

Item No. 1 At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 12th day of July, 1954, at 2:30 o'clock P.M., Eastern Daylight Savings Time, there were:

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

Also present were: Town Clerk Hanley; Town Attorney Doyle; Receiver of Taxes & Assessments Pfohl; Chief of Police Mersmann; General Foreman Eberl; Town Engineer Kamm; Chairman of the Board of Assessors Jerzewski; Assistant Building Inspector Trafalski and Dog Warden Kraska.

Item No. 2 The Town Clerk advised the Board that the minutes of the previous meeting have been placed on their respective desks in the Council Chamber.

Item No. 3 Petition presented for the installation of curbs, receiver and underground drains on Peoria Street. Ordered referred to the Board of Assessors for a property check by the Chairman.

Item No. 4 Communication read from Mr. Samuel R. Bennett, Supervising Principal of the Maryvale School System relating to cinder path and tile to be placed across the strip to the west of Union Road opposite the North Hill entrance. Ordered referred to Councilman Nagel by the Chairman.

Item No. 5 This being the time and the place advertised for a public hearing for the improvement of that portion of Genesee Street extending from Wood Place, northeasterly to Beechwood Place, and Beechwood Place for its entire length from Genesee Street north to Greenwood Place, by the construction of a lateral sewer in said highways so as to serve both sides thereof.

The Supervisor directed the Town Clerk to present proof of publication of the Notice of the Hearing. The Town Clerk presented proof that such notice has been duly published and posted and upon order of the Supervisor such proof was duly filed.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing, and no person or persons appearing in opposition thereof, the Chairman ordered the hearing closed and decision be reserved and that the matter be referred to the Town Attorney and the Town Engineer.

Item No. 6 Councilman Wroblewski moved, seconded by Councilman Bystrak, that the Town Clerk be authorized and directed to issue all building permits on applications processed by the Petitions Committee on June 26, 1954; July 10th, 1954 and July 12th, 1954, after same have been approved by the Building Inspector.

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

WHEREAS, the arch of fire brick in the Incinerators Plants Combustion Chambers collapsed and it was necessary to close down operations due to the fire escaping through this wall and an emergency exists and repairs must be made immediately in order to put the Incinerator back into operation again and,

WHEREAS, the K and L Refractory Company, 1025 Ash Street, Erie, Pennsylvania, a company experienced in this work has offered to make the necessary repairs and to furnish all materials and labor in connection therewith for the sum of \$3,279.50,

BE IT RESOLVED, that the Supervisor be authorized to enter into a contract with the said company, the K & L Refractory Company to make the repairs under the supervision of the Town Engineer at a cost not to exceed this \$3,279.50.

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

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

WHEREAS, the Town Board has heretofore determined it to be in the public interest to authorize the construction of certain improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, New York, at a cost not exceeding Nine Hundred and Fifty Thousand Dollars, (\$950,000.00) more particularly set forth in a map and general plan and estimate prepared by Nussbaumer, Clarke and Velzy, Consulting Engineers, duly licensed by the State of New York, which said map and general plan and estimate are dated June 11, 1954, and

WHEREAS, SAID ENGINEERS HAVE PREPARED DEFINITE PLANS AND specifications for a portion of said improvement, together with a careful estimate of the expense thereof, and with the assistance of the Town Attorney a proposed contract for the execution of the work in accordance with the directions of this Town Board and the same have been filed with the Town Clerk,

NOW, THEREFORE,

BE IT RESOLVED, that such plans, specifications and contract are hereby approved and the estimate of the cost thereof in the amount of \$500,000.00 is hereby approved, and be it further

RESOLVED, that sealed proposals be invited for the furnishing of the labor and materials necessary for the doing of said work in accordance with said plans, specifications, estimate and proposed contract, by the publishing of a notice thereof on July 29th, 1954 and August 5th, 1954, in the Cheektowaga Times and the Depew Herald & Cheektowaga News, which are official newspapers of this Town and which notice shall provide that such person who shall offer to do the work shall file a sealed proposal of offer to do the work, with a certified check for a sum equal to five per centum (5%) of the amount of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga or a bond with sufficient sureties to be approved by the Town Attorney in a penal sum equal to five per centum (5%) of the amount of the bid, conditioned that if his proposal is accepted he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract, and be it further

RESOLVED, that the Town Board meet on the 16th day of August, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time, at the Town Hall in the Town of Cheektowaga, New York, to accept bids in accordance with a notice to contractors as hereinafter set forth, be it further

RESOLVED, that said Notice to Contractors be in substantially the following form, to wit:

**NOTICE TO CONTRACTORS**  
**NOTICE IS HEREBY GIVEN**  
that pursuant to a resolution of the Town Board of the Town of Cheektowaga, County of Erie, State of New York, sealed proposals shall be received and considered by said Town Board on the 16 day of August, 1954, at 7:30 o'clock P.M. Eastern Daylight Time, in the Town Hall in the Town of Cheektowaga, Erie Coun-

ty, New York, for furnishing all materials and equipment, together with all labor for the construction of additions to and remodeling of the Sewage Treatment Plant to serve Sanitary Sewer District No. 5, in accordance with proposed contract documents, plans, specifications, and instructions to bidders, prepared by Newell L. Nussbaumer, Irving Clarke and Charles R. Velzy, Consulting Engineers, doing business as Nussbaumer, Clarke and Velzy, consulting engineers for the Town of Cheektowaga, New York, and approved by the Town Board of said Town, all of which are on file with the Town Clerk in his office in the Town Hall, where same may be examined during the usual business hours. Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be examined or secured at the office of the Consulting Engineers, Nussbaumer, Clarke & Velzy, 327 Franklin Street, Buffalo 2, New York. One copy of said documents may be obtained upon payment of \$50.00. Any bidder, upon returning such copy in good condition within thirty (30) days following the receipt of bids, will be refunded \$50.00, and any non-bidder upon so returning such copy will be refunded \$25.00.

Each proposal must be accompanied by a certified check or bid bond in the amount of five (5) per cent of the amount of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Additions to and Remodelling Sewage Treatment Plant serving Sanitary Sewer District No. 5."

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities in, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York

Dated: July 15, 1954  
KENNETH T. MADOLEY,  
Town Clerk

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting <b>NAYE</b>
Supervisor Holtz	Voting AYE

Carried: Ayes: -4-

Nayes: -1-

Hereto attached are copies of the notice published in the Cheektowaga Times and the Depew Herald & Cheektowaga News:

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

*Willard C. Allis*, of the  
~~Town of Cheektowaga~~, in said County of Erie, be-  
 ing duly sworn, deposes and says that *he* is  
*publisher* of the  
 Cheektowaga Times, a public newspaper published  
 weekly in said Town; that the notice, of which  
 the annexed printed slip, taken from said news-  
 paper is a copy, was inserted and published in  
 said paper once a week for *two* weeks; first  
 publication *JUL 29 1954*;  
 last publication *AUG 5 1954*;  
 and that no more than six days intervened be-  
 tween publications.

*Willard C. Allis*

Sworn to before me this .....  
 day of *AUG 5 1954*, 19.....

*Eve J. Allis*

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

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

WHEREAS, SAID ENGINEERS HAVE PREPARED DEFINITE PL specifications for a portion of said improvement, together with a care of the expense thereof, and with the assistance of the Town Attorney a contract for the execution of the work in accordance with the directio Town Board and the same have been filed with the Town Clerk,

NOW, THEREFORE,

BE IT RESOLVED, that such plans, specifications a are hereby approved and the estimate of the cost thereof in the amount \$500,000.00 is hereby approved, and be it further

RESOLVED, that sealed proposals be invited for t of the labor and materials necessary for the doing of said work in acco said plans, specifications, estimate and proposed contract, by the publi of a notice thereof on July 29th, 1954 and August 5th, 1954, in the Che Times and the Depew Herald & Cheektowaga News, which are official news of this Town and which notice shall provide that such person who shall the work shall file a sealed proposal of offer to do the work, with a c check for a sum equal to five per centum (5%) of the amount of the bid, to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowag with sufficient sureties to be approved by the Town Attorney in a penal five per centum (5%) of the amount of the bid, conditioned that if his accepted he will enter into a contract for the same and that he will ex security as may be required for the faithful performance of the contrac

RESOLVED, that the Town Board meet on the 16th day at 7:30 o'clock P.M., Eastern Daylight Saving Time, at the Town Hall in Cheektowaga, New York, to accept bids in accordance with a notice to co hereinafter setforth, be it further

RESOLVED, that said Notice to Contractors be in the following form, to wit:

**NOTICE TO CONTRACTORS**  
**NOTICE IS HEREBY GIVEN**  
 Pursuant to a resolution of the Town Board of the Town of Cheektowaga, County of Erie, State of New York, sealed proposals shall be received and considered by said Town Board on the 16 day of August, 1954, at 7:30 o'clock P.M. Eastern Daylight Time, in the Town Hall in the Town of Cheektowaga, Erie County, New York, for furnishing all materials and equipment, together with all labor for the construction of additions to and remodeling of the Sewage Treatment Plant to serve Sanitary Sewer District No. 5, in accordance with proposed contract documents, plans, specifications, and instructions to bidders, prepared by Newell L. Nussbaumer, Irving Clarke and Charles R. Velzy, Consulting Engineers, doing business as Nussbaumer, Clarke and Velzy, consulting engineers for the Town of Cheektowaga, New York, and approved by the Town Board of said Town, all of which are on file with the Town Clerk in his office in the Town Hall, where same may be examined during the usual business hours. Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be examined or secured at the office of the Consulting Engineers, Nussbaumer, Clarke & Velzy, 327 Franklin Street, Buffalo 2, New York. One copy of said documents may be obtained upon payment of \$50.00. Any bidder, upon returning such copy in good condition within thirty (30) days following the receipt of bids, will be refunded \$50.00, and any non-bidder upon so returning such copy will be refunded \$25.00.

Each proposal must be accompanied by a certified check or bid bond in the amount of five (5) per cent of the amount of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bid shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Additions to and Remodelling Sewage Treatment Plant serving Sanitary Sewer District No. 5."

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities in, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York  
 Dated: July 12, 1954  
 KENNETH T. HASKLEY,  
 Town Clerk



**Sewer System Improvements**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 12th day of July, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**

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

**ABSENT:** None.

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board has heretofore determined it to be in the public interest to authorize the construction of certain improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, New York, at a cost not exceeding Nine Hundred and Fifty Thousand Dollars (\$950,000.00) more particularly set forth in a map and general plan and estimate prepared by Nussbaumer, Clarke and Velzy, Consulting Engineers, duly licensed by the State of New York, which said map and general plan and estimate are dated June 11, 1954, and

WHEREAS, said engineers have prepared definite plans and specifications for a portion of said improvements, together with a careful estimate of the expense thereof, and with the assistance of the Town Attorney a proposed contract for the execution of the work in accordance with the directions of this Town Board and the same have been filed with the Town Clerk.

**NOW, THEREFORE,**

**BE IT RESOLVED,** that such plans, specifications and contract are hereby approved and the estimate of the cost thereof in the amount of \$500,000.00 is hereby approved, and be it further,

**RESOLVED,** that sealed proposals be invited for the furnishing of the labor and materials necessary for the doing of said work in accordance with said plans, specifications, estimate and proposed contract, by the publishing of a notice thereof on July 29th and August 5th, 1954 in the CHEEKTOWAGA TIMES and the "Depew Herald and Cheektowaga News" which are official newspapers of this Town and which notice shall provide that such person who shall offer to do the work shall file a sealed proposal of offer to do the work, with a certified check for a sum equal to five per centum (5%) of the amount of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney in a penal sum equal to five per centum (5%) of the amount of the bid, conditioned that if his proposal is accepted he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract, and be it further

**RESOLVED,** that the Town Board meet on the 16th day of August, 1954 at 7:30 o'clock P.M. Eastern Daylight Saving Time, at the Town Hall in the Town of Cheektowaga, New York to accept bids in accordance with a notice to contractors as hereinafter set forth. Be it further

**RESOLVED,** that said Notice to Contractors be in substantially the following form, to wit:

**NOTICE TO CONTRACTORS**

**NOTICE IS HEREBY GIVEN** that pursuant to a resolution of the Town Board of the Town of Cheektowaga, County of Erie, State of New York, sealed proposals shall be received and considered by said Town Board on the 16th day of August, 1954, at 7:30 o'clock P.M. Eastern Daylight Saving Time, in the Town Hall in the Town of Cheektowaga, Erie County, New York, for furnishing all materials and equipment, together with all labor for the construction of additions to and remodeling of the Sewage Treatment Plant to serve Sanitary Sewer District No. 5, in accordance with proposed contract documents, plans, specifications, and instructions to bidders, prepared by Newell L. Nussbaumer, Irving Clarke and Charles R. Velzy, Consulting Engineers, doing business as Nussbaumer, Clarke & Velzy, consulting engineers for the Town of Cheektowaga, New York, and approved by the Town Board of said Town, all of which are on file with the Town Clerk in his office in the Town Hall, where same may be examined during the usual business hours. Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be examined or secured at the office of the Consulting Engineers, Nussbaumer, Clarke & Velzy, 327 Franklin Street, Buffalo 2, New York. One copy of said documents may be obtained upon payment of \$50.00. Any bidder, upon returning such copy in good condition

and any non-bidder upon so returning such copy will be refunded \$25.00.

Each proposal must be accompanied by a certified check or bid bond in the amount of five (5) per cent of the amount of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Additions to and Remodelling Sewage Treatment Plant serving Sanitary Sewer District #5."

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting <del>NA</del> YE
Supervisor Holtz	Voting AYE

Carried: Ayes: -4-

Nayes: -1-

Hereto attached are copies of the notice published in the Cheektowaga Times and the Depew Herald & Cheektowaga News:

... a sealed check or bid bond in the amount of five (5) per cent of the amount of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Additions to and Remodelling Sewage Treatment Plant serving Sanitary Sewer District #5."

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities in, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

KENNETH T. HANLEY  
Town Clerk

Dated: July 12, 1954

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

Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting

Aye.  
Councilman Neibert, voting Aye.  
Councilman Bystrak, voting No.

AYES: 4 NOES: 1 ABSENT: 0

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 12th day of July 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal, of said Town this 12th day of July, 1954.

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

STATE OF NEW YORK

Councilman Neibert, Voting Aye, AYES: 4; NOES: 1; ABSENT: 0. State of New York Erie County Office of the Clerk of the ) ss: Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 12th day of July, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 12th day of July, 1954. KENNETH T. HANLEY, Clerk of the Town Board, Town of Cheektowaga, N.Y.

Was charged with the duties sworn to before me this ... day of ... Led by the booming bat of Carol Kwiatkowski, St. Aug. out-slugged the Bownsville Girls by a score of 23-12 at the Central diamond. Carol banged out four singles and a homerun for the winners. Conrad hit a circuit for the losers. Pat Kozel was the winning hurler and Jack Moore the loser. League Standings: Kicks N. Side B. Depew Merchants Depew BC SAPP Colonial Bakery Ed's Plumbing Depew BC SAPP

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ... week, the first insertion being on the 29th day of July, 1954, and the last insertion being on the ... day of ... 19... and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

AUG 16 1954, 19...

Kenneth Hanley Notary Public in and for Erie County.

1453000

Item No. 9 This being the time and the place advertised for a public hearing for the purpose of amending the Zoning Ordinances of the Town of Cheektowaga, New York, to fix fees to be paid for all matters referred to or considered by the Zoning Board of Appeals, to in part reimburse the Town for expenses incurred in matters referred to or considered by the Zoning Board of Appeals.

The Supervisor directed the Town Clerk to present proof of publication of the notice of the hearing. The Town Clerk presented proof that such notices have been duly published and posted and upon order of the Supervisor, such proof was duly filed.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing and no person appearing in opposition to the proposed amendments, Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board at a regular meeting on the 21st day of June, 1954, adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on the 12th day of July, 1954, at 2:30 o'clock P.M., E.D.S.T., for the purpose of considering the advisability to amend the Zoning Ordinances of the Town of Cheektowaga, New York, to fix the fees to be paid for all matters referred to or considered by the Zoning Board of Appeals, to in part reimburse the Town for the expenses incurred in matters referred to or considered by the Zoning Board of Appeals, and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard and at the conclusion of said public hearing the Town Board decided that it was in the public interest to amend Section 29, of the Zoning Ordinance of the Town of Cheektowaga, New York, so as to add thereto Paragraph 12, be it

RESOLVED, that Section 29 of the Zoning Ordinances of the Town of Cheektowaga, New York, be amended so as to add thereto Paragraph 12 to provide as follows:

FEES

Fees to be paid by applicant to the Town clerk for matters referred to or considered by the Zoning Board of Appeals.

Request for rezoning.....\$40.00

Request for granting of variances, except as to modification of area of rear yards and side yards..... 40.00

Appeals to the Zoning Board of Appeals..... 40.00

Applications for permit by public utilities in residence and business district, under Section 17 of the Zoning Ordinances..... 40.00

Application for side yard and rear yard variances 20.00

BE IT FURTHER RESOLVED, that a copy of this resolution certified by the Town Clerk shall be entered in the minutes and published at least once in the Cheektowaga Times and the Depew Herald & Cheektowaga News, newspapers having general circulation in said Town and being official newspapers thereof. That the Town Clerk post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavits of the publication and posting thereof shall be filed with the Town Clerk.

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

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

AYES: -5-

NOES: -0-

ABSENT: -0-

Posted as follows on the 17th day of July, 1954:

- 1- Town Hall Bulletin Board.

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

... of the Town Hall ...  
... at 7:30 P.M. ...  
... ing Time, there were:

**PRESENT:**  
Benjamin T. Holtz, Supervisor  
Henry J. Nagel, Councilman,  
Felix T. Wroblewski,  
Councilman  
Joseph A. Nelbert, Councilman,  
Stanley R. Bystrak, Councilman

**ABSENT:** 0.

Councilman Nelbert presented the following resolution and moved its adoption:

**WHEREAS**, the Town Board has heretofore determined it to be in the public interest to authorize the construction of certain improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, New York, at a cost not exceeding Nine Hundred and Fifty Thousand Dollars, (\$950,000.00) more particularly set forth in a map and general plan and estimate prepared by Nussbaumer, Clarke and Volzy, Consulting Engineers, duly licensed by the State of New York, which said map and general plan and estimate are dated June 11, 1954, and

**WHEREAS**, said engineers have prepared definite plans and specifications for a portion of said improvements, together with a careful estimate of the expense thereof, and with the assistance of the Town Attorney a proposed contract for the execution of the work in accordance with the directions of this Town Board and the same have been filed with the Clerk.

**NOW, THEREFORE,**  
**BE IT RESOLVED**, that such plans, specifications and contract are hereby approved and the estimate of the cost thereof in the amount of \$500,000.00 is hereby approved, and be it further

**RESOLVED**, that sealed proposals be invited for the furnishing of the labor and materials necessary for the doing of said work in accordance with said plans, specifications, estimate and proposed contract, by the publishing of a notice to that effect on the 29th day of August, 1954, in the Cheektowaga Herald and News, a newspaper published at Depew, Town of Cheektowaga, Erie County, New York, and for Erie County.

... to be approved by the Town Attorney in a penal sum equal to five per centum (5%) of the amount of the bid, conditioned that if his proposal is accepted he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract, and be it further

**RESOLVED**, that the Town Board meet on the 16th day of August, 1954 at 7:30 o'clock P.M. Eastern Daylight Saving Time, at the Town Hall in the Town of Cheektowaga, New York to accept bids in accordance with a notice to contracts as hereinafter set forth. Be it further

**RESOLVED**, that said Notice to Contractors be in substantially the following form, to wit:

**NOTICE TO CONTRACTORS**  
**NOTICE IS HEREBY GIVEN** that pursuant to a resolution of the Town Board of the Town of Cheektowaga, County of Erie, State of New York, sealed proposals shall be received and considered by said Town Board on the 16 day of August, 1954, at 7:30 o'clock P.M. Eastern Daylight Time, in the Town Hall in the Town of Cheektowaga, Erie County, New York, for furnishing all materials and equipment, together with all labor for the construction of additions to and remodeling of

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

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

*Richard G. Bennett*

\_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and for Erie County.

Item No. 9 This being the time and the place advertised for a public hearing for the purpose of amending the Zoning Ordinances of the Town of Cheektowaga, New York, to fix fees to be paid for all matters referred to or considered by the Zoning board of Appeals, to in part reimburse the Town for expenses incurred in matters referred to or considered by the Zoning Board of Appeals.

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing and no person appearing in opposition to the proposed amendments, Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board at a regular meeting on the 21st day of June, 1954, adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on the 12th day of July, 1954, at 2:30 o'clock P.M., E.D.S.T., for the purpose of considering the advisability to amend the Zoning Ordinances of the Town of Cheektowaga, New York, to fix the fees to be paid for all matters referred to or considered by the Zoning Board of Appeals, to in part reimburse the Town for the expenses incurred in matters referred to or considered by the Zoning Board of Appeals, and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard and at the conclusion of said public hearing the Town Board decided that it was in the public interest to amend Section 29, of the Zoning Ordinance of the Town of Cheektowaga, New York, so as to add thereto Paragraph 12, be it

RESOLVED, that Section 29 of the Zoning Ordinances of the Town of Cheektowaga, New York, be amended so as to add thereto Paragraph 12 to provide as follows:

FEES

Fees to be paid by applicant to the Town clerk for matters referred to or considered by the Zoning Board of Appeals.

Request for rezoning.....\$40.00

Request for granting of variances, except as to modification of area of rear yards and side yards..... 40.00

Appeals to the Zoning Board of Appeals..... 40.00

Applications for permit by public utilities in residence and business district, under Section 17 of the Zoning Ordinances..... 40.00

Application for side yard and rear yard variances 20.00

BE IT FURTHER RESOLVED, that a copy of this resolution certified by the Town Clerk shall be entered in the minutes and published at least once in the Cheektowaga Times and the Depew Herald & Cheektowaga News, newspapers having general circulation in said Town and being official newspapers thereof. That the Town Clerk post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerks' Office a certified copy of this resolution and affidavits of the publication and posting thereof shall be filed with the Town Clerk.

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

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

AYES: -5-

NOES: -0-

ABSENT: -0-

Posted as follows on the 17th day of July, 1954:

1- Town Hall Bulletin Board.

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

forth. Be it further  
RESOLVED, that said Notice to  
Contractors be in substantially the  
following form, to wit:

**NOTICE TO CONTRACTORS**  
NOTICE IS HEREBY GIVEN  
that pursuant to a resolution of  
the Town Board of the Town of  
Cheektowaga, County of Erie,  
State of New York, sealed propo-  
sals shall be received and consid-  
ered by said Town Board on the  
16 day of August, 1954, at 7:30  
o'clock P.M. Eastern Daylight  
Time, in the Town Hall in the  
Town of Cheektowaga, Erie Coun-  
ty, New York, for furnishing all  
materials and equipment, together  
with all labor for the construc-  
tion of additions to and remodel-  
ing of the Sewage Treatment  
Plant to serve Sanitary Sewer  
District No. 5, in accordance with  
proposed contract documents,  
plans, specifications, and instruc-  
tions to bidders, prepared by  
Nugell L. Nussbaumer, Irving Clarke  
and Charles R. Velzy, Consulting  
Engineers, doing business as Nus-  
sbaumer, Clarke and Velzy, con-  
sulting engineers for the Town of  
Cheektowaga, New York, and ap-  
proved by the Town Board of  
said Town, all of which are on  
file with the Town Clerk in his  
office in the Town Hall, where  
same may be examined during the  
usual business hours. Copies of  
the proposed contract documents,  
plans, specifications, and instruc-  
tions to bidders may be examined  
or secured at the office of the  
Consulting Engineers, Nussbaum-  
er, Clarke & Velzy, 327 Franklin  
Street, Buffalo 2, New York. One  
copy of said documents may be  
obtained upon payment of \$50.00.  
Any bidder, upon returning such  
copy in good condition within  
thirty (30) days following the re-  
ceipt of bids, will be refunded  
\$50.00, and any non-bidder upon so  
returning such copy will be re-  
funded \$25.00.

Each proposal must be accom-  
panied by a certified check or bid  
bond in the amount of five (5)  
per cent of the amount of the bid,  
payable to the order of Benedict  
T. Holtz, Supervisor of the Town  
of Cheektowaga. The bond shall  
be approved by the Town Attor-  
ney.

Proposals shall be submitted in  
sealed envelopes, plainly marked  
on the outside "Additions to and  
Remodelling Sewage Treatment  
Plant serving Sanitary Sewer Dis-  
trict No. 5."

No bidder may withdraw his bid  
within sixty (60) days after the  
actual date of the opening there-  
of.

A surety bond by a company  
satisfactory to the Town Board  
and in an amount not less than  
100% of the contract price will be  
required of the successful bidder.

The Town Board reserves the  
right to consider informal any bid  
not prepared and submitted in ac-  
cordance with the provisions of  
the specifications and contract  
documents, and may waive any  
informalities in, make an award to  
other than the low bidder, should  
it be in the best interests of the  
Town, or reject any and all bids.

By order of the Town Board of  
the Town of Cheektowaga, Erie  
County, New York.  
Dated: July 12, 1954

KENNETH T. HANLEY,  
Town Clerk

Seconded by Councilman Wro-  
blewski and duly put to a vote  
which resulted as follows:  
Supervisor Holtz, Voting Aye,  
Councilman Bystrak, Voting No,  
Councilman Nagel, Voting Aye,  
Councilman Wroblewski,  
Voting Aye,

Councilman Nelbert, Voting Aye.  
AYES: 4; NOES: 1; ABSENT: 0.  
State of New York )  
Erie County )  
Office of the Clerk of the ) ss:  
Town of Cheektowaga )

This is to certify that I, KEN-  
NETH T. HANLEY, Clerk of the  
Town of Cheektowaga, in the said  
County of Erie, have compared  
the foregoing copy of resolution  
with the original resolution now  
on file at this office, and which  
was passed by the Town Board of  
the Town of Cheektowaga in said  
County of Erie, on the 12th day of  
July, 1954, and that the same is a  
correct and true transcript of such  
original resolution and the whole  
thereof.

In Witness Whereof, I  
have hereunto set my  
(seal) hand and affixed the seal  
of said Town this 12th day  
of July, 1954.

KENNETH T. HANLEY,  
Clerk of the Town Board,  
July 29 Town of Cheektowaga, N.Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

public newspaper published at Depew, Town of Cheek-  
owaga, Erie County, New York, that notice of which the

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

is inserted and published therein once a week for

week, the first insertion being on the

29<sup>th</sup> day of July, 1954, and

the last insertion being on the day of

19, and that not

more than six days intervened between any two publi-  
cations thereof.

Richard G. Bennett

day of

19

in and for Erie County.

**ORDINANCE AMENDMENT**  
(Zoning Board Fees)

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 12th day of July, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**

Benedict T. Holtz, Supervisor  
Stanley Bystrak, Councilman  
Henry J. Nagel, Councilman  
Joseph A. Neibert, Councilman  
Felix T. Wroblewski, Councilman  
Councilman Neibert presented the following resolution and moved its adoption:

**WHEREAS**, this Town Board, at a regular meeting on the 21st day of June, 1954, adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on the 12th day of July, 1954, at 2:30 o'clock, P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability to amend the Zoning Ordinances of the Town of Cheektowaga, New York to fix the fees to be paid for all matters referred to or considered by the Zoning Board of Appeals, to in part reimburse the Town for the expenses incurred in matters referred to or considered by the Zoning Board of Appeals, and

**WHEREAS**, an opportunity was afforded all persons interested in the subject matter to be heard and at the conclusion of said public hearing the Town Board decided that it was in the public interest to amend Section 29, of the Zoning Ordinances of the Town of Cheektowaga, New York, so as to add thereto Paragraph 12, be it

**RESOLVED**, that Section 29 of the Zoning Ordinances of the Town of Cheektowaga, New York, be amended so as to add thereto Paragraph 12 to provide as follows:

**FEES**

Fees to be paid by applicant to the Town Clerk for matters referred to or considered by the Zoning Board of Appeals.

Request for rezoning—\$40.00.

Request for granting of variances, except as to modification of area of rear yards and side yards—\$40.00.

Appeals to the Zoning Board of Appeals—\$40.00.

Applications for permit by public utilities in residence and business district, under Section 17 of the Zoning Ordinances—\$40.00.

Application for side yard and rear yard variances—\$20.00.

**BE IT FURTHER**

**RESOLVED**, that a copy of this resolution, certified by the Town Clerk, shall be entered in the minutes and published at least once in the **CHEEKTOWAGA TIMES**, and the Depew Herald and Cheektowaga News, newspapers having general circulation in said Town and being official newspapers thereof. That the

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

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

Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.

Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 12th day of July 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal, of said Town this 12th day of July, 1954.

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

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication JUL 15 1954; last publication JUL 15 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
day of JUL 19 1954, 19.....

*Eve J. Allis*

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

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



STATE OF NEW YORK )  
COUNTY OF ERIE )

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

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

more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

\_\_\_\_\_ 19\_\_\_\_  
*Hanley*  
Clerk in and for Erie County.

regular meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 1954, adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on the 12th day of July, 1954, at 2:30 o'clock, P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability to amend the Zoning Ordinances of the Town of Cheektowaga, New York to fix the fees to be paid for all matters referred to or considered by the Zoning Board of Appeals, to in part reimburse the Town for the expenses incurred in matters referred to or considered by the Zoning Board of Appeals, and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard and at the conclusion of said public hearing the Town Board decided that it was in the public interest to amend Section 29, of the Zoning Ordinances of the Town of Cheektowaga, New York, so as to add thereto Paragraph 12, be it

RESOLVED, that Section 29 of the Zoning Ordinances of the Town of Cheektowaga, New York, be amended so as to add thereto Paragraph 12 to provide as follows:

- FEEES**
- Fees to be paid by applicant to the Town Clerk for matters referred to or considered by the Zoning Board of Appeals.
  - Request for rezoning ..... \$40.00
  - Request for granting of variances, except as to modification of area of rear yards and side yards. .... \$40.00
  - Appeals to the Zoning Board of Appeals. .... \$40.00
  - Applications for permit by public utilities in residence and business district, under Section 17 of the Zoning Ordinances. .... \$40.00
  - Application for side yard and rear yard variances. ... \$20.00

Be it further RESOLVED, that a copy of this resolution, certified by the Town Clerk, shall be entered in the minutes and published at least once in the CHEEKTOWAGA TIMES, and the DEPEW HERALD and CHEEKTOWAGA NEWS, newspapers having general circulation in said Town and being official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavits of the publication and posting thereof shall be filed with the Town Clerk.

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

Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Bystrak, Voting Aye,  
AYES: 5; NOES: 0; ABSENT: 0  
State of New York )  
Erie County )  
Office of the Clerk of the ) ss: )  
Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 12th day of July, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 12th day of July, 1954.  
KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga, N.Y.

**ORDINANCE AMENDMENT**  
(Zoning Board Fees)

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 12th day of July, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**

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

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for *one* weeks; first publication ..... JUL 15 1954 .....; last publication ..... JUL 15 1954 .....; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

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

*Eve J. Allis*

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

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

Notary Public in and for Erie County. No. 52880

*Wm. J. Harris*

JUL 26 1954

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

.....  
more than six days intervened between any two publi-  
cations thereof.  
....., 19....., and that not  
the last insertion being on the ..... day of  
15th day of July, 1954, and  
..... week, the first insertion being on the  
was inserted and published therein once a week for  
annexed printed slip taken from said newspaper, is a copy,  
towns, Erie County, New York, that notice of which the  
a public newspaper published at Depew, Town of Cheek-

**Herald and News**  
Depew  
Check-towns

.....  
PUBLISHER

being duly sworn, deposes and says that he is the

**RICHARD G. HENNETT**

be  
to  
delay  
protect  
owner  
party  
inter-  
there-

**Female Help Wanted . . .**

Woman to care for 19-month old boy; do laundry, starting Sept. 7th through June. Hours 8:15 to 3:45. Call PL 9182 or 1493 Cleveland Drive. 151y29

Waitress wanted at Blue Sun Diner, Broadway, Lancaster. Good wages. Apply in person. je24tf

Woman wanted to take over established territory in Depew. Write Avon District Manager, Townline Rd., N. Tonawanda, N. Y. jy15

Women to work part-time. Housewives preferred. Does not interfere with home duties. Write Avon District Manager, Townline Rd., Tonawanda, N. Y.

STATE OF NEW YORK  
COUNTY OF ERIE

said Town of Cheektowaga,  
York, on the 12th day of July,  
1954, at 2:30 o'clock.

Joseph A. Nagel, Councilman  
Felix T. Wroblewski, Councilman

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

WHEREAS, this Town Board, at  
a regular meeting on the 21st day  
of June, 1954 adopted a resolu-  
tion that the Town Board meet at  
the Town Hall, corner Union Road  
and Broadway, Cheektowaga, New  
York on the 12th day of July, 1954  
at 2:30 o'clock P.M. Eastern Day-  
light Saving Time, for the purpose  
of considering the advisability of  
repealing Ordinance 3 of the Gen-  
eral Ordinances of the Town of  
Cheektowaga, New York, and

WHEREAS, an opportunity was  
afforded all persons interested in  
the subject matter to be heard and  
at the conclusion of said public  
hearing the Town Board decided  
that it was in the public interest  
to repeal the aforementioned or-  
dinance in its entirety, be it

RESOLVED, that Ordinance 3  
of the General Ordinances of the  
Town of Cheektowaga, New York  
be repealed, that said Ordinance to  
be repealed provide as follows:

ORDINANCE NO. 3

That no person shall sell, expose  
for sale, or give away soft drinks  
within the Town of Cheektowaga  
without first obtaining a soft drink  
license.

The issuance of such licenses  
shall be in the discretion of the  
Town Board, and shall only be is-  
sued 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, ad-  
dress, 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 descrip-  
tion 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 convict-  
ed and penalty imposed. Such ap-  
plication shall be presented 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 frac-  
tion thereof, all licenses to end on  
May 1st of each year.

Any person who sells, offers for  
sale or gives away, soft drinks  
without first obtaining a license  
shall be liable to a fine of not less  
than \$25.00 nor more than \$100.00.

Carried, AYES 5; NOES 0.  
Adopted this 4th day of June,  
1954 by order of the Town Board.

Be it further  
RESOLVED that a copy of this  
resolution, certified by the Town  
Clerk, shall be entered in the min-  
utes and published at least once in  
the CHEEKTOWAGA TIMES, and  
the DEPEW HERALD and  
CHEEKTOWAGA NEWS, news-  
papers having general circulation  
in the said Town and being offic-  
ial 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 affidavits of the pub-  
lication and posting thereof shall  
be filed with the Town Clerk.

Seconded by Councilman Neibert  
and duly put to a vote, which re-  
sulted 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, KEN-  
NETH T. HANLEY, 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 12th day of July, 1954, and that  
the same is a correct and true  
transcript of such original resolu-  
tion and the whole thereof.

In Witness Whereof, I  
have hereunto set my hand  
and affixed the seal of said  
Town this 12th day of  
(seal) July, 1954.  
KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

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

*Richard G. Bennett*

..... day of

..... 19.....

..... and for Erie County.

Item No. 11 This being the time and the place advertised for a public hearing to repeal Ordinance No. 10, which ordinance was adopted by the Town Board July 1, 1940, to License Coin Controlled Amusement Devices. 109

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. No person appeared in opposition to the proposed repealing of Ordinance No. 10, and no person appeared in favor thereof,

The Town Clerk may require such further information as he may deem reasonable necessary. The application shall be verified.

Section 4. Said application shall be referred by the Town Clerk to the Chief of Police for his investigation and recommendation. Such investigation shall include an inquiry as to the reputation of the applicant and the person in responsible charge of the premises upon which the device is proposed to be located, and whether the possession and use of such device is forbidden by Law, the Chief of Police shall return the application to Clerk, with his recommendation as to approval or disapproval.

Section 5. The Town Clerk upon receipt of any such application approved by the Chief of Police, may issue a license to the applicant to place and permit the use upon the premises designated in the application of the coin-controlled amusement device described therein and in the manner therein specified.

A license shall be procured for each device so placed. A metal tag, bearing same number as the license, shall be obtained from the Town Clerk and securely attached to the licensed device.

Section 6. The Town Clerk shall not issue any license hereunder until the sum of Fifteen (\$15.00) Dollars therefor for each licensed device and the sum of One (\$1.00) Dollar for each tag shall expire on the 30th day of June next succeeding the date of its issuance.

Section 7. No license or tag shall be transferable from one device to another, nor from one location to another, without permission in writing from the Town Clerk endorsed upon said license.

Section 8. The Town Clerk may revoke any license or tag issued hereunder in the manner prescribed by law.

Section 9. A person convicted of the violation of this section is punishable by imprisonment in the penitentiary or the County Jail for a term not to exceed ten days or by a fine of not less than Twenty-five (\$25.00) Dollars or not more than One Hundred (\$100.00) Dollars or both.

This ordinance shall take effect beginning with the 1st day of July, 1940.

Adopted by the Town Board of the Town of Cheektowaga, N. Y., May 20, 1940.

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 7th day of May, 1951 at 2:30 o'clock P.M. Eastern Daylight Saving Time, there were:

PRESENT:

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

ABSENT:

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

WHEREAS, the Town Board of the Town of Cheektowaga on May 20, 1940 adopted an Ordinance to license coin-controlled amusement devices not in violation of the State Law; and

WHEREAS, said Ordinance was amended by the Town Board on the 18th day of July, 1949, and

WHEREAS, the licensing of pinball machines is illegal and in violation of the law.

BE IT RESOLVED, that the Ordinance to license coin controlled amusement devices not in violation of State Law, as amended, in so far as it provides for the licensing of

pinball amusement games, be repealed; and

BE IT FURTHER RESOLVED, that no applications for the licensing of pinball amusement games be accepted by the Town Clerk nor any action taken upon an application except to reject it; and

BE IT FURTHER RESOLVED, that all other provisions of said Ordinances as amended, remain in full force and effect, in so far as the same relates to the issuance of licenses for coin controlled amusement devices not in violation of State Law; and

BE IT FURTHER RESOLVED, that the licensing of gambling devices, by whatever name called, is hereby prohibited.

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

Supervisor Holtz, absent.

Councilman Neibert, voting Aye.

Councilman Nagel, voting Aye.

Councilman Bystrak, absent.

Councilman Wroblewski, voting Aye.

AYES: 3 NOES: 0 ABSENT: 2

BE IT FURTHER

RESOLVED, that a copy of this resolution, certified by the Town Clerk, shall be entered in the minutes and published at least once in the CHEEKTOWAGA TIMES, and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavits of the publication and posting thereof shall be filed with the Town Clerk.

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

Supervisor Holtz, voting Aye.

Councilman Nagel, voting Aye.

Councilman Wroblewski, voting Aye.

Councilman Neibert, voting Aye.

Councilman Bystrak, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting on the 21st day of June, 1954 adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of repealing Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York, and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard at the conclusion of said public hearing the Town Board decided that it was in the public interest to repeal the aforementioned ordinance in its entirety, be it

RESOLVED, that Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York be repealed, that said Ordinance to be repealed provide as follows:

Ordinance No. 10

"Ordinance to License Coin Control Amusement Devices not in Violation of State Law."

Section 1. Definitions. The term "person" wherever used in this section shall mean and include one or more individuals, partnership, company, an association of persons and a corporation. The term "coin-controlled amusement device" shall mean and include any mechanical device used or designed to be operated for amusement, by the insertion of a coin, and shall include the type of mechanical devices commonly known as bagatelle, baseball, football and pinball amusement games.

The above enumeration shall not be deemed to be exclusive. Said definition, however, shall exclude any device, the possession or use of which is prohibited by law or for musical purposes only.

Section 2. Notwithstanding any other provision of this chapter, no person after this ordinance takes effect shall place or deliver for use, any coin-controlled amusement device on any premises in the Town of Cheektowaga, or permit the use thereof in any place under his control without a license so to do having first been obtained from the Town Clerk.

Section 3. The owner of any such coin-controlled amusement device, or his duly authorized agent acting in his behalf, who desires to distribute or place any such device for use, shall make application to the Town Clerk for such permission upon blanks to be furnished by him, giving the name and address of the applicant, the name and address of the manufacturer of the device, a detailed description of the mechanical features of the device, the method of its operation, the name and address of the person having responsible charge of the premises upon which the device is proposed to be located, for use and the location of said premises by street and number.

STATE OF NEW YORK  
COUNTY OF ERIE

RICHARD G. BENNETT

duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

ic newspaper published at Depew, Town of Cheek-  
a, Erie County, New York, that notice of which the

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

inserted and published therein once a week for

week, the first insertion being on the

day of July, 1964, and

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

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

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ons thereof.

*Richard G. Bennett*

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Women's League

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ADMISSION \$1.25 PER HOUR  
CHILDREN NOT ADMITTED

Item No. 11 This being the time and the place advertised for a public hearing to repeal Ordinance No. 10, which ordinance was adopted by the Town Board July 1, 1940, to License Coin Controlled Amusement Devices. 129

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. No person appeared in opposition to the proposed repealing of Ordinance No. 10, and no person appeared in favor thereof,

The Town Clerk may require such further information as he may deem reasonable necessary. The application shall be verified.

Section 4. Said application shall be referred by the Town Clerk to the Chief of Police for his investigation and recommendation. Such investigation shall include an inquiry as to the reputation of the applicant and the person in responsible charge of the premises upon which the device is proposed to be located, and whether the possession and use of such device is forbidden by Law, the Chief of Police shall return the application to Clerk, with his recommendation as to approval or disapproval.

