Devices, which Ordinance has become obsolete and no longer enforceable, be it

RESOLVED that the Town Board shall meet on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time at the Town Hall, Union Road and Broadway, Cheektowaga, New York, for the purpose of considering the advisability of repealing Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York, which provide as follows:

## ORDINANCE No. 10

"Ordinance to License Coin Control Amusement Devices not in Violation of State Law."

Section 1. Definitions. The term "person" wherever used in this section shall mean and include one or more individuals, partnership, company, an association of persons and a corporation. The term "coin" controlled amusement device" shall mean and include any mechanical device used or designed to be operated for amusement, by the insertion of a coin, and shall include the type of mechanical devices commonly known as bagatelle, baseball, football and pinball amusement games.

The above enumeration shall not be deemed to be exclusive. Said definition, however, shall exclude any device, the possession or use of which is prohibited by law or for musical purposes only.

Section 2. Notwithstanding any other provision of this chapter, no person after this ordinance takes effect shall place or deliver for use, any coin-controlled amusement device on any premises in the Town of Cheektowaga, or permit the use thereof in any place under his control without a license so to do having first been obtained from the Town Clerk.

Section 3. The owner of any such coin-controlled amusement device, or his duly authorized agent acting in his behalf, who desires to distribute or place any such device for use, shall make application to the Town Clerk for such permission upon blanks to be furnished by him, giving the name and address of the applicant, the name and address of the manufacturer of the device, a detailed description of the mechanical features of the device, the method of its operation, the name and address of the person having responsible charge of the premises upon which the device is proposed to be located for use and the location of said premises by street and number.

The Town Clerk may require such further information as he may deem reasonable necessary. The application shall be verified.

Section 4. Said application shall be referred by the Town Clerk to the Chief of Police for his investigation and recommendation. Such investigation shall include an inquiry as to the reputation of the applicant and the person in responsible charge of the premises upon which the device is proposed to be located, and whether

the possession and use of such device is forbidden by Law, the Chief of Police shall return the application Clerk, with his recommendation as to approval or disapproval.

Section 5. The Town Clerk upon receipt of any such application approved by the Chief of Police, may issue a license to the applicant to place and permit the use upon the premises designated in the application of the coin-controlled amusement device described therein and in the manner therein specified.

A license shall be procured for each device so placed. A metal tag, bearing same number as the license, shall be obtained from the Town Clerk and securely attached to the licensed device.

Section 6. The Town Clerk shall not issue any license hereunder until the sum of Fifteen (\$15.00) Dollars therefor for each licensed device and the sum of One (\$1.00) Dollar for each tag shall expire on the 30th day of June next succeeding the date of its issuance.

Section 7. No license or tag shall be transferable from one device to another, nor from one location to another, without permission in writing from the Town Clerk endorsed upon said license.

Section 8. The Town Clerk may revoke any license or tag issued hereunder in the manner prescribed by law.

Section 9. A person convicted of the violation of this section is punishable by imprisonment in the penitentiary or the County Jail for a term not to exceed ten days or by a fine of not less than Twenty-five (\$25.00) Dollars or not more than One Hundred (\$100.00) Dollars or both.

This ordinance shall take effect beginning with the 1st day of July, 1940.

Adopted by the Town Board of the Town of Cheektowaga, N. Y., May 20, 1940.

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 7th day of May, 1951 at 2:30 o'clock P.M. Eastern Daylight Saving Time, there were:

## PRESENT:

Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman

## ABSENT:

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

WHEREAS, the Town Board of the Town of Cheektowaga on May 20, 1940, adopted an Ordinance to license coin controlled amusement devices not in violation of the State Law; and

WHEREAS, said Ordinances was amended by the Town Board on the 18th day of July, 1949, and

WHEREAS, the licensing of pinball machines is illegal and in violation of the law.

BE IT RESOLVED, that the Ordinance to license coin controlled amusement devices not in violation of State Law, as amended, in so far as it provides for the licensing of pinball amusement games, be repealed; and

BE IT FURTHER RESOLVED, that no applications for the licensing of pinball amusement games be accepted by the Town Clerk nor any action taken upon an application except to reject it; and

BE IT FURTHER RESOLVED, that all other provisions of said Ordinances, as amended, remain in full force and effect, in so far as the same relates to the issuance of licenses for coin controlled amusement devices not in violation of State Law; and

BE IT FURTHER RESOLVED, that the licensing of gambling devices, by

whatever name called, is hereby prohibited.

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

Supervisor Holtz, absent.

Councilman Neibert, voting Aye.

Councilman Nagel, voting Aye.

Councilman Bystrak, absent.

Councilman Wroblewski, voting Aye.

AYES: 3 NOES: 0 ABSENT: 2

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

Supervisor Holtz, voting Aye.

Councilman Bystrak, voting Aye.

Councilman Nagel, voting Aye.

Councilman Neibert, voting Aye.

Councilman Wroblewski, voting Aye.

STATE OF NEW YORK

ERIE COUNTY

OFFICE OF THE CLERK SS:  
OF THE TOWN OF  
CHEEKTOWAGA

This is to certify that I, Elizabeth Biniasz Deputy Clerk of the Town of Cheektowaga, in said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 21st day of June, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 22nd day of June, 1954.

ELIZABETH BINIASZ,  
Deputy Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication June 24, 1954; last publication June 24, 1954; and that no more than six days intervened between publications.

Willard C. Allis  
Sworn to before me this 1st  
day of July, 1954  
Eve J. Allis  
Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029

sires to distribute or place any such device for use, shall make application to the Town Clerk for such permission upon blanks to be furnished by him, giving the name and address of the applicant, the name and address of the manufacturer of the device, a detailed description of the mechanical features of the device, the method of its operation, the name and address of the person having responsible charge of the premises upon which the device is proposed to be located for use and the location of said premises by street and number.

The Town Clerk may require such further information as he may deem reasonably necessary. The application shall be verified.

Section 4. Said application shall be referred by the Town Clerk to the Chief of Police for his investigation and recommendation. Such

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

**Herald and News**

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

1 week, the first insertion being on the 24th day of June, 1954, and the last insertion being on the day of 1954, and that not

more than six days intervened between any two publications thereof.

*Richard G. Bennett*

JUN 26 1954

*Kenneth Stanley*

Notary Public in and for Erie County.

605254

Item No. 19

Motion made by Councilman Nagel and moved its adoption:

RESOLVED that the bid of Gleasner Corporation to sell to the Town of Cheektowaga, New York, Air Compressor for Sewer Department for the sum of \$2274.00, be accepted, said bid being the lowest one submitted by a responsible bidder in conformity with written specifications furnished to bidders. Cost thereof to be charged to District #5 & #3 (Sewer).