Section 5. The Town Clerk upon receipt of any such application approved by the Chief of Police, may issue a license to the applicant to place and permit the use upon the premises designated in the application of the coin-controlled amusement device described therein and in the manner therein specified.

A license shall be procured for each device so placed. A metal tag, bearing same number as the license, shall be obtained from the Town Clerk and securely attached to the licensed device.

Section 6. The Town Clerk shall not issue any license hereunder until the sum of Fifteen (\$15.00) Dollars therefor for each licensed device and the sum of One (\$1.00) Dollar for each tag shall expire on the 30th day of June next succeeding the date of its issuance.

Section 7. No license or tag shall be transferable from one device to another, nor from one location to another, without permission in writing from the Town Clerk endorsed upon said license.

Section 8. The Town Clerk may revoke any license or tag issued hereunder in the manner prescribed by law.

Section 9. A person convicted of the violation of this section is punishable by imprisonment in the penitentiary or the County Jail for a term not to exceed ten days or by a fine of not less than Twenty-five (\$25.00) Dollars or not more than One Hundred (\$100.00) Dollars or both.

This ordinance shall take effect beginning with the 1st day of July, 1940.

Adopted by the Town Board of the Town of Cheektowaga, N. Y., May 20, 1940.

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 7th day of May, 1951 at 2:30 o'clock P.M. Eastern Daylight Saving Time, there were:

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

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

WHEREAS, the Town Board of the Town of Cheektowaga on May 20, 1940 adopted an Ordinance to license coin-controlled amusement devices not in violation of the State Law; and

WHEREAS, said Ordinance was amended by the Town Board on the 18th day of July, 1949, and

WHEREAS, the licensing of pinball machines is illegal and in violation of the law.

BE IT RESOLVED, that the Ordinance to license coin-controlled amusement devices not in violation of State Law, as amended, in so far as it provides for the licensing of

pinball amusement games, be repealed; and

BE IT FURTHER RESOLVED, that no applications for the licensing of pinball amusement games be accepted by the Town Clerk nor any action taken upon an application except to reject it; and

BE IT FURTHER RESOLVED, that all other provisions of said Ordinances as amended, remain in full force and effect, in so far as the same relates to the issuance of licenses for coin controlled amusement devices not in violation of State Law; and

BE IT FURTHER RESOLVED, that the licensing of gambling devices, by whatever name called, is hereby prohibited.

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

Supervisor Holtz, absent.  
Councilman Neibert, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Bystrak, absent.  
Councilman Wroblewski, voting

Aye.  
AYES: 3 NOES: 0 ABSENT: 2  
BE IT FURTHER

RESOLVED, that a copy of this resolution, certified by the Town Clerk, shall be entered in the minutes and published at least once in the CHEEKTOWAGA TIMES, and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavits of the publication and posting thereof shall be filed with the Town Clerk.

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

Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting

Aye.  
Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.  
AYES: 5 NOES: 0 ABSENT: 0

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting on the 21st day of June, 1954 adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of repealing Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York, and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard at the conclusion of said public hearing the Town Board decided that it was in the public interest to repeal the aforementioned ordinance in its entirety, be it

RESOLVED, that Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York be repealed, that said Ordinance to be repealed provide as follows:

**Ordinance No. 10**

"Ordinance to License Coin Control Amusement Devices not in Violation of State Law."

Section 1. Definitions. The term "person" wherever used in this section shall mean and include one or more individuals, partnership, company, an association of persons and a corporation. The term "coin-controlled amusement device" shall mean and include any mechanical device used or designed to be operated for amusement, by the insertion of a coin, and shall include the type of mechanical devices commonly known as bagatelle, baseball, football and pinball amusement games.

The above enumeration shall not be deemed to be exclusive. Said definition, however, shall exclude any device, the possession or use of which is prohibited by law or for musical purposes only.

Section 2. Notwithstanding any other provision of this chapter, no person after this ordinance takes effect shall place or deliver for use, any coin-controlled amusement device on any premises in the Town of Cheektowaga, or permit the use thereof in any place under his control without a license so to do having first been obtained from the Town Clerk.

Section 3. The owner of any such coin-controlled amusement device, or his duly authorized agent acting in his behalf, who desires to distribute or place any such device for use, shall make application to the Town Clerk for such permission upon blanks to be furnished by him, giving the name and address of the applicant, the name and address of the manufacturer of the device, a detailed description of the mechanical features of the device, the method of its operation, the name and address of the person having responsible charge of the premises upon which the device is proposed to be located, for use and the location of said premises by street and number.

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**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

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

*Richard G. Bennett*

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

JUL 26 1954

19.....

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

hn 52 000



Posted as follows on the 17th day of July, 1954:

1- Town Hall Bulletin Board.

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

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

*Willard C. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that ... *he* is  
... *published* ... of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ... *one* weeks; first  
publication ... **JUL 15 1954** ...;  
last publication ... **JUL 15 1954** ...;  
and that no more than six days intervened be-  
tween publications.

*Willard C. Allis*

Sworn to before me this .....

day of ... **JUL 19 1954** ... 19.....

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

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

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

STATE OF NEW YORK

Cheektowaga, Erie County, New York held at the Town Hall in the said Town of Cheektowaga, New York, on the 12th day of July, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, there

RESOLVED: T. Holtz, Supervisor Stanley Systrak, Councilman Henry J. Nagel, Councilman Joseph A. Neubert, Councilman Felix T. Wroblewski, Councilman

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting on the 21st day of June, 1954 adopted a resolution that the Town Board meet at the Town Hall, corner Broadway and Broadway, Cheektowaga, New York on the 12th day of July, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of repealing Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York;

and WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard and at the conclusion of said public hearing the Town Board decided that it was in the public interest to repeal the aforementioned ordinance in its entirety, be it

RESOLVED, that Ordinance No. 10 of the General Ordinances of the Town of Cheektowaga, New York be repealed, that said Ordinance to be repealed provide as follows:

ORDINANCE No. 10 "Ordinance to License Coin Control Amusement Devices not in Violation of State Law."

Section 1. Definitions. The term "person" wherever used in this section shall mean and include one or more individuals, partnership, company, an association of persons and a corporation. The term "coin controlled amusement device" shall mean and include any mechanical device used or designed to be operated for amusement, by the insertion of a coin, and shall include the type of mechanical devices commonly known as bagatelle, baseball, football and pin-ball amusement games.

The above enumeration shall not be deemed to be exclusive and definition, however, shall exclude any device, the possession or use of which is prohibited by law for the musical purposes only.

Section 2. Notwithstanding any other provision of this chapter, no person after this ordinance takes effect shall place or deliver for use any coin-controlled amusement device on any premises in the Town of Cheektowaga, or permit the use thereof in any place under his control without a license to do having first been obtained from the Town Clerk.

Section 3. The owner of any coin-controlled amusement device at his own expense shall register in his name, 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 person in responsible charge of the premises upon which the device is proposed to be located, and whether the possession and use of such device is forbidden by law, the Chief of Police shall return the application within a reasonable time to the Town Clerk, with his recommendation as to approval or disapproval.

Section 5. The Town Clerk upon receipt of any such application approved by the Chief of Police, may issue a license to the applicant to place and permit the use upon the premises designated in the application of the coin-controlled amusement device described therein and in the manner therein specified.

A license shall be procured for each device so placed. A metal tag, bearing same number as the license, shall be obtained from the Town Clerk and securely attached to the licensed device.

Section 6. The Town Clerk shall not issue any license hereunder until the sum of Fifteen (\$15.00) Dollars therefor for each licensed device and the sum of One (\$1.00) Dollar for each tag shall expire on the 30th day of June next succeeding the date of its issuance.

Section 7. No license or tag shall

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER of the

Depew Cheektowaga Herald and News

public newspaper published at Depew, Town of Cheek-

waga, Erie County, New York, that notice of which the

indexed 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

15th day of July, 1954, and

last insertion being on the day of

1954, and that not

more than six days intervened between any two publi-

cations thereof.

Richard G. Bennett

of

for Erie County.

Item No. 12 This being the time and the place advertised for a public hearing for the purpose of repealing Ordinance No. 12, which was adopted by the Town Board June 16, 1951, which Ordinance defines the Removal of Unsafe Buildings.

The Supervisor directed the Town Clerk to present proof of publication of the Notice of the Hearing. The Town Clerk presented proof that such notice has been duly published and posted and upon order of the Supervisor such proof was duly filed.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. No person appeared in opposition to the proposed repealing of Ordinance No. 12, and no person appeared in favor thereof,

Consent of the Town Board to the following resolution and its adoption:

WHEREAS, this Town Board, at a regular meeting on the 21st day of June, 1954 adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of repealing Ordinance No. 12 of the General Ordinances of the Town of Cheektowaga, New York, and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard and at the conclusion of said public hearing the Town Board decided that it was in the public interest to repeal the aforementioned ordinance in its entirety, be it

RESOLVED, that Ordinance No. 12 of the General Ordinances of the Town of Cheektowaga, New York be repealed, that said Ordinance be repealed provide as follows:

Ordinance No. 12  
"ORDINANCE FOR THE REMOVAL OF UNSAFE BUILDINGS"

Proposed Ordinance of the Town of Cheektowaga, Chapter 4, Section 1

Section 1. The owner of any building or other structure, or any part thereof, attached to or connected with any building or other structure or excavation which shall be unsafe so far as to endanger the life shall immediately, upon notice from the Town Clerk, cause the same to be made safe and secure or taken down, and where the public safety requires immediate action persons or corporations as may be directed to do so by a resolution of the Town Board may enter upon the premises with such assistance as may be had to secure or take down or to fill in an excavation without delay, and the passers-by to be protected at the expense of such owner or party interested therein.

2. The Town Board, upon its own initiative or after receipt of a complaint complaining of the dangerous condition of any buildings or excavations, shall designate the Chief of Police or some other suitable person or official to immediately inspect the premises and to report in writing his findings as to the conditions thereof to the Town Board.

3. The Town Board after receiving a report of the inspection of the premises, shall determine from said report whether said buildings or premises is in a dangerous condition and if they so determined, shall direct the Town Clerk to serve a notice in writing upon the owner or some one of the owners, executors, legal representatives, agents, lessees or other person having a vested or contingent interest in the premises, said notice to contain a description of the premises, a statement of the particulars in which the building or structure or excavation is unsafe or dangerous and an order requiring same to be made safe and secure or removed. The person served with such notice shall provide the time within which the person served with such notice shall secure or remove or fill in an excavation, or the filling of the excavation, and the time in which

posting a copy thereof upon the structure or excavation on the premises and by mailing a copy thereof to the owner or some one of the owners, executors, legal representatives, agents, lessees or any other person having a vested or contingent interest in same or by mailing a copy thereof to the owner as named on the latest assessment roll of the Town.

4. The aforesaid notice shall be served at least forty-eight (48) hours before the time designated for the commencement or the finishing of the securing or removal of the buildings or structures or the filling of said excavation. The inspector heretofore appointed by the Town Board shall again inspect the premises at the commencement and completion time as set forth in said notice and shall report to the Town Board whether or not the notice has not been complied with and in the event that the notice has not been complied the Town Board shall then appoint a Board of Surveyors consisting of an inspector and an architect and a practical builder, engineer or architect appointed by person notified as above and in the event of refusal or absence of person so notified to appoint such surveyor, the two surveyors named shall make the survey

Special Term of the Supreme Court in the judicial department in which the property is located for an order determining the building or other structure or excavation to be a public nuisance and directing that it shall be repaired and secured or taken down and removed or filled.

5. The surveyors shall be compensated by a fee not exceeding the sum of \$25.00 per day.

6. All costs and expenses incurred by the Town in connection with the proceedings to remove or secure, including the cost of actually removing said building or structure or filling said excavation shall be assessed against the land on which the said building or structure is located and collected in the same manner as other real estate taxes.

7. This ordinance shall take effect on the 15th day of July, 1951 or as soon thereafter as it may become legally effective.

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

Dated: June 16, 1951.

BE IT FURTHER

RESOLVED that a copy of this resolution, certified by the Town and published at least once in the CHEEKTOWAGA TIMES, and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavits of the publication and posting thereof shall be made by the Town Clerk.

Resolved by Councilman Holtz, Councilman Nagel, voting Aye.

Councilman Holtz, voting Aye.

Councilman Nagel, voting Aye.

Councilman Wroblewski, voting Aye.

Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.

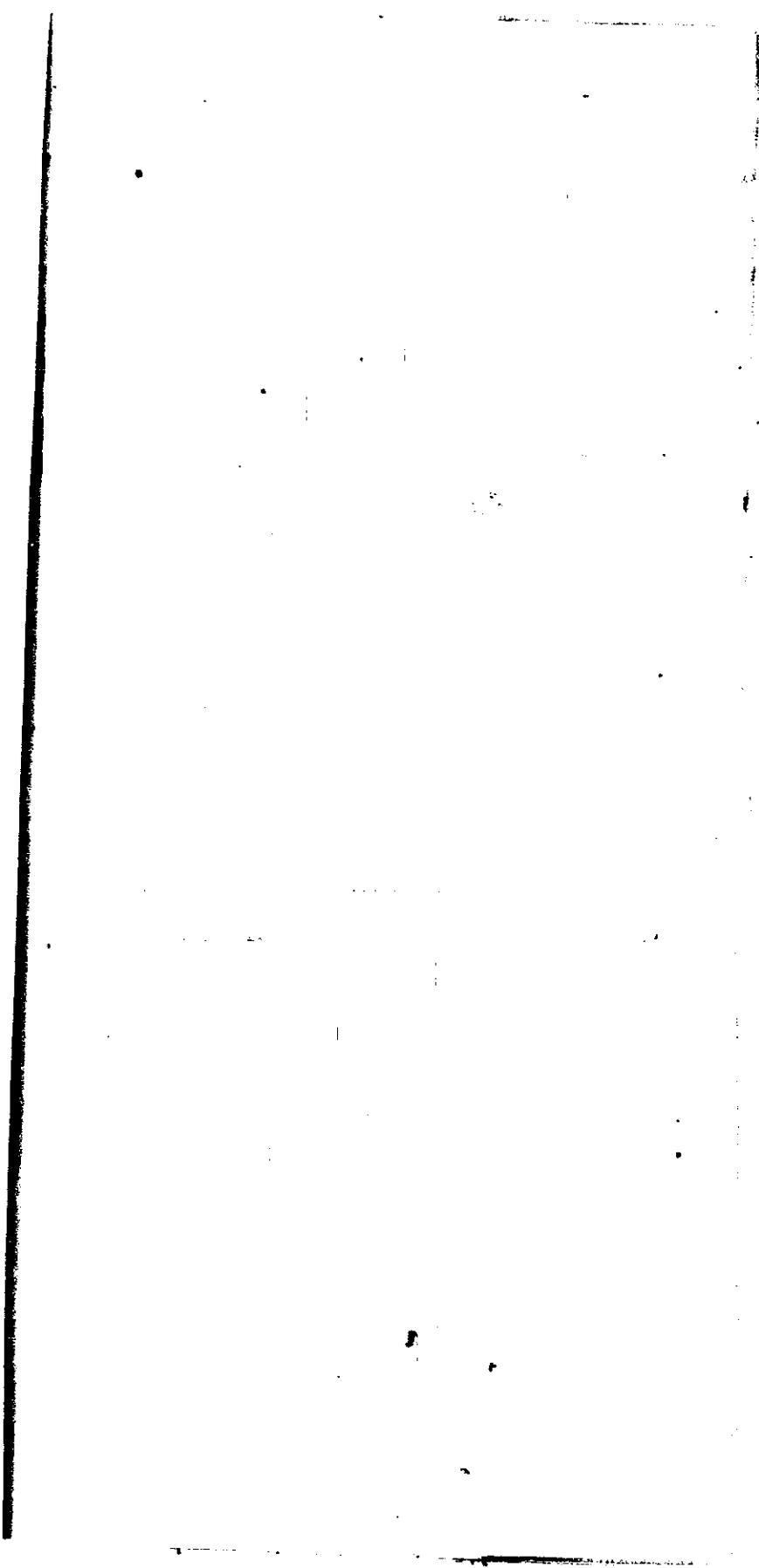
AYES: 5 NOES: 0 ABSENT: 0  
(7-15)

Item No. 12- Cont'd, Posted as follows on the 17th day of July, 1954:

111

1- Town Hall Bulletin Board.

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



Item No. 12 This being the time and the place advertised for a public hearing for the purpose of repealing Ordinance No. 12, which was adopted by the Town Board June 16, 1954, which Ordinance defines the Removal of Unsafe Buildings.

The Supervisor directed the Town Clerk to present proof of publication of the Notice of the Hearing. The Town Clerk presented proof that such notice has been duly published and posted and upon order of the Supervisor such proof was duly filed.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. No person appeared in opposition to the proposed repealing of Ordinance No. 12, and no person appeared in favor thereof.

WHEREAS, this Town Board, at a regular meeting on the 21st day of June, 1954 adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of repealing Ordinance No. 12 of the General Ordinances of the Town of Cheektowaga, New York, and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard and at the conclusion of said public hearing the Town Board decided that it was in the public interest to repeal the aforementioned ordinance in its entirety, be it

RESOLVED, that Ordinance No. 12 of the General Ordinances of the Town of Cheektowaga, New York be repealed, that said Ordinance to be repealed provide as follows:

Ordinance No. 12 "ORDINANCE FOR THE REMOVAL OF UNSAFE BUILDINGS"

Proposed Ordinance of the Town of Cheektowaga, Chapter 4, Section 1, Entitled "Unsafe Buildings, Collapsed Structures and Open Cellars."

1. The owner or other party having an interest in any building, structure or other structure, or anything attached to or connected with any building or other structure or open cellar or excavation which shall be unsafe so far as to endanger life shall immediately, upon notice from the Town Clerk, cause the same to be made safe and secure or taken down, and where the public safety requires immediate action persons or corporations as may be directed to do so by a resolution of the Town Board may enter upon the premises with such assistance as may be had to secure or take down or to fill in an excavation without delay, and the passers-by to be protected at the expense of such owner or party interested therein.

2. The Town Board, upon its own initiative or after receipt of a complaint complaining of the dangerous condition of any buildings or excavations, shall designate the Chief of Police or some other suitable person or official to immediately inspect the premises and to report in writing his findings as to the conditions thereof to the Town Board.

3. The Town Board after receiving a report of the inspection of the premises, shall determine from said report whether said buildings or premises is in a dangerous condition and if they so determined, shall direct the Town Clerk to serve a notice in writing upon the owner or some one of the owners, executors, legal representatives, agents, lessees or other person having a vested or contingent interest in the premises, said notice to contain a description of the premises, a statement of the particulars in which the building or structure or excavation is unsafe or dangerous and an order requiring same to be made safe and secure or removed and shall provide the time within which the person served with such notice may commence the securing or removal of the buildings or structures or the filling of the excavation, and the time in which

posting a copy thereof upon the structure or excavation on the premises and by mailing a copy thereof to the owner or some one of the owners, executors, legal representatives, agents, lessees or any other person having a vested or contingent interest in same or by mailing a copy thereof to the owner as named on the latest assessment roll of the Town.

4. The aforesaid notice shall be served at least forty-eight (48) hours before the time designated for the commencement or the finishing of the securing or removal of the buildings or structures or the filling of said excavation. The inspector heretofore appointed by the Town Board shall again inspect the premises at the commencement and completion time as set forth in said notice and shall report to the Town Board whether or not the notice has not been complied with and in the event that the notice has not been complied the Town Board shall then appoint a Board of Surveyors consisting of an inspector and an architect and a practical builder, engineer or architect appointed by person notified as above and in the event of refusal or neglect of person so notified to appoint such surveyor, the two surveyors named shall make the survey

Special Term of the Supreme Court in the judicial reportment in which the property is located for an order determining the building or other structure or excavation to be a public nuisance and directing that it shall be repaired and secured or taken down and removed or filled.

5. The surveyors shall be compensated by a fee not exceeding the sum of \$25.00 per day.

6. All costs and expenses incurred by the Town in connection with the proceedings to remove or secure, including the cost of actually removing said building or structure or filling said excavation shall be assessed against the land on which the said building or structure is located and collected in the same manner as other real estate taxes.

7. This ordinance shall take effect on the 15th day of July, 1951 or as soon thereafter as it may become legally effective.

By order of the Town Board of the Town of Cheektowaga. Dated: June 16, 1954.

BE IT FURTHER

RESOLVED that a copy of this resolution, certified by the Town and published at least once in the CHEEKTOWAGA TIMES, and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavits of the publication and posting thereof shall be made

Witness my hand and the seal of the Town of Cheektowaga, New York, this 16th day of June, 1954.

Supervisor Holtz, voting Aye. Councilman Nagel, voting Aye. Councilman Wroblewski, voting Aye. Councilman Neibert, voting Aye. Councilman Bystrak, voting Aye. AYES: 5 NOES: 0 ABSENT: 0 (7-15)

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 12th day of July, 1954 at 2:30 o'clock, P.M. Eastern Daylight Saving Time, there were:

PRESENT: Benedict T. Holtz, Supervisor Stanley Bystrak, Councilman Henry J. Nagel, Councilman Joseph A. Neibert, Councilman Felix T. Wroblewski, Councilman Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting on the 21st day of June, 1954 adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of repealing Ordinance No. 12 of the General Ordinances of the Town of Cheektowaga, New York, and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard and at the conclusion of said public hearing the Town Board decided that it was in the public interest to repeal the aforementioned ordinance in its entirety, be it

RESOLVED, that Ordinance No. 12 of the General Ordinances of the Town of Cheektowaga, New York be repealed, that said Ordinance to be repealed provide as follows:

Ordinance No. 12 "ORDINANCE FOR THE REMOVAL OF UNSAFE BUILDINGS"

Proposed Ordinance of the Town of Cheektowaga, Chapter 4, Section 1, Chapter 4 - Entitled "Unsafe Buildings, Collapsed Structures and Open Cellars."

1. The owner or other party having an interest in any building, structure or other structure, or anything attached to or connected with any building or other structure or open cellar or excavation which shall be unsafe so far as to endanger life shall immediately, upon notice from the Town Clerk, cause the same to be made safe and secure or taken down, and where the public safety requires immediate action persons or corporations as may be directed to do so by a resolution of the Town Board may enter upon the premises with such assistance as may be had to secure or take down or to fill in an excavation without delay, and the passers-by to be protected at the expense of such owner or party interested therein.

2. The Town Board, upon its own initiative or after receipt of a complaint complaining of the dangerous condition of any buildings or excavations, shall designate the Chief of Police or some other suitable person or official to immediately inspect the premises and to report in writing his findings as to the conditions thereof to the Town Board.

3. The Town Board after receiving a report of the inspection of the premises, shall determine from said report whether said buildings or premises is in a dangerous condition and if they so determined, shall direct the Town Clerk to serve a notice in writing upon the owner or some one of the owners, executors, legal representatives, agents, lessees or other person having a vested or contingent interest in the premises, said notice to contain a description of the premises, a statement of the particulars in which the building or structure or excavation is unsafe or dangerous and an order requiring same to be made safe and secure or removed and shall provide the time within which the person served with such notice may commence the securing or removal of the buildings or structures or the filling of the excavation and the time in which the notice shall be served by the Town Clerk in the following manner: By posting a copy thereof on the bulletin board in the Town Hall; by posting a copy thereof upon the structure or excavation on the premises and by mailing a copy thereof to the owner or some one of the owners, executors, legal representatives, agents, lessees or any other person having a vested or contingent interest in same or by mailing a copy thereof to the owner as named on the latest assessment roll of the Town.

4. The aforesaid notice shall be served at least forty-eight (48) hours before the time designated for the

Item No. 12- Cont'd . Posted as follows on the 17th day of July, 1954:

1- Town Hall Bulletin Board.

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

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

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

first publication ..... JUL 15 1954 .....  
last publication ..... JUL 15 1954 .....

and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
day of JUL 19 1954, 19.....

*Eve J. Allis*

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

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

Item No. 12 This being the time and the place advertised for a public hearing for the purpose of repealing Ordinance No. 12, which was adopted by the Town Board June 16, 1941, which Ordinance defines the Removal of Unsafe Buildings.

The Supervisor directed the Town Clerk to present proof of publication of the Notice of the Hearing. The Town Clerk presented proof that such notice has been duly published and posted and upon order of the Supervisor such proof was duly filed.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. No person appeared in opposition to the proposed repealing of Ordinance No. 12, and no person appeared in its

WHEREAS, this Town Board, at a regular meeting on the 21st day of June, 1954 adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of repealing Ordinance No. 12 of the General Ordinances of the Town of Cheektowaga, New York, and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard and at the conclusion of said public hearing the Town Board decided that it was in the public interest to repeal the aforementioned ordinance in its entirety, be it

RESOLVED, that Ordinance No. 12 of the General Ordinances of the Town of Cheektowaga, New York be repealed, that said Ordinance be repealed provide as follows:

**Ordinance No. 12  
"ORDINANCE FOR THE REMOVAL OF UNSAFE BUILDINGS"**

Proposed Ordinance of the Town of Cheektowaga, Chapter 4, Section 1, Article 6 - Building and Construction Code.

1. The owner of any building or other structure, or any part thereof, attached to or connected with any building or other structure or excavation which shall be unsafe so far as to endanger the public immediately, upon notice from the Town Clerk, cause the same to be made safe and secure or taken down, and where the public safety requires immediate action persons or corporations as may be directed to do so by a resolution of the Town Board may enter upon the premises with such assistance as may be had to secure or take down or to fill in an excavation without delay, and the passers-by to be protected at the expense of such owner or party interested therein.

2. The Town Board, upon its own initiative or after receipt of a complaint complaining of the dangerous condition of any buildings or excavations, shall designate the Chief of Police or some other suitable person or official to immediately inspect the premises and to report in writing his findings as to the conditions thereof to the Town Board.

3. The Town Board after receiving a report of the inspection of the premises, shall determine from said report whether said buildings or premises is in a dangerous condition and if they so determined, shall direct the Town Clerk to serve a notice in writing upon the owner or some one of the owners, executors, legal representatives, agents, lessees or other person having a vested or contingent interest in the premises, said notice to contain a description of the premises; a statement of the particulars in which the building or structure or excavation is unsafe or dangerous and an order requiring same to be made safe and secure or removed. The Town Board shall provide the time within which the person served with such notice shall cause the same to be secured or removed or the filling of the excavation and the time in which

posting a copy thereof upon the structure or excavation on the premises and by mailing a copy thereof to the owner or some one of the owners, executors, legal representatives, agents, lessees or any other person having a vested or contingent interest in same or by mailing a copy thereof to the owner as named on the latest assessment roll of the Town.

4. The aforesaid notice shall be served at least forty-eight (48) hours before the time designated for the commencement or the finishing of the securing or removal of the buildings or structures or the filling of said excavation. The inspector heretofore appointed by the Town Board shall again inspect the premises at the commencement and completion time as set forth in said notice and shall report to the Town Board whether or not the notice has not been complied with and in the event that the notice has not been complied the Town Board shall then appoint a Board of Surveyors consisting of an inspector and an architect and a practical builder, engineer or architect appointed by person notified as above and in the event of refusal or neglect of person so notified to appoint such surveyor, the two surveyors named shall make the survey

Special Term of the Supreme Court in the judicial department in which the property is located for an order determining the building or other structure or excavation to be a public nuisance and directing that it shall be repaired and secured or taken down and removed or filled.

5. The surveyors shall be compensated by a fee not exceeding the sum of \$25.00 per day.

6. All costs and expenses incurred by the Town in connection with the proceedings to remove or secure, including the cost of actually removing said building or structure or filling said excavation shall be assessed against the land on which the said building or structure is located and collected in the same manner as other real estate taxes.

7. This ordinance shall take effect on the 15th day of July, 1951 or as soon thereafter as it may become legally effective.

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

Dated: June 16, 1951.

BE IT FURTHER

RESOLVED that a copy of this resolution, certified by the Town and published at least once in the CHEEKTOWAGA TIMES, and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavits of the publication and posting thereof shall be filed with the Town Clerk.

Seconded by Councilman Wroblewski and duly put to a vote, which resulted as follows:  
Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.  
AYES: 5 NOES: 0 ABSENT: 0  
(7-15)

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, 1951 or as soon thereafter as it may become legally effective.

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

Dated: June 16, 1951.

BE IT FURTHER

RESOLVED that a copy of this resolution, certified by the Town and published at least once in the CHEEKTOWAGA TIMES, and the Depew Herald and Cheektowaga News, newspapers having general circulation in the said Town and being official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavits of the publication and posting thereof shall be filed with the Town Clerk.

Seconded by Councilman Wroblewski and duly put to a vote, which resulted as follows:  
Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.  
AYES: 5 NOES: 0 ABSENT: 0  
(7-15)

...Town of Cheektowaga in said County of Erie, on the 12th day of July, 1954, and the same is a correct and true transcript of such original resolution and the whole thereof.  
 In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 12th day of July, 1954.  
 KENNETH T. HANLEY,  
 Clerk of the Town Board,  
 Town of Cheektowaga, N. Y.

...which you are engaged in...  
 3. NO metal or hard or sharp spikes allowed in Junior Age groups, just rubber or soft composition soles. Spikes optional in intermediates and Seniors.  
 VILLAGE PROGRAM  
 BASEBALL SCHEDULES  
 Middlets - 10:30 a.m.  
 Thurs, July 15: Colonial Bakers vs N. Side at N. Junior.  
 Thurs, July 15: Depew Merchants vs DBC at Central.  
 Tues, July 20: SPP vs Colonial Bakers\* at North Junior.  
 Tues, July 20: Depew Merchants vs Kicks at Central.  
 Thurs, July 22: DBC vs N. Side at North Junior.  
 Thurs, July 22: SPP vs Depew Merchants at Central.  
 Juniors - 10:30 a.m.  
 Mon, July 19: Teenagers vs ... at North Junior.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the 15th day of July, 1954, and the last insertion being on the ..... day of ....., 19....., and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

JUL 26 1954 19.....

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

no 52000



Item No. 13 Councilman Bystrak presented the following resolution and moved its adoption: 142

RESOLVED, that the Town Clerk be and he is hereby authorized and ordered to direct the New York State Gas & Electric Company to install 2500 lumen lights on Poles 5 and 15 situated on Grunner Road in the Town of Cheektowga, and be it further

RESOLVED, that the New York State Gas & Electric Company be directed to remove the 1000 lumen lights and replace with 2500 lumen lights at town expense from the following poles all situated on William Street;

Poles 126;129;132;157-1; 159  $\frac{1}{4}$  and 162

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

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

WHEREAS immediate repairs were required on elevator at the Incinerator and Campbell Elevator Company, Inc., made the necessary repairs and the cost thereof amounted to \$122.99, be it

RESOLVED, that said sum of \$122.99 be paid to Campbell Elevator Company, Inc.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

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

RESOLVED, that the request of Chief Henfling of the U-Crest Hose Company to have Evergreen Street closed to traffic from in front of the Fire House to a point approximately 500 feet west from Friday evening at 6 P.M. to Monday evening at 6 P.M., be granted, and

BE IT FURTHER RESOLVED, that the Supervisor issue to the U-Crest Hose Company a permit to operate a sound car in connection with their Annual Picnic to be held on August 7th and 8th, 1954.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

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

RESOLVED, that the request of Cheektowaga Post No. 2429 to operate a carnival on its grounds on August 7th and 8th, 1954, be granted, and

BE IT FURTHER RESOLVED, that the Supervisor be authorized and directed to issue a permit to the Post for the use of a Sound Car on the above mentioned dates.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

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

RESOLVED, that the Town of Cheektowaga install the following signs:

Children at Play signs 1 at each end of Kendale Road;

2 Children at Play signs on Westchester Street;

1 Children at Play sign on Wagner Avenue;

2 Children at Play signs on Maryilyn Drive;

1 Boulevard Stop Sign at Glenwood and Fernwood Street, traffic to stop for Glenwood Street;

2 Boulevard Stop signs at Ravenswood and Manlon Terrace, traffic to stop for Manlon Terrace.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

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

RESOLVED, that the request of the Fire Commissioners of the Cleveland Hill Fire District No. 6 for hydrants to be installed in front of premises known as:

1- In front of No. 62 Susan Lane;

2- At the corner of Huth Road and Susan Lane;

3- In front of No. 14 Elaine Court;

be granted and that the Erie County Water Authority be requested to install the hydrants and that certified copies of this resolution be forwarded to the Cleveland Hill Fire District and to the Erie County Water Authority.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

STATE OF NEW YORK  
COUNTY OF ERIE

at the 21st 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

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting on the 21st day of June, 1954, adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York on the 12th day of July, 1954 at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of repealing Ordinance No. 12 of the General Ordinances of the Town of Cheektowaga, New York, and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard and at the conclusion of said public hearing the Town Board decided that it was in the public interest to repeal the aforementioned ordinance in its entirety, be it

RESOLVED, that Ordinance No. 12 of the General Ordinances of the Town of Cheektowaga, New York be repealed, that said Ordinance to be repealed provide as follows:

ORDINANCE No. 12  
"Ordinance For The Removal of Unsafe Buildings"

Proposed Ordinance of the Town of Cheektowaga, Chapter 4, Section 1 Chapter 4 - Entitled "Unsafe Buildings, Collapsed Structures and Open Cellars".

1. The owner or other party having an interest in any building, structure or other structure, or anything attached to or connected with any building or other structure or open cellar or excavation which shall be unsafe so far as to endanger life shall immediately, upon notice from the Town Clerk, cause the same to be made safe and secure or taken down, and where the public safety requires immediate action persons or corporations as may be directed to do so by a resolution of the Town Board may enter upon the premises with such assistance as may be had to secure or take down or to fill in an excavation without delay, and the passers by to be protected at the expense of such owner or party interested, there-

The Town Board, upon its initiative or after receipt of complaint complaining of the unsafe condition of any build-

ing suitable person or official to immediately inspect the premises and to report in writing his findings as to the conditions thereof to the Town Board.

3. The Town Board after receiving a report of the inspection of the premise, shall determine from said report whether said building or premises is in a dangerous condition and if they so determined, shall direct the Town Clerk to serve a notice in writing upon the owner or some one of the owners, executors, legal representatives, agents lessees or other person having a vested or contingent interest in the premises, said notice to contain a description of the premises, a statement of the particulars in which the building or structure or excavation is unsafe or dangerous and an order requiring same to be made safe and secure or removed and shall provide the time within which the person served with such notice may commence the securing or removal of the buildings or structures or the filling of the excavation and the time in which it shall be completed.

The notice shall be served by the Town Clerk in the following manner:

By posting a copy thereof on the bulletin board in the Town Hall; by posting a copy thereof upon the structure or excavation on the premises and by

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for week, the first insertion being on the 15th day of July, 1954, and the last insertion being on the day of 1954, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

day of

19

Public in and for Erie County.

Item No. 13 Councilman Bystrak presented the following resolution and moved its adoption: 1 2

RESOLVED, that the Town Clerk be and he is hereby authorized and ordered to direct the New York State Gas & Electric Company to install 2500 lumen lights on Poles 5 and 15 situated on Grunner Road in the Town of Cheektowga, and be it further

RESOLVED, that the New York State Gas & Electric Company be directed to remove the 1000 lumen lights and replace with 2500 lumen lights at town expense from the following poles all situated on William Street;

Poles 126;129;132;157-1; 159  $\frac{1}{4}$  and 162

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

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

WHEREAS immediate repairs were required on elevator at the Incinerator and Campbell Elevator Company, Inc., made the necessary repairs and the cost thereof amounted to \$122.99, be it

RESOLVED, that said sum of \$122.99 be paid to Campbell Elevator Company, Inc.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

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

RESOLVED, that the request of Chief Henfling of the U-Crest Hose Company to have Evergreen Street closed to traffic from in front of the Fire House to a point approximately 500 feet west from Friday evening at 6 P.M. to Monday evening at 6 P.M., be granted, and

BE IT FURTHER RESOLVED, that the Supervisor issue to the U-Crest Hose Company a permit to operate a sound car in connection with their Annual Picnic to be held on August 7th and 8th, 1954.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

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

RESOLVED, that the request of Cheektowaga Post No. 2429 to operate a carnival on its grounds on August 7th and 8th, 1954, be granted, and

BE IT FURTHER RESOLVED, that the Supervisor be authorized and directed to issue a permit to the Post for the use of a Sound Car on the above mentioned dates.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

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

RESOLVED, that the Town of Cheektowaga install the following signs:

- Children at Play signs 1 at each end of Kendale Road;
- 2 Children at Play signs on Westchester Street;
- 1 Children at Play sign on Wagner Avenue;
- 2 Children at Play signs on Maryilyn Drive;
- 1 Boulevard Stop Sign at Glenwood and Fernwood Street, traffic to stop for Glenwood Street;
- 2 Boulevard Stop signs at Ravenswood and Manlon Terrace, traffic to stop for Manlon Terrace.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

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

RESOLVED, that the request of the Fire Commissioners of the Cleveland Hill Fire District No. 6 for hydrants to be installed in front of premises known as:

- 1- In front of No. 62 Susan Lane;
- 2- At the corner of Huth Road and Susan Lane;
- 3- In front of No. 14 Elaine Court;

be granted and that the Erie County Water Authority be requested to install the hydrants and that certified copies of this resolution be forwarded to the Cleveland Hill Fire District and to the Erie County Water Authority.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

posting a copy thereof on the bulletin board in the Town Hall; by posting a copy thereof upon the structure or excavation on the premises and by mailing a copy thereof to the owner or some one of the owners, executors, legal representatives, agents, lessees or any other person having a vested or contingent interest in same or by mailing a copy thereof to the owner as named on the latest assessment roll of the Town.

4. The aforesaid notice shall be served at least forty-eight hours (48) before the time designated for the commencement or the finishing of the securing or removal of the buildings or structures or the filling of said excavation. The inspector heretofore appointed by the Town Board shall again inspect the premises at the commencement and completion time as set forth in said notice and shall report to the Town Board whether or not the notice has not been complied with and in the event that the notice has not been complied the Town Board shall then appoint a Board of Surveyors consisting of an inspector and an architect and a practical builder engineer or architect appointed by person notified as above and in the event of refusal or neglect of person so notified to appoint such surveyor, the two surveyors named shall make the survey and report to the Town Board.

The notice shall further state that in the event that the building or other structures shall be reported unsafe or dangerous under such survey that an application will be made at a Special Term of the Supreme Court in the judicial department in which the property is located for an order determining the building or other structure or excavation to be a public nuisance and directing that it shall be repaired and secured or taken down and removed or filled.

5. The surveyors shall be compensated by a fee not exceeding the sum of \$25.00 per day.

6. All costs and expenses incurred by the Town in connection with the proceedings to remove or secure, including the cost of actually removing said building or structure or filling said excavation shall be assessed against the land on which the said building or structure is located and collected in the same manner as other real estate taxes.

7. This ordinance shall take effect on the 15th day of July 1954 or as soon thereafter as it may become legally effective.

By order of the Town Board of the Town of Cheektowaga.  
Dated: June 15, 1954

Be it further  
RESOLVED that a copy of this resolution, certified by the Town Clerk, shall be entered in the minutes and published at least once in the CHEEKTOWAGA TIMES, and the DEPEW HERALD and CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavits of the publication and posting thereof shall be filed with the Town Clerk.

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

Supervisor Holtz, Voting Aye  
Councilman Nagel, Voting Aye  
Councilman Wroblewski, Voting Aye

Councilman Nelbert, Voting Aye  
Councilman Bystrak, Voting Aye  
Ayes, Noes 0, Absent 0, Carried.

State of New York )  
Erie County )  
Office of the Clerk of the ) 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 now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 12th day of July, 1954, and the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 12th day of July, 1954.

(seal) KENNETH T. HANLEY,  
Clerk of the Town Board,  
July 15 Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the 15th day of July, 1954, and the last insertion being on the ..... day of ....., 19....., and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

day of

19

T. Hanley  
Public in and for Erie County.

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

RESOLVED, that the request of the Fire Commissioners of U-Crest Fire District No. 4 for hydrants to be installed as follows:

Hydrant at south west corner of Lot No. 42 on Geo. Urban Boulevard;

Hydrant on south west corner of Lot No. 74 on Geo. Urban Blvd.;

Hydrant in the center of Lot No. 10 and the center of lot No. 83 on Miami Parkway;

be granted, and that the Erie County Water Authority be requested to install the hydrants and that certified copies of this resolution be forwarded to the U-Crest Fire District No. 4 and to the Erie County Water Authority.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-

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

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

Seconded by Councilman Neibert.

CARRIED: AYES: -5-

Item No. 21 ~~Mr. Bystrak offered the following resolution and moved its adoption:~~ **WOODLAND TERRACE STREET LIGHTING EQUIPMENT**

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

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 15th day of March, 1954.

PUBLIC HIGHWAYS TO BE IMPROVED

Woodland Terrace—From Huth Road to End of Street.

TYPE OF STREET LIGHTING INSTALLATION

Y-20 Standards—Underground Conduit.

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

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

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

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

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

as follows:  
Councilman Nagel, Voting Aye,  
Councilman Wroblewski,

Councilman Neibert, Voting Aye,

Councilman Bystrak, Voting Aye,

Supervisor Moltz, Voting Aye.