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

AYES: -5-  
Absent: -0-

NOES: -0-

CARRIED: -0-

Item No. 20

Motion made by Councilman Wroblewski and moves its adoption:

RESOLVED that the bid of the Buffalo Tractor & Implement Co. to sell the Town of Cheektowaga one Ford Tractor with side mounted mower and dual action dozer blade for the sum of \$2537.75, less the trade in allowance on a Gobson Tractor and a Case Tractor of \$160.00 making the final total price of \$2377.75, be accepted it being the lowest bid submitted after public advertising and said company being the lowest responsible bidder. Cost charged to Garbage District, (General).

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

AYES: -5-

NOES: -0-

ABSENT: -0- CARRIED

Item No. 21

Motion made by Councilman Bystrak and moves its adoption:

RESOLVED that the Supervisor be authorized to purchase thru Westinghouse Electric Company 6 Y 20 Light Standards, the cost thereof to be charged to Oehman Boulevard Light district.

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

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 22

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, ANTHONY SCAMURRA owner of the premises of Alpine and Avery Place, in the Town of Cheektowaga, has presented a map of said premises made by Nussbaumer, Clerke and Velzy, Incorporated, Civil Engineers, dated April 1954, being Job No. NC 14880 entitled Alpine Place and Avery Place Extension Number two, and

WHEREAS, said Subdivision Map was in good order,

RESOLVED, that said Subdivision Map is acceptable to the Town of Cheektowaga, and ANTHONY SCAMURRA is hereby authorized to file said Map in the Erie County Clerk's Office.

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

Supervisor:  
Councilman  
Councilman  
Councilman  
Councilman

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

Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 23

Councilman Wroblewski moved, seconded by Councilman Bystrak,

RESOLVED, that the Town Clerk be authorized and directed to issue Building Permits on applications processed by the Petitions Committee on June 12, 1954 and June 19, 1954, after same have been approved by the Building Inspector.

CARRIED: AYES: -5-

Item No. 24 Mr. Walter McLausland representing the Niagara Frontier Transit System was granted the floor and related the following to the Town Board;

"All we want is an extension of 900 feet and the people of Sloan are in favor of this. There were a number of people here at a previous meeting in regard to this matter. This route would help to facilitate traffic on a busy street. There is only a distance involved like from here to Harlem Avenue. We do not, and I think this Town Board does not want anything unforeseen to happen in the future in-so-far as an accident is concerned. We know the remedy is simple in this matter."

STATE OF NEW YORK  
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 24th day of June, 1954, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

day of

19\_\_\_\_

public in and for Erie County.

On the 21st day of June, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were:

PRESENT:  
Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Henry J. Nagel, Councilman  
James A. [unclear], Councilman

WHEREAS, it is deemed advisable and in the public interest to repeal Ordinance No. 10, which ordinance was adopted by the Town Board July 1, 1949, relating to Coin-Controlled Amusement Devices, which Ordinance has become obsolete and is no longer enforceable, be it

RESOLVED that the Town Board shall meet on the 15th day of July, 1954, at 8:00 o'clock P.M. Eastern Daylight Saving Time at the Town Hall, Union Road and [unclear] Cheektowaga, New York, for the purpose of considering the advisability of repealing Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York, which provide as follows:

ORDINANCE No. 10

Section 1. This ordinance shall apply to any person, firm or more individuals, a partnership, company, an association of persons and a corporation. The term "coin controlled amusement device" shall mean and include any mechanical device used or designed to be operated for amusement, by the insertion of a coin, and shall include the type of mechanical devices commonly known as bagatelle, baseball, football and pin-ball amusement games.

The above enumeration shall not be deemed to be exclusive. This definition, however, shall exclude any device, the possession or use of which is prohibited by law or for musical purposes only.

Section 2. Notwithstanding any other provision of this chapter, no person after this ordinance takes effect shall place or deliver for use any coin-controlled amusement device in or upon any premises.

to do having been approved and signed by the Town Clerk.

Section 3. The owner of any such coin-controlled amusement device, or his duly authorized agent acting in his behalf, who desires to distribute or place any such device for use, shall make application to the Town Clerk for such permission upon blanks to be furnished by him, giving the name and address of the applicant, the name and address of the manufacturer of the device, a detailed description of the mechanical features of the device, the method of its operation, the name and address of the person having responsible charge of the premises upon which the device is proposed to be located for use and the location of said premises by street and number.

The Town Clerk may require such further information as he may deem reasonably necessary. The application shall be verified.

Section 4. Said application shall be referred by the Town Clerk to the Chief of Police for his investigation and recommendation. Such investigation shall include an inquiry as to the reputation of the applicant and the location of the premises upon which the device is proposed to be located, and the use of such device is forbidden by law, the Chief of Police shall return the application within a reasonable time to the Town Clerk, with his recommendation as to approval or disapproval.

Section 5. The Town Clerk upon receipt of any such application approved by the Chief of Police may

Item No. 19

Motion made by Councilman Nagel and moved its adoption:

RESOLVED that the bid of Gleasner Corporation to sell to the Town of Cheektowaga, New York, Air Compressor for Sewer Department for the sum of \$2274.00, be accepted, said bid being the lowest one submitted by a responsible bidder in conformity with written specifications furnished to bidders. Cost thereof to be charged to District #5 & #3 (Sewer).

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

AYES: -5-  
Absent: -0-

NOES: -0-

CARRIED: -0-

Item No. 20

Motion made by Councilman Wroblewski and moves its adoption:

RESOLVED that the bid of the Buffalo Tractor & Implement Co. to sell the Town of Cheektowaga one Ford Tractor with side mounted mower and dual action dozer blade for the sum of \$2537.75, less the trade in allowance on a Gobson Tractor and a Case Tractor of \$160.00 making the final total price of \$2377.75, be accepted it being the lowest bid submitted after public advertising and said company being the lowest responsible bidder. Cost charged to Garbage District, (General).

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

AYES: -5-

NOES: -0-

ABSENT: -0- CARRIED

Item No. 21

Motion made by Councilman Bystrak and moves its adoption:

RESOLVED that the Supervisor be authorized to purchase thru Westinghouse Electric Company 6 Y 20 Light Standards, the cost thereof to be charged to Oshman Boulevard Light district.

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

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 22

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, ANTHONY SCAMURRA owner of the premises of Alpine and Avery Place, in the Town of Cheektowaga, has presented a map of said premises made by Nussbaumer, Clerke and Velzy, Incorporated, Civil Engineers, dated April 1954, being Job No. NC 14880 entitled Alpine Place and Avery Place Extension Number two, and

WHEREAS, said Subdivision Map was in good order,

RESOLVED, that said Subdivision Map is acceptable to the Town of Cheektowaga, and ANTHONY SCAMURRA is hereby authorized to file said Map in the Erie County Clerk's Office.

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

Supervisor:  
Councilman  
Councilman  
Councilman  
Councilman

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

Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 23

Councilman Wroblewski moved, seconded by Councilman Bystrak,

RESOLVED, that the Town Clerk be authorized and directed to issue Building Permits on applications processed by the Petitions Committee on June 12, 1954 and June 19, 1954, after same have been approved by the Building Inspector.