AYES: 5; NOES: 0; ABSENT: 0

Item No. 21- Cont'd

Posted as follows on the 22nd day of July, 1954;

- 1- Post at the corner of Woodland Terrace and Huth Road; 143
- 2- Post in front of No. 86 Woodland Terrace;
- 3- Tree in front of No. 70 Woodland Terrace;
- 4- Tree in front of No. 54 Woodland Terrace;
- 5- Tree in front of No. 21 Woodland Terrace.

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

Notary Public in and for Erie County

6 1954

Sworn to before me this day of

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

**Herald and News**  
Depew  
Cheektowaga

of the  
FORISHER

being duly sworn, deposes and says that he is the

HOWARD G. BENNETT

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

Item No.

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 28th day of June, 1954.

**PUBLIC HIGHWAYS TO BE IMPROVED**  
 McNaughton Avenue— From Tillotson Avenue, to End of Street.  
**TYPE OF STREET LIGHTING INSTALLATION**  
 Y-20 Standards — Underground Conduit.

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

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

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

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

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

Councilman Nagel, Voting Aye.  
 Councilman Wroblewski, Voting Aye.  
 Councilman Neibert, Voting Aye.  
 Councilman Bystrak, Voting Aye.  
 Supervisor Foltz, Voting Aye.  
**AYES: 5; NOES: 0; ABSENT: 0**

Hooked as follows on the 22nd day of July, 1954;

- 1- Post at the corner of McNaughton Avenue and Tillotson Avenue;
- 2- Telephone Pole No. 15 on McNaughton Avenue;
- 3- Telephone Pole No. 16 on McNaughton Avenue;
- 4- Post in front of No. 124 McNaughton Avenue;
- 5- Post in front of No. 120 McNaughton Avenue.



STATE OF NEW YORK  
COUNTY OF ERIE

Cheektowaga  
York, on  
Time there:  
Benedict T. Holtz, Supervisor  
Henry J. Nagel, Councilman,  
Felix T. Wroblewski,  
Councilman  
Joseph A. Neibert, Councilman,  
Stanley R. Bystrak, Councilman  
ABSENT: 0.

Mr. Bystrak offered the following resolution and moved its adoption:  
WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 15th day of March, 1954.

**PUBLIC HIGHWAYS TO BE IMPROVED**  
Woodland Terrace—From Huth Road to End of Street.  
**TYPE OF STREET LIGHTING INSTALLATION**  
Y-20 Standards—Underground Conduit.

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

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 2nd day of August, 1954, at 8:30 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

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

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

Councilman Nagel, Voting Aye,  
Councilman Wroblewski,  
Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Bystrak, Voting Aye,  
Councilman Holtz, Voting Aye,  
5; NOES: 0; ABSENT: 0  
York )

Clerk of the )  
Town of Cheektowaga )  
This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 12th day of July, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 12th day of July, 1954.  
KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for week, the first insertion being on the 15th day of July, 1954, and the last insertion being on the day of 1954, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

day of 1954  
Public in and for Erie County.

**NOTICE OF HEARING MCNAUGHTON AVENUE FROM TILLOTSON AVENUE TO END OF STREET \* STREET LIGHTING EQUIPMENT**

**WHEREAS**, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 28th day of June, 1954.

**PUBLIC HIGHWAYS TO BE IMPROVED**  
McNaughton Avenue— From Tillotson Avenue, to End of Street.  
**TYPE OF STREET LIGHTING INSTALLATION**  
Y-20 Standards — Underground Conduit.

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

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

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

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

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

Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Byrns, Voting Aye,  
Supervisor Foltz, Voting Aye.  
**AYES: 5; NOES: 0; ABSENT: 0**

Posted as follows on the 22nd day of July, 1954;

- 1- Post at the corner of McNaughton Avenue and Tillotson Avenue;
- 2- Telephone Pole No. 15 on McNaughton Avenue;
- 3- Telephone Pole No. 16 on McNaughton Avenue;
- 4- Post in front of No. 124 McNaughton Avenue;
- 5- Post in front of No. 120 McNaughton Avenue.

Item No. 22-Cont'd Hereto attached is a copy of the notice published in the Cheektowaga Times and the Depew Herald-Cheektowaga News;

HEARING  
Petition  
of the Town  
of Cheektowaga,  
New York, held at the  
Town of Cheek-  
towaga on July, 1954,  
Eastern Daylight  
were:  
  
Supervisor  
Councilman  
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Councilman  
Councilman

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of the Town of  
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on the 28th day

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of Street.  
ET LIGHTING  
ATION

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

WILLARD C. ALLIS, of the Town of Cheekto-  
waga, in said County of Erie, being duly sworn,  
deposes and says that he is the publisher of the  
Cheektowaga Times, a public newspaper pub-  
lished weekly in said Town; that the notice, of  
which the annexed printed slip, taken from said  
newspaper is a copy, was inserted and published  
in said paper once a week for one weeks;  
first publication JUL 15 1954  
last publication JUL 15 1954;  
and that no more than six days intervened be-  
tween publications.

*Willard C. Allis*

Sworn to before me this.....  
day of JUL 19 1954, 19.....

*Eve J. Allis*

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 19 55  
Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

Bystrak, Voting Ave.  
Holt, Voting Ave.  
New York

KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 12th day of July, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 12th day of July, 1954.

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

at the County Clerk's Office, Erie County, New York, this 26th day of July, 1954.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ..... week, the first insertion being on the 15th day of July, 1954, and the last insertion being on the ..... day of ....., 19....., and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

JUL 26 1954

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

no 520020

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 17th day of May, 1954.

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 17th day of May, 1954.

**PUBLIC HIGHWAYS TO BE IMPROVED**

Oehman Blvd— From Huth Road, to End of Street.

**TYPE OF STREET LIGHTING INSTALLATION**

Y-20 Standards — Underground Conduit.

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

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

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

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

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

Councilman Nagel, Voting Aye,  
Councilman Wroblewski,

Voting Aye,

Councilman Nebert, Voting Aye,  
Councilman Bystrik, Voting Aye,  
Supervisor Holtz, Voting Aye.

AYES: 5; NOES: 0; ABSENT: 0

Posted as follows on the 22nd day of July, 1954;

- 1- Telephone No. 256 on Oehman Blvd.;
- 2- Post at the corner of Oehman Blvd. and Huth Road;
- 3- Tree in front of No. 35 Oehman Blvd.;
- 4- Tree in front of No. 28 Oehman Blvd.;
- 5- Post in front of No. 15 Oehman Blvd.;

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



Art Young & Deane  
Pulling Contest 3  
SUNDAY FEATURES  
NORTH of ...  
SUN JULY 17  
Annual  
N-STEEL ... & GU

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

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

cations thereof.  
Richard G. Bennett

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

JUL 26 1954, 19.....

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

IN 52 8800

July 12, 1954

Hon. Town Board  
Town Hall  
Cheektowaga, N. Y.

Gentlemen:

This is to advise you that I have inspected the Highways as follows--

Farmingdale Rd. running from Fairhaven Dr. to Greenway Blvd. Glendale Lane running from Farmingdale Rd. to Greenway Blvd. Fairhaven Dr. running from Farmingdale Rd. to Cleveland Dr. and Greenway Blvd. running from Princeton Ct. to Fairhaven Dr.

I wish to state that they all meet with the specifications set forth by the Town. Therefore: I ask your Hon. Body to accept these Highways as above described, afterwhich, will be maintained by the Highway Department of the Town of Cheektowaga.

hoping you will apply your attention to this matter, I am.

Respectfully yours

John J. Zablotny

Sup't of Highways  
Town of Cheektowaga

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, the Town Highway Superintendent has notified the Town Board that Farmingdale Road, commencing at its intersection with Fairhaven Drive and extending in a generally easterly direction to Greenway Blvd; also Glendale Lane commencing at Farmingdale Road and extending in a generally northerly direction to Greenway Blvd; also Fairhaven Drive commencing at Farmingdale Road and extending in a northeasterly direction to Cleveland Drive, have been paved in accordance with the minimum specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, and has recommended the acceptance of said highways as town highways, be it

RESOLVED, that Farmingdale Road, commencing at its intersections with Fairhaven Drive and extending in a generally easterly direction to Greenway Blvd; also Glendale Lane, commencing at Farmingdale Road and extending in a generally northerly direction to Greenway Blvd.; also Fairhaven Drive, commencing at Farmingdale Road and extending in a northeasterly direction to Cleveland Drive be accepted as town highways, subject to the jurisdiction of the Town Highway Superintendent, and that the Town Attorney be authorized to record in the Erie County Clerk's Office a deed to said highways.

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

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

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 25

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, the Personel Officer of Erie County has certified to the Town Board that Walter H. Lucas, V. N. Lichtenthal and Henry R. Gabryszak, Sloan, New York, successfully passed a civil service examination for the postion of Telephone Operator and Police Dispatcher and are eligible for appointment, and

WHEREAS, there is now need that two be appointed,



STATE OF NEW YORK  
COUNTY OF ERIE

York, and at the Town Hall, in  
said Town of Cheektowaga, New  
York, on the 12th day of July,  
1954, at 2:30 P.M. Eastern  
Daylight Saving Time, were:

PRESENT:  
Benedict  
Henry J.  
Felix T.

Councilman  
Joseph A.  
Stanley

ABSENT:  
Mr. Bystrak

WHEREAS, a petition for the  
improvement of the sides of the  
public highways owned by the  
Consolidated Light and Power  
of the Town of Cheektowaga, here-  
inafter referred to as "the  
petitioner", by the installation of street lighting  
equipment, particularly  
described and mentioned in this  
Town Board resolution of the 17th day of  
May, 1954, is on file at the  
TOWN BOARD OFFICE TO BE

Public in and for Erie County

TYPE OF STREET LIGHTING  
INSTALLATION  
Underground

Standard

Standard

Standard

Standard

Standard

Standard

Standard

Standard

Standard

Standard

Standard

Standard

Standard

Standard

Standard

Standard

Standard

Standard

Standard

Standard

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Standard

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

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

*Richard G. Bennett*

day of

1954, 19.....

*Hanley*  
Public in and for Erie County.

NOW, THEREFORE, IT IS  
HEREBY ORDERED that the  
Town Board of the Town of  
Cheektowaga meet at the Town  
Hall in said Town of Cheekto-  
waga on the 2nd day of August,  
1954, at 2:30 P.M. Eastern Day-  
light Saving Time to consider the  
said petition and to hear all per-  
sons interested in the subject  
thereof concerning the same, and  
IT IS FURTHER ORDERED  
that a copy of this order, certified  
by the Town Clerk, be published  
at least once in the Depew Herald  
and Cheektowaga News, and the  
Cheektowaga Times, the official  
newspapers of the Town, not less  
than ten (10) nor more than  
twenty (20) days before the date  
set herein for the hearing afore-  
said and that copies of this order  
be posted conspicuously in five  
public places on each of the said  
highways to be improved not less  
than ten (10) nor more than twen-  
ty (20) days before the day des-  
ignated for the hearing as afore-  
said.

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

Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Bystrak, Voting Aye,  
Supervisor Holtz, Voting Aye,  
AYES: 5; NOES: 0; ABSENT: 0

State of New York )  
Erie County )  
Office of the Clerk of the ) ss:  
Town of Cheektowaga )

This is to certify that I, KEN-  
NETH T. HANLEY, Clerk of the  
Town of Cheektowaga, in the said  
County of Erie, have compared  
the foregoing copy of resolution  
with the original resolution now  
on file at this office, and which  
was passed by the Town Board of  
the Town of Cheektowaga in said  
County of Erie, on the 12th day of  
July, 1954, and that the same is a  
correct and true transcript of such  
original resolution and the whole  
thereof.

In Witness Whereof, I  
have hereunto set my  
hand and affixed the seal  
of said Town this 12th day  
of July, 1954.

KENNETH T. HANLEY,  
Clerk of the Town Board,

Town of Cheektowaga, N. Y.

1915

July 12, 1954

Hon. Town Board  
Town Hall  
Cheektowaga, N. Y.

Gentlemen:

This is to advise you that I have inspected the Highways as follows--

Farmingdale Rd. running from Fairhaven Dr. to Greenway Blvd. Glendale Lane running from Farmingdale Rd. to Greenway Blvd. Fairhaven Dr. running from Farmingdale Rd. to Cleveland Dr. and Greenway Blvd. running from Princeton Ct. to Fairhaven Dr.

I wish to state that they all meet with the specifications set forth by the Town. Therefore: I ask your Hon. Body to accept these Highways as above described, after which, they will be maintained by the Highway Department of the Town of Cheektowaga.

Hoping you will apply your attention to this matter, I am.

Respectfully yours

John J. Zablotny

Sup't of Highways  
Town of Cheektowaga

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, the Town Highway Superintendent has notified the Town Board that Farmingdale Road, commencing at its intersection with Fairhaven Drive and extending in a generally easterly direction to Greenway Blvd; also Glendale Lane commencing at Farmingdale Road and extending in a generally northerly direction to Greenway Blvd; also Fairhaven Drive commencing at Farmingdale Road and extending in a northeasterly direction to Cleveland Drive, have been paved in accordance with the minimum specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, and has recommended the acceptance of said highways as town highways, be it

RESOLVED, that Farmingdale Road, commencing at its intersections with Fairhaven Drive and extending in a generally easterly direction to Greenway Blvd; also Glendale Lane, commencing at Farmingdale Road and extending in a generally northerly direction to Greenway Blvd.; also Fairhaven Drive, commencing at Farmingdale Road and extending in a northeasterly direction to Cleveland Drive be accepted as town highways, subject to the jurisdiction of the Town Highway Superintendent, and that the Town Attorney be authorized to record in the Erie County Clerk's Office a deed to said highways.

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

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

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 25

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, the Personnel Officer of Erie County has certified to the Town Board that Walter H. Lucas, V. N. Lichtenthal and Henry R. Gabryszak, Sloan, New York, successfully passed a civil service examination for the position of Telephone Operator and Police Dispatcher and are eligible for appointment, and

WHEREAS, there is now need that two be appointed,

BE IT RESOLVED. that Walter H. Lucas No. and Henry R. Gabryszak No. , Sloan, New York, be appointed Telephone Operators and Police Dispatchers for the Town of Cheektowaga, New York, at a annual salary of \$3,400 payable in semi-monthly installments. Seconded by Councilman Neibert.

CARRIED: Ayes: -5-

Item No. 26

Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that the request of the Niagara Frontier Transit Company to locate a turn-around at Broadway and Michael Street and to operate its buses from Wagner Avenue to a point approximately 75 feet east of Michael Street, be granted, upon condition that it erect on the premises toilet facilities for its employees. No passengers are to be carried from Wagner Avenue and Michael Street.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Excused from voting
Supervisor Holtz	Voting AYE

Carried: Ayes: -4-  
Excused: -1-

Item No. 27

DECISION OF ZONING BOARD OF APPEALS

In the Matter of the Application of

PHILIP LIPPA

To Rezone From "Residence" to "Business" Property on Union Road, opposite Clearvale Drive.

There is filed with the Town Board a letter from Herbert S. Coe, M.D., dated June 24, 1954, addressed to Fred M. Fijas, 4431 Union Road, Cheektowaga, New York, from which it would appear that Dr. Coe will occupy the property, and that the office building will not exceed one (1) cellar floor and one (1) floor above the ground.

The Zoning Board is paying no attention to the stipulation relative to the driveway or the setback from the street for the reason both of those matters are regulated by Town Ordinances.

There are many homes built on Union Road in this immediate vicinity and business zoning should be confined to the type businesses which do not seriously affect a residential area. We believe that a doctors office in this location is desirable, providing it is build to conform more or less with home construction.

It is noted that this property has a frontage of fifty feet and a depth of approximately 871.30 feet. We believe the rezoning should be confined to a depth of 250 feet.

We therefore, recommend that the premises described in the petition be rezoned from "Residence" to "Business" so that the same can be used for a professional office building, but only to the depth of 250 feet.

Dated: July 6, 1954.

Leo Kurnick  
 \_\_\_\_\_  
 Chairman  
 Michael L. Henfling  
 \_\_\_\_\_  
 Joseph F. Kubera  
 \_\_\_\_\_  
 Lawrence M. Januszczak  
 \_\_\_\_\_

**LEGAL NOTICE**  
**Rezoning Granted**

WHEREAS, the Zoning Board of Appeals held a public hearing on the 23rd day of June 1954, for the purpose of considering the application of Philip Lipka for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and,

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

WHEREAS, the Zoning Board of Appeals on the 6th day of July 1954, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 12th day of July, 1954.

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

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

**DESCRIPTION**

Part of Lot No. 13, Township 11, Range 7, of the Holland Land Company's Survey, being located on the east side of Union Road, commencing 640.66 feet south of the north line of Lot No. 13 and being 50 feet front and rear at approximately 871.36 feet in depth.

(Union Road, east side, opposite Clearvale Drive)

(50 feet frontage and 250 feet in depth to be rezoned for business purposes.)

**KENNETH T. HANLEY,**

Town Clerk, Town of Cheektowaga, New York.

Dated: July 12, 1954 (7-15)

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week:  
first publication ..... JUL 15 1954 .....  
last publication ..... JUL 15 1954 .....  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

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

*Eve J. Allis*

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

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

July, 1954:

The above notice was posted as follows on the 19th day of  
1- Town Hall Bulletin Board.

Item No. 28 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. ( Warrant No. 1233 to No. 1365, inculsive, drawn on the Supervisor).

Item No. 29 Councilman Nagel moved, seconded by Councilman Neibert, to adjourn.

SEAL.

Kenneth T. Hanley, Town Clerk.

Item No. 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 July 1954, at 7.30 P.M., E.D.S.T., there were:

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

Also present were: Town Clerk Hanley, Town Attorney Doyle, General Foreman Eberl, Town Engineer Kamm, Town Historian Julia B. Reinstein, Justice of the Peace Delahunt and Chief of Police Mersmann.

Item No. 2 The Town Clerk advised the Board that the minutes of the previous meeting have been placed on their desk in the Council Chamber.

Item No. 3 Councilman Wroblewski moved, seconded by Councilman Bystrak, that the Town Clerk be authorized and directed to issue building permits on applications processed by the Petitions Committee on July 17th and 19th, 1954, after same have been approved by the Building Inspector.

CARRIED AYES 5

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

BE IT RESOLVED, that the New York State Electric and Gas Corporation be authorized to make light installations 2500 lumens Glove Type on the following streets:

Foisset Street	- Pole No. 141, 125, 109
Parker Street	- Pole No. 6, 9
Wagner Street	- Pole No. 3
Marilyn Drive	- Pole No. 2, 4, 6, 8, 10

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

CARRIED AYES 5

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

WHEREAS, this Town Board on the 12th day of July, 1954 held a public hearing for the improvement of that portion of Genesee Street extending from Awood Place northeasterly to 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 all persons interested in the subject thereof having been given an opportunity to be heard,

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 that portion of Genesee Street extending from Awood Place northeasterly to Beechwood Place for its entire length from Genesee Street north to Greenwood Place, by the construction of a lateral sewer in said highways as hereinafter described, and be it further

RESOLVED, that Nussbaumer, Clark and Velzy, consulting engineers for the Town of Cheektowaga, be and they hereby are directed to prepare definite plans and specifications and to make a careful estimate of the expense, and with the assistance of the Town Attorney, to prepare a proposed contract for the execution of the work required to be performed, to wit: by the construction of lateral sewer in that portion of Genesee Street extending from Awood Place northeasterly to Beechwood Place for its entire length from Genesee Street north to Greenwood Place, which sewer shall be so constructed as to serve the properties on both sides of said public highway

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

AYES	5	NOES	0	ABSENT	0
------	---	------	---	--------	---

CARRIED

Item No. #6 Councilman Wroblewski presents the following resolution and moves its adoption:

RESOLVED to request the Erie County Highway Superintendent Mr. Harry Crafts for a permit to install a "Stop and Go" red blinker traffic light at the dangerous intersection of Cayuga Creek Road and William Street.

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

as follows:

AYES 5

CARRIED

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

RESOLVED, that the expired term of Charles Hanson as a member of the Zoning Board of Appeals be extended to July 19, 1955.

Seconded by Councilman Neibert

AYES 5

CARRIED

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

RESOLVED, that the expired term of Leo H. Kurnich as a member of Zoning Board of Appeals be extended to July 19, 1958.

Seconded by Councilman Neibert

AYES 5

CARRIED

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

WHEREAS, a petition for the creation of a Fire Protection District in the Town of Cheektowaga, New York, pursuant to the Town Law was presented to this Town Board on the 28th day of June, 1954, and,

WHEREAS, it appears to this Town Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property situated in the proposed Fire Protection District, and is also signed by non-resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property owned by non-resident owners situated in the territory of the proposed Fire Protection District, and

WHEREAS, the petition is accompanied by a map showing the boundaries of the proposed Fire Protection District, its metes and bounds, description being as follows:

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

And

WHEREAS, the territory hereinbefore described is situated entirely in said Township outside of any incorporated village or city therein,

NOW THEREFORE,

IT IS ORDERED THAT the Town Board of the Town of Cheektowaga meet at the Town Hall, corner Broadway and Union Road in said Township on the 2nd day of August, 1954, at 2.30 o'clock P.M. Eastern Daylight Saving Time to consider said petition and to hear all persons interested in the subject thereof concerning the same, and it is

FURTHER ORDERED that a copy of this order certified by the Town Clerk be published at least once in the Cheektowaga Times and the Depew Herald and Cheektowaga News the official newspapers of the Town of Cheektowaga, New York, not less than ten nor more than twenty days before the date set herein for the hearing and that copies of this order be posted conspicuously in five public places within the proposed Fire Protection District not less than ten nor more than twenty days before said day designated for the hearing.

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

AYES 5

CARRIED

Posted as follows on the 23rd day of July, 11954;

- 1- Telephone Pole No. 240 on French Road;
- 2- Telephone Pole at the corner of Borden Road and French Road;
- 3- Telephone Pole at the corner of Borden Road and Losson Road;
- 4- Bulletin Board - South Line Fire House on French Road;
- 5- Telephone Pole No. 65 on French Road.

150

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

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

*Willard C. Allis* of the  
 Town of Cheektowaga, in said County of Erie, be-  
 ing duly sworn, deposes and says that *he* is  
*publisher* of the  
 Cheektowaga Times, a public newspaper published  
 weekly in said Town; that the notice, of which  
 the annexed printed slip, taken from said news-  
 paper is a copy, was inserted and published in  
 said paper once a week for *one* weeks, first  
 publication *JUL 22 1954*;  
 last publication *JUL 22 1954*;  
 and that no more than six days intervened be-  
 tween publications.

*Willard C. Allis*

Sworn to before me this *JUL 22 1954*  
 day of *JUL 22 1954*, 19*54*

*Eve J. Allis*

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

EVE J. ALLIS  
 NOTARY PUBLIC, STATE OF NEW YORK  
 Qualified in Erie County  
 My Commission Expires March 30, 19*56*  
 Registered No. 5029



Item No. #6 Councilman Wroblewski presents the following resolution and moves its adoption:

RESOLVED to request the Erie County Highway Superintendent Mr. Harry Crafts for a permit to install a "Stop and Go" red blinker traffic light at the dangerous intersection of Cayuga Creek Road and William Street.

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

as follows:  
AYES 5

CARRIED

Item No. 7 Councilman Nagel presented the following resolution:

RESOLVED, that the expired term of Charles H. the Zoning Board of Appeals be extended to July 19, 1955.

Seconded by Councilman Neibert

AYES 5

Item No 8 Councilman Nagel presented the following resolution:  
Its adoption:

RESOLVED, that the expired term of Leo H. Kurn Zoning Board of Appeals be extended to July 19, 1958.

Seconded by Councilman Neibert

AYES 5

Item No. 9 Councilman Nagel offered the following resolution:  
adoption:

WHEREAS, a petition for the creation of a Fire District in the Town of Cheektowaga, New York, pursuant to the Town Law, this Town Board on the 28th day of June, 1954, and,

WHEREAS, it appears to this Town Board that a petition is duly signed and acknowledged in the same manner as a deed by resident taxpayers owning taxable real property aggregating one-half of the assessed valuation of all the taxable real property in the proposed Fire Protection District, and is also signed by non-resident owning taxable real property aggregating more than one-half of the valuation of all the taxable real property owned by non-residents in the territory of the proposed Fire Protection District, and

WHEREAS, the petition is accompanied by a map and a series of the proposed Fire Protection District, its metes and bounds being as follows:

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

And

WHEREAS, the territory hereinbefore described is wholly and exclusively situated wholly and exclusively outside of any incorporated village or city and is now unincorporated, NOW THEREFORE,

IT IS ORDERED THAT the Town Board of the Town of Cheektowaga meet at the Town Hall, corner Broadway and Union Road in said Town on the 2nd day of August, 1954, at 2.30 o'clock P.M. Eastern Daylight Time to consider said petition and to hear all persons interested in the same of concerning the same, and it is

FURTHER ORDERED that a copy of this order of the Town Board be published at least once in the Cheektowaga Times Herald and Cheektowaga News the official newspapers of the Town of Cheektowaga, New York, not less than ten nor more than twenty days before the hearing and that copies of this order be posted conspicuously in public places within the proposed Fire Protection District not less than ten nor more than twenty days before said day designated for the hearing.

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

AYES 5

CARRIED

Posted as follows on the 23rd day of July, 1954;

- 1- Telephone Pole No. 240 on French Road;
- 2- Telephone Pole at the corner of Borden Road and French Road;
- 3- Telephone Pole at the corner of Borden Road and Losson Road;
- 4- Bulletin Board - South Line Fire House on French Road;
- 5- Telephone Pole No. 65 on French Road.

150

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

**Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga, on the 19th day of July, 1954 at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were:**

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

**ABSENT:** None

Councilman Nagel offered the following resolution and moved its adoption:

**WHEREAS,** a petition for the creation of a Fire Protection District in the Town of Cheektowaga, New York, pursuant to the Town Law was presented to this Town Board on the 23rd day of June, 1954 and,

**WHEREAS,** it appears to this Town Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property situated in the proposed Fire Protection District, and is also signed by non-resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property owned by non-resident owners situated in the territory of the proposed Fire Protection District, and

**WHEREAS,** the petition is accompanied by a map showing the boundaries of the proposed Fire Protection District, its meters and bounds, description being as follows:

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

**AND**

**WHEREAS,** the territory hereinbefore described is situated entirely in said Township outside of any incorporated village or city therein,

**IT IS ORDERED** that the Town Board of Cheektowaga, New York, do hereby order that a copy of this resolution be posted conspicuously in five public places within the proposed Fire Protection District not less than ten nor more than twenty days before said day designated for the hearing.

Seconded by Councilman Wroblewski, duly put to a vote which resulted as follows:  
 Supervisor Holtz, voting Aye.  
 Councilman Nagel, voting Aye.  
 Councilman Bystrak, voting Aye.  
 Councilman Neibert, voting Aye.  
 Councilman Wroblewski, voting Aye.

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

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

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

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

**KENNETH T. HANLEY,**  
 Clerk of the Town Board,  
 Town of Cheektowaga, N. Y.  
 (7-22)

WANT ADS  
ARE SURE!

Anchor Inn vs Arm. Mach. & Fou  
dry at Town, Hah 3.

"A" SCHEDULE

Gunners at Geo. Urban 4  
N.Y.S. Gas & Electric vs Pine H

Geo. Urban 3  
Cornell Lab. vs Cheek Sports

Sprudels AC vs Postmanur. Clot  
Theo. Roosevelt

Imperial AC vs Zabo's Rest.  
Monday, July 26 - 8:30 pm.

### Many Schedules

camp for...  
In Japan he attended...  
turned to his outfit, the 178  
Armoured Field Artillery. The  
he attended five weeks of leader  
ship training at the 24th Divi  
Non-commissioned Officers Acc  
emy. By the time he returne

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

## Depew Cheektowaga Herald and News

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
one week, the first insertion being on the  
22nd day of July, 1954, and  
the last insertion being on the \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_, and that not  
more than six days intervened between any two publi-  
cations thereof.

Richard G. Bennett

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

JULY 30 1954

19\_\_\_\_\_

James D. Haley  
Notary Public in and for Erie County.

ln-49 5803

Item No. 10 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved, and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. ( Warrant No. 1366 to No. 1402, inclusive, drawn on the Supervisor.) :51

Item No. 11 Councilman Nagel moved, seconded by Councilman Wroblewski, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk.

STATE OF NEW YORK

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

ABSENT: 0  
Councilman Nagel offered the following resolution and moved its adoption:

WHEREAS, a petition for the creation of a Fire Protection District in the Town of Cheektowaga, New York, pursuant to the Town Law was presented to this Town Board on the 28th day of June, 1954, and

WHEREAS, it appears to this Town Board that the above petition is duly signed and acknowledged by the owners of a certain tract of land, and that the petitioners owning said real property aggregating more than one-half of the assessed valuation of all the taxable real property situated in the proposed Fire Protection District, and is also signed by non-resident taxpayers owning more than one-half of the assessed valuation of all the taxable real property situated in the territory of the proposed Fire Protection District, and

WHEREAS, the petition is accompanied by a map showing the location of the proposed Fire Protection District, its metes and bounds, description being as follows:

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

AND WHEREAS, the territory hereinafter described is situated entirely within the Township outside of any incorporated village or city.

WHEREFORE, RESOLVED that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner Broadway and Union Road in said Township on the 2nd day of August, 1954 at 8:30 o'clock P.M. during Daylight Saving Time to receive and petition and to hear and determine interested in the subject hereof concerning the same.

IT IS FURTHER ORDERED that a copy of this order certified by the Town Clerk be published at least once in the Cheektowaga Times and the Depew Herald and Cheektowaga News, the official newspapers of the Town of Cheektowaga, New York, not less than ten nor more than twenty days before the date set herein for the hearing, and that copies of this order be conspicuously in five public places within the proposed Fire Protection District not less than ten nor more than twenty days before said day designated for the hearing.

Resolved by Councilman Wroblewski and duly put to a vote, which resulted as follows:  
Supervisor Holtz, Voting Aye  
Councilman Nagel, Voting Aye  
Councilman Wroblewski, Voting Aye  
Councilman Neibert, Voting Aye  
Councilman Bystrak, Voting Aye  
Ayes, Nones 0, Absent 0. Carried.

State of New York )  
Erie County )  
Office of the Clerk of the )  
Town of Cheektowaga )  
This is to certify that, I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was passed by the Town Board of the Town of Cheektowaga, Erie County, New York, on the 19th day of July, 1954, and the same is a true and correct transcript thereof, and the whole thereof.  
In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 19th day of July, 1954.  
KENNETH T. HANLEY,  
Clerk of the Town Board,  
1923 Town of Cheektowaga, N.Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 22nd day of July, 1954, and the last insertion being on the day of 1954, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

day of

JULY 19 1954

1954

public in and for Erie County.

Item No. 10 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved, and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. ( Warrant No. 1366 to No. 1402, inclusive, drawn on the Supervisor.) 151

Item No. 11 Councilman Nagel moved, seconded by Councilman Wroblewski, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk.

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Special Meeting No. 20 September 7, 1954</u>		
2	Appointment of Matthew Frank, Viola Maciejewski, Sophie Wesolowski, Larry Budny, Mrs. C. Hauser, Bertha Kreinheder, Leona Kosmala, and Lucille Stravano as School Guards	189
3	Authorization of Town Superintendent's trip to annual meeting of NYS Association of Towns Superintendents of Highways	189
4	Erection of "Stop Then Go" signs on Cayuga and William St. intersection lights by Reynders Electric Co.	189
5	Installation of globe type lights, three on Floral Place and one on Beach Rd., one on Schlenker Ave.	189
6	Easement authorizing Erie County Water Authority to install Aurora Dr. water mains	189
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\*\*\*Note: No number 9 was stated in this meeting.\*\*\*



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The Supervisor announced that the meeting scheduled for this day has been cancelled.

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12	Installation of fence at Roycroft Pumping Station by Smith Fence Co.	200
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10	Appointment of Evelyn Cichy as temporary School Guard and Stanley Cwiklinski as School Guard	262
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12	Provision for issuance of \$155,000 Serial Bonds, re October 18, 1954 resolution	265
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15	Purchase and installation of 14 Y-20's at Cheektowaga Town Park	265
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21	Complaint against Public Service Commission re "No Riders" on N.F.T. buses from Buffalo City line to Michael St.	273
22	Approval of claims (Warrant No. 2170-2487)	273

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5	Amendment to General Ordinance No. 3 - reduce certain fees from \$50 to \$15	285-286
6	Sale of Reznor Automatic Heater to Patrick Kearns	287
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8	Building Permits dated December 22 and 29, 1954	287
9	Easement granting John and Margaret O'Day permission to keep building on 14th Ave.	287
10	Payment to Straco, Inc. for emergency repairs of open joints and a broken wye on Cayuga Rd.	287
11	Appointment of Sloan Collision Service as a tower of Cheektowaga	287
12	Installation by Chief of Police of 2 boulevard stop signs at Woodridge Ave. and Seton Rd. intersection, and 2 "No Parking This Side" on William St.	287
13	Acceptance of bid from Ralph D. Young to construct 12" water mains in Water District No. 10	287
14	Acceptance as Town Highways: Hillside Ave, Delray Dr, Miami Pkwy, Cherokee Dr, Dania Dr, North Pleasant Pkwy, N. Meadowbrook Pkwy, Aurora Dr, Foisset Ave,	287
15	Execution of Quit Claim deed conveying Dorunda Ct. to Pelvion Land Co, Inc.	287
16	Moving of telegraph pole on David Ave. by Niagara Mohawk Power Corp.	288
17	Public Hearing - installation of Lamarck Dr. lights	288
18	Public Hearing - installation of Farmingdale Rd. lights	288
19	NFT bus route extension matter tabled until further notice	288
20	Meeting called between Town Board and Village Board re above matter	288
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5	Public Hearing - Lena Ave. paving	290
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7	Bond Resolution - \$950,000 Serial bonds for Geo. Urban Blvd. interception and overflow chanber and pumping station to service existing trunk sewer	290-291
8	Notice of Public Hearing - amendment to Building Code	292
9	Notice of adoption of resolution subject to permissive referendum re conveyance of property to Union Free School District No. 3	293-294
10	Notice of adoption of resolution subject to permissive referendum, re conveyance of property to Union Free School District No. 10	295-296
11	Notice of adoption of resolution subject to permissisve referendum, re conveyance of land to Alvin W. Wise	296-297
12	Summary of Bids - 3 police cars	298-299
13	Payment of renewal note of \$5,500 to Manufacturers and Traders Trust Co.	299
14	Erection of "No Parking" sign in front of School No. 11 by Chief of Police	299
15	Building Permits revoked - of Frank Panepento until drainage problem is solved	299
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16	Authorization of Chairman of Board of Assessors and Joseph Kistowski to attend Albany meeting about equalization rate	299
17	Approval of bid from C.E. Knowles Co. for Sewer District No. 5 improvements, cost deduction from original agreement	299
18	Closing of Town Hall all day December 24, 1954	300
19	Replacement of damaged light standard on Eggert Rd. by' Niagara Mohawk Power Corp.	300
20	Sale of vacant lot on Kaufman Rd. to Leo Kurnick, subject to permissive referendum	300
21	Transfer of money from various Construction & Improvement Fund Accounts to respective Special District Funds	300
22	Establishment of 45 Election Districts	300
23	Rezoning granted - Union Rd. Cemetery Property	301-302

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25	Rezoning granted - B.G. King Builders Corp.	304-305
26	Rezoning granted - Demblewski-Bartel	305-306
27	Approval of claims (Warrant No. 1-70)	307

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Meeting No. 47 December 23, 1954

Due to lack of quorum the meeting for this date was cancelled.



Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 2nd day of August, 1954, at 2:30 o'clock P.M., E.D.S.T., there were:

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

Also present were: Town Clerk Hanley; Town Attorney Doyle; Chief of Police Mersmann; Tax Collector Pfohl and Town Historian Julia B. Reinstein.

Item No. 2 The Town Clerk advised the Board that the minutes of the previous meeting have been placed on their desks in the Council Chamber.

Item No. 3 Notice of Hearings before the Public Service Commission in relation to bus routes in the Town of Cheektowaga ordered referred to the Town Attorney.

Item No. 4 Petition for the installation of Street Lights ( Wooden Poles ) on Flora Road from Cleveland Drive to Mapleview Road ordered referred to Councilman Bystrak.

Item No. 5 Petition protesting smoke, fumes and dirt emanating from a greenhouse located on Louis Street ordered referred to the Building Inspector and the Town Board.

Item No. 6 Councilman Nagel moved, seconded by Councilman Neibert, that John Carr, Joseph Huber and A. Klaja be authorized to attend the New York State Police Conference at Syracuse, New York, from August 23, 1954 to August 26, 1954.

Item No. 7 Councilman Neibert moved, seconded by Councilman Nagel, that the request of the Pine Hill Fire Company to close Normandy Avenue on August 13th, 14th, 15th and 16th, 1954, in connection with their Annual Field Day be granted.

Item No. 8 Councilman Neibert moved, seconded by Councilman Wroblewski; that the following cash on deposit in the various construction and improvement fund accounts be transferred to their respective Special District Funds as the jobs are completed:

Sewer District No. 5:	
Walden Thruway Extension.....	\$6,859.41
Sewer District No. 5	
Trunk Extension.....	3,317.70
Darwin Drive Paving.....	1,016.26
Sugnet Road Paving.....	412.37
Walton Drive Paving.....	415.73
Cresthaven Drive Paving.....	337.59
Floral Place Lateral Sewer.....	138.71

Carried: Ayes: -5-

Item No. 9 Councilman Bystrak moved, seconded by Councilman Neibert, that the street lamp standard damaged recently on Concord Drive, west side, near the corner of Kensington Avenue, be replaced and that the charge for same be a General Fund Item.

Carried: Ayes: -5-

Item No. 10 Councilman Nagel moved, seconded by Councilman Wroblewski; WHEREAS, the Town Highway Superintendent has recommended that Greenway Boulevard be accepted as a Town Highway the same having been paved in accordance with the minimum specifications of the Town Highway Superintendent and the regulations of the Town of Cheektowaga, New York, be it

RESOLVED, that Greenway Boulevard be accepted as a Town Highway subject to the jurisdiction of the highway superintendent and subject to the approval of the Town Engineer.

Carried: Ayes: -5-

Item No. 11

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, the compensation insurance carrier for the Town of Cheektowaga, New York, has furnished this Board with a report of the amount paid out by it on compensation claims made by employees of the Town of Cheektowaga, New York, which exceeds the amount of the premium paid for compensation insurance by the said Town, and

WHEREAS, it may become necessary to pay additional compensation premiums if claims for compensation continue to be made as heretofore, and it is the desire of the Town Board to do everything in its power to prevent accidents and to decrease the amount for which the Town is liable for compensation payments, be it

RESOLVED, that all employees and officials of the Town of Cheektowaga, New York, be examined by the Town Health Officer, Dr. Louis A. Vendetti, at such time and place as he shall designate, to determine their physical condition and fitness to work. That each employee and official be requested to sign a consent that a copy of the report of his examination be furnished the Town Board and the insurance carrier, be it

RESOLVED, commencing from the date of this resolution no payment of salary be made to employees or any official of the Town of Cheektowaga, New York, who file a claim for compensation, unless the same has been approved by the Town Health Officer after a physical examination is made by him, and

BE IT FURTHER RESOLVED, that no sick leave be granted any official or Town employees unless within three days after he reports ill or fails to report for duty he submit to the head of his department a written report from the Town Health Department.

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-

Absent: -0-

Item No. 12

Councilman Wroblewski moved seconded by Councilman Neibert, that the Supervisor be authorized and directed to purchase a 4 Face 3 Section Traffic Signal Light to be installed on Union Road at the entrance of the North Hill Elementary School.

Carried: Ayes: -5-

Item No. 13

This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented the 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
McNaughton Avenue	Tilletson Avenue	End of Street
TYPE OF STREET LIGHTING INSTALLATION		
Y-20 Standards Underground Conduit		

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

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

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

NAMES OF HIGHWAYS

McNaughton Avenue

Tillotson Avneue

End of Street

TYPE OF STREET LIGHTING INSTALLATION

Y-20 Standards Underground Conduit.

and near all persons interested in the subject thereof.

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

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

(b) that it is in the public interest to grant in whole the relief sought,

by the installation of street lighting equipment hereinabove particularly described along said streets, and

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

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

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

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

AYES: 5

NOES: 0

ABSENT: 0

STATE OF NEW YORK )  
COUNTY OF ERIE ) SS.

I, Kenneth T. Hanley, Town Clerk of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town Held on the 2nd day of August 1954, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof; and that the resolutions and orders duly adopted by the said Town Board are on file in my office.

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

I FURTHER CERTIFY that a certified copy of such resolution and order was caused by me to be recorded in the Office of the Clerk of Erie County, New York, on the 10 day of August 1954.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 10 day of August 1954.

Kenneth T. Hanley  
Town Clerk

(SEAL)

ITEM No. 1A

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

	PUBLIC HIGHWAYS TO BE IMPROVED		
NAMES OF HIGHWAYS	FROM		TO
Woodland Terrace	Huth Road		End of Street.

TYPE OF STREET LIGHTING INSTALLATION

Y-20 Standards- Underground Conduit.

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

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

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

	PUBLIC HIGHWAYS TO BE IMPROVED		
NAMES OF HIGHWAYS	FROM		TO
Woodland Terrace	Huth Road		End of Street

TYPE OF STREET LIGHTING INSTALLATION

Y-20 Standards- Underground Conduit

and heard all persons interested in the subject thereof.