CARRIED: AYES: -5-

Item No. 24 Mr. Walter McLausland representing the Niagara Frontier Transit System was granted the floor and related the following to the Town Board;

"All we want is an extension of 900 feet and the people of Sloan are in favor of this. There were a number of people here at a previous meeting in regard to this matter. This route would help to facilitate traffic on a busy street. There is only a distance involved like from here to Harlem Avenue. We do not, and I think this Town Board does not want anything unforeseen to happen in the future in-so-far as an accident is concerned. We know the remedy is simple in this matter."

Section 5. The Town Clerk upon receipt of any such application approved by the Chief of Police, may issue a license to the applicant to place and permit the use upon the premises designated in the application of the coin-controlled amusement device described therein and in the manner therein specified.

A license shall be procured for each device so placed. A metal tag, bearing same number as the license, shall be obtained from the Town Clerk and securely attached to the licensed device.

Section 6. The Town Clerk shall not issue any license hereunder until the sum of Fifteen (\$15.00) Dollars therefor for each licensed device and the sum of One (\$1.00) Dollar for each tag shall expire on the 30th day of June next succeeding the date of its issuance.

Section 7. No license or tag shall be transferable from one device to another, nor from one location to another, without permission in writing from the Town Clerk.

Section 8. Any person who violates any provision of this ordinance hereunder in the manner prescribed by law.

Section 9. A person convicted of the violation of this section is punishable by imprisonment in the penitentiary or the County Jail for a term not to exceed ten days or by a fine of not less than Twenty-five (\$25.00) Dollars or not more than One Hundred (\$100.00) Dollars or both.

This ordinance shall take effect beginning with the 1st day of July, 1940.

Adopted by the Town Board of the Town of Cheektowaga, N. Y. May 20, 1940.

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 7th day of May, 1951 at 2:30 o'clock P.M. Eastern Daylight Saving Time, there were:

PRESENT:

Henry J. Nagel, Councilman  
Felix T. Wroblewski, Councilman  
Joseph A. Neibert, Councilman

ABSENT:

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

WHEREAS, the Town Board of the Town of Cheektowaga on May 20, 1940, adopted an Ordinance to license coin controlled amusement devices not in violation of the State Law; and

WHEREAS, said Ordinance was amended by the Town Board on the 18th day of July, 1949, and

WHEREAS, the licensing of pinball machines is illegal and in violation of the law.

BE IT RESOLVED, that the Ordinance to license coin controlled amusement devices not in violation of State Law, as amended, in so far as it provides for the licensing of pinball amusement games, be repealed; and

BE IT FURTHER RESOLVED, that no applications for the licensing of pinball amusement games be accepted by the Town Clerk nor any action taken upon an application except to reject it; and

BE IT FURTHER RESOLVED, that all other provisions of said Ordinances, as amended, remain in full force and effect, in so far as the same relates to the issuance of licenses for coin controlled amusement devices not in violation of the law.

BE IT FURTHER RESOLVED, that the licensing of gambling devices, by whatever name called, is hereby prohibited.

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

Supervisor Holtz, Absent  
Councilman Neibert, Voting Aye  
Councilman Nagel, Voting Aye  
Councilman Bystrak, Absent  
Councilman Wroblewski, Voting Aye

AYES 3; NOES 0; ABSENT 2.

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to published a certified copy of this resolution in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

Supervisor Holtz, Voting Aye  
Councilman Bystrak, Voting Aye  
Councilman Nagel, Voting Aye  
Councilman Neibert, Voting Aye  
Councilman Wroblewski, Voting Aye

5 Ayes, Noes 0, Absent 0. Carried.  
State of New York )  
Erie County )

Office of the Clerk of the ss:  
Town of Cheektowaga )

This is to certify that, I, ELIZABETH BINIASZ, Deputy Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 21st day of June, 1954, and

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

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

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

was inserted and published therein once a week for

1 week, the first insertion being on the

24th day of June, 1954, and

the last insertion being on the day of

19, and that not

more than six days intervened between any two publications thereof.

Richard G. Bennett

day of

19

Handy  
public in and for Erie County.

WHOLE



Item No. 24-Cont'd Two delegates from Sloan wish to know what is holding up the situation. They stated that they have over 700 signatures in favor of this bus service and why the Town Board does not render a decision on this matter.

The Chairman advised the delegation that the Board cannot render any decision, just like that. There are many matters to be taken into consideration. It has to be on a Town wide basis. We will render a decision on the 28th day of June, at a regular Town Board meeting.

Item No. 25 Mr. Mazur was granted the floor and requested information relating to the installation of water lines on Hurd and Alaska Street. Ordered referred to the Town Attorney.

Item No. 26 Mr. Eechloff of No. was granted the floor and requested information in relation to the paving of the above mentioned highway. Ordered referred to the Town Attorney and the Supervisor.

Item No. 27 Councilman Nagel moved, seconded by Councilman Bystrak, that all clai,s presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. ( Warrant No. 1131 to Warrant No. 1214, inclusive, drawn on the Supervisor.)

Item No. 28 Councilman Nagel moved, seconded by Councilman Wroblewski, to adjourn.

Elizabeth Biniasz

SEAL

Deputy Town Clerk.



Item No. 1 At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 28th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were:

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

ABSENT: -0-

Also present were: Town Clerk Hanley; Town Attorney Doyle; General Foreman Eberl; Chief of Police Mersmann; Town Historian Julia B. Reinstein; Receiver of Taxes & Assessments Pfohl; Town Engineer Kamm; Highway Superintendent Zablotny; Chairman of the Zoning Board of Appeals Kurnick and Assistant Building Inspector Trafalski.

Item No. 2 The Town Clerk advised the Board that a copy of the minutes of the previous meeting has been mailed to their respective homes.

Item No. 3 Petition presented for the improvement of McNaughton Avenue from Tillotson Avenue to the end of the street by the installation of Y-20 Street Lighting Standards. Ordered referred to the Board of Assessors for a property check by the chairman.

Item No. 4 Petition presented for a proposed Fire Protection District to cover the South Line Fire Company Independent Fire District. Ordered referred to the Assessors for a property check by the chairman.

Item No. 5 Communication read from the Erie County Highway Superintendent, relative to the erection of NO PARKING signs on Cleveland Drive, between Century Road and Cayuga Road. Ordered referred to the Town Attorney and Councilman Wroblewski by the chairman.

Item No. 6 Communication read from the Doyle Hose Company No. 1 inviting the Board to participate in their parade to be held on July 11, 1954, at 2:15 P.M. Ordered received, filed and to attend by the chairman.

Item No. 7 Communication read from Allan C. Christman, Attorney at Law, enclosing the petition of Constance A. Hirsch for permission to dig top soil in the Town. Ordered referred to the Town Attorney by the chairman.

Item No. 8 Petition presented for the erection of Children at Play signs on Marilyn Drive. Ordered referred to Councilman Wroblewski by the chairman.

Item No. 9 Councilman Wroblewski moved, seconded by Councilman Bystrak, **RESOLVED**, that the Town Clerk be authorized and directed to issue Building Permits on applications processed by the Petitions Committee on June 26, 1954, after same have been approved by the Building Inspector. CARRIED: AYES: -5-.

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

WHEREAS, the Niagara Frontier Transit Company has applied to the Town Board to locate a bus turn-around at the corner of Broadway and Michael Street in the Town of Cheektowaga, and

WHEREAS, such turn-around is necessary in order to promote safety on Broadway and Wagner Avenue, and

WHEREAS, the Town of Cheektowaga, New York, granted to the Buffalo Transit Company and its predecessor, a franchise to operate busses on Broadway in the Town of Cheektowaga and its busses provide service to residents in the Town of Cheektowaga, be it

**RESOLVED**, that the request of the Niagara Frontier Transit Company to locate a turn-around at Broadway and Michael Street, be granted, upon condition that it erects on the premises toilet facilities for its employees, and be it further

**RESOLVED**, that its application to extend its franchise from Wagner Avenue to Michael Street be denied.

Item No. 10- Cont'd  
resulted as follows:

Seconded by Councilman Neibert and duly put to a vote which

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE on every phase of the
resolution except the last paragraph.	
Supervisor Holtz	Voting AYE

CARRIED: AYES: -5-.

Item No. 11  
adoption:

Councilman Nagel presented the following resolution and moved its

WHEREAS, it is necessary for the Town Highway Superintendent to rent or hire machinery or equipment at a rate to be approved by the Town Board, which shall not exceed a dailey rate to be fixed and prescribed by the State of New York and the County Highway Superintendent, be it

RESOLVED, that the Town Superintendent of Highways be authorized to rent or hire machinery or equipment for use on town highways when required, and that the Town pay the cost thereof from Item #3 of the Highway Budget.

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

Item No. 12  
adoption:

Councilman Nagel presented the following resolution and moved its

WHEREAS, the Town Highway Superintendent and the Town Engineer have certified that Willshire Road has been paved in accordance with highway department specifications and town regulations and recommends its acceptance as a Town Highway, be it

RESOLVED, that Willshire Road, commencing at Cleveland Drive and ending at Amherst, be accepted as a Town Highway to be maintained by the Town Highway Department.

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

Item No. 13  
its adoption:

Councilman Bystrak presented the following resolution and moved

RESOLVED, that the New York State Gas & Electric Company be authorized and directed to make the following changes or installations;

- 1- Install 1 2500 lumen street lamp in front of No. 42 Colton Street;
- 2- On Union Road from Como Park Boulevard to French Road, change all street lights from 1000 to 2500 lumen.
- 3- On Brown Street Pole No. 2 and 6, change from 1000 to 2500

lumens.

- 4- On Bennett Road on Poles No. 5,4 and 5 E and 10E change from 1000 to 2500 lumens;

- 5- Seven lights from 100 to 2500 lumens beginning at Ludwig Street to William Street to Cayuga Creek Road and William Street;

- 6- All street lights in the Clinton Garden section to be changed to new over-head standards, no charge to the Town.

- 7- On Groell Street on Pole No. 4 and No. 3 change from 1000 to 2500 lumens;

- 8- One additional light to be installed on Pole No. 5 on Groell Street;
9. on Harlem Road from Clinton Street to Broadway- change all lights to over-head standards, no charge to the Town.

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

Item No. 14  
adoption:

Councilman Neibert presented the following resolutio and moved its

RESOLVED, that the Niagara Mohawk Power Corporation be authorized and directed to place a shield on light pole No. 447 on Malpeview Road in the Town of Cheektowaga, New York.

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

Item No. 15  
adoption:

Councilman Neibert presented the following resolution and moved its

RESOLVED, that the request of School District No. 2 to borrow two voting machines to be used at the July 13, 1954 school district election, be granted, and BE IT FURTHER RESOLVED, that the Town Highway Department be authorized and directed to move same machines in time for said election.

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

Item No. 16  
adoption:

Councilman Nagel presented the following resolution and moved its

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RESOLVED, that with the exception of the Police Department all offices in the Town Hall be closed from Friday at 4:30 P.M. July 2, 1954 to Tuesday A.M., July 6, 1954, and be it further

RESOLVED, that during the months of July and August all offices except for a skeleton force to be determined by the Supervisor on Saturday mornings.

Seconded by Councilman Neibert..

CARRIED: AYES: -5-

Item No. 17  
its adoption:

Councilman Wroblewski presented the following resolution and moved

RESOLVED, that to name a street built recently by the New York State Thruway Authority to be named as Veterans Place. This street runs from Helen Street to Henry Street, the following to be notified of the change: United States Post Office; Assessors; and Highway Department and the County Clerk of Erie County.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-

Item No. 18

Councilman Nagel presented the following resolution and moved its adoption: RESOLVED, that the Zoning Board of Appeals schedule meetings once a

month, said meetings to be held either the second or third Wednesday of the month.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-

Item No. 19  
its adoption:

Councilman Wroblewski presented the following resolution and moved

RESOLVED, that Edward Janiak, Recreational Director, be authorized to purchase 2 Sectional Garages according to attached specifications at a cost not to exceed the sum of \$1,105.00.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-

Item No. 20  
its adoption:

Councilman Wroblewski presented the following resolution and moved

RESOLVED, that the request of Doyle Volunteer Hose Company No. 2 to close Willowlawn Parkway at Dingen thru to Griswold Street and Griswold Street from Meadowbrook Parkway thru to Pleasant Parkway, on July 2, 3 and 4 be granted, and

BE IT FURTHER RESOLVED, that their request to use a loud speaker on the above mentioned dated be granted.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-

Item No. 21  
adoption:

Councilman Neibert presented the following resolution and moved its

RESOLUTION DATED JUNE 28, 1954 AUTHORIZING THE ISSUANCE OF TWO CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, NEW YORK, IN THE AMOUNT OF \$4,068.85 EACH TO PAY PART OF THE COST OF TWO 1954 CHEVROLET TRUCKS MODEL 6103, 135 H.P. Engine.

BE IT RESOLVED, this 28th day of June, 1954 by the Town Board of the Town of Cheektowaga, New York, as follows:

Sec. 1. The object and purpose for which the obligations herein authorized are to be issued, is to pay a portion of the cost of two 1954 Chevrolet Trucks, Model 6103, 135 HP engine.

Sec 2. The plan for financing such object or purpose consists of the issuance of two capital notes of said Town of Cheektowaga in the amount of \$4,068.85 each, and by payment of the balance of the cost out of an allowance of \$1,778.14 for two 1948 Chevrolet C and Cab and the sum of \$428.30 from the highway machinery fund.

Sec.3 The amount of the capital notes hereby authorized to be issued is the total amount of \$8,137.70, to be divided equally in half, both notes to be dated June 28, 1954, for the sum of \$4,068.85 each. Onenote to become due and payable April 1, 1955 and the other note to become due and payable April 1, 1956.