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

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

(b) that it is in the public interest to grant in whole the relief sought,

by the installation of street lighting equipment hereinabove particularly described along said streets, and

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

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

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

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

AYES: 5

NOES: 0

ABSENT: 0

STATE OF NEW YORK )  
COUNTY OF ERIE ) SS.

I, Kenneth T. Hanley, Town Clerk of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town on the 2nd day of August 19 54, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof; and that the resolutions and orders duly adopted by the said Town Board are on file in my office.

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

I FURTHER CERTIFY that a certified copy of such resolution and order was caused by me to be recorded in the Office of the Clerk of Erie County, New York, on the 10 day of August 19 54.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 10 day of August 19 54.

Kenneth T. Hanley  
Town Clerk

SEAL:

Item No. 15

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

	PUBLIC HIGHWAYS TO BE IMPROVED		
NAMES OF HIGHWAYS	FROM		TO
Oehman Blvd.	Huth Road		South to end of street
	TYPE OF STREET LIGHTING INSTALLATION		
	Y-20 Standards- Underground Conduit.		

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

Mr. Bystrak offered the following resolution and moved its adoption: WHEREAS, this Town Board has this day held a public hearing on the petition requesting the improvement of both sides of the public highways situated in Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described.

	PUBLIC HIGHWAYS TO BE IMPROVED		
NAMES OF HIGHWAYS	FROM		TO
Oehman Blvd.	Huth Road		South to end of street
	TYPE OF STREET LIGHTING INSTALLATION		
	Y-20 Standards- Underground Conduit.		

and heard all persons interested in the subject thereof.

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

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

(b) that it is in the public interest to grant in whole the relief sought,

by the installation of street lighting equipment hereinabove particularly described along said streets, and

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

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

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

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

AYES: 5

NOES: 0

ABSENT: 0

STATE OF NEW YORK )  
COUNTY OF ERIE ) SS.

I, Kenneth T. Hanley, Town Clerk of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town on the 2nd day of August 19 54, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof; and that the resolutions and orders duly adopted by the said Town Board are on file in my office.

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

I FURTHER CERTIFY that a certified copy of such resolution and order was caused by me to be recorded in the Office of the Clerk of Erie County, New York, on the 10 day of August 19 54.

Kenneth T. Hanley  
Town Clerk

SEAL

Item No. 16

Councilman Bystrak presented the following resolution and moved its adoption:

BE IT RESOLVED, that the Niagara Mohawk Power Corp. be authorized to make a light installation of 2500 lumens at Oriole and Andres Streets.

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

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

AYES: -5-

NOES: -0-

ABSENT: -0-

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, FLORIAN F. JABLONSKI sucessfully passed a Civil Service examination for JANITOR in the Town of Cheektowaga, New York, and is eligible for a permanent appointment

BE IT RESOLVED that Florian F. Jablonski be, and he is hereby appointed Janitor of the Town of Cheektowaga, New York, at an annual salary of Three Thousand Four Hundred Dollars (\$3,400.00) payable in semi-monthly installments.

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

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

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 18

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Maroone Motor Company has applied to the Town Board for a permit to conduct a business on vacant land located in the Town of Cheektowaga, New York pursuant to provisions of Section 14-A of the Zoning Ordinances of the Town of Cheektowaga, New York, and

WHEREAS, it appears in the application for the permit that the Maroone Motor Company holds a franchise for the sale of new Ford automobiles and has opened temporary headquarters at 2409 Harlem Road, Cheektowaga, New York until it can obtain property upon which to erect buildings required for such Ford agency, That it is making a diligent effort to obtain a permanent location in the Town of Cheektowaga, and

WHEREAS, there are permanent structures on the property located at 2409 Harlem Road which are used in connection with the business of the agency and there is room to store more cars outside than in the permanent building. That it is their intention to remain at the present location temporarily, that it intends to move as soon as it has obtained a location for the establishment of permanent headquarters, and this Town Board having investigated the location and use of the property at 2409 Harlem Road, it is of the opinion that the application should be granted. Be it,

RESOLVED, that pursuant to provisions of Section 14-A of the Zoning Ordinances of the Town of Cheektowaga, New York permission is hereby granted to the Maroone Motor Company, to use the entire premises at 2409 Harlem Road to store new and used automobiles, until such time as it obtains a permanent location for its agency. This permit may be transferred to such new location, provided the Maroone Motor Company applies for obtains a building permit to construct a building on said permanent location, to be used as a permanent headquarters for its agency. This permit shall expire June 30, 1955. Be it

RESOLVED that the Town Clerk mail to Maroone Motor Company, 2409 Harlem Road, Buffalo 25, New York, a certified copy of this resolution, which will operate as a permit, under the provisions of aforementioned Zoning Ordinances. The Maroone Motor Company has paid the sum of One Hundred Dollars (\$100.00) fee required for the issuance of such permit.

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

Sypervisor Holtz,	Voting	<u>AYE</u>
Councilman Neibert,	Voting	<u>AYE</u>
Councilman Bystrak,	Voting	<u>AYE</u>
Councilman Wroblewski,	Voting	<u>AYE</u>
Councilman Nagel,	Voting	<u>AYE</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 19 This being the time and the place advertised for a public hearing for the creation of Fire Protection District No. 3 ( Notice hereto attached)

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**WHEREAS, a petition for the creation of a Fire Protection District in the Town of Cheektowaga, New York, pursuant to the Town Law was presented to this Town Board on the 28th day of June, 1954 and,**

WHEREAS, it appears to this Town Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property situated in the proposed Fire Protection District, and is also signed by non-resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property owned by non-resident owners situated in the territory of the proposed Fire Protection District, and

WHEREAS, the petition is accompanied by a map showing the boundaries of the proposed Fire Protection District, its metes and bounds, description being as follows:

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

and

WHEREAS, the territory hereinbefore described is situated entirely in said Township outside of any incorporated village or city therein.



Item No. 19 Cont'd The Supervisor directed the Town Clerk to present proof of publication of the Notice of Hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon order of the Supervisor such proof was duly filed.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing, and no person or persons appearing in opposition thereof,

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, there has been presented to this Board a verified petition in due form, with necessary map, for the creation of a fire protection district, to be known as Fire Protection District No. 3 in the Town of Cheektowaga, New York and the resolution and order of the Town Board reciting the filing of the petition and specifying the time when, and the place where the Town Board would meet to consider said petition and to hear all persons interested in the subject thereof concerning the same, be published and posted as required by law, and the hearing having taken place at the Town Hall, corner Broadway and Union Rd. Cheektowaga, New York on the 2nd day of August, 1954, at 2.30 o'clock P.M. Eastern Daylight Saving Time, at which hearing all persons interested in the subject matter were given an opportunity to be heard, and the Town Board having given due consideration thereon; and

WHEREAS, said petition for the creation of said Fire Protection Dist. #3 of the Town of Cheektowaga, New York is signed, approved and acknowledged as required by law, and is otherwise sufficient, and there is attached to said petition a map showing the boundaries of the proposed fire protection district, and

WHEREAS, it is not required that the Town shall finance the cost of the creation of said fire protection district by the issuance of bonds, notes, certificates or other evidence of indebtedness of the Town therefor;

NOW, THEREFORE, after due deliberation, it is

RESOLVED AND ORDERED:

First: That the petition is signed and acknowledged and approved as required by law, and is otherwise sufficient.

Second: That it is in the public interest to grant the relief sought.

Third: That all the property and property owners included within the proposed fire protection district benefitted thereby.

Fourth: That all the property and property owners benefitted are included therein, and that no property or property owners or persons benefitted thereby have been excluded therefrom; and

BE IT FURTHER RESOLVED, that the petition for the creation of Fire Protection District No. 3 be and the same is hereby granted. That Said Fire Protection District No. 3 is embraced by the following described territory.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being farm Lots Nos. 42 50 56 inclusive, farm lots 89 to 97 inclusive and farm lots Nos. 105 to 113 inclusive of Township 10, Range 7 of the Holland Land Company's survey.

AND BE IT FURTHER RESOLVED, that the Town Clerk be and he is hereby authorized and directed to file with the Clerk of the County of Erie, New York, a certified copy of this resolution, within ten (10) days after its adoption and that he also cause a certified copy of this resolution to be filed in the State Department of Audit and Control, at Albany, N.Y. within ten (10) days of its adoption.

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

Supervisor Holtz	Voting aye
Councilman Nagel	Voting aye
Councilman Wroblewski	voting aye
Councilman Neibert	Voting aye
Councilman Bystrak	Voting aye

EYES 5

NOES 0

ABSENT 0

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

BOND RESOLUTION DATED AUGUST 2, 1954, AUTHORIZING THE ISSUANCE OF \$6,000.00 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF SIDEWALKS.

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

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$6,000.00 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose" to be financed pursuant to this resolution is the construction of concrete sidewalks four (4) feet in width on both sides of Woodridge Avenue, for its entire length commencing at the south line of Huth Road, to the north line of Maryvale Drive, in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga, New York September 21, 1953.

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

Section 4. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board is \$7840.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, except the sum of \$1840.00 raised by tax and now available to be applied thereto, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, except for the sum of \$1840.00 now available therefor, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

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

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

Section 7. This resolution shall be published in full by the Town Clerk of Said Town, together with a notice in substantially the form prescribed by Section 81.00 of said local Finance Law, and such publication shall be in the "Depew Herald and Cheektowaga News" and "Cheektowaga Times", the official newspapers of the Town of Cheektowaga, published and having a general circulation in said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication or if such obligations are authorized in violation of the provisions of the Constitution of New York.

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

Resolution was duly adopted, the vote being as follows:

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

CARRIED

Cheektowaga Times:

Hereto attached is a copy of the notice published in the

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

*Harriet M. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *she* is  
*secretary* of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks; first  
publication **AUG 12 1954**;  
last publication **AUG 12 1954**;  
and that no more than six days intervened be-  
tween publications.

*Harriet M. Allis*

Sworn to before me this .....  
day of **AUG 12 1954**, 19.....

*Eve J. Allis*

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

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

Cheektowaga Times:

Hereto attached is a copy of the notice published in the

**LEGAL NOTICE**

**BOND RESOLUTION DATED AUGUST 2, 1954, AUTHORIZING THE ISSUANCE OF \$6,000.00 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF SIDEWALKS.**

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

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$6,000.00 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of concrete sidewalks four (4) feet in width on both sides of Woodridge Avenue, for its entire length commencing at the south line of Huth Road, to the north line of Maryvale Drive, in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga, New York on September 21, 1953.

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

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$7,840.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, except the sum of \$1,840.00 raised by tax and now available to be applied thereto, and (c) the Town Board plans to finance the cost

Bonds, except for the sum of \$1,840.00 now available therefor, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

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

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

Section 7. This resolution shall be published in full by the Town Clerk of said Town together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in "The Depew Herald and Cheektowaga News" and "Cheektowaga Times," the official newspapers of the Town of Cheektowaga, published and having a general circulation in said Town. The validity of said Serial Bonds or any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication or if such obligations are authorized in violation of the provisions of the Constitution of New York.

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

The bond resolution published herewith has been duly adopted on August 2, 1954 and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

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

STATE OF NEW YORK  
COUNTY OF ERIE

Section 7. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in "The Depew Herald and Cheektowaga News" and "Cheektowaga Times", the official newspapers of the Town of Cheektowaga, published and having a general circulation in said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication or if such obligations are authorized in violation of the provisions of the Constitution of New York.

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

ROSEWALD and WASON  
PRINTERS  
111 WHITE  
ST.

**BENNETT**

being duly sworn, ~~deposes~~ and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 12<sup>th</sup> day of AUGUST, 1954, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

13 1954

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

*Hermite T. Stanley*

Notary Public in and for Erie County.

no 52 880

Item No. 20 Cont'd The following resolution was offered by Mr. Nagel who moved its adoption, seconded by Mr. Neibert to wit.

BOND ANTICIPATION NOTE RESOLUTION, DATED AUGUST 2, 1954, AUTHORIZING THE ISSUANCE OF \$6000.00 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 \$6000.00, 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 \$6000.00 Serial Bonds authorized by the Bond Resolution entitled "Bond Resolution Dated August 2, 1954, authorizing the issuance of \$6000.00 Serial Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to finance the construction of sidewalks", adopted by the Town Board on August 2, 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 Woodridge Avenue, for its entire length commencing at the south line of Huth Road, to the north line of Maryvale Drive.

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 an 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 Sub-division 2 of Section 231 of the Town Law of New York.

Section 4. The power to prescribe the terms form and contents of said Bond Anticipation Notes, subject to the provisions of this resolution, and to sell and deliver such Bond Anticipation Notes, is hereby delegated to the Supervisor. The Supervisor and Town Clerk are hereby directed to sign any Bond Anticipation Notes issued pursuant to this resolution and the Town Clerk is hereby directed to affix to such notes the corporate seal of the Town.

Section 5. This resolution shall take effect immediately upon its adoption

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

CARRIED AYES 5 ABSENT 0

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

BOND ANTICIPATION NOTE OF 1954 \$6000.00  
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  
-- SIX THOUSAND and 00/100 DOLLARS -- (\$6000.00)

On the first day of February, 1955, together with interest thereon from the date hereof at the rate of Two per cent (2%) per annum payable February 1, 1955 and annually thereafter.

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

This note is one of an authorized issued, the aggregate principal amount of which is Six Thousand Dollars (\$6000.00)

This note is issued pursuant to the provisions of a bond anticipation note resolution, dated August 2, 1954, authorizing the issuance of bond anticipation notes of the Town of Cheektowaga, New York in the amount of Six Thousand Dollars \$6000.00 in anticipation of the sale of serial bonds authorized to finance the construction of concrete sidewalks on both sides of Woodridge Avenue 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 an 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

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

STATE OF NEW YORK  
COUNTY OF ERIE

**WAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF SIDEWALKS.**

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

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$8,000.00, pursuant to the Local Finance Law of New York.

Section 2. The specific purpose (hereinafter referred to as "purpose") to be financed by this resolution is the construction of concrete sidewalks four (4) feet in width on both sides of Woodridge Avenue, for its entire length commencing at the south line of Ruth Road, to the north line of Maryvale Drive, in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga, New York, on September 21, 1953.

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

Section 4. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board is \$7840.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, except the sum of \$1840.00 raised by tax and now available to be applied thereto, and (c) the Town Board plans to finance the cost of said purpose entirely from funds rais-

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

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

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

Section 7. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in "The Depew Herald and Cheektowaga News" and "Cheektowaga Times", the official newspapers of the Town of Cheektowaga, published and having a general circulation in said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication or if such obligations are authorized in violation of the provisions of the Constitution of New York.

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

The bond resolution published herewith has been duly adopted on August 2, 1954 and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, State of New York, is not authorized to expend money, or if the provision of the law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice or such obligations were authorized in violation of the provisions of the Constitution of New York.

KENNETH T. HANLEY,  
Town Clerk

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

STATE OF NEW YORK  
COUNTY OF ERIE

**WAGA, IN THE COUNTY OF  
ERIE, PURSUANT TO THE LO-  
CAL FINANCE LAW, TO FI-  
NANCE THE CONSTRUCTION  
OF SIDEWALKS.**

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

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga shall issue its Serial Bonds of the aggregate principal amount of \$8,000.00, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of concrete sidewalks four (4) feet in width on both sides of Woodridge Avenue, for its entire length commencing at the south line of Huth Road, to the north line of Maryvale Drive, in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga, New York on September 21, 1953.

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

Section 4. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board is \$7840.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, except the sum of \$1840.00 raised by tax and now available to be applied thereto, and (c) the Town Board plans to finance the cost of said purpose entirely from funds rais-

\$1840.00 now available therefor, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

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

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

Section 7. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in "The Depew Herald and Cheektowaga News" and "Cheektowaga Times", the official newspapers of the Town of Cheektowaga, published and having a general circulation in said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication or if such obligations are authorized in violation of the provisions of the Constitution of New York.

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

The bond resolution published herewith has been duly adopted on August 2, 1954 and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, State of New York, is not authorized to expend money, or if the provision of the law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice or such obligations were authorized in violation of the provisions of the Constitution of New York.

KENNETH T. HANLEY,  
Town Clerk



IN WITNESS WHEREOF, The Town of Cheektowaga, New York has caused this note to be signed by its Supervisor, and its corporate seal to be hereunto affixed and attested by its Town Clerk and this note to be dated as of the 2nd day of August, 1954.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

ATTEST

BY: Benedict T. Holtz  
Supervisor

Kenneth T. Hanley  
Town Clerk

Item No. 21. Councilman Wroblewski moved, seconded by Councilman Neibert that the Town Clerk be authorized and directed to issue building permits on applications presented by the petitions committee on July 24th and 31st 1954, after same have been approved by the Building Inspector.

CARRIED AYES 5

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

WHEREAS, the Town of Cheektowaga, New York is the owner of a cemetery in which no burials have been made to the knowledge of the Town Board within the last fifty years and the Town Board believe it is to the best interests of the Town of Cheektowaga that said cemetery be abandoned, be it

RESOLVED, that the Supervisor and the Town Attorney be authorized to institute legal proceedings, pursuant to Section 296 of the Town Law to abandon said cemetery. That a complete description of said cemetery is contained in the annexed duly verified petition of Benedict T. Holtz, Supervisor, a copy of which is hereto annexed. That the information set forth in said petition is true to the knowledge, information and belief of the members of the Town Board, be it further

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

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

AYES 5                      NOES 0                      ABSENT 0

STATE OF NEW YORK

SUPREME COURT COUNTY OF ERIE

\*\*\*\*\*

In the matter

- of -

TO THE SUPREME COURT OF THE COUNTY OF ERIE:

The petition of Benedict T. Holtz, respectfully shows that your petitioner resides at 48 Ridge Park Avenue, Cheektowaga, New York and is the duly elected Supervisor of the Town of Cheektowaga, Erie County, New York.

That on the 16th day of February, 1854, Kavira Batt executed and delivered to Elijah C. Adams, Martin Brower and Amos Ray, Committee appointed to locate and purchase land for a public burying ground for the Town of Cheektowaga, New York a warranty deed, which deed was duly recorded March 20, 1854, in the Erie County Clerk's Office in Liber 152 of Deeds page 94, of the following premises.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being a part of Lot No. 13, Township 11, Range 7 of the Holland Company's Survey, described as follows:

Beginning at a point on the west side of Lot no. 13 near the south center part of the section road in Township 11, Range 7, thirty two (32) links northeast from a wild cherry tree standing in said section road near opposite of Louis Sugnet's house; thence southerly along the east line of said road three (3) chains sixteen (16) links to a stake and stones; thence easterly at right angles with the east line of said road (3) chains seventeen (17) links to a stake and stones; thence northerly and parallel with the east line of said road three (3) chains sixteen links to a stake and stones; thence westerly three chains seventeen (17) links to the place of beginning, containing one (1) acre more or less.

Upon information and belief thereafter several deceased persons were buried in said cemetery, the exact number being unknown to your petitioner. That your petitioner has inspected the premises and that it

appears there are seven markers mentioned and described in Exhibit "A" attached to the affidavit of Edgar Krauch.

That petitioner further sets forth that in his opinion other persons are buried in said cemetery, but there is no way of ascertaining their names, or the names of any of their relatives, or the number. That there are no records in the Town of Cheektowaga showing the names or the number of persons buried.

That your petitioner has made a diligent inquiry of various old residents of the Town of Cheektowaga, but has been unable to obtain any information other than what appears on the inscription found on the markers in the cemetery.

Your petitioner discussed the matter with John C. Stiglmeier, former Supervisor of the Town of Cheektowaga, who was elected to that office in 1919 and held the office until 1931. That he was informed by Mr. Stiglmeier that no burials were made in the cemetery during the period of time he was Supervisor. That he was informed by Mr. Stiglmeier that no burials were made in the cemetery during the period of time he was Supervisor. That he is also informed by various town officials that no burials were made in said cemetery from 1931 to the present time. That the predecessors in the office of Supervisor to Mr. Stiglmeier are deceased. That from information your petitioner has obtained from old residents of the Town no one has been buried in the cemetery in upwards of fifty years.

Your petitioner further sets forth that the cemetery is not kept up or maintained by any of the relatives or persons buried therein and the same has been abandoned for many years by the Town of Cheektowaga and the relatives of persons buried therein. That the only maintenance of said cemetery has been done by The Town of Cheektowaga, pursuant to Section 291 of the Town Law.

That your petitioner and members of the Town Board have caused an investigation to be made and can find no person, group or association who has taken charge of said cemetery, and to your petitioner's knowledge said cemetery has been abandoned and left to disintegrate by the Town of Cheektowaga and relatives of deceased persons buried therein.

That your petitioner obtained a title search of the premises and there does not appear there on a deed of conveyance of any portion of the cemetery to any person. That the only record your petitioner has of persons buried in the cemetery is the one copied from the monuments and markers as shown on Exhibit "A" attached to the affidavit of Edgar Krauch.

Your petitioner further sets forth that the Amherst Memorial Co of which Edgar Krauch is proprietor has agreed in writing with the Town of Cheektowaga to dig approximately thirty (30) graves, furnish plain wooden roughboxes for re-interment, transport the remains, furnish a Quincy Granite finished monument appropriately lettered with sandblast letters and eight markers of granite lettered with sandblast letters and eight markers of granite lettered to conform with inscriptions shown on old stones now at the cemetery, with foundations of cement for all stones. This company further agrees to provide Public Liability Insurance and a suitable bond required.

The Amherst Memorial Co further agrees to obtain necessary space for new graves at Bowmansville Perpetual Care Cemetery and provide all work necessarily involved to re-inter the bodies in said cemetery.

The Amherst Memorial Co. further agrees that all this work would be done and new graves purchased for the sum of Twenty Two Hundred and Thirty Dollars (\$2230.00) and that if more than thirty graves are to be opened there will be an additional cost of Thirty Dollars (\$30.00) per grave. The above mentioned cost to cover the removal of all memorial work from said cemetery, furnish new markers at the Bowmansville Cemetery and the interment of all bodies therein, place the remains found in standard pine boxes, identify them as to name and transport them to the Bowmansville Perpetual Care Cemetery in accordance with specifications filed by the Amherst Memorial Co. with the Town of Cheektowaga, New York.

That no previous application has been made for the relief herein asked.

WHEREFORE, your petitioner request an Order of this Court directed to the New York Cemetery Board, the Commissioner of Health of State of New York, the attorney General of the State of New York and to the heirs at law, next of kin and decedents of the persons whose names appear on the monuments, tombstones and markers, which names are set forth in Exhibit "A" attached to the affidavit of Edgar Krauch to show cause why the remains of all bodies interred in the Cheektowaga Town Cemetery located on the east side of Union Road, a short distance north of Genesee Street and more particularly set forth in the above description of said cemetery and why all other necessary proceedings to complete said disinterment and reinterment should not be had and taken pursuant to Section 296 of the Town Law of the State of New York and for such other and further relief as to this Court may seem just and proper that said cemetery be declared abandoned.

Benedict T. Holtz

STATE OF NEW YORK  
COUNTY OF ERIE            25  
TOWN OF CHEEKTOWAGA

BENEDICT. T. HOLTZ, Supervisor of the Town of Cheektowaga, being duly sworn deposes and says that he is the petitioner in this action; that he has read the foregoing petition and knows the contents thereof; that the same is true to the knowledge of the petitioner, except as to the matters therein stated to be alleged on information and belief, and that as to those matters he believes it to be true.

Benedict. T. Holtz

Subscribed and sworn to before  
me this 2 day of August, 1954.  
Leo. B. Doyle  
Notary Public

Item No. 23

DECISION OF  
ZONING BOARD OF APPEALS.

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In the Matter of the Application of  
BUFFALO REALTY CORPORATION  
For a variance or use permit for premises  
located on Broadway near Union Road,  
Cheektowaga, New York.

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The petitioner is the owner of property located on the south side of Broadway, east of the Town Hall. This property has a frontage of approximately 692.28 feet on Broadway, and a depth to the right of way of the D. L. & W Railroad Company of approximately 1752.78 feet on the west line and 1558.01 feet on the east line.

When the zoning map was prepared several years ago the front portion of the property to a depth of 300 feet was placed in a First Industrial District, and the property in the rear thereof was placed in a Second Industrial District. This application is confined to the area zoned First Industrial District. It is upon this land that the petitioner and or the American Freightway Company intends to erect an office building, warehouse and terminal for trucks.

Representatives of both Companies appeared before the Zoning Board at the public hearing, held July 7, 1954, and it was explained that buildings of a similar type will be constructed on the remaining property zoned First Industrial District, as well as on the property zoned Second Industrial District.

It was developed at the hearing that a great portion of the property located in the Second Industrial District may be used to erect buildings for the storage of goods, wares and merchandise, warehousing and as a freight terminal. At this time it is contemplated that all of these buildings will be used for the same general purposes.

The question arose as to whether or not a variance was required in order for the petitioner and or the American Freightway Company to use the front portion of the property for warehouse buildings and as a truck or freight terminal, and it was to eliminate any question of doubt that this application was made for the variance.

Section 19 of the Zoning Ordinances defines the use and regulations in a First Industrial District. It permits the use of property located in a First Industrial District for a warehouse for the storage of all type of materials.

There is no doubt that the premises hereinafter described may be used for all the purposes mentioned in the petitioner's application, except possibly a freight terminal which is one of the uses permitted in a Second Industrial District.

Neither the petitioner nor the American Freightway Company has asked to have the front portion of the property rezoned to a Second Industrial District, nor do they intend to do any manufacturing of any kind or description on the front portion of the property for any of the uses permitted in a Second Industrial District.

To eliminate any doubt as to whether or not the premises hereinafter described may be used for the erection thereon of offices and a warehouse for the storage of goods, wares and merchandise, and as a truck or freight terminal, the Zoning Board of Appeals is granting the following variances. 101

Permission is hereby granted to the petitioner and the American Freightway Company, their successors and assigns, and they are hereby given the right and privilege to erect on the front portion of the premises hereinafter described buildings to house offices, a warehouse for the storage of goods, wares and merchandise, and as a truck and freight terminal, and to use said premises for each or all of the above purposes.

The property is to remain in a First Industrial District, subject to the variances herein above granted.

The property upon which the variance is granted is described as follows: ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 10, Township 11, Range 7, of the Holland Land Company's Survey and more particularly bounded and described as follows:

BEGINNING at a point in the southerly line of Broadway distant six hundred sixty-five and three hundredths (665.03) feet easterly from the point of intersection of the southerly line of Broadway with the westerly line of said Lot No. 10; running thence southerly at an interior angle of  $91^{\circ} 08' 30''$  three hundred (300) feet; thence easterly parallel with the southerly line of Broadway six hundred ninety two and twenty-eight hundredths (692.28) feet; thence northerly at an exterior angle of  $92^{\circ}$  with the southerly line of Broadway three hundred (300) feet to the southerly line of Broadway; thence westerly along said line of Broadway six hundred ninety-two and twenty eight hundredths (692.28) feet to the point of beginning

Dated July 21, 1954

Leo Kurnick  
Chairman  
C. B. Hanson  
Michael L. Henfling  
Joseph P. Kubera  
Lawrence M. Januszczak

Item No. 24  
its adoption:

Councilman Nagel presented the following resolution and moved

102

**WHEREAS, the Zoning Board of Appeals held a public hearing on the 7th day of July, 1954, for the purpose of considering the application of Anna Liebert for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and**

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

**WHEREAS, the Zoning Board of Appeals on the 22nd day of July, 1954, having rendered its decision granting the application of petitioner to rezone from Residential District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 2nd day of August, 1954,**

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

**NOW, THEREFORE,**

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

**DESCRIPTION**

Part of Lot No. 75, Township 11, Range 7, Transit Road, west side, approximately one-half mile south of Genesee Street.

(200 foot frontage by 200 foot in depth.)

Dated: August 2, 1954.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

The above notice was published on the Town Hall Bulletin Board on the 16th day of August, 1954.

Item No. 21 Hereto attached is a copy of the notice published in the Depew Herald-Cheektowaga News:

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ONE week, the first insertion being on the 12th day of AUGUST, 1954, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard S. Bennett*

the 7th day of \_\_\_\_\_ the purpose of considering the petition of Anna Liebert for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

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

WHEREAS, the Zoning Board of Appeals on the 22nd day of July, 1954, having rendered its decision granting the application of petitioner to rezone from Residential District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 2nd day of August, 1954,

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioners to rezone premises

ENSEYRES

BE SATURDAYS

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

AUG 16 1954

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

*Kenneth T. Hanley*

Notary Public in and for Erie County.

hs52000

Item No. 25 Councilman Nagel moved, seconded by Councilman, that the application of Theodore Demblewski & Stephen Bartall, to rezone the following described premises from Residential District, to Business District, be denied. 103

Carries: Ayes;#5-

OF LAND, County of Erie and State of New York, being part of Farm Lot 24, Township 11, Range 7, of the Holland Land Company's Survey and further distinguished as Subdivision Lots Nos. 35 and 36, shown on Map of Harlem Park, subdivision filed under Cover No. 1210, together being seventy (70) feet front and rear by one hundred seven (107) feet in depth, situate on the north side of Freda Avenue, commencing one hundred forty (140) feet east of Harlem Road.

Item No. 26 Councilman Nagel moved, seconded by Councilman Neibert, that the request of the U-Crest Hose Company to close off Clover Place on August 6th and 7th, 1954, in connection with their Annual Field Day, be granted.

Item No. 27 Theodore Demblewski was granted the floor and requested information relating to the construction of a driveway on Freda Place. Ordered referred to the Building Inspector.

Mr. Demblewski requested permission to remove dirt from premises owned by him on Lot No. 35 and 36 on Fred Place. Councilman Wroblewski suggested that the request be granted.

Item No. 28 Communication read from Erwin C. Zepp, Director of the Ohio State Archaeological & Historical Society requesting a copy of a Town of Cheektowaga Atlas.

Item No. 29 The Town Clerk proceeded to read the following communication:

( OFFICE OF THE TOWN HISTORIAN )

July 31, 1954.

The Honorable Town Board  
Town Hall  
Cheektowaga 25, New York

Gentlemen:

My trip to Cooperstown, New York, July 6-13, 1954 to participate as a member of the faculty of The Seminars on American Culture, proved very interesting and valuable to me. I was proud to represent Cheektowaga among the 350 people from 17 states and Canada.

As you already know, the Seminars are set up with a set of morning and afternoon sessions and general evening groups. College credit is given to those who enroll thru Syracuse University. The Seminars attract persons from all walks of life, who are interested in some phase of American history and development.

The section in which I was one of the faculty "experts" was entitled "Using Local History". Those who headed the section along with me were three state historians, a county historian and another local historian from Connecticut. 70 persons signed up for the section, but in-as-much as attendance in any of the groups is on the "honor system". I am happy and proud to report that in the two days I had charge of the session, several from other groups attended my lectures.

Among the persons who were in my section were local, county, and state historians, professional writers and newspaper men, librarians, museum directors, business men, teachers and students.

The first three days of the session was devoted to Celebrations, (1) Why, What, How to start a Celebration; (2) Organization and Planning a Celebration; (3) The Program and Record of the Celebration; were the 3 days programs. I got a great deal of very practical information on the actual progress of setting up and administering a celebration, whether on a small or large range scale. This I shall assemble and file, against the time I am asked to help on some sort of celebration here in the Town of Cheektowaga.

Saturday, July 10th, was Cheektowaga Day in the session of "Using Local History". Dr. Corey had asked me to go into detail about the development of the map collection and its exhibition, as well as the creation of the Historical Atlas. It gave me a chance to plug my town, and prove how "up and coming" it is. I told the people of the original idea of the map exhibit, and how it has grown into the Atlas for local use.

Item No. 21 Hereto attached is a copy of the notice published in the Depew Herald-Cheektowaga News:

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for ONE week, the first insertion being on the 12th day of AUGUST, 1954, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard S. Bennett*

the 7th day of \_\_\_\_\_ the purpose of considering the petition of Anna Liebert for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

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

WHEREAS, the Zoning Board of Appeals on the 22nd day of July, 1954, having rendered its decision granting the application of petitioner to rezone from Residential District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 2nd day of August, 1954,

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

NOW, THEREFORE,

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

**DESCRIPTION**

Part of Lot No. 75, Township 11, Range 7, Transit Road, west side, approximately one-half mile south of Genesee Street.

(200 foot frontage by 200 foot in depth.)

Dated: August 2, 1954.

**KENNETH T. HANLEY,**  
Town Clerk

Town of Cheektowaga, N. Y. Public in and for Erie County.

\_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

*Hanley*



I explained how the Atlas is continuing to grow and will now contain material which will be of use all over Erie County, as background for further study on the part of school children and persons interested in their local history.

To illustrate my lectures, I took with me eight old Atlases and books, 40 sheets of maps, either original or reproduced, to explain how and why I did my work. In addition I had two copies of the Town of Cheektowaga Historical Atlas and my work copy there for people to see. Because of the interest and the number of questions put to me, I had not nearly completed my part of the program on the first day. Dr Corey asked me to continue on the following Monday.

I feel that I did a good job, for the response to the lectures was fine. The others on the panel told me, before the group, and privately that here was a very necessary job being done, that in their estimation had never been done before in this part of the country. In other words I was pioneering in the field of local history and its relation maps. The Town Board has received requests for copies of the Atlas, to be used as a sample and standard for research in 9 middle western States, and in the State Library at Albany and in the New York Public Library, New York City.

Even though I was on the faculty, that did not excuse me from participation as a student in one of the afternoon sessions, where I got a great deal of information and numberless ideas from the course "American Myths".

I came back from Cooperstown with a deep sense of responsibility towards my job as a town official and Town Historian. I have a fourfold program that I shall attempt to start this next twelve months, knowing full well that I shall not be able to accomplish everything.

First I wish to finish the present work on the Atlas and get it distributed. Second I want to start active collection of public records, deeds, letters, and such, including pictures which pertain to the history and preserve or reproduce them for use in the future. Third I want to work more closely with the schools and other groups in the township in order to acquaint them with the services to be rendered by the Town Historian. Fourth I want to put my services more completely at the disposal of the members of the Town Board and the Departments of the Town.

I am grateful to the members of the Town Board for making this trip possible. I hope I have warranted the confidence of it, and that I can be of further value to the town as one of its officials.

Julia Boyer Reinstein.

Item No. 30 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved, and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. (Warrant No. 1403 to No. 1524, inclusive, drawn on the Supervisor.)

Item No. 31 Councilman Nagel moved, seconded by Councilman Bystrak, to adjourn.

Kenneth T. Hanley, Town Clerk

SEAL

At a regular meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga on the 16th day of August, 1954, at 7:30 P.M., E.D.S.T., there were:

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

ABSENT: Benedict T. Holtz      Supervisor

Also present were: Town Clerk Hanley; Town Attorney Doyle; Building & Plumbing Inspector Roehm; Town Engineer Kamm and Chief of Police Mersmann.

Item No. 2      The Town Clerk advised the Board that the minutes of the previous meeting have been placed on their desks in the Council Chamber.

Item No. 3      Due to the absence of Supervisor Holtz, Councilman Wroblewski moved, seconded by Councilman Neibert that Councilman Nagel be designated to act as chairman for this meeting.

Item No. 4      Petition presented for the installation of side-walks, Union Road, east side, north of Maryvale Drive. Ordered referred to the Assessors for a property check by the Chairman.

Item No. 5      This being the time and the place advertised for the receiving of sealed bids for the construction of certain improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, at a cost not exceeding Nine Hundred and Fifty Thousand Dollars (\$950,000.00), more particularly set forth in a map and general plan and estimate prepared by Nussbaumer, Clarke and Velzy, Engineers, duly licensed by the State of New York, which map and general plan and estimate are dated June 11, 1954.

Councilman Neibert moved, seconded by Councilman Wroblewski that the time for the receiving of said sealed bids be closed.

Councilman Neibert moved, seconded by Councilman Wroblewski, that the Town Clerk be authorized and directed to open the sealed bids received.

Hereto attached is a Summary of the Bids received:

**NUSSBAUMER, CLARKE & VELZY**  
Engineers

August 19, 1954

B U F F A L O

RE: Sewer District No. 5  
Cheektowaga, New York

Mr. Benedict Holts  
Supervisor  
Town of Cheektowaga  
Town Hall  
Broadway & Union Rd.  
Buffalo 25, New York

Dear Sir:

We are submitting a copy of the complete tabulation of the bids received last Monday. You will notice that the bid of G. E. Knowles Company, Getzville, New York, is low. They are the contractor who have just completed the work for District No. 3.

We propose to write you prior to the next meeting a letter recommending an award to them, but before writing that letter, we will make a review of the estimated cost of Contract 3 which pertains to secondary treatment, present the same to the County Health Department and also the State Health Department, so that we may be fairly sure that the basis of estimate for Contract 3 is going to be approved by those departments.

We will then be sure that an award to Knowles will come within the funds available.

There is an alternate under Bid Item 9 and 9a with regard to the type of sludge control building to be built. We will also make recommendation with regard to that Bid Item at that time.

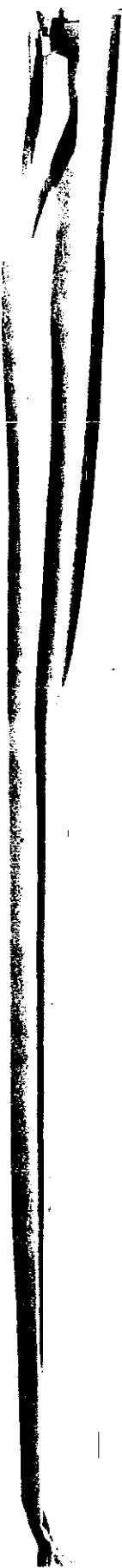
Very truly yours,

NUSSBAUMER, CLARKE & VELZY

MLN:DF  
Enclosure

Howell L. Nussbaumer

cc: Hawley



# SUMMARY OF BIDS

TOWN OF CHEEKTOWAGA, N.Y.  
SANITARY SEWER DISTRICT NO. 5  
CONSTRUCTION OF ADDITIONS TO SEWAGE TREATMENT PLANT  
BIDS TAKEN 7:30 P.M., E.D.T., AUGUST 16, 1954

ITEM NO.	DESCRIPTION	BRUNNER ASPHALT & CONCR. CO.		C.B. KNOWLES & CO.		PITTS JONES CO.					
		UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
1	ALTERATIONS TO PUMPING STATION		12,402		10,150		9,400				
2	GRIT CHAMBERS		35,822		24,250		26,400				
3	PRIMARY SETTLING TANK		94,115		70,380		95,500				
4	SLUDGE TANK & CONTROL CHAMBER		87,228		67,890		98,100				
5	30 INCH FORCE MAIN		26,540		26,880		24,250				
6	54 INCH FORCE MAIN		23,607		24,150		21,250				
7	PIPES		12,216		13,470		38,250				
8	VALVES & GATES		14,060		16,750		13,000				
9	SLUDGE CONTROL BUILDING-WITHOUT BASEMENT		30,260		33,600		23,750				
10	SLUDGE CONTROL BUILDING-WITH BASEMENT		41,362		32,300		30,370				
	ADD. FOR PIPING UNDER ITEM NO. 7		4,680		3,500		3,900				
	ADDITION FOR HEATING VENTILATING & PLUMBING UNDER ITEM NO. 32		2,509		2,000		1,400				
	ADDITION FOR ELECTRIC WORK UNDER ITEM NO. 34		1,200		1,000		1,100				
	TOTAL FOR BUILDING COMPLETE		50,151		44,800		36,550				
10	GRADING & ROADWAYS		7,000		8,410		7,500				
11	5200 CU. YDS. DRIVEWAY TOP COURSE	1.25	6,710	2.00	10,400	2.10	10,920				
12	400 LIN. FT. EXISTING CHAIN LINK FENCE	1.25	500	3.30	1,400	2.20	880				
	980 " " NEW " " "	2.25	2,205	5.50	5,390	3.75	3,675				
	NEW CHAIN LINK GATE		105		450		330				
	TOTAL FOR FENCE CONSTRUCTION		2,828		7,240		4,555				
13	MISCELLANEOUS		9,750		8,350		7,400				
14	MAINTENANCE & PLANT OPERATION		5,000		5,125		4,000				
21	SCREENING EQUIPMENT		5,742		6,170		6,150				
22	GRIT COLLECTION EQUIPMENT		30,637		18,650		22,300				
23	MOVE & OVERHAUL EXISTING GRIT EQUIPMENT		5,287		4,650		4,200				
24	SLUDGE & SCUM MECHANISM-PRIMARY TANK		13,400		13,320		14,750				
25	SLUDGE TANK COVER & ACCESSORIES		38,730		36,500		50,650				
26	SEWAGE PUMPING EQUIPMENT		13,428		12,560		16,000				
27	PLUNGER SLUDGE PUMP		2,358		2,180		2,200				
28	SLUDGE HEATER		4,678		3,860		3,960				
29	GAS CONTROL EQUIPMENT		375		320		500				
30	METERS & THERMOMETERS		11,325		9,080		10,510				
	DUCT FOR SLUDGE METER		1,500		1,450		350				
31	WEIRS		5,385		4,940		5,000				
32	HEATING, VENTILATING & PLUMBING		9,640		10,020		8,800				
33	BOILER		5,220		5,750		4,900				
34	ELECTRICAL WORK		16,519		18,700		16,000				
TOTAL FOR CONTROL BUILDING WITHOUT BASEMENT			\$ 546,973.00		\$ 497,955.00		\$ 540,575.00				
TOTAL FOR CONTROL BUILDING WITH BASEMENT			\$ 566,202.00		\$ 513,265.00		\$ 565,625.00				

BID CHECK OR BOND	NEW AMSTERDAM CASUALTY CO.	AMERICAN EMPLOYERS INS. AND BOND CO.	UNITED STATES FIDELITY & CAS. CO.	
NUSSBAUMER, CLARKE, & VELZY - ENGINEERS BUFFALO, N.Y. <span style="float: right;">B-354</span>				

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

WHEREAS, the sidewalk in front of No. 4 Manlon Terrace, has been raised due to the roots of the trees and there is danger someone may be hurt unless the sidewalks is immediately repaired, be it

RESOLVED, that Castricone Construction Company be employed to repair said sidewalk in front of No. 4 Manlon Terrace and make such replacements as may be necessary, that sufficient money be transferred from the General Fund to pay the cost thereof, this being an emergency matter.

Seconded by Councilman Wroblewski.

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

Item No. 21 The following order and resolution was offered by Mr. Wroblewski who moved its adoption, seconded by Mr. Bystrak, to wit:

BOND RESOLUTION DATED AUGUST 16, 1954,  
AUTHORIZING THE ISSUANCE OF \$7,600 SERIAL BONDS  
OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE  
PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE  
CONSTRUCTION OF A LATERAL SEWER.

**BOND RESOLUTION DATED AUGUST 16, 1954,  
AUTHORIZING THE ISSUANCE OF \$7,600 SERIAL BONDS  
OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE  
PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE  
CONSTRUCTION OF A LATERAL SEWER.**

Section 1. Sewer District No. 5, hereinafter referred to, is a sewer district of the Town of Cheektowaga, in the County of Erie, established by the Town Board of said town pursuant to and in accordance with the provisions of the Town Law of New York and said Sewer District has constructed and now maintains a trunk system of sewers in said District in accordance with Article 12 of the Town Law of New York, and the lateral sewer hereinafter described is to be connected with said trunk system of sewers and will be entirely within said District for the purpose, hereinafter described, is a special improvement authorized by said Article 12.

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

Section 2. In order to finance the construction of the lateral sewer described in this resolution the construction of a lateral sewer in Mapleview, commencing in the center of the intersection of Mapleview Avenue and Kirkdale Road and extending on Mapleview Avenue a distance of 660 feet, so as to serve both sides of said highway, in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga on the 15th day of February, 1954.

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

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

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 4 of paragraph A of Section 11.06 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

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

Section 7. The validity of said Serial Bonds or of any bond anticipation certificate 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 law which should be applied at the time of the issuance of said bonds are not in compliance with the provisions of the Local Finance Law, and an action to contest the validity of said obligations shall be commenced within the period of six months after the date of the issuance of said bonds.

Section 8. The validity of this resolution shall be contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, State of New York, is not authorized to expend money, or if the provisions of 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 to contest the validity of this resolution shall be commenced within the period of six months after the date of the publication of this notice.

shall be in the "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," newspapers published in and having a general circulation.

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

The bond resolution published herewith has been duly adopted August 16, 1954, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, State of New York, is not authorized to expend money, or if the provisions of the law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action to contest the validity of this resolution shall be commenced within the period of six months after the date of the publication of this notice.

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

*Harriet M. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *she* is  
*secretary* of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks; first  
publication *Aug. 26, 1954*;  
last publication *Aug. 26, 1954*;  
and that no more than six days intervened be-  
tween publications.

*Harriet M. Allis*

Sworn to before me this *2<sup>nd</sup>*

day of *September*, 19*54*

*Eve J. Allis*

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 19*55*  
Registered No. 5029

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

WHEREAS, the sidewalk in front of No. 4 Manlon Terrace, has been to the roots of the trees and there is danger someone may be hurt unless the sidewalk is immediately repaired, be it

RESOLVED, that Castricone Construction Company be employed to re-said sidewalk in front of No. 4 Manlon Terrace and make such replacements as may be necessary, that sufficient money be transferred from the General Fund to pay the cost thereof, this being an emergency matter.

Seconded by Councilman Wroblewski.

Carried: Ayes:  
Absent: -1-

Item No. 21 The following order and resolution was offered by Mr. Wroblewski its adoption, seconded by Mr. Bystrak, to wit:

BOND RESOLUTION DATED AUGUST 16, 1954,  
AUTHORIZING THE ISSUANCE OF \$7,600 SERIAL BONDS  
OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE  
PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE  
CONSTRUCTION OF A LATERAL SEWER.

**RESOLUTION OF THE TOWN BOARD OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF A LATERAL SEWER.**  
WHEREAS, Sewer District No. 5, hereinafter referred to, is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, pursuant to and in accordance with the provisions of the Town Law of New York, and said Sewer District has constructed and now maintains a trunk system of sewers in said District, in accordance with Article 12 of the Town Law of New York, and the lateral sewer hereinafter described is to be connected with said trunk system of sewers and will be entirely within said District, and the purpose, hereinafter described, is a special improvement authorized by said Article 12:  
**NOW, THEREFORE,**  
**BE IT RESOLVED,** by the Town Board of the Town of Cheektowaga, in the County of Erie, as follows:  
Section 1. In order to finance the construction of a lateral sewer, the Town Board is authorized to issue bonds as provided in this resolution.  
Section 2. The specific object of the bonds (hereinafter referred to as "bonds") to be financed pursuant to this resolution is the construction of a lateral sewer in Cheektowaga, commencing in the center of the intersection of Mapleview Avenue and Birkdale Road and extending easterly on Mapleview Avenue a distance of 660 feet, so as to serve both sides of said highway, in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga on the 15th day of February, 1954.  
Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefited by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefited by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the

applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds; and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.  
Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 4 of paragraph A of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.  
Section 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.  
Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with as of the date of the issuance of such bonds are not complied with, or if such obligations are not authorized in violation of the provisions of the Constitution of New York.

(8-26)   
TOWN CLERK



AUGUST 16, 1954, FOR THE  
ISSUANCE OF \$7,600.00 SERIAL  
BONDS OF THE TOWN OF  
CHEEKTOWAGA, IN THE COUNTY  
OF ERIE, PURSUANT TO THE  
LOCAL FINANCE LAW, TO FI-  
NANCE THE CONSTRUCTION OF  
A LATERAL SEWER.

WHEREAS, Sewer District No. 5,  
hereinafter referred to, is a sewer  
district of the Town of Cheektowaga,  
in the County of Erie, duly estab-  
lished by the Town Board of said  
Town, pursuant to and in accordance  
with the provisions of the Town Law  
of New York, and Said Sewer Dis-  
trict has constructed and now main-  
tains a trunk system of sewers in  
said District, in accordance with Ar-  
ticle 12 of the Town Law of New  
York, and the lateral sewer herein-  
after described is to be connected  
with said trunk system of sewers and  
will be entirely within said District,  
and the purpose, hereinafter de-  
scribed, is a special improvement  
authorized by said Article 12:

NOW, THEREFORE,

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

Section 1. In order to finance the  
specific object or purpose, herein-  
after described, the Town of Cheek-  
towaga, in the County of Erie, shall

of New York.

Section 2. The specific object or  
purpose (hereinafter referred to as  
"purpose") to be financed pursuant  
to this resolution is the construction  
of a lateral sewer in Mapleview Ave-  
nue commencing in the center of the  
intersection of Mapleview Avenue  
and Birkdale Road and extending  
easterly on Mapleview Avenue a dis-  
tance of 660 feet, so as to serve both  
sides of said highway, in accordance  
with a resolution adopted by the  
Town Board of said Town of Cheek-  
towaga on the 15th day of February,  
1954.

Section 3. The expense of making  
the improvement described in Sec-  
tion 2 of this resolution shall be  
borne by local assessment upon the  
several lots and parcels of land  
which the Town Board shall deter-  
mine and specify to be especially  
benefitted by such improvement. An  
amount sufficient to pay the prin-  
cipal 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 pur-  
pose, as estimated by the Town  
Board is \$7,600.00 and (b) no money  
has heretofore been authorized to be  
applied to the payment of the cost of  
said purpose, and (c) the Town  
Board plans to finance the cost of  
said purpose entirely from funds  
raised by the issuance of said Serial  
Bonds, and (d) all of such cost is to  
be paid by assessments upon benef-  
fitted real property in an area less  
than the area of said Town.

Section 5. It is hereby determined  
that said purpose is an object or  
purpose described in Subdivision 4  
of paragraph A of Section 11.00 of  
the Local Finance Law, and that the  
period of probable usefulness of said  
purpose is thirty years.

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

Section 7. The validity of said Se-  
rial Bonds or of any bond anticipa-  
tion notes issued in anticipation of  
the sale of said Serial Bonds may be  
contested only if such obligations  
are authorized for an object or pur-  
pose for which said Town is not au-  
thorized to expend money, or the  
provisions of law which should be  
complied with at the date of the  
publication of this resolution are not  
substantially complied with, and an  
action, suit or proceeding contesting  
such validity, is commenced within  
twenty days after the date of such  
publication; or if said obligations are  
authorized in violation of the provi-  
sions of the Constitution of New  
York.

Section 8. This resolution shall be

shall be in the "CHEEKTOWAGA  
TIMES" and the "Depew Herald and  
Cheektowaga News," newspapers  
published in and having a general  
circulation.

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

The bond resolution published  
herewith has been duly adopted Au-  
gust 16, 1954, and the validity of the  
obligations authorized by such bond  
resolution may be hereafter contested  
only if such obligations were autho-  
rized 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 compl-  
ied with as of the date of publi-  
cation of this notice were not sub-  
stantially 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 vio-  
lation of the provisions of the Con-  
stitution of New York.

KENNETH T. HANLEY

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

...of said...  
...from funds raised by the  
...of said Serial Bonds and  
(d) all of such cost is to be paid  
by assessments upon benefitted  
real property in an area less than  
the area of said Town.  
Section 5. It is hereby determin-  
ed that said purpose is an object  
or purpose described in Subdivis-  
...  
...of the purchase  
the purchaser will be required to  
be accepted. At the time of sale  
fer is made, the original offer  
be auctioned, and if no higher  
time the following properties  
Village owned real estate at which  
new offers, for the purchase  
which have been made, as well as  
(E.D.S.T.),  
on September 7, 1954, at  
bers, Village Hall, Depew, N.Y.  
will meet in the Council  
mittee of the Village of Depew  
given that the Land and Tax Com-  
ed Real Estate, Notice is hereby  
Improved Property, Village of  
notice: PUBLIC AUCTION of  
newspaper and post the following  
have published in the  
sk, the Clerk was directed to  
deposed by Trustee Lewandowski  
On motion of Trustee Ruzicki  
ried.  
Terrace near Transit Road, Off-  
men to 4000 lumen on Alton  
change one (1) lamp from 2500 to  
end of Alview Terrace  
install two (2) lights at the  
ter, New York, was substituted  
Corp., 177 Central Avenue, Lakewood  
New York State Building & Co.  
BROOKLYN

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

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

*Richard G. Bennett*

Sworn to before me this 2nd day of  
September, 1954

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

ln 52880

Item No. 21- Cont'd The following order and resolution was offered by Mr. Wroblewski, who moved its adoption, seconded by Mr. Bystrak, to wit:

BOND ANTICIPATION NOTE RESOLUTION DATED AUGUST 16, 1954, AUTHORIZING THE ISSUANCE OF \$7,600 BOND ANTICIPATION NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF A LATERAL SEWER.

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\*\*\*\*

BE IT RESOLVED, by the Town Board as follows:

Section 1. The Town of Cheektowaga shall issue its Bond Anticipation Notes of the aggregate principal amount of \$7,600, pursuant to the Local Finance Law of New York, in order to finance the specific object or purpose hereinafter described, in anticipation for the issuance of \$7,600 Serial Bonds authorized by the Bond Resolution entitled "Bond Resolution Dated August 16, 1954, authorizing the issuance of \$7,600 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the construction of a lateral sewer", adopted by the Town Board on August 16, 1954.

Section 2. The specific object or purpose (Hereinafter referred to as "purpose" to be financed by the issuance of said notes is the construction of a lateral sewer in Mapleview Avenue commencing in the center of the intersection of Mapleview Avenue and Birkdale Road and extending easterly on Mapleview Avenue a distance of 660 feet, so as to serve both sides of said highway .

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

Section 4. The power to prescribe the terms, form and contents of said Bond Anticipation Notes, subject to the provisions of this resolution, and to sell and deliver such bond anticipation notes, is hereby delegated to the Supervisor, the Supervisor and the Town Clerk are hereby directed to sign any Bond Anticipation Notes issued pursuant to this resolution and the Town Clerk is hereby directed to affix to such notes the corporate seal of the Town.

Section 5. This resolution shall take effect immediately upon its adoption:

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

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

Carried: Ayes: -4-

Absent: -1-

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
TOWN OF CHEEKTOWAGA

BOND ANTICIPATION NOTE OF 1954 \$7,600

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

SEVENTY SIX HUNDRED DOLLARS-----\$7,600

on the 1st day of February, 1955, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum payable February 1, 1955, and annually thereafter. Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

STATE OF NEW YORK )  
COUNTY OF ERIE )

ss:

**RESOLUTION AUTHORIZING THE TOWN OF CHEEKTOWAGA TO ISSUE SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE CONSTRUCTION OF A LATERAL SEWER.**

WHEREAS, Sewer District No. 5, hereinafter referred to, is a sewer district of the Town of Cheektowaga in the County of Erie, duly established by the Town Board of said Town, pursuant to and in accordance with the provisions of the Town Law of New York, and said Sewer District has constructed and now maintains a trunk system of sewers in said District in accordance with Article 12 of the Town Law of New York, and the lateral sewer hereinafter described is to be connected with said trunk system of sewers and will be entirely within said District, and the purpose, hereinafter described is a special improvement authorized by said Article 12;

**NOW THEREFORE**

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$7600.00 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a lateral sewer in Mapleview Avenue commencing in the center of the intersection of Mapleview Avenue and Birkdale Road and extending easterly on Mapleview Avenue a distance of 600 feet, so as to serve both sides of said highway, in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga on the 16th day of February, 1954.

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon

**Done at MA**

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

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Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$7,600.00, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 6 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

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

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall be published by the Town Board of said Town, together with the form substantially the form described by Section 81.00 of said Local Finance Law and such publication shall be in the "Cheektowaga Times" and the "Depew Herald and Cheektowaga News" newspapers published and having a general circulation in said Town.

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

The bond resolution published herewith has been duly adopted on August 16, 1954, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, State of New York, is not authorized to expend money, or if the provisions of the law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution of New York.

KENNETH T. HANLEY,  
Town Clerk

Item No. 21-Cont'd This note is one of an authorized issue, the aggregate principal amount of which is Seventy Six Hundred Dollars (\$7,600).

This note is issued pursuant to the provisions of a bond anticipation note resolution dated August 16, 1954, authorizing the issuance of bond anticipation notes of the Town of Cheektowaga in the amount of Seventy Six Hundred Dollars (\$7,600), in anticipation of the sale of Serial Bonds authorized to finance the construction of a lateral sewer in Mapleview Avenue, commencing in the center of the intersection of Mapleview Avenue and Birkdale Road and extending easterly on Mapleview Avenue, a distance of 660 feet, so as to serve both sides of said highway, in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga on the 3rd day of May, 1954.

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

It is hereby certified and recited that all conditions acts and things required by the Constitution and Statutes of the State of New York, to exist to have happened and to have been performed precedent to and in the issuance of this note, exist, have happened and have been performed, and that this note, together with all other indebtedness of such Town of Cheektowaga, is within every debt and other limit prescribed by the Constitution and Laws of such State.

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

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.  
BY:\*\*\*

\_\_\_\_\_  
SUPERVISOR

ATTEST: \_\_\_\_\_

TOWN CLERK.

Item No. 22

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

CAPITAL NOTE RESOLUTION DATED AUGUST 16, 1954  
authorizing the issuance of \$4,000 LIGHTING  
DISTRICT CAPITAL NOTES of the Town of  
Cheektowaga, in the County of Erie, pursuant  
to the Local Finance Law.

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in proportion to the area of the lots and parcels upon which the improvements are made 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 such improvements and to annually appropriate 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 1 of Chapter 531 of the Laws of 1946, as amended by Chapter 100 of the Laws of 1946.

NOW, THEREFORE, BE IT RESOLVED

That the Board of the Town of Cheektowaga, in the County of Erie, as follows:

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its capital notes of the aggregate principal amount of \$4,000.00, pursuant to the Local Finance Law of New York.

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

- (a) Chesterfield Drive, from Burke Drive to Treshaven Drive.
- (b) Verdun Place, from Genesee Street to end of street.
- (c) Carol Drive, from East Delavan Avenue to Rowan Road.
- (d) Mafalda Drive, from Harlem Road to Nina Place.

Section 3. It is hereby stated that:

- (a) The maximum cost of said purpose as estimated by the Town Board is \$4,000.00.
- (b) No money has heretofore been applied to the payment of the cost of said purpose.
- (c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.
- (d) All of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued pursuant to the Local Finance Law, \$4,000.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series C of 1954, which shall bear a date not earlier than August 14, 1954, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and maturing as follows, to wit:

- 1. In the amount of \$2,000.00 maturing on April 1, 1955, and
  - 2. In the amount of \$2,000.00 maturing on April 1, 1956.
- each of such notes to bear interest at a rate not exceeding 5% per annum, payable semi-monthly on April 1 and October 1 of each year, to be registered in the office of the Town Clerk.

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 52.00 of the Local Finance Law as the Supervisor shall determine.

Section 5. The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such capital notes as the same 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 appropriated and assessed upon the several lots and parcels of land especially benefitted by the aforesaid improvements in proportion

as the same shall be determined.

Section 7. Such capital notes shall be sold at public sale by the Supervisor at a price not less than the value of and accrued interest thereon, and the proceeds of such sale shall be applied solely for the purpose aforesaid, but the receipt of the 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 Subsection 35 of paragraph (a) of Section 52.00 of the Local Finance Law, and the period of probable continuance of said purpose is 5 years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution shall not exceed 4 years. The validity of said obligations is hereby authorized for so long as no action 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 in said Town together with a notice substantially the same as prescribed by Section 52.00 of the Local Finance Law, and such publication shall be in the CHEEKTOWAGA NEWS and in the CHEEKTOWAGA NEWS, a newspaper published and having a general circulation in said Town, and which newspapers are the official papers of this Town.

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

The capital note resolution published herewith has been adopted on the 16th day of August, 1954, and the validity of the obligations authorized by this capital note resolution may be annulled, conditioned, or if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice or such obligations were authorized in violation of the provisions

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

*Harriet M. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *she* is  
*secretary* of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks; first  
publication **AUG 19 1954**;  
last publication **AUG 19 1954**;  
and that no more than six days intervened be-  
tween publications.

*Harriet M. Allis*

Sworn to before me this .....  
day of **AUG 23 1954**, 19.....

*Eve J. Allis*

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 19 *55*  
Registered No. 5029

**CAPITAL NOTE RESOLUTION  
DATED AUGUST 16, 1954, AU-  
THORIZING THE ISSUANCE OF  
\$4,000.00 LIGHTING DISTRICT  
CAPITAL NOTES OF THE TOWN  
OF CHEEKTOWAGA IN THE  
COUNTY OF ERIE PURSUANT  
TO THE LOCAL FINANCE LAW.**

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

**NOW, THEREFORE,**

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its capital notes of the aggregate principal amount of \$4,000.00, pursuant to the Local Finance Law of New York.

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

- (a) Chesterfield Drive, from Burke Drive to Treehaven Drive.
- (b) Verdum Place, from Genesee Street to end of street.
- (c) Carol Drive, from East Delavan Avenue to Rowan Road.
- (d) Mafalda Drive, from Harlem Road to Nina Place.

Section 3. It is hereby stated that:

- (a) The maximum cost of said purpose as estimated by the Town Board is \$4,000.00.
- (b) No money has heretofore been applied to the payment of the cost of said purpose.
- (c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.
- (d) All of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued pursuant to the Local Finance Law, \$4,000.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series C of 1954, which shall bear a date not earlier than August 16, 1954, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and maturing as follows, to wit:

- 1. In the amount of \$2,000.00 maturing on April 1, 1955, and
  - 2. In the amount of \$2,000.00 maturing on April 1, 1956.
- each of such notes to bear interest at a rate not exceeding 5% per annum, payable semi-monthly on April 1 and October 1. Such Capital Notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

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

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

Section 202-a of the Town Law, an amount sufficient to pay the principal of and interest on such capital notes as the same become due and payable.

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

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

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

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

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

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

The capital note resolution published herewith has been adopted on the 16th day of August, 1954, and the validity of the obligations authorized by such capital note resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice or such obligations were authorized in violation of the provisions of the Constitution of New York.

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



Item No. 22-Cont'd Hereto attached is a copy of the notice published in the Depew Herald-Cheektowaga News:

*Mini Copy*

**TOWN OF CHEEKTOWAGA  
COUNTY OF ERIE**

**RESOLUTION OF THE BOARD OF LIGHTING DISTRICT CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.**  
WHEREAS, the expense of making the improvements hereinafter described must be borne by local assessment upon the several lots and parcels of land within the districts in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law for the assessment of the cost of maintenance in a sewer district as the same shall be annually determined and apportioned by the Town Board and the Town Board desires to issue capital notes to finance the cost of said improvements and to annually assess and assess upon the several lots and parcels of 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 Law of 1946.

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its capital notes of the aggregate principal amount of \$4,000.00, pursuant to the Local Finance Law of New York.

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

- a) Chesterfield Drive, from Burke Drive to Treehaven Drive.
- b) Verdun Place, from Genesee Street to end of street.
- c) Carol Drive, from East Delavan Avenue to Rowan Road.
- d) Mafalda Drive, from Harlem Road to Nina Place.

Section 3. It is hereby stated that:

- a) The maximum cost of said purpose as estimated by the Town Board is \$4,000.00.
- b) No money has heretofore been applied to the payment of the cost of said purpose.
- c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.
- d) All of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued, pursuant to the Local Finance Law, \$4,000.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series C of 1954, which shall bear a date not earlier than August 16, 1954, to be fixed by the

Supervisor in the following denominations and to be numbered as follows, and maturing as follows, to wit:

- 1. In the amount of \$2,000.00 maturing on April 1, 1955, and
  - 2. In the amount of \$2,000.00 maturing on April 1, 1956,
- each of such notes to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such Capital Notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

Section 5. All other matters, except as provided herein, relating to such capital notes, shall be determined by the Supervisor. Such capital notes shall contain substantially the recital of value clause provided for in Section 200 of the Local Finance Law and shall otherwise be in such

**RICHARD G. BENNETT**

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

**Depew Cheektowaga  
Herald and News**

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

*Richard G. Bennett*

day of  
54  
1954  
*Wight*

and for Erie County.

ANTHONY J. KRIGER  
Notary Public in and for Erie County, New York  
My Commission Expires Mar. 30, 1956  
Reg. No. 2706

adoption: Councilman Bystrak presented the following resolution and moved its

...the construction of buildings and other structures and regulates the height thereof and its rules and regulation adequately protect the interests of the Town of Cheektowaga, New York, and

WHEREAS, Section 20-A entitled "Airport District" contains provisions which conflict with the rules and regulations of the Civil Aeronautic Administration and there is no apparent need for an ordinance to be adopted regulating construction of buildings and structures near the Buffalo Municipal Airport in view of the aforementioned rules and regulations, be it

RESOLVED, that the Town Board meet on the 13th day of September, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time for the purpose of repealing Section 20-A entitled "Airport District" of the Zoning Ordinances of the Town of Cheektowaga, New York, which ordinance provides as follows:

SECTION 20-A AIRPORT DISTRICT

In a district set out according to the specifications hereinafter set forth, in and about the property in the Town of Cheektowaga now or hereafter owned by the City of Buffalo and used for the Buffalo Municipal Airport, there shall be erected or structurally altered no building, tower, tank, derrick, smoke stack, pole, wire, power line, signboard or other structure of a permanent or temporary nature for any purpose whatsoever, which extends above the level of the land;

- (1) 10 feet in height within a distance of 200 feet from any boundary of the airport;
(2) 20 feet in height within the area from 200 feet to 500 feet from any boundary of the airport;
(3) 50 feet in height within the area from 500 feet to 1000 feet from any boundary of the airport;
(4) 100 feet in height within the area from 1000 feet to 1500 feet from any boundary of the airport.

The restrictions and regulations of this Section 20-A shall not prohibit the City of Buffalo, or its agents or servants from erecting or maintaining such buildings, towers, or other structures, which it deems necessary, convenient or desirable on the airport in the use of its lands in the Town of Cheektowaga as an airport.

The restrictions and regulations of this Section 20-A shall not render unlawful or in violation here of any building or structure now in existence or now being constructed which may exceed in height the height provisions of this section; but no such building or

...the original plans of any such building or structure indicated a height greater than the existing height; nor may any existing building or structure, not now violating the provisions of this section, be increased in height so as to violate the provisions of this section.

The restrictions and regulations of this Section 20-A shall apply to all uses of the land within the scope of this section, no matter what other use districts designated by these zoning ordinances may also be within the scope of the lands affected by this section.

The other provisions of these ordinances, not inconsistent with the provisions of this Section 20-A shall apply to the lands within the Airport District,

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearings, and that on or before said date he post, or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

Councilman Nagel, Voting Aye, Councilman Wroblewski, Voting Aye, Councilman Neibert, Voting Aye, Councilman Bystrak, Voting Aye. AYES: 4; NOES: 0; ABSENT: 1.

2. In the amount of \$2,000.00 maturing on April 1, 1956, each of such notes to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such Capital Notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

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

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

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

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

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

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

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

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

The capital note resolution published herewith has been adopted on the 16th day of August, 1954, and the validity of the obligations authorized by such capital note resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

... is a copy of the notice published in the

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

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

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

was inserted and published therein once a week for

1 week, the first insertion being on the

19th day of August, 1954, and

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

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

more than six days intervened between any two publi-

cations thereof.

Richard G. Bennett

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

1954

Notary Public in and for Erie County, New York

My Commission Expires Mar. 30, 1956

Reg. No. 2706

and for Erie County.

Item N  
Depew

NOW \$3.75  
values  
values  
values  
values

THESE REDUCTIONS!  
Ordinary Straw Hats, but nation-  
ally famous, and ADAM quality;  
CHAMP and ADAM Imported,  
Panama, Milan Imported,  
Cool, and Adam Brookwood  
Tan, Dark Tan, Straw - Odd Sizes.

of STRAWS

is a copy of the notice published in the

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

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

*Richard G. Bennett*

Sworn to before me this 23rd day of

Aug. 1954  
*Anthony J. Krueger*

Notary Public in and for Erie County.

ANTHONY J. KRUEGER  
Notary Public in and for Erie County, New York  
My Commission Expires Mar. 30, 1956  
Reg. No. 2706

no 52 8800

adoption: Councilman Bystrak presented the following resolution and moved its

...the construction of buildings and other structures and regulates the height thereof and its rules and regulations adequately protect the interests of the Town of Cheektowaga, New York, and

WHEREAS, Section 20-A entitled "Airport District" contains provisions which conflict with the rules and regulations of the Civil Aeronautic Administration and there is no apparent need for an ordinance to be adopted regulating construction of buildings and structures near the Buffalo Municipal Airport in view of the aforementioned rules and regulations, be it

RESOLVED, that the Town Board meet on the 13th day of September, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time for the purpose of repealing Section 20-A entitled "Airport District" of the Zoning Ordinances of the Town of Cheektowaga, New York, which ordinance provides as follows:

SECTION 20-A AIRPORT DISTRICT

In a district set out according to the specifications hereinafter set forth, in and about the property in the Town of Cheektowaga now or hereafter owned by the City of Buffalo and used for the Buffalo Municipal Airport, there shall be erected or structurally altered no building, tower, tank, derrick, smoke stack, pole, wire, power line, signboard or other structure of a permanent or temporary nature for any purpose whatsoever, which extends above the level of the land;

- (1) 10 feet in height within a distance of 200 feet from any boundary of the airport;
- (2) 20 feet in height within the area from 200 feet to 500 feet from any boundary of the airport;
- (3) 50 feet in height within the area from 500 feet to 1000 feet from any boundary of the airport;
- (4) 100 feet in height within the area from 1000 feet to 1500 feet from any boundary of the airport.

The restrictions and regulations of this Section 20-A shall not prohibit the City of Buffalo, or its agents or servants from erecting or maintaining such buildings, towers, or other structures, which it deems necessary, convenient or desirable on the airport in the use of its lands in the Town of Cheektowaga as an airport.

The restrictions and regulations of this Section 20-A shall not render unlawful or in violation here of any building or structure now in existence or now being constructed which may exceed in height the height provisions of this section; but no such building or

...the original plans of any such building or structure indicated a height greater than the existing height; nor may any existing building or structure not now violating the provisions of this section, be increased in height so as to violate the provisions of this section.

The restrictions and regulations of this Section 20-A shall apply to all uses of the land within the scope of this section, no matter what other use districts designated by these zoning ordinances may also be within the scope of the lands affected by this section.

The other provisions of these ordinances, not inconsistent with the provisions of this Section 20-A shall apply to the lands within the Airport District.

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearings, and that on or before said date he post, or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

Councilman Nagel, Voting Aye,  
Councilman Wroblewski, Voting Aye,  
Councilman Nelbert, Voting Aye,  
Councilman Bystrak, Voting Aye.  
AYES: 4; NOES: 0; ABSENT: 1

1- Town Hall Bulletin Board.

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

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

... *Harriet M. Allis* ... of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *she* is  
... *secretary* ... of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* ... weeks; first  
publication ... **AUG 26 1954** ...;  
last publication ... **AUG 26 1954** ...;  
and that no more than six days intervened be-  
tween publications.

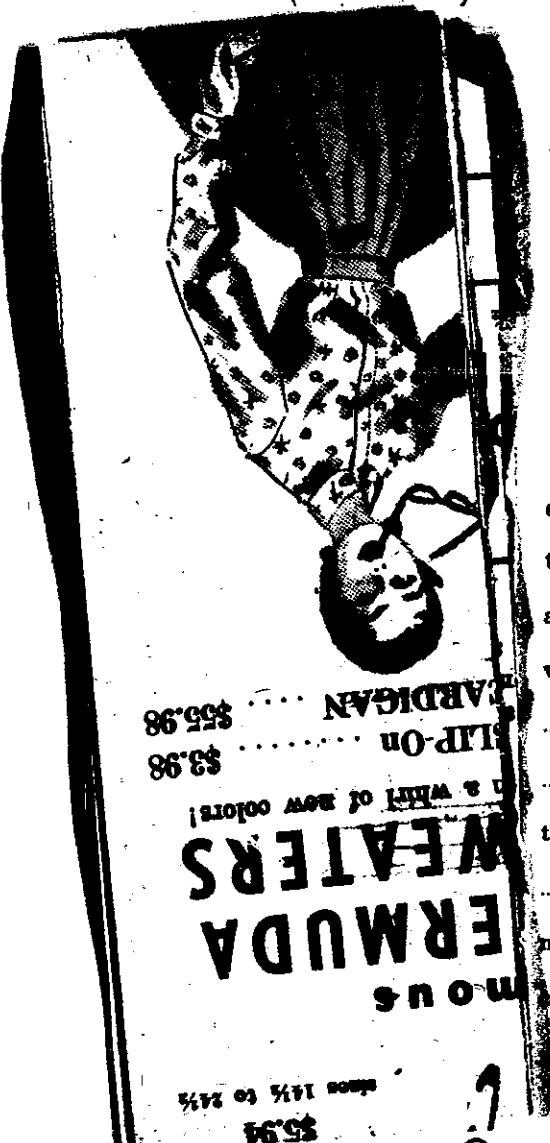
... *Harriet M. Allis* ...

Sworn to before me this .....  
day of ... **AUG 30 1954** ..., 19.....

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

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

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



**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

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

*Richard G. Bennett*

Sworn to before me this 2 day of

September, 1954

*Henry T. Auldy*  
Notary Public in and for Erie County.

hn 52 8600.

ERMUDA  
WEATERS  
SLIP ON  
\$3.98  
\$55.98  
MARDIGAN  
these 14% to 24%  
\$5.94

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 16th day of August, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were:

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

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

**WHEREAS**, the Civil Aeronautic Administration regulates the construction of buildings and other structures and regulates the height thereof and its rules and regulations adequately protect the interests of the Town of Cheektowaga, New York, and

**WHEREAS**, Section 20-A entitled "Airport District" contain provisions which conflict with the rules and regulations of the Civil Aeronautic Administration and there is no apparent need for an ordinance to be adopted regulating construction of buildings and structures near the Buffalo Municipal Airport in view of the aforementioned rules and regulations, be it

**RESOLVED**, that the Town Board meet on the 13th day of September, 1954, at 2:30 o'clock, P.M. Eastern Daylight Saving Time for the purpose of repealing Section 20-A entitled "Airport District" of the Zoning Ordinances of the Town of Cheektowaga, New York, which ordinance provides as follows:

**SECTION 20-A.  
AIRPORT DISTRICT**

In a district set out according to the specifications hereinafter set forth, in and about the property in the Town of Cheektowaga now or hereafter owned by the City of Buffalo and used for the Buffalo Municipal Airport, there shall be erected or structurally altered no building, tower, tank, derrick, smoke stack, pole, wire, power line, signboard or other structure of a permanent or temporary nature for any purpose whatsoever, which extends above the level of the land:

(1) 15 feet in height within a distance of 200 feet from any boundary of the airport;

(2) 20 feet in height within the area from 200 to 500 feet from any boundary of the airport;

(3) 30 feet in height within the area from 500 feet to 1,000 feet from any boundary of the airport;

The restrictions and regulations of this Section 20-A shall not prohibit the City of Buffalo, or its agents or servants from erecting or maintaining such buildings, towers, or other structures, which it deems necessary, convenient or desirable on the airport in the use of its lands in the Town of Cheektowaga as an airport.

The restrictions and regulations of this Section 20-A shall not render unlawful or in violation hereof any building or structure now in existence or now being constructed which may exceed in height the height provisions of this section; but no such building or structure now in existence or now under construction shall, after its completion, be increased in height even though the original plans of any such building or structure indicated a height greater than the existing height; nor may any existing building or structure not now violating the provisions of this section, be increased in height so as to violate the provisions of this section.

The restrictions and regulations of this Section 20-A shall apply to all uses of the land within the scope of this section, no matter what other use districts designated by these zoning ordinances may also be within the scope of the lands affected by this section.

The other provisions of these ordinances, not inconsistent with the provisions of this Section 20-A shall apply to the lands within the Airport District.

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

**RESOLVED AND ORDERED**, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post, or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

Councilman Bystrak voting Aye.  
Councilman Nagel voting Aye.  
Councilman Neibert voting Aye.  
Councilman Wroblewski voting Aye.  
**AYES: 4 NOES: 0 ABSENT: 1**

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in said County of Erie, have compared the foregoing copy of the resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 16th day of August, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 16th day of August, 1954.

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

(SEAL) (8-30)



STATE OF NEW YORK  
COUNTY OF ERIE

...not render unlawful or in violation here of any building or structure now in existence or now being constructed which may exceed in height the height provisions of this section; but no such building or structure now in existence or now under construction shall, after its completion, be increased in height even though the original plans of any such building or structure indicated a height greater than the existing height; nor may any existing building or structure not now violating the provisions of this section, be increased in height so as to violate the provisions of this section.

PRESENT:  
Henry Nagel, Councilman,  
Felix T. Wroblewski, Councilman,

Joseph A. Nelbert, Councilman,  
Stanley A. Bystrak, Councilman,  
ABSENT:

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

WHEREAS, the Civil Aeronautic Administration regulates the construction of buildings and other structures and regulates the height thereof and its rules and regulation adequately protect the interests of the Town of Cheektowaga, New York; and

WHEREAS, Section 20-A entitled "Airport District" contains provisions which conflict with the rules and regulations of the Civil Aeronautic Administration and there is no apparent need for an ordinance to be adopted regulating construction of buildings and structures near the Buffalo Municipal Airport in view of the aforementioned rules and regulations, be it

RESOLVED, that the Town Board meet on the 13th day of September, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time for the purpose of repealing Section 20-A entitled "Airport District" of the Zoning Ordinances of the Town of Cheektowaga, New York, which ordinance provides as follows:

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AIRPORT DISTRICT

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(1) 10 feet in height within a distance of 200 feet from any boundary of the airport;

(2) 20 feet in height within the area from 200 feet to 500 feet from any boundary of the airport;

(3) 50 feet in height within the area from 500 feet to 1000 feet from any boundary of the airport;

(4) 100 feet in height within the area from 1000 feet to 1500 feet from any boundary of the airport.

The restrictions and regulations of this Section 20-A shall not prohibit the City of Buffalo, or its agents or servants from erecting or maintaining such buildings, towers, or other structures, which it deems necessary, convenient or desirable on the airport in the use of its lands in the Town of Cheektowaga as an airport.

being

...not render unlawful or in violation here of any building or structure now in existence or now being constructed which may exceed in height the height provisions of this section; but no such building or structure now in existence or now under construction shall, after its completion, be increased in height even though the original plans of any such building or structure indicated a height greater than the existing height; nor may any existing building or structure not now violating the provisions of this section, be increased in height so as to violate the provisions of this section.

The restrictions and regulations of this Section 20-A shall apply to all uses of the land within the scope of this section, no matter what other use districts designated by these zoning ordinances may also be within the scope of the lands affected by this section.

The other provisions of these ordinances, not inconsistent with the provisions of this Section 20-A shall apply to the lands within the Airport District,

That at such public hearing all persons interested in the subject matter shall be given an opportunity to be heard, and be it further

RESOLVED AND ORDERED, that the Town Clerk be and he is hereby directed to publish a certified copy of this resolution in the CHEEKTOWAGA TIMES and the DEPEW HERALD AND CHEEKTOWAGA NEWS, newspapers having general circulation in the said Town and being official newspapers thereof, not less than ten (10) nor more than twenty (20) days prior to the date of the hearings, and that on or before said date he post, or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of this resolution.

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

Councilman Nagel, Voting Aye,  
Councilman Wroblewski,

Councilman Nelbert, Voting Aye,  
Councilman Bystrak, Voting Aye,  
AYES: 4; NOES: 0; ABSENT: 1.

State of New York )  
Erie County ) ss:  
Office of the Clerk of the )  
Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 16th day of August, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 16th day of August, 1954.

KENNETH T. HANLEY,  
Clerk of the Town Board  
au26 Town of Cheektowaga, N. Y.

WHEREAS, it is deemed advisable and in the public interest to regulate the excavation of ditches, sidewalks, streets, highways and other areas located upon Town property, or within the public right of way on Town streets and highways, be it

RESOLVED, that the Town Board shall meet on the 13th day of September, 1954, at 2:30 o'clock, P. M. Eastern Daylight Saving Time at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York for the purpose of considering the advisability of enacting the following general ordinance to be known as Ordinance No. 3, of the Town of Cheektowaga, New York, to provide as follows:

ORDINANCE NO. 3

No person, firm or corporation shall enter upon any Town property, or any portion of the right of way of a Town Highway, for the purpose of making an excavation for any purpose unless authorized to do so in writing, by the Building and Plumbing Inspector, as well as by the Town Highway Superintendent.

Applications for such permit must be made in writing and shall set forth the name of the owner, or owners of the abutting property where the excavation is intended to be made; the exact location of the excavation, its width and depth and the reason therefor and what arrangements have been made to fill in the excavation, the method of guarding the same and such other information as may be requested by the Building and Plumbing Inspector and the Town Highway Superintendent to protect the public using the Town property or said highway.

The fee for the issuance of such permit shall be \$50.00. In addition to such fee the applicant shall execute and file with his application a surety bond in the sum of \$1000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after the permit is issued.

"A" Any person, firm or corporation may file a surety bond in the sum of \$20,000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after permit is issued, in which event no further bond shall be required for additional permits. Same must be renewed on the first day of January of each year.

In addition thereto the applicant must agree to properly barricade the excavation so as to prevent any person from suffering injury to person or property by reason of such excavation.

The applicant must further agree in writing to protect

the Town of Cheektowaga from any claim of damage being made for injury to person or property by reason of such excavation and to save the Town harmless from any such claim or demand.

The applicant must agree that if the Town of Cheektowaga is obliged to pay any claim for damage caused by such excavation that the Town be promptly reimbursed by him for the amount thereof, whether such amount is reached by way of a compromise of the claim or demand or by a judgment of a Court of competent jurisdiction.

Nothing herein contained is intended to in anywise repeal any existing provision of the Plumbing and Draining Ordinances or the Building Code of the Town of Cheektowaga.

Any person, firm or corporation whether he be owner, contractor, sub-contractor or employee of the owner, contractor or sub-contractor violating the provisions of this Ordinance shall be punished by a fine not to exceed \$50.00 or by imprisonment for a term not exceeding six months.

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

Councilman Nagel, Voting Aye  
Councilman Neibert, Voting Aye

Councilman [unclear], Voting Aye  
Councilman [unclear], Voting Aye  
AYES: 4; NOES: 0; ABSENT: 1

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

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

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

*Harriet M. Allis*

Sworn to before me this .....  
day of *AUG 30 1954*, 19.....