Sec. 4 Said notes are to be sold by the Supervisor at a priavte sale to the ~~Manufacturers~~ and Traders Trust Company of Buffalo, New York, at par and accrued interest, and shall be payable as to principal and interest in lawfully money of the United States of America at the office of the Manufacturers and Traders Trust Company of Buffalo, New York, 284 Main Street, Buffalo, New York, and shall bear interest at the rate of Two Per Cent (2%) per annum, and shall be in such form and contain such terms and contents, consistent herewith and with Local Finance Law of the State of New York as the Supervisor shall determine.

Item No. 21 Cont'd

Sec 5. The period of probable usefulness of such object or purpose is hereby determined to be five (5) years.

Sec. 6. This Resolution shall take effect immediately.  
Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

Item No. 21 Cont'd

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

Note No. 1

\$4,068.85

CAPITAL NOTE of 1954

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

-FOUR THOUSAND SIXTY EIGHT DOLLARS and EIGHTY FIVE CENTS (\$4,068.85)

on the 1st day of April, 1955, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable April 1, 1955 and annually thereafter.

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

This note is issued for the aggregate principal sum of \$4,068.85 being one half the full amount required to pay the balance of the purchase of two (2) 1954 Chevrolet Trucks, Model 6103, 135 HP Engine.

This note is issued pursuant to the provisions of a resolution entitled "Resolution", dated June 28, 1954, authorizing the issuance of two Capital Notes of the Town of Cheektowaga, New York, in the amount of \$4,068.85 to pay part of the cost of two 1954 Chevrolet Trucks, Model 6103 135 HP Engine," duly adopted by the Town Board of Cheektowaga, New York, on June 28, 1954.

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

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Statutes of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this note, exist have happened and have been performed, and that this note, together with all other indebtedness of such Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laws of such State.

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

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BY: \_\_\_\_\_

SUPERVISOR

ATTEST:

\_\_\_\_\_  
TOWN CLERK

SEAL

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

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NOTE NO. 2

CAPITAL NOTE OF 1954\$ 4,068.85

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

-FOUR THOUSAND SIXTY EIGHT DOLLARS AND EIGHTY FIVE CENTS-

(\$4,068.85)

on the 1st day of April, 1956, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum payable April 1, 1956 and annually thereafter.

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

This note is issued for the aggregate principal sum of \$4,068.85 being one half the full amount required to pay the balance of the purchase price of two 1954 Chevrolet Trucks, Model 6103, 135 HP Engine.

This note is issued pursuant to the provisions of a resolution entitled "Resolution dated June 28, 1954, authorizing the issuance of two capital notes of the Town of Cheektowaga, New York, in the amount of \$4,068.85 to pay part of the cost of two 1954 Chevrolet Trucks, Model 6103, 135 HP Engine," duly adopted by the Town Board of Cheektowaga, New York, on June 28, 1954.

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

It is hereby certified and recited that all conditions acts and things required by the Constitution and Statutes of the State of New York, to exist, to have happened and to have been performed precedent to and in the issuance of this note, exist have happened and have been performed, and that this note, together with all other indebtedness of such Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laws of such State.

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

Town of Cheektowaga, Erie County, New York.

BY: \_\_\_\_\_  
Supervisor

Attest:

\_\_\_\_\_  
Town Clerk

SEAL

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

RESOLUTION, DATED JUNE 28, 1954 AUTHORIZING THE  
ISSUANCE OF TWO CAPITAL NOTES OF THE TOWN OF  
CHEEKTOWAGA, NEW YORK, IN THE AMOUNT OF \$3,053.93  
EACH TO PAY PART OF THE COST OF ONE 1954 REO  
TRUCK F-22 RB-1.

Item No. 22 Cont'd BE IT RESOLVED, this 28th day of June, 1954, by the Town Board of the Town of Cheektowaga, New York, as follows:

Sec. 1. The object and purpose for which the obligations herein authorized are to be issued, is to pay a portion of the cost of one 1954 Reo Truck F-22 RB-1.

Sec. 2. The plan for financing such object or purpose consists of the issuance of two capital notes of said Town of Cheektowaga in the amount of \$3,053.93 each, and by payment of the balance of the cost out of an allowance of \$1,079.65 for one old truck and the sum of \$321.47 from the highway machinery fund.

Sec. 3. The amount of the capital notes hereby authorized to be issued is the total amount of \$6,107.86, to be divided equally in half; both notes to be dated June 28, 1954, for the sum of \$3,053.93 each. One note to become due and payable April 1, 1955 and the other note to become due and payable April 1, 1956.

Sec. 4. Said notes are to be sold by the Supervisor at a private sale to the Manufacturers and Traders Trust Company of Buffalo, New York, at par and accrued interest, and shall be payable as to principal and interest in lawful money of the United States of America at the office of the Manufacturers and Traders Trust Company of Buffalo, New York, 284 Main Street, Buffalo, New York, and shall bear interest at the rate of Two Per Cent (2%) per annum, and shall be in such form and contain such terms and contents, consistent herewith and with the Local Finance Law of the State as the Supervisor shall determine.

Sec. 5. The period of probable usefulness of such object or purpose is hereby determined to be five (5) years.

Sec. 6. This resolution shall take effect immediately.

Seconded by Councilman Nagel.

Carried: Ayes : -5-.

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF CHEEKTOWAGA  
CAPITAL NOTE OF 1954

Note No. 1

\$3,053.93

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

-THREE THOUSAND FIFTY THREE DOLLARS AND NINETY THREE CENTS-

(\$3,053.93)

on the 1st day of April, 1955, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable April 1, 1955, and annually thereafter.

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

This note is issued for the aggregate principal sum of \$3,053.93, being one-half the full amount required to pay the balance of the purchase price of one 1954 Reo Truck F-22 RB-1.

This note is issued pursuant to the provisions of a resolution entitled "Resolution, dated June 28, 1954, authorizing the issuance of two capital notes of the Town of Cheektowaga, New York, in the amount of \$3,053.93 each to pay part of the cost of one 1954 Reo Truck F-22 RB-1", duly adopted by the Town Board of Cheektowaga, New York, on June 28, 1954.

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

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Statutes of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this note, exist have happened and have been performed, and that this note, together with all other indebtedness of such Town of Cheektowaga, is within every debt and other limit prescribed by the Constitution and Laws of such State.

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

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BY: \_\_\_\_\_

SUPERVISOR

ATTEST \_\_\_\_\_

TOWN CLERK.

SEAL

NOTE NO. 2

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
TOWN OF CHEEKTOWAGA  
CAPITAL NOTE OF 1954

\$3,053.93

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

-THREE THOUSAND FIFTY THREE DOLLARS AND NINETY THREE CENTS-

(\$3,053.93)

on the 1st day of April, 1956, together with interest thereon from the date hereof  
at the rate of Two Per Cent (2%) per annum, payable April 1, 1956 and annually  
thereafter.

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

This note is issued for the aggregate principal sum of \$3,053.93,  
being one-half the full amount required to pay the balance of the purchase price of  
one 1954 Reo Truck F-22 RB-1.