*Eve J. Allis*

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 19 *65*  
Registered No. 5029

WHEREAS, it is deemed advisable and in the public interest to regulate the excavation of ditches, sidewalks, streets, highways and other areas located upon Town property, or within the public right of way on Town streets and highways, be it

RESOLVED, that the Town Board shall meet on the 13th day of September, 1954, at 2:30 o'clock, P. M. Eastern Daylight Saving Time at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York for the purpose of considering the advisability of enacting the following general ordinance to be known as Ordinance No. 3, of the Town of Cheektowaga, New York, to provide as follows:

ORDINANCE NO. 3

No person, firm or corporation shall enter upon any Town property, or any portion of the right of way of a Town Highway, for the purpose of making an excavation for any purpose unless authorized to do so in writing, by the Building and Plumbing Inspector, as well as by the Town Highway Superintendent.

Applications for such permit must be made in writing and shall set forth the name of the owner, or owners of the abutting property where the excavation is intended to be made; the exact location of the excavation, its width and depth and the reason therefor and what arrangements have been made to fill in the excavation, the method of guarding the same and such other information as may be requested by the Building and Plumbing Inspector and the Town Highway Superintendent to protect the public using the Town property or said highway.

The fee for the issuance of such permit shall be \$50.00. In addition to such fee the applicant shall execute and file with his application a surety bond in the sum of \$1000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after the permit is issued.

"A" Any person, firm or corporation may file a surety bond in the sum of \$20,000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after permit is issued, in which event no further bond shall be required for additional permits. Same must be renewed on the first day of January of each year.

In addition thereto the applicant must agree to properly barricade the excavation so as to prevent any person from suffering injury to person or property by reason of such excavation.

The applicant must further agree in writing to protect

from any claim of damage being made for injury to person or property by reason of such excavation and to save the Town harmless from any such claim or demand.

The applicant must agree that if the Town of Cheektowaga is obliged to pay any claim for damage caused by such excavation that the Town be promptly reimbursed by him for the amount thereof, whether such amount is reached by way of a compromise of the claim or demand or by a judgment of a Court of competent jurisdiction.

Nothing herein contained is intended to in anywise repeal any existing provision of the Plumbing and Draining Ordinances or the Building Code of the Town of Cheektowaga.

Any person, firm or corporation whether he be owner, contractor, sub-contractor or employee of the owner, contractor or sub-contractor violating the provisions of this Ordinance shall be punished by a fine not to exceed \$50.00 or by imprisonment for a term not exceeding six months.

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

Councilman Nagel, Voting Aye  
Councilman [Name obscured], Voting Aye

Councilman [Name obscured], Voting Aye  
Councilman [Name obscured], Voting Aye  
AYES: 4; NOES: 2; ABSENT: 1

**Enactment of Ordinance**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, corner Union Road and Broadway, Cheektowaga, Erie County, New York, on the 16th day of August, 1964, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were:

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

**ABSENT:** One  
Benedict T. Holtz, Supervisor

Councilman Wroblewski presented the following resolution and moved its adoption:

**WHEREAS**, it is deemed advisable and in the public interest to regulate the excavation of ditches, sidewalks, streets, highways and other areas located upon Town property, or within the public right of way on Town streets and highways, be it

**RESOLVED**, that the Town Board shall meet on the 13th day of September, 1964, at 2:30 o'clock, P.M. Eastern Daylight Saving Time at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York for the purpose of considering the advisability of enacting the following general ordinance to be known as Ordinance No. 3, of the Town of Cheektowaga, New York, to provide as follows:

**ORDINANCE #3**

No person, firm or corporation shall enter upon any Town property, or any portion of the right of way of a Town Highway, for the purpose of making an excavation for any purpose unless authorized to do so in writing, by the Building and Plumbing Inspector, as well as by the Town Highway Superintendent.

Applications for such permit must be made in writing and shall set forth the name of the owner, or owners of the abutting property where the excavation is intended to be made; the exact location of the excavation, its width and depth and the reason therefor and what arrangements have been made to fill in the excavation, the method of guarding the same and such other information as may be requested by the Building and Plumbing Inspector and the Town Highway Superintendent to protect the public using the Town property or said highway.

The fee for the issuance of such permit shall be \$50.00. In addition to such fee the applicant shall execute and file with his application a surety bond in the sum of \$1,000.00 conditioned that the applicant will receive the property to the same condition as it was before the excavation was made within thirty days after the

excavation is made. The fee for the issuance of such permit shall be \$50.00. In addition to such fee the applicant shall execute and file with his application a surety bond in the sum of \$1,000.00 conditioned that the applicant will receive the property to the same condition as it was before the excavation was made, within thirty days after permit is issued, in which event no further bond shall be required for additional permits. Same must be renewed on the first day of January of each year.

In addition thereto the applicant must agree to properly barricade the excavation so as to prevent any person from suffering injury to person or property by reason of such excavation.

The applicant must further agree in writing to protect the Town of Cheektowaga, from any claim of damage being made for injury to person or property by reason of such excavation and to save the Town harmless from any such claim or demand.

The applicant must agree that if the Town of Cheektowaga is obliged to pay any claim for damage caused by such excavation that the Town be promptly reimbursed by him for the amount thereof, whether such amount is reached by way of a compromise of the claim or demand or by a judgment of a Court of competent jurisdiction.

Nothing herein contained is intended to in anywise amend any existing provision of the Plumbing and Drainage Ordinances or the Building Code of the Town of Cheektowaga.

Any person, firm or corporation whether he be owner, contractor, sub-contractor or employee of the owner, contractor or sub-contractor violating the provisions of this Ordinance shall be punished by a fine not to exceed \$50.00 or by imprisonment for a term not exceeding six months.

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

Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Nagel, voting Aye.  
**AYES: 4 NOES: 0 ABSENT: 1**

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 16th day of August, 1964, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 16th day of August, 1964.

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

They are really stunning  
change of style now.

**FALL**

**DRESSES**

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Come in and get a look  
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**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

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

*Richard G. Bennett*

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

**SEP 2 1954**

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

*Kenneth D. ...*

Notary Public in and for Erie County.

no 528800

~~WHEREAS, the following resolution was moved its adoption:~~

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Peoria Street, commencing at William Street and extending to Stradtman Street, a distance of approximately 2620 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains. (Said highway is now paved for its entire length), and

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

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of Forteen Thousand Dollars, (\$14,000.00),

NOW THEREFORE,

BE IT RESOLVED, pursuant to the provisions of Section 200 of the Town Law of the State of New York, it is hereby

ORDERED that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet, at the Town Hall, corner of Union Road and Broadway, in said Town, on the 13th day of September, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and

BE IT FURTHER RESOLVED, that the Town Clerk be and he is hereby Ordered and Directed to publish a certified copy of this resolution and order in the Cheektowaga "Times" and the "Depew Herald and Cheektowaga News", the official newspapers of the Town of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that the Town Clerk post conspicuously or cause to be posted conspicuously certified copies of this Order in five (5) public places along the portion of said highway to be improved not less than ten (10) nor more than twenty (20) days prior to the date of the hearing and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this Order and Resolution.

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

Councilman Nagel, Voting Aye,  
Councilman Wroblewski,

Councilman Nagel, Voting Aye,  
Councilman Bystrak, Voting Aye,  
AYES: 6; NOES: 0; ABSENT: 1

STATE OF NEW YORK  
COUNTY OF ERIE

Cheektowaga, Erie County, New York, held at the Town Hall, corner Union Road and Broadway, Cheektowaga, Erie County, New York, on the 16th day of August, 1954 at 7:30 o'clock, P.M. Eastern Daylight Saving Time there were:

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

**ABSENT:**  
Benedict F. Holtz, Supervisor,  
Councilman Wroblewski present-  
ed a following resolution and moved its adoption:

Resolved, it is deemed advisable in the public interest to regulate the excavation of ditches, sidewalks, streets, highways and other areas located upon Town property, or within the public right of way on Town streets and highways, be it

**RESOLVED**, that the Town Board shall meet on the 13th day of September, 1954, at 2:30 o'clock, P. M. Eastern Daylight Saving Time at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York for the purpose of considering the advisability of

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enacting the following general ordinance to be known as Ordinance No. 3, of the Town of Cheektowaga, New York, to provide as follows:

ORDINANCE NO. 3

No person, firm or corporation shall enter upon any Town property, or any portion of the right of way of a Town Highway, for the purpose of making an excavation for any purpose unless authorized to do so in writing, by the Building and Plumbing Inspector, as well as by the Town Highway Superintendent.

Applications for such permit must be made in writing and shall set forth the name of the owner, or owners of the abutting property where the excavation is intended to be made; the exact location of the excavation, its width and depth and the reason therefor and what arrangements have been made to fill in the excavation, the method of guarding the same and such other information as may be requested by the Building and Plumbing Inspector and the Town Highway Superintendent to protect the public using the Town property or said highway.

The fee for the issuance of such permit shall be \$50.00. In addition to such fee the applicant shall execute and file with his application a surety bond in the sum of \$1000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after the permit is issued.

"A" Any person, firm or corporation may file a surety bond in the sum of \$20,000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after permit is issued, in which case no further bond shall be required for additional periods. Same must be renewed on the first day of January of each year.

In addition thereto the applicant must agree to properly enclose the excavation so as to prevent any person from suffering injury to person or property by reason of such excavation.

The applicant must further agree to protect the Town of Cheektowaga, from the claim of damage being made for injury to person or property by reason of such excavation and to save the Town harmless from any such claim or demand.

The applicant must agree that if the Town of Cheektowaga is obliged to pay any claim for damage caused by such excavation that the Town be promptly reimbursed by him for the amount thereof, whether such amount is received by way of a compromise of the claim or demand or by a judgment of a Court of competent jurisdiction.

Nothing herein contained is intended to in anywise repeal any existing provision of the Plumbing and Draining Ordinances or the Building Code of the Town of Cheektowaga.

Any person, firm or corporation whether he be owner, contractor, sub-contractor or employee of the owner, contractor or sub-contractor violating the provisions of this Ordinance shall be punished by a fine not to exceed \$50.00 or by imprisonment for a term not exceeding six months.

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

Councilman Nagel, Voting Aye,  
Councilman Wroblewski, Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Bystrak, Voting Aye,  
YES: 4; NOES: 0; ABSENT: 1.  
State of New York )  
Erie County ) ss:  
Office of the Clerk of the )  
Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 16th day of August, 1954, and that the same is a correct and true transcript of the original resolution and the vote thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 16th day of August, 1954.  
KENNETH T. HANLEY,  
Clerk of the Town Board  
Town of Cheektowaga, N. Y.

Sworn to before me this ..... day of  
SEP 2 1954

*Kenneth T. Hanley*  
Notary Public in and for Erie  
no 528600



**Councilman Wroblewski moved the following resolution and moved its adoption:**

**WHEREAS,** a written petition was duly filed with this Board for the improvement of both sides of Peoria Street, commencing at William Street and extending to Stradtman Street, a distance of approximately 2620 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains. (Said highway is now paved for its entire-length), and

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

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

**WHEREAS,** the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of Forteen Thousand Dollars, (\$14,000.00),

**NOW THEREFORE,**

**BE IT RESOLVED,** pursuant to the provisions of Section 200 of the Town Law of the State of New York, it is hereby

**ORDERED** that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 13th day of September, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and

**BE IT FURTHER RESOLVED,** that the Town Clerk he and he is hereby Ordered and Directed to publish a certified copy of this resolution and order in the Cheektowaga "Times" and the "Depew Herald and Cheektowaga News", the official newspapers of the Town of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that the Town Clerk post conspicuously or cause to be posted conspicuously certified copies of this Order in five (5) public places along the portion of said highway to be improved not less than ten (10) nor more than twenty (20) days prior to the date of the hearing and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this Order and Resolution.

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

Councilman Nagel, Voting Aye,  
Councilman Wroblewski,

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

Item No. 25-Cont'd Posted as follows on the 1st day of September, 1954:

- 1- Town Hall Bulletin Board;
- 2- Telephone Pole at the corner of Peoria and William Street;
- 3- Telephone Pole No. 3 on Peoria Street;
- 4- Telephone Pole in front of No. 74 Peoria Street;
- 5- Telephone Pole in front of No. 98 Peoria Street;
- 6- Post at the corner of Peoria Street and Stradtman Road.

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

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

*Harriet M. Allis*, of the  
 Town of Cheektowaga, in said County of Erie, be-  
 ing duly sworn, deposes and says that *she is*  
*secretary* of the  
 Cheektowaga Times, a public newspaper published  
 weekly in said Town; that the notice, of which  
 the annexed printed slip, taken from said news-  
 paper is a copy, was inserted and published in  
 said paper once a week for *one* weeks; first  
 publication *AUG 26 1954*;  
 last publication *AUG 26 1954*;  
 and that no more than six days intervened be-  
 tween publications.

*Harriet M. Allis*  
 Sworn to before me this .....  
 day of *AUG 30 1954*, 19.....  
*Eve J. Allis*  
 Notary Public in and for Erie County, N. Y.

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

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

Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, on the 16th day of August, 1954 at 7:30 o'clock, P.M. Eastern Daylight Saving Time there were:  
**PRESENT:**  
Henry Nagel, Councilman,  
Edw. T. Wroblewski, Councilman,  
A. Neibert, Councilman,  
Stanley A. Bystrak, Councilman,  
**ABSENT:**  
Benedict T. Holtz, Supervisor,  
Councilman Wroblewski presented the following resolution and moved its adoption:

**WHEREAS**, a written petition was duly filed with this Board for the improvement of both sides of Peoria Street, commencing at William Street and extending to Stradtman Street, a distance of approximately 2620 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains. (Said highway is now paved for its entire length), and  
**WHEREAS**, it duly appears that such petition has been signed by owners of real property fronting and abutting on both sides of said public highway to be improved situated between the points aforesaid owning at least one-half of the entire frontage or bounds on both sides of the highway to be improved as aforesaid and was signed by resident owners owning not less than one-half of the frontage owned by resident owners residing along said highways proposed to be improved; and

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

**WHEREAS**, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of Forteen Thousand Dollars, (\$14,000.00),

**NOW THEREFORE**  
**BE IT RESOLVED**, pursuant to the provisions of Section 200 of the Town Law of the State of New York, it is hereby

**ORDERED** that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 13th day of September, 1954, at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and

**BE IT FURTHER RESOLVED**, that the Town Clerk be and he is hereby Ordered and Directed to publish a certified copy of this resolution and order in the Cheektowaga "Times" and the "Depew Herald and Cheektowaga News", the official newspapers of the Town of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that the Town Clerk post conspicuously or cause to be posted conspicuously certified copies of this Order in five (5) public places along the portion of said highway to be improved not less than ten (10) nor more than twenty (20) days prior to the date of the hearing and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this Order and Resolutions.

Witness my hand and seal this 16th day of August, 1954.  
Henry Nagel, Voting Aye,  
Councilman Wroblewski,  
Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Bystrak, Voting Aye,  
AYES: 4; NOES: 0; ABSENT: 1.

State of New York )  
Erie County ) ss.  
Office of the Clerk of the )  
Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 16th day of August, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 16th day of August, 1954.  
KENNETH T. HANLEY,  
Clerk of the Town Board  
au26 Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for week, the first insertion being on the 26th day of August, 1954, and the last insertion being on the day of 1954, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

day of

1954

and for Erie County.

Item No. 25-Cont'd Posted as follows on the 1st day of September, 1954:

- 1- Town Hall Bulletin Board;
- 2- Telephone Pole at the corner of Peoria and William Street;
- 3- Telephone Pole No. 3 on Peoria Street;
- 4- Telephone Pole in front of No. 74 Peoria Street;
- 5- Telephone Pole in front of No. 98 Peoria Street;
- 6- Post at the corner of Peoria Street and Stradtman Road.

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 16th day of August, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**

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

**ABSENT:** One

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

**WHEREAS**, a written petition was duly filed with this Board for the improvement of both sides of Peoria Street, commencing at William Street and extending to Stradtman Street, a distance of approximately 2,500 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains. (Said highway is now paved for its entire length), and

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

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

**WHEREAS**, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of Fourteen Thousand Dollars (\$14,000.00).

**NOW, THEREFORE,**  
**BE IT RESOLVED**, pursuant to the provisions of Section 290 of the Town Law of the State of New York, it is hereby

**ORDERED** that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the

at 7:30 P.M. Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing of persons interested in the subject concerning the same, and

**BE IT FURTHER RESOLVED**, that the Town Clerk be and he is hereby Ordered and Directed to publish a certified copy of this resolution and order in the "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," the official newspapers of the Town of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that the

Town Clerk post conspicuously or cause to be posted conspicuously certified copies of this Order in five (5) public places along the portion of said highway to be improved not less than ten (10) nor more than twenty (20) days prior to the date of the hearing and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this Order and Resolution.

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

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

**AYES: 4 NOES: 0 ABSENT: 1**

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 16th day of August, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 16th day of August, 1954.

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

(SEAL) (8-26)

Notary Public in and for Erie County. No 52 8890

Sworn to before me this 2nd day of September 1907

Richard G. Bennett

more than six days intervened between any two publications thereof... the first insertion being on the 19th day of August 1907 and was inserted and published therein once a week for

**Herald and News**  
Depew  
Cheektowaga

PUBLISHER  
Richard G. Bennett  
being duly sworn, deposes and says that he is the

Summary or roll call present, 0 Absent.

Pursuant to due advertisement in the official newspaper, a public auction was held on the following described property: Subdivision Lots Nos. 390, 391 and the northerly 15 feet of lot 392, Map Cover 890, east side of Bigelow Place. Subdivision Lots Nos. 331, 332 and 333, Map Cover 890, east side of Rutherford Place.

Bidding was opened by Village Attorney Harold P. Kelly, and the following bids were received: Subdivision Lots Nos. 390, 391 and the northerly 15 feet of Lot 392, Map Cover 890, east side of Bigelow Place, the sum of \$700.00 by John J. Jacobs.

Subdivision Lots Nos. 331, 332 and 333, Map Cover 890, east side of Rutherford Place, the sum of \$450.00 by Michael Nagy, Jr.

Trustee Rusinek offered the following resolution and moved for its adoption:

That the bid sum of \$700.00 for the following described property be accepted by the Village of Depew, New York, and the Mayor is hereby authorized to execute and deliver to John J. Jacobs and Margaret T. Jacobs, his wife, 285 Terrace Blvd., Depew, N. Y., a conveyance of the said property upon receipt of the balance of the purchase price therefor. Subdivision Lots Nos. 390, 391 and the northerly 15 feet of Lot 392, Map Cover 890, situate on the east side of Bigelow Place. These lots are being sold with the understanding that there are no improvements thereon and the purchaser will be responsible for all improvements on said street.

That the bid sum of \$450.00 for the following described property be accepted by the Village of Depew, New York, and the Mayor is hereby authorized to execute and deliver to Michael Nagy Jr. and Wife, 282 Easton Street, Depew, N. Y., a conveyance of the said property upon receipt of the balance of the purchase price therefor. Subdivision

on the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Chesterfield Drive extending from Burke Drive north to Treehaven Road, a distance of approximately 1700 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains. (Said highway is now paved for its entire length), and

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

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of Ten Thousand Dollars (\$10,000.00),

NOW, THEREFORE,

BE IT RESOLVED, pursuant to the provisions of Section 200 of the Town Law of the State of New York, it is hereby

ORDERED that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner Union Road and Broadway, in said Town, on the 13th day of September, 1954, at 2:30 o'clock, P. M. Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and

BE IT FURTHER RESOLVED, that the Town Clerk be and he is hereby Ordered and Directed to publish a certified copy of this resolution and order in the Cheektowaga "Times" and the "Depew Herald and Cheektowaga News", the official newspapers of the Town of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that the Town Clerk post conspicuously or cause to be posted conspicuously certified copies of this Order in five (5) public places along the portion of said highway to be improved not less than ten (10) nor more than twenty (20) days prior to the date of the hearing and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this Order and Resolution.

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

Councilman Nagel, Voting Aye,  
Councilman Wroblewski,

Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Bystrek, Voting Aye,  
AYES: 4; NOES: 0; ABSENT: 1

- Posted as follows on the 1st day of September, 1954:
- 1- Town Hall Bulletin Board;
  - 2- Post at the corner of Chesterfield Drive and Burke Drive;
  - 3- Post in front of No. 15 Chesterfield Drive;
  - 4- Post in front of No. 22 Chesterfield Drive;
  - 5- Post in front of No. 58 Chesterfield Drive;
  - 6- Post at the corner of Chesterfield Drive.

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

..... *Harriet M. Allis* ....., of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *she* is  
..... *secretary* ..... of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks; first  
publication ..... **AUG 26 1954** .....;  
last publication ..... **AUG 26 1954** .....;  
and that no more than six days intervened be-  
tween publications.

..... *Harriet M. Allis* .....

Sworn to before me this .....  
**AUG 30 1954**  
day of ....., 19.....

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

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

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

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Chesterfield Drive extending from Burke Drive north to Treehaven Road, a distance of approximately 1700 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains. (Said highway is now paved for its entire length), and

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

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of Ten Thousand Dollars (\$10,000.00),

NOW, THEREFORE,

BE IT RESOLVED, pursuant to the provisions of Section 200 of the Town Law of the State of New York, it is hereby

ORDERED that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner Union Road and Broadway, in said Town, on the 13th day of September, 1954, at 2:30 o'clock, P. M. Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and

BE IT FURTHER RESOLVED, that the Town Clerk be and he is hereby Ordered and Directed to publish a certified copy of this resolution and order in the Cheektowaga "Times" and the "Depew Herald and Cheektowaga News", the official newspapers of the Town of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that the Town Clerk post conspicuously or cause to be posted conspicuously certified copies of this Order in five (5) public places along the portion of said highway to be improved not less than ten (10) nor more than twenty (20) days prior to the date of the hearing and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this Order and Resolution.

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

Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Bystrak, Voting Aye,  
AYES: 4; NOES: 0; ABSENT: 1

Posted as follows on the 1st day of September, 1954:

- 1- Town Hall Bulletin Board;
- 2- Post at the corner of Chesterfield Drive and Burke Drive;
- 3- Post in front of No. 15 Chesterfield Drive;
- 4- Post in front of No. 22 Chesterfield Drive;
- 5- Post in front of No. 58 Chesterfield Drive;
- 6- Post at the corner of Chesterfield Drive.



Item No. 25-Cont'd Hereto attached is a copy of the notice published in the Cheektowaga Times and the Depew Herald-Cheektowaga News:

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At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, on the 16th day of August, 1964, at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were:

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

ABSENT: One

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

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Chestnutfield Drive extending from Burba Drive north to Treshaven Road, a distance of approximately 1,700 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains. (Said highway is now paved for its entire length), and

WHEREAS, it duly appears that such petition has been signed by owners of real property fronting and abutting on both sides of said public highway to be improved situated between the points aforesaid owning at least one-half of the entire frontage of bounds on both sides of said highway;

WHEREAS, the petitioners own at least one-half of the frontage owned by resident owners residing along said highways proposed to be improved; and

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of Ten Thousand Dollars (\$10,000.00),

NOW THEREFORE,

BE IT RESOLVED, pursuant to the provisions of Section 260 of the Town Law of the State of New York, it is hereby

ORDERED that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner Union Road and Broadway, in said Town, on the 13th day of September, 1964, at 2:30 o'clock, P.M. Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and

BE IT FURTHER RESOLVED, that the Town Clerk be and he is hereby Ordered and Directed to publish a certified copy of this resolution and order in the "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," the official newspapers of the Town of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that the Town Clerk post conspicuously or cause to be posted conspicuously certified copies of this Order in five (5) public places along the portion of said highway to be improved not less than ten (10) nor more than twenty (20) days prior to the date of the hearing and that on or before said date be post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this Order and Resolution.

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

Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.  
AYES: 4 NOES: 0 ABSENT: 1

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga, in said County of Erie, on the 16th day of August, 1964, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 16th day of August, 1964.

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

(SEAL)

(8-28)

STATE OF NEW YORK  
COUNTY OF ERIE

date of the hearing and that on or before said date be post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this Order and Resolution.

Seconded by Councilman Nelbert and duly put to a vote, which resulted as follows:  
 Councilman Nagel, Voting Aye,  
 Councilman Wroblewski, Voting Aye,  
 Councilman Nelbert, Voting Aye,  
 Councilman Bystrak, Voting Aye,  
 AYES: 4; NOES: 0; ABSENT: 1

State of New York )  
 Erie County ) ss:  
 Office of the Clerk of the )  
 Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 16th day of August, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 16th day of August, 1954.  
 KENNETH T. HANLEY,  
 Clerk of the Town Board  
 Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

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

*Richard G. Bennett*

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

*September 1954*  
*Kenneth T. Hanley*

Notary Public in and for Erie County.

In 52 8800

Councilman Neibert moved, seconded by Councilman Wroblewski:

**NOTICE IS HEREBY GIVEN**  
 that an application has been made to the town board of the Town of Cheektowaga, Erie County, New York, by the Western New York Motor Lines, Inc., for a consent to operate a motor bus line on and along certain highways, in the Town of Cheektowaga, Erie County, New York, as follows:  
 on and along Routes 78 and 20 from the northerly corporation line to the southerly corporation line.

And that, pursuant to Section 66 of the Transportation Corporations Law, and a resolution duly passed by this Board a public hearing will be had upon such application, at the Town Board Council Chambers, in the Town Hall of the Town of Cheektowaga, on the 13th day of September, 1954, at 2:30 P. M. at which time and place all persons interested in such application will be heard.

By order of the Town Board of the Town of Cheektowaga.  
 Dated: August 16th, 1954.  
 KENNETH T. HANLEY,  
 Town Clerk

au26

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

Posted as follows on the 1st day of September, 1954:

- 1- Town Hall Bulletin Board;
- 2- Telephone Pole No. 215 on Transit Road;
- 3- Post across the street from Telephone Pole No. 215 on Transit Road;
- 4- Schmitts' Sign Board, on Transit Road;
- 5- Whittmier Ferris Sign Board on Transit Road;
- 6- Telephone Pole No. 216 on Transit Road.

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

*Harriet M. Allis*, of the  
 Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that *she* is  
*secretary* of the  
 Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for *one* weeks; first publication AUG 26 1954; last publication AUG 26 1954; and that no more than six days intervened between publications.

*Harriet M. Allis*

Sworn to before me this .....  
 day of AUG 30 1954, 19.....

*Eve J. Allis*

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

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

STATE OF NEW YORK  
COUNTY OF CHEEKTOWAGA

At the Town Board of the  
Town of Cheektowaga,  
on the 16th day of August,  
1954 at 7:30 o'clock, P.M. Eastern  
Daylight Saving Time there were:

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

**ABSENT:**  
Benedict T. Holtz, Supervisor.  
Councilman Wroblewski present-  
ed the following resolution and  
moved its adoption:

**WHEREAS**, a written petition  
was duly filed with this Board for  
the improvement of both sides of  
Chesterfield Drive extending from  
Burke Drive north to Treeshaven  
Road, a distance of approximately  
1700 feet, by the construction of  
curbs, together with the installa-  
tion of receivers and necessary un-  
derground drains. (Said highway is  
now paved for its entire length),  
and

**WHEREAS**, it duly appears that  
such petition has been signed by  
owners of real property fronting  
and abutting on both sides of said  
public highway to be improved sit-  
uate between the points aforesaid  
owning at least one-half of the en-  
tire frontage or bounds on both  
sides of the highway to be improv-  
ed as aforesaid and was signed by  
resident owners owning not less  
than one-half of the frontage own-  
ed by resident owners residing  
along said highways proposed to  
be improved; and

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

**WHEREAS**, the maximum  
amount proposed to be expended  
for the improvement of said high-  
way as stated in the petition is the

**RESOLVED**, pursuant to  
the provisions of Section 260 of  
the Town Law of the State of New  
York; it is hereby

**ORDERED** that the Town Board  
of the Town of Cheektowaga, Erie  
County, New York, shall meet at  
the Town Hall, corner Union Road  
and Broadway, in said Town, on  
the 13th day of September, 1954,  
at 7:30 o'clock, P. M. Eastern Day-  
light Saving Time, for the pur-  
pose of considering the said peti-  
tion and hearing of persons inter-  
ested in the subject thereof con-  
cerning the same, and

**BE IT FURTHER RESOLVED**,  
that the Town Clerk be and he  
is hereby Ordered and Directed to  
publish a certified copy of this  
resolution and order in the Cheek-  
towaga "Times" and the "Depew  
Herald and Cheektowaga News",  
the official newspapers of the  
Town of Cheektowaga, not less  
than ten (10) nor more than twen-  
ty (20) days prior to the date of  
the hearing, and that the Town  
Clerk post conspicuously or cause  
to be posted conspicuously certifi-  
ed copies of this Order in five  
(5) public places along the por-  
tion of said highway to be improv-  
ed not less than ten (10) nor more  
than twenty (20) days prior to the  
date of the hearing and that on or  
before said date he post or cause  
to be posted conspicuously on a  
signboard maintained by him at  
the entrance of the Town Clerk's  
Office a certified copy of this Or-  
der and Resolution.

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

Councilman Nagel, Voting Aye,  
Councilman Wroblewski,  
Councilman Neibert, Voting Aye,  
Councilman Bystrak, Voting Aye,  
AYES:4; NOES: 0; ABSENT: 1.

State of New York )  
Erie County ) ss:  
Office of the Clerk of the )  
Town of Cheektowaga )

This is to certify that I, KEN-  
NETH T. HANLEY, Clerk of the  
Town of Cheektowaga, in the said  
County of Erie, have compared the  
foregoing copy of resolution with  
the original resolution now on file  
at this office, and which was pass-  
ed by the Town Board of the  
Town of Cheektowaga in said  
County of Erie, on the 16th day of  
August, 1954, and that the same is  
a correct and true transcript of  
such original resolution and the  
whole thereof.

In Witness Whereof, I  
have hereunto set my  
(Seal) hand and affixed the seal  
of said Town this 16th day  
of August, 1954.

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

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

*Richard G. Bennett*

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

*Hanley*  
..... public in and for Erie County.

Councilman Neibert moved, seconded by Councilman Wroblewski:

**NOTICE IS HEREBY GIVEN** that an application has been made to the town board of the Town of Cheektowaga, Erie County, New York, by the Western New York Motor Lines, Inc., for a consent to operate a motor bus line on and along certain highways, in the Town of Cheektowaga, Erie County, New York, as follows:

on and along Routes 78 and 20 from the northerly corporation line to the southerly corporation line.

And that, pursuant to Section 66 of the Transportation Corporations Law, and a resolution duly passed by this Board a public hearing will be had upon such application, at the Town Board Council Chambers, in the Town Hall of the Town of Cheektowaga, on the 13th day of September, 1954, at 2:30 P. M. at which time and place all persons interested in such application will be heard.

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

Dated: August 16th, 1954.

KENNETH T. HANLEY,  
Town Clerk

au26

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

Posted as follows on the 1st day of September, 1954:

- 1- Town Hall Bulletin Board;
- 2- Telephone Pole No. 215 on Transit Road;
- 3- Post across the street from Telephone Pole No. 215 on Transit Road;
- 4- Schmitts' Sign Board, on Transit Road;
- 5- Whittmier Ferris Sign Board on Transit Road;
- 6- Telephone Pole No. 216 on Transit Road.

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

**Consent to operate**

**PUBLIC NOTICE OF HEARING UPON APPLICATION FOR CONSENT TO OPERATE MOTOR BUS LINE ON AND ALONG CERTAIN HIGHWAYS IN THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.**

**NOTICE IS HEREBY GIVEN** that an application has been made to the Town Board of the Town of Cheektowaga, Erie County, New York, by the Western New York Motor Lines, Inc., for a consent to operate a motor bus line on and along certain highways, in the Town of Cheektowaga, Erie County, New York, as follows:

On and along Routes 78 and 20 from the northerly corporation line to the southerly corporation line.

And that, pursuant to Section 66 of the Transportation Corporations Law and a resolution duly passed by this Board a public hearing will be had upon such application, at the Town Board Council Chambers, in the Town Hall of the Town of Cheektowaga, on the 13th day of September, 1954, at 2:30 P.M. at which time and place all persons interested in such application will be heard.

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

Dated: August 16, 1954.

KENNETH T. HANLEY  
Town Clerk

(8-26)

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

**NOTICE OF HEARING**  
UPON APPLICATION FOR  
CONSENT TO OPERATE MO-  
TOR BUS LINE ON AND  
ALONG CERTAIN HIGHWAYS  
IN THE TOWN OF CHEEKTOWA-  
GAGA, ERIE COUNTY, NEW  
YORK.  
NOTICE IS HEREBY GIVEN  
that an application has been made  
to the town board of the Town of  
Cheektowaga, Erie County, New  
York, by the Western New York  
Motor Lines, Inc., for a consent to  
operate a motor bus line on and  
along certain highways, in the  
Town of Cheektowaga, Erie Coun-  
ty, New York, as follows:  
on and along Routes 78 and  
20 from the northerly corpor-  
ation line to the southerly cor-  
poration line.  
And that, pursuant to Section  
48 of the Transportation Corpor-  
ations Law, and a resolution duly  
passed by this Board a public hear-  
ing will be had upon such applica-  
tion, at the Town Board Council  
Chambers, in the Town Hall of the  
Town of Cheektowaga, on the 13th  
day of September, 1954, at 2:30  
P. M. at which time and place all  
persons interested in such applica-  
tion will be heard.  
By order of the Town Board of  
the Town of Cheektowaga.  
Dated: August 18th, 1954.  
KENNETH T. HANLEY,  
Town Clerk  
au26

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... week, the first insertion being on the  
26th day of August, 1954, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

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

SEP 2 1954, 19.....

*Kenneth T. Hanley*

Notary Public in and for Erie County.

hn 52 8800

County, New York, in the Town Hall in the Town of Cheektowaga, New York, on the 12th day of August, 1954, at 7 o'clock P.M. Eastern Daylight Saving Time there were present:

Joseph A. Nagel, Councilman,  
 John W. Wroblewski, Councilman,  
 Joseph A. Nelbert, Councilman,  
 Stanley A. Bystrak, Councilman,  
 August T. Holtz, Supervisor.

Councilman Nelbert presented the following resolution and moved for its adoption:

**WHEREAS**, a petition for the creation of a water district, to be known as Water District No. 10, in the Town of Cheektowaga, New York, pursuant to the provisions of Article 12 of the Town Law was presented to the Town Board on the 2nd day of August, 1954, and it appears to the Town Board that the above petition was duly signed and acknowledged in the same manner as a petition to be recorded by the County Taxpayers, owning taxable property aggregating more than half of the assessed value of all the taxable real property situate in the area where the water district is proposed to be created, and

**AND**, it appears that the said petitioners residing in the proposed water district, and the members of the Town Board have inspected the said water district and the same has been inspected and each member of the Town Board knows the names and addresses of the present owners of property in said petition and

**AND**, said petition has been signed and acknowledged by the taxpayers owning property aggregating more than half of the entire frontage on the north side of New Wallen Avenue on the north side of New Wallen Avenue included in said proposed water district, and

**AND**, the maximum amount to be expended for the purposes of the said petition is the sum of \$40,000.00.

**AND**, said petition is accompanied by a map prepared by the State of New York, showing the boundaries of the proposed water district, a plan showing the source of the supply of water to be used in said water district, the water mains, distribution mains, hydrants, reservoirs, tanks, and location of each and

**AND**, **THE** proposed water district is described in said petition as follows:

Beginning at the southerly line of the West Shore Railroad property, said point being the intersection of the westerly line of the land conveyed to the Scharell Corporation and the southerly line of the West Shore Railroad property; thence northwesterly along the southerly line of the West Shore Railroad property 575 feet more or less to the point of intersection of the southerly

line of the West Shore Railroad property with the southerly line of the Scharell Corporation property; thence northwesterly along the southerly line of the Scharell Corporation property 360 feet more or less; easterly 50 feet more or less; northerly 256 feet more or less; along the westerly line of the Scharell Corporation property to the point of intersection of the southerly line of the Scharell Corporation property with the southerly line of the West Shore Railroad property.

**AND**, the territory herein before described is situate entirely in said Town, outside of any incorporated village or city there-

**NOW THEREFORE**, the Town Board of the Town of Cheektowaga, New York, meet at the Town Hall, corner of Broadway and Union Road, in the Town of Cheektowaga, New York, on the 12th day of September, 1954, at 7 o'clock P.M. Eastern Daylight Saving Time to consider said petition and hear all persons interested in the subject thereof concerning the same, and it is further **ORDERED** that a copy of this Order and Resolution certified by the Town Clerk be published at least once in the Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers having general circulation in the area affected and being the official newspapers of said Township, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid, and that copies of this Order duly certified to the Town Clerk be posted conspicuously in five public places within the area where said water district is proposed to be created, and that he post a certified copy of this Order on a signboard maintained by him at the entrance to the Town Clerk's Office not less than ten (10) nor more than twenty (20) days before the date designated for the hearing.

Seconded by Councilman Bystrak and duly put to a vote, which resulted as follows:  
 Councilman Nagel, Voting Aye,  
 Councilman Wroblewski, Voting Aye.

Item No. 25- Cont'd Postes as follows on the 2nd day of September, 1954:

- 1- Town Hall Bulletin Board;
- 2- Telephone Pole No. 11 on New Walden Avenue;
- 3- Telephone Pole No. 10 on New Walden Avenue;
- 4- Telephone Pole No. 538 on New Walden Avenue;
- 5- Telephone Pole No. 22 on New Walden Avenue;
- 6- Telephone Pole No. 7 on New Walden Avenue.

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

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

*Harriet M. Allis*, of the  
 Town of Cheektowaga, in said County of Erie, be-  
 ing duly sworn, deposes and says that *she* is  
*secretary* of the  
 Cheektowaga Times, a public newspaper published  
 weekly in said Town; that the notice, of which  
 the annexed printed slip, taken from said news-  
 paper is a copy, was inserted and published in  
 said paper once a week for *one* week; first  
 publication **SEP 2 1954**;  
 last publication **SEP 2 1954**;  
 and that no more than six days intervened be-  
 tween publications.

*Harriet M. Allis*  
 Sworn to before me this .....  
 day of **SEP 2 1954**, 19.....  
*Eve J. Allis*  
 Notary Public in and for Erie County, N. Y.

EVE J. ALLIS  
 NOTARY PUBLIC, STATE OF NEW YORK  
 Qualified in Erie County  
 by Court Order Expires March 30, 1955  
 Registered No. 6029



m52000

Notary Public in and for Erie County.

*Wm. H. Bennett*

19..... day of

SEP 14 1954

Sworn to before me this .....

*Richard G. Bennett*

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

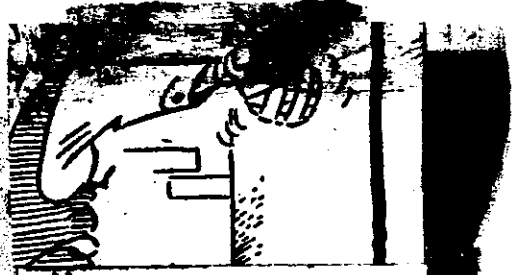
**Herald and News**  
Depew Cheektowaga

..... of the

PUBLISHER

..... being duly sworn, deposes and says that he is the

RICHARD G. BENNETT



weeks.

Last Thursday we had our hike and what a hike it was! We girls rode but our ever famous boys had to be big and ride their bikes. Whos got the last laugh now?

One question that arose while at the park was "Who-really has poison ivy?" But as it turned out, no one had it. What was the big attraction, Barb and Colleen, that kept you at the end of the line?

Now for the best day and that is Thursday. What was Thursday? Oh, yes, the party. We had approximately 40 smiling faces looking at the salads, popcorn, potato chips, and pop. Then the two huge watermelons brought even more attraction. Just think all you had to bring was your own cup and sandwiches. There sure was plenty of food, but kids? Where did it all go to?

By the way, John, do you have .....

Item No. 28- Cont'd Posted as follows on the 2nd day of September, 1954:

- 1- Town Hall Bulletin Board;
- 2- Telephone Pole No. 11 on New Walden Avenue;
- 3- Telephone Pole No. 40 on New Walden Avenue;
- 4- Telephone Pole No. 538 on New Walden Avenue;
- 5- Telephone Pole No. 22 on New Walden Avenue;
- 6- Telephone Pole No. 7 on New Walden Avenue.

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

**NOTICE OF HEARING**  
**Petition for Water District**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 16th day of August, 1954 at 7:30 o'clock, P.M., Eastern Daylight Saving Time there were:

**PRESENT:**

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

**ABSENT: One**

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

**WHEREAS**, a petition for the creation of a water district, to be known as Water District No. 10, in the Town of Cheektowaga, New York pursuant to the provisions of Article 12 of the Town Law was presented to the Town Board on the 2nd day of August, 1954, and

**WHEREAS**, it appears to the Town Board that the above petition was duly signed and acknowledged in the same manner as a deed to be recorded by non-resident taxpayers owning taxable real estate property aggregating more than one-half of the assessed valuation of all the taxable real property situate in the area where said water district is proposed to be created, and

**WHEREAS**, it appears that there are no resident taxpayers residing in the proposed water district, and

**WHEREAS**, members of this Town Board have inspected the area where said water district is to be created and each member of the Town Board knows there are no resident owners of property therein, and

**WHEREAS**, said petition has been signed and acknowledged by non-resident taxpayers owning taxable property aggregating more than one-half of the entire frontage on the north side of New Walden Avenue. No property on the south side of New Walden Avenue being included in said proposed water district, and

**WHEREAS** the maximum amount proposed to be expended for the improvement is the sum of \$45,000, and

**WHEREAS**, said petition is accompanied by a map prepared by Albert J. Kamm, an engineer duly licensed by the State of New York, showing the bounds of the proposed district, together with a plan showing the source of the supply of water to be used in said water district; the water mains, distributing pipes, hydrants, reservoirs, if any, and location of each and

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

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

**BEGINNING** at the point in the southerly line of the West Shore Railroad property, said point being the intersection of the westerly line of the lands conveyed to the Scharell Corporation and the southerly line of the West Shore Railroad property; thence northeasterly along the southerly line of the West Shore Railroad property 2775 feet more or less to the point of intersection of the southerly line of the West Shore Railroad property and a line through the lands conveyed to the Ernst Construction Corporation said line being 270 feet more or less, measured at right angles, east of and parallel to the westerly line of the lands conveyed to the Ernst Construction Corporation; thence southerly along said line through the Ernst Construction Corporation 1306 feet more or less, to the point of intersection of said line and the center line of New Walden Avenue; thence southwesterly along the center line of New Walden Avenue 1976 feet more or less; thence westerly 575 feet more or less, along a line parallel to, and 75 feet more or less measured at right angles, south of the southerly line of lands conveyed to the Scharell Corporation to a point on the westerly line of the Scharell Corporation property extended southerly; thence northerly 300 feet more or less, easterly 50 feet more or less, and northerly 256 feet more or less, along the westerly property line of the Scharell Corporation property to the point of beginning.

**WHEREAS**, the territory herein before described is situate entirely in said Town, outside of any incorporated village or city therein.

**NOW, THEREFORE,**

**IT IS ORDERED** that the Town Board of the Town of Cheektowaga, New York, meet at the Town Hall, corner of Broadway and Union Road in the Town of Cheektowaga, New York, on the 13th day of September, 1954, at 2:30 o'clock, P.M. Eastern Daylight Saving Time to consider said petition and hear all persons interested in the subject thereof concerning the same, and it is further

**ORDERED**, that a copy of this Order and Resolution certified by

the Town Clerk be published at least once in the CHEEKTOWAGA TIMES and the "Depew Herald and Cheektowaga News," newspapers having general circulation in the area affected and being the official newspapers of said Township, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid, and that copies of this Order duly certified by the Town Clerk be posted conspicuously in five public places within the area where said water district is proposed to be created, and that he post a certified copy of this Order on a signboard maintained by him at the entrance to the Town Clerk's Office not less than ten (10) nor more than twenty (20) days before the date designated for the hearing.

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

Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.

Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.  
**AYES: 4 NOES: 0 ABSENT: 1**

STATE OF NEW YORK

**ERIE COUNTY**  
**OFFICE OF THE CLERK** SS:  
**OF THE TOWN OF**  
**CHEEKTOWAGA**

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 16th day of August, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 16th day of August, 1954.

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

(SEAL)

STATE OF NEW YORK  
COUNTY OF ERIE

RICHARD G. HENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-

towaga, Erie County, New York, that notice of which the

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

was inserted and published therein once a week for

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

..... day of September, 1954, and

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

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

more than six days intervened between any two publi-

cations thereof.

*Richard G. Bennett*

..... day of

..... 19.....

*only*

.....

in and for Erie County.

UNTY  
OF THE CLERK SS:  
TOWN OF  
OWAGA

to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing resolution with the original resolution now on file at this office, which was passed by the Town Board of Cheektowaga County of Erie, on the 10th day of August, 1954, and that the foregoing is a correct and true transcript of the original resolution and the proceedings thereon.

In witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 16th day of September, 1954.

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

WHEREAS, a petition for the creation of a water district, to be known as Water District No. 10, in the Town of Cheektowaga, New York pursuant to the provisions of Article 12 of the Town Law was presented to the Town Board on the 2nd day of August, 1954, and WHEREAS, it appears to the Town Board that the above petition was duly signed and acknowledged in the same manner as a deed to be recorded by non-resident taxpayers, owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property situate in the area where said water district is proposed to be created, and WHEREAS, it appears that there are no resident taxpayers residing in the proposed water district, and WHEREAS, members of this Town Board have inspected the area where said water district is to be created and each member of the Town Board knows there are no resident owners of property therein, and WHEREAS, said petition has been signed and acknowledged by non-resident taxpayers owning taxable property aggregating more than one-half of the entire frontage on the north side of New Walden Avenue. No property on the south side of New Walden Avenue being included in said proposed water district, and WHEREAS, the maximum amount proposed to be expended for the improvement is the sum of \$25,000, and WHEREAS, said petition is accompanied by a map prepared by Albert J. Kamm, an engineer duly licensed by the State of New York, showing the bounds of the proposed district, together with a plan showing the source of the supply of water to be used in said water district; the water mains, distributing pipes, hydrants, reservoirs, if any, and location of each and WHEREAS, THE proposed water district is described in said petition as follows:  
ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, and being more particularly bounded and described as follows:  
BEGINNING at the point in the southerly line of the West Shore Railroad property, said point being the intersection of the westerly line of the lands conveyed to the Scharell Corporation and the southerly line of the West Shore Railroad property; thence north-easterly along the southerly line of the West Shore Railroad property 2776 feet more or less to the point of intersection of the southerly line of the West Shore Railroad property and a line through the lands conveyed to the Ernest Construction Corporation; thence southerly along said line through the Ernest Construction Corporation 1306 feet more or less, to the point of intersection of said line and the center line of New Walden Avenue; thence southwesterly along the center line of New Walden Avenue 1976 feet more or less; thence westerly 576 feet more or less, along a line parallel to, and 75 feet more or less, measured at right angles, south of the southerly line of lands conveyed to the Scharell Corporation to a point on the westerly line of the Scharell Corporation property extended southerly; thence northerly 360 feet more or less, easterly 50 feet more or less, and northerly 256 feet more or less, along the westerly property line of the Scharell Corporation property to the point of beginning.  
WHEREAS, the territory herein before described is situate entirely in said Town, outside of any incorporated village or city therein.  
NOW, THEREFORE,  
IT IS ORDERED that the Town Board of the Town of Cheektowaga, New York, meet at the Town Hall, corner of Broadway and Union Road in the Town of Cheektowaga, New York, on the 15th day of September, 1954, at 7 o'clock, P.M. Eastern Daylight

Item No. 28- Cont'd Posted as follows on the 2nd day of September, 1954:

- 1- Town Hall Bulletin Board;
- 2- Telephone Pole No. 11 on New Walden Avenue;
- 3- Telephone Pole No. 10 on New Walden Avenue;
- 4- Telephone Pole No. 538 on New Walden Avenue;
- 5- Telephone Pole No. 22 on New Walden Avenue;
- 6- Telephone Pole No. 7 on New Walden Avenue.

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

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

*Harriet M. Allis*, of the  
 Town of Cheektowaga, in said County of Erie, be-  
 ing duly sworn, deposes and says that *she* is  
*secretary* of the  
 Cheektowaga Times, a public newspaper, published  
 weekly in said Town; that the notice, of which  
 the annexed printed slip, taken from said news-  
 paper is a copy, was inserted and published in  
 said paper once a week for *one* week, first  
 publication **SEP 2 1954**;  
 last publication **SEP 2 1954**;  
 and that no more than six days intervened be-  
 tween publications.

*Harriet M. Allis*

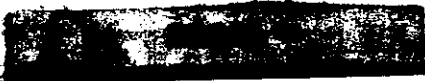
Sworn to before me this .....  
 day of **SEP 2**, 19.....

*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  
 by Court Term Expires March 30, 1955  
 Registered No. 5029

STATE OF NEW YORK }  
COUNTY OF ERIE } ss:



Board of the Town of Cheektowaga, New York, at the Town Hall, corner of Broadway and Union Road in the Town of Cheektowaga, New York, on the 25th day of September, 1954, at 2:30 o'clock, P.M. Eastern Daylight Saving Time to consider said petition and hear all persons interested in the subject thereof concerning the same, and it is further ORDERED that a copy of this Order and Resolution certified by the Town Clerk be published at least once in the Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers having general circulation in the area affected and being the official newspapers of said Township, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid, and that copies of this Order duly certified by the Town Clerk be posted conspicuously in five public places within the area where said water district is proposed to be created, and that he post a certified copy of this Order on a signboard maintained by him at the entrance to the Town Clerk's Office not less than ten (10) nor more than twenty (20) days before the date designated for the hearing.

for Erie County.

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

Voting Aye,  
Councilman Nelbert, Voting Aye,  
Councilman Bystrak, Voting Aye,  
AYES: 4; NOES: 0; ABSENT: 1.

State of New York )  
Erie County ) ss:  
Office of the Clerk of the )  
Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 16th day of August, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In witness whereof  
I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, N. Y., do hereby certify that the foregoing is a true and correct copy of the resolution of said Town this 16th day of August, 1954.  
KENNETH T. HANLEY,  
Clerk of the Town Board  
Town of Cheektowaga, N. Y.

Item No. 29 Councilman Wroblewski moved, seconded by Councilman Neibert, that all claims presented at this meeting for aduit be approved and that the Town Clerk be authorized and directed to draw a warrant on the S<sup>u</sup>pervisor for payment of same.  
( Warrant No. 1525 to No. 1637, inclusive, drawn on the Supervisor.)

Item No. 30 Councilman Neibert moved, seconded by Councilman Bystrak, to adjourn until 2:30 P.M., E.D.S.T., on August 30, 1954.

SEAL

Kenneth T. Hanley, Town Clerk.

Item No. 1 At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 30th day of August, 1954, at 2:30 o'clock P.M., E.D.S.T., there were:

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

ABSENT: -0-

Also present were: Town Clerk Hanley; Town Attorney Doyle; Town Historian Julia B. Reinstein; General Foreman Eberl; Town Engineer Kamm and Chairman of the Zoning Board of Appeals Leo H. Kurnick.

Item No. 2 The Clerk advised the Board that the minutes of the previous meeting have been placed on their desks in the Council Chamber.

Item No. 3 Petition presented for the improvement of Mansion Street by the installation of curbs and receivers. Ordered referred to the Assessors for a property check.

Item No. 4 Petition presented for street lighting equipment in Furlong Road. Ordered referred to the Assessors for a property check.

Item No. 5 Communication read from the Erie County Highway Superintendent relating to a signal light at the intersection of Walden Avenue and Reo Street. Ordered referred to Councilman Bystrak, Chairman of the Public Improvement Committee.

Item No. 6 Councilman Wroblewski moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to issue Building Permits on applications processed by the Petitions Committee on August 21, 1954 and August 28, 1954, after same have been approved by the Building Inspector. Carried: Ayes: -5-.

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

RESOLVED, that the bid of C.E. Knowles to make additions and improvements to Sewer Treatment Plant No. 5, Contract No. 2, in accordance with plans and specifications prepared by Nussbaumer, Clarke and Velzy, Consulting Engineers for the Town of Cheektowaga, New York, in the sum of \$446,385.00 be accepted, said bid being the lowest one submitted after public advertising.

Seconded by Councilman Neibert.

Carried: Ayes: -5-.

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

RESOLVED, that the Niagara Mohawk Power Corporation be authorized to make four (4) globe type overhead standard light installations of 2500 lumens each in the Town Park, and be it further

RESOLVED, that the Niagara Mohawk Power Corporation be authorized to move the present light and pole from No. 226 Rosewood Terrace, as indicated on Sketch 1, Index TD 56, and install one (1) additional light on Rosewood, near Northern Parkway, with no cost to the Town of Cheektowaga.

Seconded by Councilman Nagel.

Carried: Ayes: -5-.

Councilman Nagel moved, seconded by Councilman Wroblewski:

of considering the application of Robert G Sahl, Elizabeth Sahl and George F. Sahl for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

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

WHEREAS, the Zoning Board of Appeals on the 25th day August, 1954 having rendered its decision granting the application of petitioner to rezone from Residential District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereof on the 30th day of August, 1954.

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

NOW, THEREFORE,

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

DESCRIPTION

Lots No. 22 to No. 26 inclusive  
Harlem Road east side 122 123 124

Carried: Ayes: -5-

Posted as follows on the 3rd day of September, 1954:

1- Town Hall Bulletin Board.

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



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

*Harriet M. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *she* is  
*secretary* of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks; first  
publication **SEP 2 1954**;  
last publication **SEP 2 1954**;  
and that no more than six days intervened be-  
tween publications.

*Harriet M. Allis*

Sworn to before me this .....

day of **SEP. 2 1954**, 19.....

*Eve J. Allis*

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

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

**WHEREAS**, the Zoning Board of Appeals held a public hearing on the 11th day of August, 1954, for the purpose of considering the application of Robert G Sahl, Elizabeth Sahl and George F. Sahl for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

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

**WHEREAS**, the Zoning Board of Appeals on the 25th day August, 1954 having rendered its decision granting the application of petitioner to rezone from Residential District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 30th day of August, 1954.

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

**NOW, THEREFORE**,

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

**DESCRIPTION**

Lots No. 22 to No. 28, inclusive, Harlem Road, east side, 150 by 120 feet.

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

Dated: August 30, 1954 (9-2)

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

Whereas the application of Robert G. Sahl, et al., 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 25th day of August, 1954, having rendered its decision granting the application of petitioner to rezone from Residential District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 30th day of August, 1954,

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

NOW, THEREFORE,

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

DESCRIPTION

Lots No. 22 to No. 26, inclusive, Harlem Road, east side, 150 by 120 feet.

Dated: August 30, 1954.

KENNETH T. HANLEY,  
Town Clerk

Town of Cheektowaga, N. Y.

954, 19.....

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

in 52 000

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

22nd day of September, 1954, and

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

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

more than six days intervened between any two publi-

cations thereof.

*Richard G. Bennett*

Item No. 10  
adoption:

Councilman Nagel presented the following resolution and moved its

183

WHEREAS, the Chief of Police has recommended that the Town purchase 3 police automobiles for use in the Police Department, be it

RESOLVED, that the request of the Chief of Police be approved, and be it further

RESOLVED, that the Town of Cheektowaga purchase three police automobiles for the Police Department, fully equipped, to meet the specifications set forth in the specifications, and that the Town Clerk be directed to publish the attached notice to bidders in connection with the purchase of said 3 police automobiles. Sealed proposals will be received not later than September 13, 1954, at 2:30 o'clock P.M., E.D.S.T., at which time they will be publicly opened by the Town Board at a public hearing meeting called for that purpose, to be held at the Town Hall, Broadway & Union Road, Town of Cheektowaga, New York, on the 13th day of September, 1954, at 2:30 o'clock P.M., E.D.S.T., There are filed in the Town Clerks' Office copies of the specifications which are made available for prospective bidders.

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

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

Carried: Ayes: -5-

Noes: -0-

#### NOTICE TO BIDDERS

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of three (3) new 1954 police automobiles for the Police Department of the Town of Cheektowaga, New York.

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

Sealed bids will be received not later than September 13, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, by the Town Board, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Broadway and Union Road, Town of Cheektowaga, New York, on the 13th day of September, 1954, at 2:30 o'clock P.M., Eastern Daylight Savings Time.

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

Dated: August 30, 1954

Kenneth T. Hanley, Town Clerk.

The above mentioned notice was posted as follows on the 3rd day of September, 1954:

- 1- Town Hall Bulletin Board;
- 2- Forks Fire Hall-Broadway at Union Road;
- 3- U-Crest Fire Hall-Clover Place and Evergreen Street;
- 4- Pine Hill Fire Hall-Genesee Street at Normandy Avenue;
- 5- Rescue Fire Hall- Pine Ridge Road at Walden Avenue.

#### POLICE DEPARTMENT

#### SPECIFICATION FOR CARS

1. 1954 Standard Two Door Sedans ( Black )
2. Engine- 6 Cylinder 115 H.P. or Equal
3. Clutch-10"
4. Cooling System-15 Qt. capacity or equal
5. Fresh Air Heater & Defroster
6. Vacuum Booster
7. Oil Bath Air Cleaner
8. Oil Filter
9. Right Hand Visor and Arm Rests
10. Seat Covers
11. Directional Signals
12. Federal Beacon Ray ( Installed )
13. Change Over:
  - a. Generator
  - b. Siren
  - c. Right Hand Spot Light
14. Letter- Town Identification
15. a. 3 cars to be purchased. b. 3 cars to be turned in (No. 3,8 and 1).

6th

ARK

AY

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... week, the first insertion being on the  
2nd day of September, 1954, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

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

SEP 14 1954- 19.....

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

IN 528800

WHEREAS, the Chief of Police has recommended that the Town purchase 3 police automobiles for use in the Police Department, be it

RESOLVED, that the request of the Chief of Police be approved, and be it further

RESOLVED, that the Town of Cheektowaga purchase three police automobiles for the Police Department, fully equipped, to meet the specifications set forth in the specifications, and that the Town Clerk be directed to publish the attached notice to bidders in connection with the purchase of said 3 police automobiles. Sealed proposals will be received not later than September 13, 1954, at 2:30 o'clock P.M., E.D.S.T., at which time they will be publicly opened by the Town Board at a public hearing meeting called for that purpose, to be held at the Town Hall, Broadway & Union Road, Town of Cheektowaga, New York, on the 13th day of September, 1954, at 2:30 o'clock P.M., E.D.S.T., There are filed in the Town Clerks' Office copies of the specifications which are made available for prospective bidders.

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

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

Carried: Ayes: -5-

Noes: -0-

NOTICE TO BIDDERS

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of three (3) new 1954 police automobiles for the Police Department of the Town of Cheektowaga, New York.

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

Sealed bids will be received not later than September 13, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, by the Town Board, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Broadway and Union Road, Town of Cheektowaga, New York, on the 13th day of September, 1954, at 2:30 o'clock P.M., Eastern Daylight Savings Time.

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

Dated: August 30, 1954

Kenneth T. Hanley, Town Clerk.

The above mentioned notice was posted as follows on the 3rd day of September, 1954:

- 1- Town Hall Bulletin Board;
- 2- Forks Fire Hall-Broadway at Union Road;
- 3- U-Crest Fire Hall-Clover Place and Evergreen Street;
- 4- Pine Hill Fire Hall-Genesee Street at Normandy Avenue;
- 5- Rescue Fire Hall- Pine Ridge Road at Walden Avenue.

POLICE DEPARTMENT

SPECIFICATION FOR CARS

- 1. 1954 Standard Two Door Sedans ( Black )
- 2. Engine- 6 Cylinder 115 H.P. or Equal
- 3. Clutch-10"
- 4. Cooling System-15 Qt. capacity or equal
- 5. Fresh Air Heater & Defroster
- 6. Vacuum Booster
- 7. Oil Bath Air Cleaner
- 8. Oil Filter
- 9. Right Hand Visor and Arm Rests
- 10. Seat Covers
- 11. Directional Signals
- 12. Federal Beacon Ray ( Installed )
- 13. Change Over:
  - a. Generator
  - b. Siren
  - c. Right Hand Spot Light
- 14. Letter- Town Identification
- 15. a. 3 cars to be purchased. b. 3 cars to be turned in (No. 3,8 and 1).

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

*Harriet M. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *she* is  
*secretary* of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks, first  
publication **SEP 2 1954**;  
last publication **SEP 2 1954**;  
and that no more than six days intervened be-  
tween publications.

*Harriet M. Allis*

Sworn to before me this .....  
day of **SEP 2 1954**, 19.....

*Eve J. Allis*

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

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

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

of Cheektowaga here-  
separately sealed bids  
purchase of three (3) new  
automobiles for the  
Department of the Town of  
Cheektowaga, New York.  
The detailed specifications may  
be examined at the Office of the  
Town Clerk, where the same are  
on file. Copies of the specifications  
are made available for all prospec-  
tive bidders.  
Sealed bids will be received not  
later than September 13, 1954, at  
2:30 o'clock P.M., Eastern Day-  
light Saving Time, by the Town  
Clerk at which time they will be  
publicly opened by the Town  
Board at a public meeting called  
for that purpose, to be held at the  
Town Hall, Broadway and Union  
Road, Town of Cheektowaga, New  
York, on the 13th day of Septem-  
ber, 1954, at 2:30 o'clock P.M.,  
Eastern Daylight Saving Time.  
This notice is published by di-  
rection of the Town Board of the  
Town of Cheektowaga, New York.  
Dated: August 30, 1954.  
KENNETH T. HANLEY,  
Town Clerk

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

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

*Richard G. Bennett*

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

SEP 14 1954, 19.....

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

hn 52800



Item No. 10 - Cont'd Hereto attached is a copy of the notice published in the Cheektowaga Times and the Depew Herald-Cheektowaga News;

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of three (3) new 1954 police automobiles for the Police Department of the Town of Cheektowaga, New York.

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

Sealed bids will be received not later than September 13, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time, by the Town Board, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose, to be held at the Town Hall, Broadway and Union Road, Town of Cheektowaga, New York, on the 13th day of September, 1954, at 2:30 o'clock P.M., Eastern Daylight Saving Time.

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

Dated: August 30, 1954

**KENNETH T. HANLEY**  
Town Clerk

WHEREAS, this Town Board has heretofore determined it to be in the public interest to improve Homesgarth Avenue, extending from Mapleview Road easterly to Roycroft Blvd., a distance of approximately 730 feet, by the construction of a permanent pavement along said highway, with all accessory work as shown on the plans and described in the specifications, so as to benefit the property owners on both sides of said highway to be improved, and

WHEREAS, this Town Board has heretofore directed Nussbaumer, Clarke and Velzy Consulting Engineers, of the Town of Cheektowaga, to prepare definite plans and specifications and make a careful estimate of the expense, and with the assistance of the Town Attorney to prepare a proposed contract for the execution of the work, and such plans, specifications, estimate and proposed contracts, together with a survey and a profile, establishing the line and grade of said highway to be improved, having been duly prepared and presented to this Town Board and likewise filed with the Town Clerk, and the same having been carefully examined by the Town Board and approved, be it

RESOLVED, that sealed proposals be invited for the furnishing of the labor and materials necessary for the doing of the work in connection with the improvement of Homesgarth Avenue, by the publication of a notice thereof at least once in the Cheektowaga Times and the Depew Herald-Cheektowaga News, the official newspapers of the Town, requiring each person who shall offer to do said work to file a sealed proposal or offer to do the work, with a certified check or bid bond in the amount of 5% of the amount of the bids, submitted, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, New York, or a bond with sufficient sureties to be approved by the Supervisor of equal amount conditioned that if his proposal is accepted he will enter into a contract for the same and that he will execute such further securities as may be required for the faithful performance of the contract, be it further,

RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga at the Town Hall, Union Road and Broadway, in said Township on the 20th day of September, 1954, at 7:30 o'clock P.M., E.D.S.T., and be it further

RESOLVED, that said notice to contractors contain substantially the following form:

Notice to Bidders

Sealed proposals for the improvements, payable to the order of the Supervisor, of a bond with sufficient sureties, to be approved by the Supervisor, of equal amount, conditioned that if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further securities as may be required for the faithful performance of the contract.

Each bidder shall have the right and privilege to bid separately on each of the highways to be improved.

No bidder may withdraw his bid within sixty (60) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of the bids.

One copy of said proposed documents may be obtained upon payment of \$20.00. Any bidder, upon returning such plans and contract documents in good condition within ten days following the taking of bids, shall be refunded the full amount of the deposit; non-bidders will similarly be refunded only one-half of their deposit.

The Town Board of the Town of Cheektowaga, New York, hereby invites sealed proposals for the furnishing of the labor and materials necessary for the doing of the work in connection with the improvement of Homesgarth Avenue, extending from Mapleview Road easterly to Roycroft Boulevard, a distance of approximately 730 feet.

All work is to be in accordance with the Contract Documents therefor, including plans, specifications, instructions to bidders, etc., prepared by Nussbaumer, Clarke and Velzy Consulting Engineers of the Town of Cheektowaga, New York, and approved by the Town Board of the Town of Cheektowaga, New York, and filed with the Town Clerk at his office in the Town Hall, Union Road and Broadway, Cheektowaga, New York, where the same may be examined during the usual business hours.

Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be secured and examined at the office of Nussbaumer, Clarke and Velzy Consulting Engineers, 21 Franklin St., Buffalo 2, New York.

Sealed proposals for the improvements, payable to the order of the Supervisor, of a bond with sufficient sureties, to be approved by the Supervisor, of equal amount, conditioned that if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further securities as may be required for the faithful performance of the contract.

Each bidder shall have the right and privilege to bid separately on each of the highways to be improved.

No bidder may withdraw his bid within sixty (60) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of the bids.

Sealed proposals for the improvements, payable to the order of the Supervisor, of a bond with sufficient sureties, to be approved by the Supervisor, of equal amount, conditioned that if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further securities as may be required for the faithful performance of the contract.

Each bidder shall have the right and privilege to bid separately on each of the highways to be improved.

No bidder may withdraw his bid within sixty (60) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of the bids.

Item No. 11-Cont'd  
resulted as follows:

Seconded by Councilman Bystrak and duly put to a vote which

Councilman Nagel	Voting AYE	
Councilman Wroblewski	" "	
Councilman Neibert	" "	185
Councilman Bystrak	" "	
Supervisor Holtz	" "	

Carried: Ayes: -5-

Noes: -0-

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

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

*Harriet M. Allis*....., of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *she* is  
..... *secretary*..... of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* week, first  
publication ..... SEP 9 1954 .....  
last publication ..... SEP 9 1954 .....  
and that no more than six days intervened be-  
tween publications.

*Harriet M. Allis*.....

Sworn to before me this .....  
day of ..... SEP 9 1954 ..... 19.....

*Eve J. Allis*.....

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

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

withdraw same at any time prior to  
the scheduled time for the opening  
of bids.  
KENNETH T. HANLEY  
Town Clerk  
Dated: September 9, 1954 (9-9)

Item No. 11  
adoption:

Councilman Weibert presented the following resolution and moved its

WHEREAS, this Town Board has heretofore determined it to be in the public interest to improve Homesgarth Avenue, extending from Mapleview Road easterly to Roycroft Blvd., a distance of approximately 730 feet, by the construction of a permanent pavement along said highway, with all accessory work as shown on the plans and described in the specifications, so as to benefit the property owners on both sides of said highway to be improved, and

WHEREAS, this Town Board has heretofore directed Nussbaumer, Clarke and Velzy Consulting Engineers, of the Town of Cheektowaga, to prepare definite plans and specifications and make a careful estimate of the expense, and with the assistance of the Town Attorney to prepare a proposed contract for the execution of the work, and such plans, specifications, estimate and proposed contracts, together with a survey and a profile, establishing the line and grade of said highway to be improved, having been duly prepared and presented to this Town Board and likewise filed the Town Clerk, and the same having been carefully examined by the Town Board approved, be it

RESOLVED, that sealed proposals be invited for the furnishing labor and materials necessary for the doing of the work in connection with the improvement of Homesgarth Avenue, by the publication of a notice thereof at 1 in the Cheektowaga Times and the Depew Herald-Cheektowaga News, the official of the Town, requiring each person who shall offer to do said work to file a proposal or offer to do the work, with a certified check or bid bond in the amount of 5% of the amount of the bids, submitted, payable to the order of Benedict Supervisor of the Town of Cheektowaga, New York, or a bond with sufficient surety to be approved by the Supervisor of equal amount conditioned that if his proposal is accepted he will enter into a contract for the same and that he will execute further securities as may be required for the faithful performance of the contract, be it further,

RESOLVED, that sealed proposals be received and considered at a meeting of the Town Board of the Town of Cheektowaga at the Town Hall, Union and Broadway, in said Township on the 20th day of September, 1954, at 7:30 o' P.M., E.D.S.T., and be it further

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

Notice to Contractors  
New York  
Received and published by the Town Board on the 20th day of September, 1954, at 7:30 P.M. Eastern Daylight Time, in the Town Hall, Broadway and Union Road, Cheektowaga, New York for furnishing of materials, equipment and labor for the construction of pavements in the following streets, with all accessory work, all as shown on the plans and as described in the specifications:

Homesgarth Avenue, both sides, extending from Mapleview Road easterly to Roycroft Boulevard, a distance of approximately 730 feet.

All work is to be in accordance with the Contract Documents therefor, including plans, specifications, instructions to bidders, etc., prepared by Nussbaumer, Clarke and Velzy Consulting Engineers of the Town of Cheektowaga, New York, approved by the Town Board of the Town of Cheektowaga, New York, and filed with the Town Clerk at his office in the Town Hall, Cheektowaga, New York, where the same may be examined during the usual business hours.

Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be secured and examined at the office of Nussbaumer, Clarke and Velzy Consulting Engineers, 177 Franklin St., Buffalo 2, New York.

One copy of said proposed documents may be obtained upon payment of \$20.00. Any bidder, upon returning such plans and contract documents in good condition within ten days following the taking of bids, shall be refunded the full amount of the deposit; non-bidders will similarly be refunded only one-half of their deposit.

The Town Board of the Town of Cheektowaga, New York, hereby certifies that the foregoing is a true and correct copy of the notice to contractors as published in the Cheektowaga Times and the Depew Herald-Cheektowaga News, on the 20th day of September, 1954, at 7:30 P.M. Eastern Daylight Time.

Each bidder shall have the right and privilege to bid separately on each of the highways to be improved. No bidder may withdraw his bid within sixty (60) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of the bids.

Each bidder shall have the right and privilege to bid separately on each of the highways to be improved.

No bidder may withdraw his bid within sixty (60) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of the bids.

Item No. 11-Cont'd  
resulted as follows:

Seconded by Councilman Bystrak and duly put to a vote which

Councilman Nagel	Voting AYE	
Councilman Wroblewski	" "	
Councilman Neibert	" "	185
Councilman Bystrak	" "	
Supervisor Holtz	" "	

Carried: Ayes: -5-

Noes: -0-

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

**NOTICE IS HEREBY GIVEN** that pursuant to a Resolution of the Town Board of Cheektowaga, Erie County, New York sealed proposals will be received and considered by the Town Board on the 20th day of September, 1954, at 7:30 P.M. Eastern Daylight Time, in the Town Hall, Broadway and Union Road, Cheektowaga, New York for furnishing of materials, equipment and labor for the construction of pavements in the following streets, with all accessory work, all as shown on the plan and as described in the specifications:

Homesgarth Avenue, both sides, extending from Mapleview Road easterly to Roycroft Boulevard, a distance of approximately 730 feet.

All work is to be in accordance with the Contract Documents therefor, including plans, specifications, instructions to bidder, etc., prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers, of the Town of Cheektowaga, New York, and approved by the Town Board of the said Town, all of which are on file with the Town Clerk at his office in the Town Hall, Broadway and Union Road, Cheektowaga, New York, where the same may be examined during the usual business hours.

Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be secured and examined at the office of Nussbaumer, Clarke & Velzy, Consulting Engineers, 327 Franklin St., Buffalo 2, New York.

One copy of said proposed documents may be obtained upon payment of \$20.00. Any bidder, upon returning such plans and contract documents in good condition within 30 days following the taking of bids, will be refunded the full amount of his deposit; non-bidders will similarly be refunded only one-half of their deposit.

The Town Board of the Town of Cheektowaga, New York reserves the right to reject any or all bids or to

award to other than the low bidder.

Each proposal must be accompanied by a certified check for a sum equal to not less than 5% of the amount of bid or bids for the improvements, payable to the order of the Supervisor, or a bond with sufficient sureties, to be approved by the Supervisor, of equal amount, conditioned that if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further securities as may be required for the faithful performance of the contract.

Each bidder shall have the right and privilege to bid separately on each of the highways to be improved.

No bidder may withdraw his bid within sixty (60) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of bids.

KENNETH T. HANLEY  
Town Clerk

Dated: September 9, 1954 (9-9)

Beautiful home on Calumet St. 4 rooms down, 4 bedrooms and bath up; lot 85'x120' 2 car garage; WO

dining-room, fireplace, attached garage, basement, large lot, immediate occupancy; owner occupant. a26s9

Each bidder must deposit with his bid security in an amount of not less than ten per cent (10%) of his bid in the form of a check or cash.

The Board of Education reserves the right to waive any irregularities in or to reject any bids.

His payment will be refunded in good condition will be returned.

for the purpose of studying the respective bids received and for the purpose of awarding contracts in the event that a decision can be made at that time.

The Board of Education will meet on Monday evening, September 13, 1954, at 7:00 p.m., E.D.S.T.,

will be opened and read aloud. before 2:00 p.m. on September 13, 1954, E.D.S.T., at which time they

by the Board of Education on or before 2:00 p.m. on September 13, 1954, E.D.S.T., at which time they

Sealed bids for Library Furniture for the Depew Junior-Senior High School, will be received

**ADVERTISEMENT FOR BIDS**

men mines and forests, the Free State sweeps to flat Chesapeake and Atlantic tidewater through rolling countryside suitable for dairying, orchardry, and many types of farming.

conditions thereof

more than six days intervened between any two publications thereof, and that not

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

..... day of *September*, 19....., and

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

was inserted and published therein once a week for

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

towns, Erie County, New York, that notice of which the

a public newspaper published at Depew, Town of Cheek-

**Herald and News**  
Depew  
Cheektowaga

..... of the  
**PUBLISHER**

being duly sworn, deposes and says that he is the

**RICHARD G. BENNETT**

**DEPEW**

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

SEP 24 1954

Notary Public in and for Erie County.

4452880

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

WHEREAS, this Town Board at a meeting held in the Town Hall corner of Union Road and Broadway, Cheektowaga, New York, on June 28, 1954, duly adopted an order whereby it undertook the construction of certain improvements in Sewer District No. 5 of this Town, at a cost not to exceed Nine Hundred and Fifty Thousand Dollars (\$950,000.00) in accordance with a certain map and plan prepared by Nussbaumer, Clarke and Velzy, Consulting Engineers of this Town, dated June 11, 1954, and

WHEREAS, said Nussbaumer, Clarke and Velzy have now prepared definite plans, specifications, proposed contract and instructions to bidders for the performance of certain portions of the work set forth in said map and general plan dated June 11, 1954, which have been examined and approved by this Board and are on file in the office of the Town Clerk, and it is so resolved

ORDERED, that bids be received for the performance of said work,  
NOW THEREFORE BE IT RESOLVED,

That the following " Notice to Contractors " be published once in the Cheektowaga Times, and the Depew Herald-Cheektowaga News, the official newspapers of this Town in the issue of said papers on September 9, 1954.

( NOTICE TO CONTRACTORS )

**NOTICE TO CONTRACTORS**

**NOTICE IS HEREBY GIVEN** that pursuant to a resolution of the Town Board of the Town of Cheektowaga, County of Erie, State of New York, sealed proposals shall be received and considered by said Town Board on the 20th day of September, 1954 at 7:30 o'clock P.M. Eastern Standard Time, in the Town Hall in the Town of Cheektowaga, Erie County, New York, for furnishing all materials and equipment, together with all labor for the construction of the George Urban Blvd. Pumping Station serving Sanitary Sewer District No. 5, in accordance with proposed contract documents, plans, specifications, and instructions to bidders, prepared by Newell L. Nussbaumer, Irving Clarke and Charles R. Velzy, Consulting Engineers, doing business as Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga, New York, and approved by the Town Board of said Town, all of which are on file with the Town Clerk in his office in the Town Hall, where same may be examined during the usual business hours. Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be examined or secured at the office of the Consulting Engineers, Nussbaumer, Clarke & Velzy, 337 Franklin Street, Buffalo

2, New York. One copy of said documents may be obtained upon payment of \$50.00. Any bidder, upon returning such copy in good condition within thirty (30) days following the receipt of bids, will be refunded \$50.00, and any non-bidder upon so returning such copy will be refunded \$25.00.

Each proposal must be accompanied by a certified check or bid bond in the amount of five (5) per cent of the amount of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Bid for the George Urban Blvd. Pumping Station serving Sanitary Sewer District No. 5."

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any irregularities in a bid, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

KENNETH T. HANLEY,  
Town Clerk

Dated: September 9, 1954.

REPRODUCED COPY

STATE OF NEW YORK  
COUNTY OF ERIE

that pursuant to a resolution of the Town Board of Cheektowaga, Erie County, New York sealed proposals will be received and considered by said Town Board on the 20th day of September, 1954, at 7:30 P.M. Eastern Daylight Time, in the Town Hall, Broadway and Union Road, Cheektowaga, New York for furnishing all materials, equipment, and labor for the construction of pavements in the following streets, with all accessory work, all as shown of the plan and as described in the specifications:

Homesgarth Avenue, both sides, extending from Mapleview Road easterly to Roycroft Boulevard a distance of approximately 730 feet.

All work is to be in accordance with the Contract Documents therefor, including plans, specifications instructions to bidder, etc. prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers, of the Town of Cheektowaga, New York, and approved by the Town Board of the said Town, all of which are on file with the Town Clerk at his office in the Town Hall, Broadway and Union Road, Cheektowaga, New York, where the same may be examined during usual business hours.

Copies of the proposed contract documents, plans, specifications, and instructions to bidders may also be secured and examined at the office of Nussbaumer, Clarke & Velzy, Consulting Engineers, 327 Franklin Street, Buffalo 2, New York.

One copy of said proposed documents may be obtained upon payment of \$20.00. Any bidder returning such plans and contract documents in good condition within 20 days following the taking of bids, will be refunded the full amount of his deposit; non-bidders will similarly be refunded only one-half of their deposit.

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

Each proposal must be accompanied by a certified check for a sum equal to not less than 5% of the amount of bid or bids for the improvements, payable to the order of the Supervisor, or a bond with sufficient sureties, to be approved by the Supervisor, of equal amount, conditioned that if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further securities as may be required for the faithful performance of the contract.

Proposals shall be opened at the office of the Supervisor at the time and place specified in the advertisement and the highway to be improved.

Proposals shall be returned to the Town Clerk at least sixty (60) days after the date for the opening thereof, and may be withdrawn at any time prior to the scheduled time for the opening of bids.

KENNETH HANLEY,  
Town Clerk

Dated: September 9, 1954.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

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

*Richard G. Bennett*

..... day of

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

*Hanley*  
..... public in and for Erie County.



and be it further,

RESOLVED, that the Town Clerk be and he is hereby directed to publish said Notice to Contractors as above provided, and be it further

RESOLVED, that the Town Board shall meet on the 20th day of September, 1954, at 7:30 o'clock P.M., E.D.S.T., for the purpose of receiving said bids.

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

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

Carried: Ayes: -5-

Noes: -0-

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

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

*Harriet M. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *she* is  
*secretary* of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks, first  
publication **SEP 9 1954**;  
last publication **SEP 9 1954**;  
and that no more than six days intervened be-  
tween publications.

*Harriet M. Allis*  
Sworn to before me this .....  
day of **SEP 9 1954**, 19.....  
*Eve J. Allis*  
Notary Public in and for Erie County, N. Y.

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

STATE OF NEW YORK )  
COUNTY OF ERIE )

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

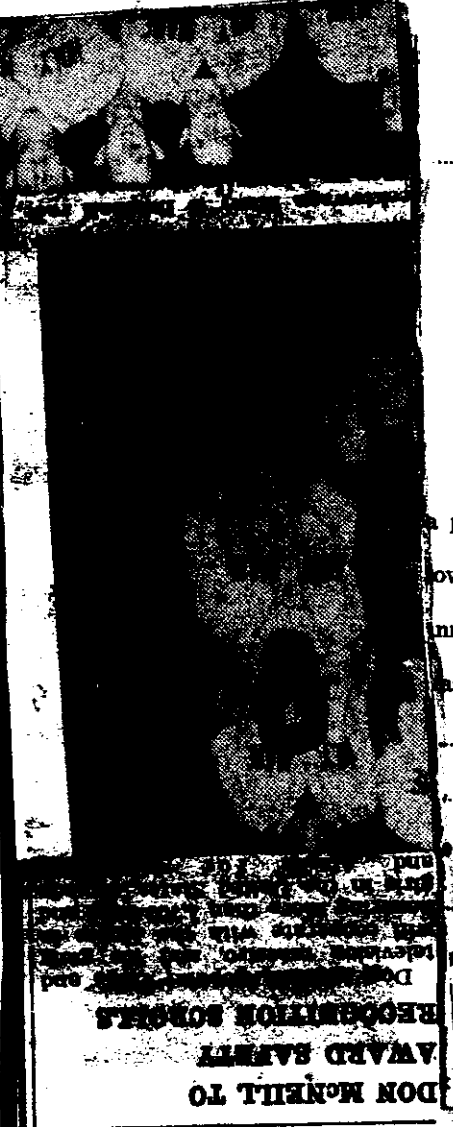
Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
owaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
one week, the first insertion being on the  
9th day of September, 1954, and  
last insertion being on the ..... day of

....., 19....., and that not  
more than six days intervened between any two publi-

ations thereof

*Richard G. Bennett*



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

SEP 24 1954

19.....

*Kenneth T. Hanley*

Notary Public in and for Erie County.

no 52800

Item No. 12- Cont'd

and be it further,

RESOLVED, that the Town Clerk be and he is hereby directed to publish said Notice to Contractors as above provided, and be it further

RESOLVED, that the Town Board shall meet on the 20th day of September, 1954, at 7:30 o'clock P.M., E.D.S.T., for the purpose of receiving said bids.