This note is issued pursuant to the provisions of a resolution  
entitled "Resolution, dated June 28, 1954, authorizing the issuance of two Capital  
Notes of the Town of Cheektowaga, New York, in the amount of \$3,053.93 each to pay  
part of the cost of one 1954 Reo Truck F-22 RB-1", duly adopted by the Town Board of  
Cheektowaga, New York, on June 28, 1954.

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

It is hereby certified and recited that all conditions, acts and  
things required by the Constitution and Statutes of the State of New York to exist,  
to have happened and to have been performed precedent to and in the issuance of this  
note, exist have happened and have been performed, and that this note, together with  
all other indebtedness of such Town of Cheektowaga is within every debt and other  
limit prescribed by the Constitution and Laws of such State.

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

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BY: \_\_\_\_\_ Supervisor

Attest: \_\_\_\_\_ Town Clerk.

SEAL

Item No. 23

This being the time and the place advertised for a public hearing for the purpose of considering a map and general plan describing proposed improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, and an estimate of the cost thereof, and that the Town Board will, at said time and place, hear all persons interested in the subject of such hearings and will receive all evidence offered which will enable the Town Board to determine, pursuant to the provisions of the Town Law of New York, whether it is in the public interest to make the improvements described in said map and general plan and estimate, either in whole or in part, and whether the property located within the boundaries of said District will be benefitted by the making of such improvements.

The improvements hereinbefore referred to are, described in a map and general plan dated June 11, 1954, prepared at the request of the Town Board by Nussbaumer, Clarke, and Velzy, Consulting Engineers, now on file in the office of the Town Clerk of the Town of Cheektowaga.

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

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing, and no person or persons appearing in opposition to the proposed improvements, the following order and resolution was offered by Mr. Nagel, who moved its adoption, seconded by Mr. Wroblewski, to wit:

WHEREAS, the Town Board of the Town of Cheektowaga, in the County of Erie, has determined it to be necessary for the proper maintenance and service of the existing trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, to increase, improve, or reconstruct the facilities of such trunk sewer system and the appurtenances thereto, and, at the request of the Town Board, Nussbaumer Clarke and Velzy, who are competent Civil Engineers duly licensed by the State of New York, have prepared a map and general plan for the improvement of such trunk sewer system and for the increase of the facilities thereof and also an estimate of the expense thereof, and said map and general plan and estimate are dated June 11, 1954, and have been presented to the Town Board and have been filed in the office of the Town Clerk, and

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

WHEREAS, the Town Board did, on the 12th day of June, 1954, duly adopt an order which provided that the Town Board should meet at the Town Hall, corner of Broadway and Union Road, in said Town on the 28th day of June, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, on that day, to consider said map and general plan and estimate and the improvements therein described and to hear all persons interested therein concerning the same, and to take such action on the part of said Town Board with relation to said improvements as may be authorized and required by law, and

WHEREAS, a notice of said public hearing in the form prescribed by said resolution was published on the 17th day of June, 1954, in the Cheektowaga Times and in the Depew Herald & Cheektowaga News, official newspapers published in said Town, and copies of said notice were posted conspicuously in five public places within said District on the 17th day of June, 1954, all as shown by affidavits submitted to the Town Board, and

WHEREAS, said Town Board has, at the time and place specified in said order, considered said map and general plan and estimate and the making of the improvements therein described, and has heard all persons interested who have desired to be heard concerning the same, and has considered all evidence submitted at said time and place which will enable said Town Board to make the determinations hereinafter made;

NOW, THEREFORE,

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

(1) It is hereby determined that (a) all the property and property owners within said Sewer District No. 5 will be benefitted by the construction of said improvements; (b) all the property and property owners benefitted by the construction of said improvements are included in said Sewer District No. 5; and (c) it is in the public interest to authorize the construction of the improvements described in said map and general plan as set forth in said map and general plan.

(2) The improvements described in said map and general plan shall be constructed in accordance with said map and general plan, at a cost of not exceeding Nine Hundred Fifty Thousand Dollars (\$950,000).

(3) The Town Clerk is hereby directed to record a certified copy of this order in the office of the Clerk of the County of Erie pursuant to and in accordance with Section 195 of the Town Law.

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



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

Voting AYE  
Voting AYE  
Voting NAYE ( No)  
Voting AYE  
Voting AYE

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Item No. 24      JOHN M. KONSEK JR.      DECISION OF THE ZONING BOARD OF APPEALS

In the Matter of the Application of

JOHN M. KONSEK JR.

To zone from Residence to Business property located on the east side of Union Road, Cheektowaga, New York.

The petitioner operates on the property a golf driving range and miniature golf. The property described in the petition has a frontage of 400 feet and a depth of approximately 200 feet.

The petitioner has some doubt as to the validity of the permit granted him by the Town Board to use that portion of the property not now zoned "Business" for the golf driving range. This property is located in an area which is not desirable for residence purposes. Union Road has become a very busy thorough-fare with many businesses and light manufacturing permitted in the area.

We recommend that the application to rezone from Residence to Business for the entire tract of land be granted.

A public hearing on this matter was held by the Zoning Board of Appeals on the 9th day of June, 1954, and all property owners in the immediate vicinity were notified and notice of hearing was duly published and posted as required by law. A description of the property recommended for rezoning is as follows:

A description of the property recommended for rezoning is as follows:

Eleven (11), Range Seven (7) of the Holland Land Company's Survey bounded and described as follows:

beginning at a point on the westerly line of said Lot Number Eleven (11) about the middle of a line now known as Union Road, (1) chain wide on the west side of said Union Road, (11) at the distance of seventeen (17) chains and twenty-three (23) links south from the northwest corner of said lot, running thence westerly parallel with the north line of said Lot Number Eleven (11) (44) chains; fifty-one (51) links to a white oak post; thence westerly parallel with the north line of Lot Number Eleven (11), ten (10) chains, fifty-two (52) links, to a white oak post; thence westerly parallel with the north line of said Lot Number Eleven (11), fourteen (14) chains and fifty-one (51) links to a white oak post on said west line; thence south along said westerly line of said lot, which is the east line of said Union Road, ten (10) chains and forty-two (42) links to the place of beginning, containing fifteen and twelve hundredths (15.12) acres of land, according to a map of survey made by Tobias Wither, Surveyor, dated March 20, 1882, and filed in the Office of the Clerk of the County of Erie on May

in a partitioned lot owned by Davis against John Davis and others, the premises hereby conveyed being described and designated on said map and survey as "Lot Number Five and A", and being the same premises described in a deed dated the 1st day of February, 1869, recorded in the Office of the Clerk of the County of Erie, in the State of New York, on the 3rd day of February, 1869, in Liber 250 of Deeds, at Page 48, from Paulus Schreyer and Catherine, his wife, to Anthony W. Wray.

**EXCEPTING AND RESERVING**  
 from the premises above described  
 that portion thereof described in a  
 map and description of said map  
 as follows: **Excepted to the County**  
 of **San Diego** **the** **land**  
**containing** **one** **acre** **and** **two** **feet**  
**in depth to be reserved for business).**

Dated: June 26, 1954.

Leo Kurnick, Chairman  
Michael L. Henfling  
Joseph P. Kubera  
Lawrence M. Januszcak  
C.G. Hanson.

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

STATE OF NEW YORK  
COUNTY OF ERIE

ss:

and others; the premises hereby conveyed being described and designated on said map and survey as "Lot Number Five (5)", and being the same premises described in a deed dated the 1st day of February, 1869, recorded in the Office of the Clerk of the County of Erie, in the State of New York, on the 3rd day of February, 1869, in Liber 250 of Deeds, at Page 48, from Paulus Durringer and Catherine, his wife, to Christiana Wildy.

EXCEPTING AND RESERVING from the premises above described that portion thereof described in a map and description of said map and parcel recorded in Erie County Clerk's Office in Liber 3838 of Deeds at Page 38 on February 20, 1946, and also excepting lands described in deed recorded in Erie County Office in Liber 5061 of Deeds at Page 264.

(400 feet frontage by 200 feet in depth to be rezoned for business purposes.)

KENNETH T. HANLEY,

Town Clerk,

Town of Cheektowaga, N. Y.

Dated: June 28, 1954.

Ed's Plumbing

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

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

Richard G. Bennett

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

JUL 26 1954

....., 19.....

Kenneth T. Hanley

Notary Public in and for Erie County.

IN 52880

Posted as follows on the 2nd day of July, 1954:

1- Town Hall Bulletin Board.

In the Matter of the Application of  
Charles J. and Jane M. Schubauer  
to zone from "Residence District" to "Business District".

The petitioners desire to erect on the premises located on the east side of Harlem Road between Loretto Drive and Homesgarth Avenue, Cheektowaga, New York, a professional office building, one story in height, 30 feet by 30 feet of brick veneer construction. They plan to construct the building entirely on subdivision lot 319, also they have included in their request for rezoning subdivision lot 318.

We recommend that the request for rezoning be granted,

A public hearing on this matter was held by the Zoning Board of Appeals on the 16th day of June, 1954, at 7:30 o'clock P.M., to consider this application.

DESCRIPTION

All those tracts or parcels of land situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Farm Lot 27, Township 11, Range 7 of the Holland Land Company's Survey, and according to a map of Roycroft Park Subdivision filed in the Erie County Clerk's Office under Map Cover 1359, are known and distinguished as Subdivision Lots Numbers three hundred eighteen (318) and three hundred nineteen (319).

Harlem Road, east side, between Loretto Drive and Homesgarth Ave. (90 feet frontage by 135 feet in depth.)

Dated: June 26, 1954.

Leo H. Kurnick, Chairman  
Michael L. Henfling  
Joseph P. Kubera  
Lawrence M. Januszczyk  
C.G. Hanson

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

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication July 1, 1954; last publication July 1, 1954; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 2<sup>nd</sup>

day of July, 1954

Eve J. Allis

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

Dated: June 26, 1954.

Leo Kurnick, Chairman  
Michael L. Henfling  
Joseph P. Kubera  
Lawrence M. Januszczak  
C.G. Hanson.

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

STATE OF NEW YORK  
COUNTY OF ERIE

RICHARD G. BENNETT

Being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

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

Richard G. Bennett

this day of

1954

1954

T. Hanley  
Notary Public in and for Erie County.

as follows on the 2nd day of July, 1954:

in Hall Bulletin Board.

purpose of considering the application of John M. Konsek, Jr., for rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

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

WHEREAS, the Zoning Board of Appeals on the 26th day of June, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 28th day of June, 1954.

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

NOW, THEREFORE, BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance", be and the same hereby is amended by changing the Zoning Map so as to change the following described property from that of "Residence District" to "Business District."

DESCRIPTION

All that Tract or Parcel of Land, situate in the Town of Cheektowaga, in the County of Erie and State of New York, being part of Lot Number Eleven (11), Township Eleven (11), Range Seven (7) of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the westerly line of said Lot Number Eleven (11), being the east line of a road, now known as Union Road, one (1) chain wide, on the west side of Lot Number Eleven (11), at the distance of seventeen (17) chains and twenty-three (23) links south from the northwest corner of said lot; running thence easterly parallel with the north line of said Lot Number Eleven (11), fourteen (14) chains, fifty-one (51) links, to a soft maple post; thence south, parallel with the westerly line of Lot Number Eleven (11), ten (10) chains, forty-two (42) links, to a white oak post; thence westerly parallel with the said northerly line of said Lot Number Eleven (11) fourteen (14) chains and fifty-one (51) links to a white oak post on said west line; thence north along said westerly line of said lot, which is the east line of said Union Road, ten (10) chains and forty-two (42) links to the place of beginning, containing fifteen and twelve hundredths (15.12) acres of land, according to a map or survey made by Tobias Witmer, Surveyor, dated March 10, 1853, and filed in the Office of the Clerk of the County of Erie on May 25, 1853, with a decree in a partition action brought by Peter Davis against Joseph Neyerling and others; the premises hereby conveyed being described and designated on said map and survey as "Lot Number Five (5)", and being the same premises described in a deed dated the 1st day of February, 1869, recorded in the Office of the Clerk of the County of Erie, in the State of New York, on the 3rd day of February, 1869, in Liber 250 of Deeds, at Page 48, from Paulus Durringer and Catherine, his wife, to Christiana Wildy.

EXCEPTING AND RESERVING from the premises above described that portion thereof described in a map and description of said map and parcel recorded in Erie County Clerk's Office in Liber 3838 of Deeds at Page 38 on February 20, 1946, and also excepting lands described in deed recorded in Erie County Office in Liber 5061 of Deeds at Page 264.

(400 feet frontage by 200 feet in depth to be rezoned for business purposes.)

KENNETH T. HANLEY,  
Town Clerk,  
Town of Cheektowaga, N. Y.  
Dated: June 28, 1954.

In the Matter of the Application of  
Charles J. and Jane M. Schubauer  
to zone from "Residence District" to "Business District".

The petitioners desire to erect on the premises located on the east side of Harlem Road between Loretto Drive and Homesgarth Avenue, Cheektowaga, New York, a professional office building, one story in height, 30 feet by 30 feet of brick veneer construction. They plan to construct the building entirely on subdivision lot 319, also they have included in their request for rezoning subdivision lot 318.

We recommend that the request for rezoning be granted,

A public hearing on this matter was held by the Zoning Board of Appeals on the 16th day of June, 1954, at 7:30 o'clock P.M., to consider this application.

#### DESCRIPTION

All those tracts or parcels of land situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Farm Lot 27, Township 11, Range 7 of the Holland Land Company's Survey, and according to a map of Roycroft Park Subdivision filed in the Erie County Clerk's Office under Map Cover 1359, are known and distinguished as Subdivision Lots Numbers three hundred eighteen (318) and three hundred nineteen (319).

Harlem Road, east side, between Loretto Drive and Homesgarth Ave. (90 feet frontage by 135 feet in depth.)

Dated: June 20, 1954.

Leo H. Kurnick, Chairman  
Michael L. Henfling  
Joseph P. Kubera  
Lawrence M. Januszczyk  
C.G. Hanson

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

Notice of the Zoning Board of Appeals of the Town of Cheektowaga, County of Erie and State of New York, regarding the application of Charles J. and Jane M. Schubauer to zone from Residence District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

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

WHEREAS, the Zoning Board of Appeals on the 26th day of June, 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District, the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 28th day of June, 1954.

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

NOW, THEREFORE,

BE IT RESOLVED, by this Town Board that the ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance," be and the same hereby is amended by changing the zoning map so as to change the following described property from that of "residence district" to "business district":

#### DESCRIPTION

All those tracts or parcels of land situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Farm Lot 27, Township 11, Range 7 of the Holland Land Company's Survey, and according to a map of Roycroft Park Subdivision filed in the Erie County Clerk's Office under Map Cover 1359, are known and distinguished as Subdivision Lots Numbers three hundred eighteen (318) and three hundred nineteen (319).

Harlem Road, east side, between Loretto Drive and Homesgarth Ave. (90 feet frontage by 135 feet in depth.)

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

Dated: June 28, 1954.

Posted as follows on the 2nd day of July, 1954;

1- Town Hall Bulletin Board.

L.C.B. SERVICE CORPORATION RE-ZONING GRANTED.

In the Matter of the Application of  
L.C.B. SERVICE CORPORATION

To zone from "Residence District" to "First  
Industrial District" property located on Union  
Road, Cheektowaga, New York.

The petitioner desires to erect on the premises on the west side of Union Road, north of the West Shore Railroad, food warehouse and offices. There are like industries located in this area. No buildings are to be erected on the premises within 50 feet of the west line of Union Road, nor is there to be any permanent open storage or any personal property within 100 feet of the west line of Union Road.

We recommend that the request for rezoning from Residence to First Industrial be granted subject to the aforementioned conditions.

A public hearing on this matter was held by the Zoning Board of Appeals on the 9th day of June, 1954, at 7:30 o'clock P.M., to consider this application. The following is a description of the property set forth in the application.

**ALL THAT TRACT OR PARCELS  
OF LAND, situated in the Town of  
Cheektowaga, County of Erie and  
State of New York, being part of  
Lot Number 17, Township 11, Range  
7 of the Holland Land Company's  
survey, further described as follows:**

**BEGINNING** at the point of intersection of the westerly line of Union Road (100 feet wide) and the northwesterly line of the New York Central Railroad (West Shore) right of way and running thence (1) northerly along the said west line of Union Road 180 feet to a point, thence (2) westerly along a line drawn at right angles to said westerly line of Union Road, 93; thence (3) northwesterly 28.28 feet to a point 113 feet west of the west line of Union Road and 20 feet northerly measured at right angles from an extension westerly of the last described course, thence (4) westerly 217 feet along a line drawn parallel to an extension westerly of the second described course and 20 feet northerly therefrom to a point on a line drawn parallel to the west line of Union Road and 330 feet westerly therefrom, thence (5) southerly 366.04 feet along said line drawn parallel to the west line of Union Road and 330 feet westerly therefrom to the southwest corner of the land now owned by Helen M. and Lucina C. Lutz, thence (6) easterly 54.76 feet along the southerly line of the land owned by Helen M. and Lucina C. Lutz to said northwest line of the New York Central Railroad (West Shore) right of way, thence (7) northeasterly 320 feet along said northwesterly line of the New York Central Railroad (West Shore) right of way to the point or place of beginning.

(Union Road, west side, north of the West Shore Tracks, approximately 2 acres.)

Dated: June 26, 1954

Leo H. Kurnick, Chairman  
Michael L. Henfling  
Joseph P. Kubera  
Lawrence M. Januszcak  
C.G. Hanson

Times;

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

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication July 1, 1954; last publication July 1, 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this 2<sup>nd</sup>

day of July, 1954

*Eve J. Allis*

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1955  
Registered No. 5029

Posted as follows on the 2nd day of July, 1954;

1- Town Hall Bulletin Board.

WHEREAS, the Town Board of Appeals held a public hearing on the 26th day of June, 1954, for the purpose of considering the application of L. C. B. Service Corporation for the rezoning from Residential District to First Industrial District of the property hereinafter described, and amending the Zoning Map and Ordinances accordingly, and

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

WHEREAS the Zoning Board of Appeals on the 26th day of June, 1954, having rendered its decision granting the application of petitioner to rezone from residence district to first industrial district the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon the 28th day of June, 1954.

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

NOW, THEREFORE

BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942 and as now amended, entitled "Zoning Ordinance" be and the same hereby is amended by changing the zoning map so as to change the following described property from that of "Residence District" to "First Industrial District."

DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number 17, Township 11, Range 7 of the Holland Land Company's survey, further described as follows:

BEGINNING at the point of intersection of the westerly line of Union Road (100 feet wide) and the northwesterly line of the New York Central Railroad (West Shore) right of way and running thence (1) northerly along the said west line of Union Road 190 feet to a point, thence (2) westerly along a line drawn at right angles to said westerly line of Union Road, 93; thence (3) northwesterly 23.28 feet to a point 113 feet west of the west line of Union Road and 20 feet northerly measured at right angles from an extension westerly of the last described course, thence (4) westerly 217 feet along a line drawn parallel to an extension westerly of the second described course and 20 feet northerly therefrom to a point on a line drawn parallel to the west line of Union Road and 330 feet westerly therefrom, thence (5) southerly 365.04 feet along said line drawn parallel to the west line of Union Road and 330 feet westerly therefrom, thence (6) southerly 24.75 feet along the southerly line of the land owned by Helen M. and Lucina C. Lutz to said northwest line of the New York Central Railroad (West Shore) right of way, thence (7) northeasterly 320 feet along said northwesterly line of the New York Central Railroad (West Shore) right of way to the point or place of beginning.

(Union Road, west side, north of the West Shore Tracks, approximately 2 acres.)

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

Dated June 28, 1954.

Posted at \_\_\_\_\_ of July, 1954;

1- Town \_\_\_\_\_



Item No. 27 Councilman Nagel moved, seconded by Councilman Neibert, that the names submitted by the Erie County Republican Chairman and the Erie County Democratic Chairman to act as Election Inspectors for the year 1954 be approved and that same list be placed on file in the Town Clerk's Office. Carried; **AYES: -5-**.

Item No. 28 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. (Warrant No. 1215 to 1232, inclusive, drawn on the Supervisor).

Item No. 29 Councilman Nagel moved, seconded by Councilman Wroblewski, to adjourn.

Kenneth T. Hanley

Town Clerk.

SEAL