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

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

Carried: Ayes: -5-

Noes: -0-

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

of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 30th day of August, 1954, at 2:30 P.M. Eastern Daylight Saving Time, there were:

**PRESENT:**

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

**ABSENT: None**

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a meeting held in the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on June 28, 1954, duly adopted an order whereby it undertook the construction of certain improvements in Sewer District No. 5 of this Town, at a cost not to exceed Nine Hundred and Fifty Thousand Dollars (\$950,000.00) in accordance with a certain map and plan prepared by Nussbaumer, Clarke and Velzy, consulting engineers of this Town, dated June 11, 1954, and

WHEREAS, said Nussbaumer, Clarke and Velzy have now prepared definite plans, specifications, proposed contract and instructions to bidders for the performance of certain portions of the work set forth in said map and general plan dated June 11, 1954 which have been examined and approved by this Board and are on file in the office of the Town Clerk, and it is

ORDERED that bids be received for the performance of said work,

NOW THEREFOR, be it

RESOLVED, that the following "Notice to Contractors" be published once in the Cheektowaga Times, and the Depew Herald and Cheektowaga News, the official newspapers of this Town in the issue of said paper on September 9, 1954.

**NOTICE TO CONTRACTORS**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga,

and considered by said Town Board on the 30th day of Sept. 1954, at 7:30 o'clock P.M. Eastern Standard Time, in the Town Hall in the Town of Cheektowaga, Erie County, New York, for furnishing all materials and equipment, together with all labor for the construction of the George Urban Blvd. Pumping Station serving Sanitary Sewer District No. 5, in accordance with proposed contract documents, plans, specifications, and instructions to bidders, prepared by Newell L. Nussbaumer, Irving Clarke and Charles R. Velzy, Consulting Engineers doing business as Nussbaumer, Clarke & Velzy, consulting engineers for the Town of Cheektowaga, New York, and approved by the Town Board of said Town, all of which are on file with the Town Clerk in his office in the Town Hall, where same may be examined during the usual business hours. Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be examined or secured at the office of the Consulting Engineers, Nussbaumer, Clarke & Velzy, 327 Franklin St., Buffalo 2, N. Y. One copy of said documents may be obtained upon payment of \$50.00. Any bidder, upon returning such copy in good condition within thirty (30) days following the receipt of bids, will be refunded \$50.00, and any non-bidder upon so returning such copy will be refunded \$25.00.

Each proposal must be accompanied by a certified check or bid bond in the amount of five (5) per cent of the amount of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Bid for the George Urban Blvd. Pumping Station

STATE OF NEW YORK  
COUNTY OF CHEEKTOWAGA

York held at the Town Hall in  
said Town of Cheektowaga on the  
30th day of August, 1954, at 2:30  
P. M. Eastern Daylight Saving  
Time, there were

PRESENT:  
Benedict T. Holtz, Supervisor,  
Henry J. Nagel, Councilman,  
Felix T. Wroblewski,  
Councilman,  
Joseph A. Neibert, Councilman,  
Stanley Bystrak, Councilman,  
ABSENT: 0.

Councilman Neibert presented  
the following resolution and moved  
it adoption:

WHEREAS, this Town Board, at  
a meeting held in the Town Hall,  
corner Union Road and Broadway,  
Cheektowaga, New York, on June  
28, 1954, duly adopted an order  
whereby it undertook the con-  
struction of certain improvements  
in Sewer District No. 5 of this  
Town, at a cost not to exceed Nine  
Hundred and Fifty Thousand Dol-  
lars (\$950,000.00), in accordance  
with a certain map and plan pre-  
pared by Nussbaumer, Clarke and  
Velzy, consulting engineers of this  
Town, dated June 11, 1954, and

WHEREAS, said Nussbaumer,  
Clarke and Velzy have now pre-  
pared definite plans, specifications,  
proposed contract and instructions  
to bidders for the performance of  
certain portions of the work set  
forth in said map and general plan  
dated June 11, 1954, which have  
been examined and approved by  
this Board and are on file in the  
office of the Town Clerk, and it is  
ORDERED that bids be received  
for the performance of said work,

NOW THEREFOR, be it  
RESOLVED, that the following  
"Notice to Contractors" be pub-  
lished in the Cheektowaga  
Times and Special  
Cheektowaga News, the  
newspaper published at  
Depew, New York, and

TO CONTINUE  
AS HEREBY GIVEN

pursuant to a resolution of  
the Town Board of the Town of  
Cheektowaga, County of Erie,  
State of New York, sealed propo-  
sals shall be received and consid-  
ered by said Town Board on the  
20th day of September, 1954 at  
7:30 o'clock P.M. Eastern Standard  
Time, in the Town Hall in the  
Town of Cheektowaga, Erie Coun-  
ty, New York, for furnishing all  
materials and equipment, together  
with all labor for the construction  
of the George Urban Blvd. Pump-  
ing Station serving Sanitary Sew-  
er District No. 5, in accordance  
with proposed contract documents,  
plans, specifications, and instruc-  
tions to bidders, prepared by New-  
ell L. Nussbaumer, Irving Clarke  
and Charles R. Velzy, Consulting  
Engineers, doing business as Nuss-  
baumer, Clarke & Velzy, Consult-  
ing Engineers, Town of  
Cheektowaga, and ap-  
proved by the Town Board of  
said Town of Cheektowaga, Erie  
County, New York, on file with  
the Town Clerk in his office in the  
Town Hall, where same may be  
examined during the usual busi-  
ness hours. Copies of the proposed  
contract documents, plans, speci-  
fications, and instructions to bid-  
ders may be examined or secured  
at the office of the Consulting En-  
gineers, Nussbaumer, Clarke &  
Velzy, 327 Franklin Street, Buffalo  
2, New York. One copy of said  
documents may be obtained upon  
payment of \$50.00. Any bidder, up-  
on returning such copy in good  
condition within thirty (30) days  
following the receipt of bids, will  
be refunded \$50.00, and any non-  
bidder upon so returning such copy  
will be refunded \$25.00.

Each proposal must be accom-  
panied by a certified check or bid  
bond in the amount of five (5) per  
cent of the amount of the bid,  
payable to the order of Benedict T.  
Holtz, Supervisor of the Town of  
Cheektowaga. The bond shall be  
approved by the Town Attorney.  
Proposals submitted in  
sealed envelopes clearly marked  
George Urban Blvd. Pumping  
Station, No. 5,  
within sixty (60) days of the  
actual date of the opening thereof.  
A surety bond by the company sat-

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-

wowaga, Erie County, New York, that notice of which the

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

was inserted and published therein once a week for

one week, the first insertion being on the

9th day of September, 1954, and

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

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

more than six days intervened between any two publi-

cations thereof

Richard G. Bennett

day of

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and be it further,

RESOLVED, that the Town Clerk be and he is hereby directed to publish said Notice to Contractors as above provided, and be it further

RESOLVED, that the Town Board shall meet on the 20th day of September, 1954, at 7:30 o'clock P.M., E.D.S.T., for the purpose of receiving said bids.

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

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

Carried: Ayes: -5-

Noes: -0-

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

Each proposal must be accompanied by a certified check or bid bond in the amount of five (5) per cent of the amount of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Bid for the George Urban Blvd. Pumping Station serving Sanitary Sewer District No. 5."

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid nor prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities in a bid, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

KENNETH T. HANLEY  
Town Clerk

Dated: September 9, 1954.

and, be it further  
RESOLVED, that the Town Clerk be, and he is hereby directed to publish said Notice to Contractors

September, 1954 at 7:30 o'clock, P.M. Eastern Daylight Saving Time for the purpose of receiving said bids.

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

Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Bystrak, voting Naye.

AYES: 4 NOES: 1 ABSENT: 0

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

It is to certify that KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 30th day of August, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 30th day of August, 1954.

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

STATE OF NEW YORK )  
COUNTY OF ERIE ) ss:

within sixty days of the actual date of the execution thereof.

A surety bond by the company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities in a bid, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

KENNETH T. HANLEY,  
Town Clerk

Dated: September 9, 1954.  
and, be it further

RESOLVED, that the Town Clerk be, and he is hereby directed to publish said Notice to Contractors, as above provided, and be it further

RESOLVED, that the Town Board shall meet on the 20th day of September, 1954 at 7:30 o'clock, P. M. Eastern Daylight Saving Time for the purpose of receiving said bids.

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

Supervisor Holtz, Voting Aye,  
Councilman Nagel, Voting Aye,  
Councilman Wroblewski,

Councilman Neibert, Voting Aye,  
Councilman Bystrak, Voting Naye,  
AYES:4, NOES: 1, ABSENT: 0.

State of New York )  
Erie County ) ss:  
Office of the Clerk of the )  
Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 30th day of August, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my (Seal) hand and affixed the seal of said Town this 30th day of August, 1954.

KENNETH T. HANLEY,  
Clerk of the Town Board

s9 . Town of Cheektowaga, N. Y.

RECEIVED  
SEP 11 1954  
TOWN CLERK

Erie County.

1  
Item No. 13 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved, and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. ( Warrant No. 1638 to No. 1689, inclusive, drawn on the Supervisor.)

Item No. 14 Councilman Nagel moved, seconded by Councilman Neibert, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk.

Item No. 1 At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga, on the 3rd day of September, 1954, at 1:30 o'clock P.M., E.D.S.T., there were

PRESENT: Benedict T. Holtz Supervisor

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

Also present was Town Clerk Kenneth T. Hanley.

Item No. 2 The Supervisor announced that the meeting scheduled for this day has been cancelled.

SEAL

Kenneth T. Hanley,  
Town Clerk.



Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 7th day of September, 1954, at 7:30 o'clock P.M., E.D.S.T., there were:

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

ABSENT: -0-

Also present were: Town Clerk Hanley; Town Attorney Doyle; Chief of Police Mersmann and George Holloway, representing Holloway and Company, Auditors for the Town of Cheektowaga, New York.

Item No. 2 Councilman Wroblewski moved, seconded by Councilman Nagel, that the following named persons be appointed School Guards for the Town of Cheektowaga, New York:

<u>NAME</u>	<u>LOCATION</u>
Matthew Frank	Genesee Street and Pine Ridge Road
Viola Maciejewski	Dingens and Rossler Street
Sophie Wesolowski	William Street at the Roosevelt School
Larry Budny	Gualbert and Doat Street
Mrs. C. Hauser	Hunter and Union Road
Bertha Kreinheder	Yeager Drive and Union Road
Leona Kosmala	Beach Road and Cleveland Dr. ( Replacement )
Lucille Stravino	Maryvale Dr. and East Tiorunda

CARRIED: AYES: -5-.

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

WHEREAS, the New York State Association of Towns Superintendents of Highways are holding their Annual Meeting in Albany, New York, on September 15th, 16th and 17th, 1954, be it

RESOLVED, that John J. Zablotny, Town Superintendent of Highways be authorized to attend the Annual Meeting and his reasonable expenses be a legal Town charge to be charged against the General Fund.

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

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

RESOLVED, that Reynders Electric Company be authorized and directed to place a "Stop Then Go" sign on all 3 caution lights at the intersection of Cayuga Creek Road and William Street.

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

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

RESOLVED, that the New York State Gas & Electric Company be authorized to make three (3) globe type light installations of 2500 lumens each on Floral Place, and remove the present light from Pole No. 7 and install it on Pole No. 6, be it further

RESOLVED, that the New York State Gas & Electric Company make one (1) additional globe type light installation of 2500 lumens on Beach Road, and on Pole No. 4 on Schlenker Avenue, install one (1) 2500 lumen street light.

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

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

WHEREAS, the owners of property on Aurora Drive, in the Town of Cheektowaga, New York, between the easterly line of Marsdale Road and the westerly line of Leory Road have applied to the Erie County Water Authority for water service, be it

RESOLVED, that the Supervisor be and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, an easement authorizing the Erie County Water Authority to lay, relay and maintain water mains in said highway, as set forth in said easement, a copy of which is hereto annexed and made a part of this resolution.

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

THIS INDENTURE, made this \_\_\_ day of September, 1954, between the Town of Cheektowaga, Erie County, New York, party of the first part ( it being the intention hereof that if the names of two or more persons appear above, the phrase "party of the first part" used herein shall be interpreted to read "parties of the first part" and singular verbs, nouns and pronouns with respect thereto shall be interpreted as plural, and if the party of the first part be a female, the feminine pronoun shall be deemed to be substituted for the masculine), and

ERIE COUNTY WATER AUTHORITY, a public benefit corporation, having its principal office and place of business at 338 Ellicott Square Building, City of Buffalo, County of Erie, and State of New York, party of the second part,

W I T N E S S E T H :

That the party of the first part, in consideration of other good and valuable consideration and Two (\$2.00) Dollars, lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, its successors and assigns, forever:

The perpetual and exclusive right to lay, relay, operate, maintain and remove a water main or mains, both supply and distribution, and appurtenances, including domestic services and fire hydrants, in the full width and length, shown on the map hereinafter mentioned, of the private streets known as Aurora Drive, in the Town of Cheektowaga, from the easterly line of Marsdale Road to the westerly line of Leroy Road, as said private streets, situated in Ardmore Terrace, in the Town of Cheektowaga, County of Erie, and State of New York, as shown on a certain map filed in the office of the Clerk of the aforesaid County and State as Map No. 1404, and entitled Ardmore Terrace Subdivision, part of Lot 36, Township 11, Range 7, dated March 1, 1927.

TOGETHER with the right to use such streets for such purposes.

TO HAVE AND TO HOLD the rights and easements herein granted unto the party of the second part, its successors and assigns forever.

ALL MAINS and appurtenances laid or to be laid by the party of the second part, its successors or assigns, shall be and remain the property of the party of the second part, its successors and assigns, forever.

AND said party of the first part covenants as follows:

First: That said party of the first part is seized of the said premises in fee simple, and has good right to convey the same;

Second: That said party of the second part shall quietly enjoy the said rights and easements;

Third: That said premises are free and clear from encumbrances. (Exception, if any):

Fourth: That the party of the first part will execute or procure any further necessary assurances of the title to said rights and easements; and

Fifth: That said party of the first part will forever warrant the title to the said rights and easements.

IN WITNESS WHEREOF, the party of the first part has hereunto set his or her hand and seal the day and year first above written..

Town of Cheektowaga, Erie County, New York

BY: Benedict T. Holtz (LS)  
Supervisor.

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

On this 7th day of September, 1954, before me personally came Benedict T. Holtz, to me known, who, being by me duly sworn, did depose and say that he resides in the Town of Cheektowaga, New York; that he is the Supervisor of the Town of Cheektowaga, the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Town Board of the Town of Cheektowaga, and that he signed his name thereto by like order.

George B. Doyle-Notary Public

**LEGAL NOTICE**

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

**PRESENT:**

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

**ABSENT:** 0.

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Mansion Street, for its entire length as follows: Mansion Street, commencing at William Street to Stradtman Street, by the construction of curbs, together with the installation of receivers and necessary underground drains. (Said highway is now paved for its entire length) and

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

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of Fourteen Thousand Dollars (\$14,000.00),

**NOW, THEREFOR,**

**BE IT RESOLVED,** pursuant to the provisions of Section 200 of the Town Law of the State of New York, it is hereby

**ORDERED** that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner Union Road and Broadway, in said Town on

the 20th day of September, 1954 at 7:30 o'clock, P. M. Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing of persons interested in the subject matter thereof concerning the same, and

**BE IT FURTHER RESOLVED,** that the Town Clerk be and he is hereby Ordered and Directed to publish a certified copy of this resolution and order in the Cheektowaga "Times" and the "Depew Herald and Cheektowaga News," the official newspapers of the Town of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that the Town Clerk post conspicuously or cause to be posted conspicuously certified copies of this Order in five (5) public places along the portion of said highway to be improved not less than ten (10) nor more than twenty (20) days prior to the date of the hearing and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's office a certified copy of this Order and Resolution.

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

- Supervisor Holtz, Voting Aye,
- Councilman Nagel, Voting Aye,
- Councilman Wroblewski, Voting Aye,
- Councilman Neibert, Voting Aye,
- Councilman Bystrak, Voting Aye,

AYES: 5, NOES: 0, ABSENT: 0.  
State of New York )  
Erie County ) ss:  
Office of the Clerk of the )  
Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 7th day of September, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 7th day of September, 1954.

KENNETH T. HANLEY,  
Clerk of the Town Board  
s9 Town of Cheektowaga, N. Y.

Item No. 7-Cont'd

Posted as follows on the 18th day of September, 1931;

- 1- Town Hall Bulletin Board;
- 2- Telephone Pole No. 419 on Mansion Street;
- 3- Telephone Pole No. 20 on Mansion Street;
- 4- Telephone Pole No. 46 on Mansion Street;
- 5- Telephone Pole No. 9 on Mansion Street;
- 6- Telephone Pole No. 90 on Mansion Street.

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

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

*Harriet M. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *she* is  
*secretary* of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ~~one~~ weeks; first  
publication SEP 9 1954;  
last publication SEP 9 1954;  
and that no more than six days intervened be-  
tween publications.

*Harriet M. Allis*

Sworn to before me this  
day of SEP 9 1954, 19

*Eve J. Allis*

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

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

Item No. 7-Cont'd

Posted as follows on the 18th day of September, 1934:

- 1- Town Hall Bulletin Board;
- 2- Telephone Pole No. 419 on Mansion Street;
- 3- Telephone Pole No. 20 on Mansion Street;
- 4- Telephone Pole No. 46 on Mansion Street;
- 5- Telephone Pole No. 9 on Mansion Street;
- 6- Telephone Pole No. 90 on Mansion Street.

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

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

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

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

**WHEREAS**, a written petition was duly filed with this Board for the improvement of both sides of Mansion Street, for its entire length as follows, Mansion Street, commencing at William Street to Stradtman Street, by the construction of curbs, together with the installation of receivers and necessary underground drains. (Said highway is now paved for its entire length) and

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

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

**WHEREAS**, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of Fourteen Thousand Dollars (\$14,000.00).

**NOW, THEREFORE,**  
**BE IT RESOLVED**, pursuant to the provisions of Section 209 of the Town Law of the State of New York, it is hereby

**ORDERED** that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 20th day of September, 1954 at 7:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing of persons interested in the subject concerning the same, and

**BE IT FURTHER RESOLVED**, that the Town Clerk be and he is hereby Ordered and Directed to publish a certified copy of this resolution and order in the "CHEEKTOWAGA TIMES" and the "Depew Herald and Cheektowaga News," the official newspapers of the Town of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that the Town Clerk post conspicuously or cause to be posted conspicuously certified copies of this Order in five (5) public places along the portion

of said highway and cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this Order and Resolution.

Seconded by Councilman Neibert and duly put to a vote, which resulted as follows:  
Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye.  
**AYES: 5 NOES: 0 ABSENT: 0**

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

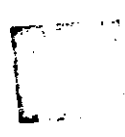
This is to certify that I, **KENNETH T. HANLEY**, Clerk of the Town of Cheektowaga, in said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 7th day of September, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 7th day of September, 1954.

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

(SEAL) (9-9)

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**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**

public newspaper published at Depew, Town of Cheek-  
owaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
one week, the first insertion being on the  
9th day of September, 1954, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

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

SEP 24 1954

19.....

*Walter T. Henley*

Notary Public in and for Erie County.

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

*Harriet M. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that ~~she~~ is  
*secretary* of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ~~one~~ *one* weeks, first  
publication SEP 9 1954;  
last publication SEP 9 1954;  
and that no more than six days intervened be-  
tween publications.

*Harriet M. Allis*

Sworn to before me this .....  
day of SEP 9 1954, 19.....

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

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

STATE OF NEW YORK  
COUNTY OF ERIE

Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 7th day of September, 1954 at 7:30 o'clock, P. M. Eastern Daylight Saving Time, there were

PRESENT:

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

ABSENT: 0.

Councilman Wroblewski present.

Mansion Street, for its entire length as follows: Mansion Street, commencing at William Street to Stradtman Street, by the construction of curbs, together with the installation of receivers and necessary underground drains. (Said highway is now paved for its entire length) and

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

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of Fourteen Thousand Dollars (\$14,000.00),

NOW, THEREFOR,

BE IT RESOLVED, pursuant to the provisions of Section 200 of the Town Law of the State of New York, it is hereby

ORDERED that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner Union Road and Broadway, in said Town on the 20th day of September, 1954 at 7:30 o'clock, P. M. Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing of persons interested in the subject matter thereof concerning the same, and

BE IT FURTHER RESOLVED, that the Town Clerk be and he is hereby Ordered and Directed to publish a certified copy of this resolution and order in the Cheektowaga "Times" and the "Depew Herald and Cheektowaga News," the official newspapers of the Town of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that the Town Clerk post conspicuously or cause to be posted conspicuously certified copies of this Order in five (5) public places along the portion of said highway to be improved not less than ten (10) nor more than twenty (20) days prior to the date of the hearing and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's office a certified copy of this Order and Resolution.

Resolved by the Town Board of Cheektowaga, Erie County, New York, by a vote, which read

of the Clerk of the  
Town of Cheektowaga

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie on the 7th day of September, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 7th day of September, 1954.  
KENNETH T. HANLEY  
Clerk of the Town Board  
Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew  
**Herald and News**

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

annexed printed slip taken from said newspaper, is a copy

was inserted and published therein one week

one week, the first insertion being on

9th day of September, 1954

the last insertion being on the

1954, and that

more than six days intervened between the two insertions thereof.

Richard G. Bennett

day of

24 1954

19

T. Hanley

Public in and for Erie County.

# ELECTION NOTICE

CHEEKTOWAGA, NEW YORK, SEPTEMBER 1954

## POLLING PLACES

We, the undersigned, composing the Board of Town Officers of the Town of Cheektowaga do hereby give notice that we have designated the following Polling Places in said Town for the Fall Primary to be held on the 14th day of September, 1954, from 12 Noon to 9 P. M.

- Election District No. 1.....Lassen Road School, Lassen Road near Union Road
- Election District No. 2.....Delaware Fire House, One Park Blvd., near Summit Road
- Election District No. 3.....Oyster Fire Hall, River Road, Depew.
- Election District No. 4.....Town Hall, Broadway and Union St. and Broadway Street
- Election District No. 5.....U-Coral Fire House, Corner Flannery and Broadway Street
- Election District No. 6.....Cuyahoga School, Union Road, near Geneva Street
- Election District No. 7.....Election Booth, Cleveland Bridge, near Union Road
- Election District No. 8.....Maryvale High School, Maryvale, Bridge near Union Road
- Election District No. 9.....Maryvale School, Maryvale, Bridge at Beach Road
- Election District No. 10.....Barnwood, Cleveland Heights, Christian Church, Union Road, near Cleveland Bridge
- Election District No. 11.....Election Booth, Cleveland Bridge at River Elm, near Cheektowaga Dr.
- Election District No. 12.....Cleveland Hill Fire House, Cleveland Hill at Maryvale Rd. and Kensington Avenue
- Election District No. 13.....Election Booth, Century Road and Century Rd., north west corner.
- Election District No. 14.....Election Booth, West Cleveland Drive and Century Rd., north west corner.
- Election District No. 15.....Election Booth, Mark Lane, between Oyster Road and Kenaville Road.
- Election District No. 16.....Cleveland Hill School, Kensington Road
- Election District No. 17.....Cleveland Hill School, Kensington Road
- Election District No. 18.....Election Booth, South Yonkers Dr. and 25th Street
- Election District No. 19.....Maryvale Drive Presbyterian Church Recreation Room—Community Drive
- Election District No. 20.....Maryvale Drive Presbyterian Church Recreation Room—Community Drive
- Election District No. 21.....Fino Hill High School, Delavan Avenue.
- Election District No. 22.....Fino Hill High School, Delavan Avenue.
- Election District No. 23.....Fino Hill Fire House, Geneva Street at Northway.
- Election District No. 24.....Fino Hill Fire House, Geneva Street at Northway.
- Election District No. 25.....Election Booth, Geneva Street and George Urban Blvd.
- Election District No. 26.....Election Booth, Grand Hotel, between Rosewood Terrace and Highland Dr.
- Election District No. 27.....Election Booth, Walden Terrace, near Walden Avenue and Eskaton Hotel.
- Election District No. 28.....School No. 24, Alexander St.
- Election District No. 29.....School No. 19, Alexander St.
- Election District No. 30.....Barnes Fire Hall, Pine Ridge Road and Walden Avenue.
- Election District No. 31.....Woodrow Wilson School, Halsted Ave., Slama.
- Election District No. 32.....Woodrow Wilson School, Halsted Ave., Slama.
- Election District No. 33.....St. Andrews Church Hall, Church Street, Slama.
- Election District No. 34.....Dwyer Fire House No. 2, Wilkynson and Chevrolet Street.
- Election District No. 35.....Dwyer Fire House No. 1, Wilkin and Alaba Street.
- Election District No. 36.....Zanerich School, Wilkin and Becka Street.
- Election District No. 37.....Zanerich School, Wilkin and Union Street.

Dated: September, 1954.

BENJAMIN T. ROLTZ, Supervisor  
 HENRY NAGEL, Comptroller  
 FELIX T. WROBLEWSKI, Comptroller  
 JOSEPH A. NIBBERT, Comptroller  
 STANLEY BISTRAL, Comptroller

Mr. and Mrs. John Kirsch of 17  
Ray St., celebrated their 50th  
anniversary at the home of  
Baleno of Losson Rd.  
the former  
daughter of Mr. and Mrs. Anthony  
Baleno  
Norma St. Buffalo. Mrs. Rath is  
Mr. and Mrs. George Rath of 21  
the baby's paternal grandparents.  
40 guests was held at the home of  
uncle of the baby. A reception for  
Erica and Joseph Rath, aunt and  
parents were Mrs. Ted DeFede-  
Church last Sunday. Her  
was baptized at Blessed  
St. Lawrence Rath of  
of

EXHIBIT COPY

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... *one* week, the first insertion being on the  
..... *9th* day of *September*, 19*54*, and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof.

*Richard G. Bennett*

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

SEP 24 1954

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

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

no 52 000

Item No. 9  
adoption:

Councilman Nagel presented the following resolution and moved its

WHEREAS, certain bond anticipation notes are now held by the Manufacturers and Traders Trust Company of Buffalo, New York, which note are more particularly described hereafter, and the same having been issued in anticipation of the sale of bonds, which sale has not yet taken place, and

WHEREAS, certain of said notes were due and payable on September 1, 1954, and others will be due and payable September 16, 1954, and two others will be due and payable October 1, 1954, and

WHEREAS, it is now necessary to authorize the renewal of said bond anticipation notes,

NOW, THEREFORE,

BE IT RESOLVED AS FOLLOWS:

1. That the Supervisor be and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a renewal bond anticipation note in the amount of Twenty-Six Hundred Dollars, payable January 1, 1955 and dated September 1, 1954, which shall be issued in renewal of a bond anticipation note of said amount held by the Manufacturers and Traders Trust Company, Buffalo, New York, dated June 12, 1954, and issued in anticipation of the sale of bonds for the construction of sidewalks in Peinkofer Drive, as authorized by a resolution of this Town Board adopted June 30, 1952.

2. That the Supervisor be, and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a renewal bond anticipation note in the amount of Fifty-Five Hundred Dollars (\$5500.00) payable January 1, 1955 and Dated September, 1, 1954, which shall be issued in renewal of a bond anticipation note of said amount held by the Manufacturers and Traders Trust Company, Buffalo, New York, dated October 1, 1953, and issued in anticipation of the sale of bonds for the construction of a lateral sewer in Floral Place, as authorized by a resolution of this Town Board adopted July 20, 1953.

3. That the Supervisor be and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a renewal bond anticipation note in the amount of Twenty-Eight Thousand Dollars (\$28,000.00) payable January 1, 1955 and dated September 16, 1954, which shall be issued in renewal of a bond anticipation note of said amount held by the Manufacturers and Traders Trust Company, Buffalo, New York, dated September 16, 1953, and issued in anticipation of the sale of bonds for the extension of Water District No. 9, in Como Park Boulevard, as authorized by a resolution of this Town Board adopted February 15, 1954.

4. That the Supervisor be, and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a renewal bond anticipation note in the amount of Fourteen Thousand Dollars (\$14,000.00) Payable January 1, 1955 and dated September 16, 1954, which shall be issued in renewal of a bond anticipation note of said amount held by the Manufacturers and Traders Turst Company, Buffalo, New York, dated September 16, 1953, and issued in anticipation of the sale of bonds for the extension of Water District No. 9 in Stramer Road, as authorized by a resolution of this Town Board adopted February 15, 1954.

5. That the Supervisor be and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a renewal bond anticipation note in the amount of Twenty-five Thousand Dollars (\$25,000.00) payable January 1, 1955, and dated October 1, 1954, which shall be issued in renewal of a bond anticipation note of said amount held by the Manufacturers and Traders Trust Company, Buffalo, New York, dated June 12, 1954, and issued in anticipation of the sale of bonds for the increase of facilities of Sewer District No. 5, as authorized by a resolution of this Town Board adopted Febuary 19, 1954.

6. That the Supervisor be and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a renewl bond anticipation note in the amount of Sixty-five Thousand Dollars (\$65,000.00) payable January 1, 1955 and dated October 1, 1954, which shall be issued in renewal of a bond anticipation note of said amount held by the Manufacturers and Traders Trust Company, Buffalo, New York, dated February 19, 1954, and issued in anticipation of the sale of bonds for the increase of facilities of Sewer District No. 5, as authorized by a resolution adopted by this Town Board February 19, 1954.

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

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

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 9  
adoption:

Councilman Nagel presented the following resolution and moved its

WHEREAS, certain bond anticipation notes are now held by the Manufacturers and Traders Trust Company of Buffalo, New York, which note are more particularly described hereafter, and the same having been issued in anticipation of the sale of bonds, which sale has not yet taken place, and

100

WHEREAS, certain of said notes were due and payable on September 1, 1954, and others will be due and payable September 16, 1954, and two others will be due and payable October 1, 1954, and

WHEREAS, it is now necessary to authorize the renewal of said bond anticipation notes,

NOW, THEREFORE,

BE IT RESOLVED AS FOLLOWS:

1. That the Supervisor be and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a renewal bond anticipation note in the amount of Twenty-Six Hundred Dollars, payable January 1, 1955 and dated September 1, 1954, which shall be issued in renewal of a bond anticipation note of said amount held by the Manufacturers and Traders Trust Company, Buffalo, New York, dated June 12, 1954, and issued in anticipation of the sale of bonds for the construction of sidewalks in Peinkofer Drive, as authorized by a resolution of this Town Board adopted June 30, 1952.

2. That the Supervisor be, and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a renewal bond anticipation note in the amount of Fifty-Five Hundred Dollars (\$5500.00) payable January 1, 1955 and Dated September, 1, 1954, which shall be issued in renewal of a bond anticipation note of said amount held by the Manufacturers and Traders Trust Company, Buffalo, New York, dated October 1, 1953, and issued in anticipation of the sale of bonds for the construction of a lateral sewer in Floral Place, as authorized by a resolution of this Town Board adopted July 20, 1953.

3. That the Supervisor be and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a renewal bond anticipation note in the amount of Twenty-Eight Thousand Dollars (\$28,000.00) payable January 1, 1955 and dated September 16, 1954, which shall be issued in renewal of a bond anticipation note of said amount held by the Manufacturers and Traders Trust Company, Buffalo, New York, dated September 16, 1953, and issued in anticipation of the sale of bonds for the extension of Water District No. 9, in Como Park Boulevard, as authorized by a resolution of this Town Board adopted February 15, 1954.

4. That the Supervisor be, and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a renewal bond anticipation note in the amount of Fourteen Thousand Dollars (\$14,000.00) Payable January 1, 1955 and dated September 16, 1954, which shall be issued in renewal of a bond anticipation note of said amount held by the Manufacturers and Traders Turst Company, Buffalo, New York, dated September 16, 1953, and issued in anticipation of the sale of bonds for the extension of Water District No. 9 in Stramer Road, as authorized by a resolution of this Town Board adopted February 15, 1954.

5. That the Supervisor be and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a renewal bond anticipation note in the amount of Twenty-five Thousand Dollars (\$25,000.00) payable January 1, 1955, and dated October 1, 1954, which shall be issued in renewal of a bond anticipation note of said amount held by the Manufacturers and Traders Trust Company, Buffalo, New York, dated June 12, 1954, and issued in anticipation of the sale of bonds for the increase of facilities of Sewer District No. 5, as authorized by a resolution of this Town Board adopted Febuary 19, 1954.

6. That the Supervisor be and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a renewl bond anticipation note in the amount of Sixty-five Thousand Dollars (\$65,000.00) payable January 1, 1955 and dated October 1, 1954, which shall be issued in renewal of a bond anticipation note of said amount held by the Manufacturers and Traders Trust Company, Buffalo, New York, dated February 19, 1954, and issued in anticipation of the sale of bonds for the increase of facilities of Sewer District No. 5, as authorized by a resolution adopted by this Town Board February 19, 1954.

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

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

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 10 The Town Board took under review the Budget Estimates for Special Districts, spreading cost on Benefit Basis as presented by Supervisor Holtz. 191  
 Following is a true and correct copy of said budget as presented by the Supervisor:

Cheektowaga Town Board,  
 Town Hall  
 Cheektowaga, New York

Gentlemen:

I am outlining the amounts which, in my opinion, will be necessary for the operation of Special Districts, the costs of which are levied against property on a benefit basis for the year 1955.

SEWER DISTRICTS

<u>District No. 1</u> Rent to City of Buffalo	\$ 586.08	
Installment on old balance	150.00	
Interest on old balance	33.39	
To be raised by assessment	<u>769.47</u>	\$ 769.47

<u>District No. 2</u> Rent payable to District No. 5	4,000.00	
Maintenance	900.00	
To be raised by assessment	<u>4,900.00</u>	4,900.00

<u>District No. 3</u> Salary of Town Attorney	500.00	
Bond principal & interest due in 1955	29,663.95	
Operation of Disposal Plant	34,525.00	
Real Estate Taxes-1955	6,000.00	
Maintenance of Sewers	3,000.00	
Services of Superintendent	1,500.00	
Services of Engineer	1,000.00	
Erie County Chargebacks-Thruway	2,095.12	
Erie County Chargebacks-Current	1.96	
TOTAL EXPENSE FOR 1955	<u>78,286.03</u>	
Less: Rentals:		
William St. tie-in	\$ 300.00	
Franklin St. tie-in	1,250.00	
Special fixed charges	<u>22,000.00</u>	
To be raised by assessment	<u>23,550.00</u>	54,736.03

<u>District No. 4</u> Rent payable to District No. 5	4,500.00	
Operation of pump station	1,700.00	
Maintenance	500.00	
TOTAL EXPENSE FOR 1955	<u>6,700.00</u>	
Less: Amount payable out of Districts' Reserve Fund	1,000.00	
To be raised by assessment	<u>5,700.00</u>	5,700.00

<u>District No. 5</u> Salary-Town Attorney	1,000.00	
Bond principal & interest due in 1955	161,330.46	
Operation of Disposal Plant	99,625.00	
Maintenance of sewers	12,000.00	
Services of Superintendent	3,000.00	
Services of Engineer	3,000.00	
Erie County chargebacks-Current	570.07	
Erie County chargebacks-Thruway	24,681.88	
Erie County chargebacks-Cemeteries	6,386.43	
TOTAL EXPENSE FOR 1955	<u>311,593.84</u>	
Less: Revenue from charges to:		
Josephine Asmondus	\$ 75.00	
City of Buffalo	12,000.00	
Sewer District No. 2	4,000.00	
Sewer District No. 4	4,500.00	
Sewer District No. 6	<u>23,200.00</u>	
To be raised by assessment	<u>43,775.00</u>	\$267,818.84

Item No. 10 Cont'd SEWER DISTRICTS

SEWER DISTRICTS

District No. 5-Walden Extension

Bond principal and interest due in 1955  
To be raised by assessment

\$ 5,561.00 \$ 5,561.00

District No. 5-Feinkofer Extension

Bond principal and interest due in 1955  
To be raised by assessment

1,650.00 1,650.00

District No. 6

Bond principal and interest due in 1955  
Rent payable to District No. 5  
Maintenance payable to District No. 5  
To be raised by assessment

2,294.00  
22,000.00  
1,200.00

25,494.00  
366,629.34

TOTAL FOR ALL SIX SANITARY SEWER DISTRICTS

NOTE: Amounts shown for the two Sewer District No. 5 extensions are in addition to the regular Sewer District No. 5 charges applicable to property in the extensions.

STORM SEWER DISTRICTS

District No. 1

To be raised by assessment

-0- -0-

District No. 2

Erie County chargebacks-Cemeteries  
Maintenance  
To be raised by assessment

9,229.06  
1,100.00

10,329.06

District No. 3

Bond principal and interest due in 1955  
Maintenance  
To be raised by assessment

7,056.00  
200.00

7,256.00

District No. 4

Bond principal and interest due in 1955  
Maintenance

9,050.00  
200.00  
9,250.00

Less: Amount payable out of Districts'  
Reserve Fund  
To be raised by assessment

1,500.00

7,750.00

TOTAL FOR ALL FOUR STORM SEWER DISTRICTS

25,335.06

LATERAL SANITARY SEWER DISTRICTS

	PRINCIPAL AND INTEREST DUE IN 1955	LESS AMOUNT PAYABLE OUT OF DISTRICTS' RESERVE FUND	
--	---	--	--

Arthur Street	\$ 313.13	\$ -0-	\$ 313.13
Roycroft Blvd.	227.54	-0-	227.54
Maryvale Dr.	811.38	132.58	678.80
W. Grand Blvd.	691.51	129.79	561.72
Cleveland Dr.	752.33	-0-	752.33
S. Huxley Dr.	773.28	189.38	583.90
Woodland Terr. (Formerly Commodore Terr.)	2,060.00	486.90	1,573.10
Darwin Dr.	3,090.00	2,181.21	908.79
Homesgarth Ave.	1,581.00	660.60	920.40

Toelsin Rd.	3,162.00	-0-	3,162.00
Cresthaven Dr.	1,621.50	18.28	1,639.78
Sugnet	2,162.00	160.12	2,001.88
Walton	1,635.00	324.53	1,310.47
Abel, Vincent & Lena	900.00	-0-	900.00
Floral Pl.	1,000.00	-0-	1,000.00



LATERAL SANITARY SEWER DISTRICTS

	PRINCIPAL AND INTEREST DUE IN 1955	LESS AMOUNT PAYABLE OUT OF DISTRICTS' RESERVE FUND	
Mapleview Dr.	\$ 1,690.00	-0-	\$1,690.00
	<u>22,470.67</u>	<u>4,246.83</u>	<u>18,223.84</u>
To be raised by assessment			<u>18,223.84</u>

SIDEWALK DISTRICTS

	PRINCIPAL AND INTEREST DUE IN 1955	LESS AMOUNT PAYABLE OUT OF DISTRICTS' RESERVE FUND	
Evergreen	\$ 1,564.67	331.55	1,896.22
Wellworth	979.39	358.63	620.76
Clover	1,329.34	417.44	911.90
Rosslar	669.35	329.17	998.52
Woodridge	1,500.00	-0-	1,500.00
Peinkofer	600.00	-0-	600.00
	<u>6,642.75</u>	<u>115.35</u>	<u>6,527.40</u>
To be raised by assessment			<u>6,527.40</u>

CURBING DISTRICTS

Olcott:			
Bond principal and interest due in 1955		\$3,200.00	
Less: Amount payable out of Districts' Reserve Fund			
To be raised by assessment		<u>120.94</u>	
			3,079.06

PAVING DISTRICTS

	PRINCIPAL AND INTEREST DUE IN 1955	LESS AMOUNT PAYABLE OUT OF DISTRICTS' RESERVE FUND	
Darwin Dr.	\$ 4,364.00	\$ 787.06	3,576.94
Walton Dr.	2,143.00	326.56	1,816.44
Cresthaven Dr.	1,636.50	308.64	1,327.86
Sugnet Rd.	2,169.00	354.96	1,814.04
	<u>10,312.50</u>	<u>1,777.22</u>	<u>8,535.28</u>
To be raised by assessment			8,535.28

STREET LIGHTING IMPROVEMENT

	PRINCIPAL AND INTEREST DUE IN 1955	LESS AMOUNT PAYABLE OUT OF DISTRICTS' RESERVE FUND	
<u>GROUP (8)</u>			
Highview	\$ 146.45	18.23	128.22
South Century	358.55	44.63	313.92
To be raised by assessment			442.14
<u>GROUP (9)</u>			
Cunard	636.30	41.75	594.55
Mapleview	333.30	47.30	286.00
Briarcliffe	545.40	51.20	494.20
To be raised by assessment	<u>1,515.00</u>	<u>140.25</u>	<u>1,374.75</u>
			1,374.75
<u>GROUP (10)</u>			
South Roycroft	378.75	70.40	308.35
To be raised by assessment			308.35

**STREET LIGHTING IMPROVEMENT-CONT'D**

	PRINCIPAL AND INTEREST DUE IN 1955	LESS AMOUNT PAYABLE OUT OF DISTRICTS' RESERVE FUND
<u>GROUP (11)</u>		
Principal and interest due in 1955:		
W. Grand		\$ 222.48
Merrymont		593.28
McNaughton		<u>420.24</u>
To be raised by assessment		\$ 1,236.00
<u>GROUP (12)</u>		
Principal and interest due in 1955:		
Chesterfield		413.33
Verdun		268.67
Carol		537.33
Mafalda		<u>847.34</u>
To be raised by assessment		<u>2,066.67</u>
TOTAL TO BE ASSESSED FOR ALL FIVE GROUPS		\$5,427.91

ASSESSMENTS OMITTED FROM 1954 ROLLS

SANITARY SEWER DISTRICT NO. 5

BOOK	MAP COVER	OWNER	DESCRIPTION	AMOUNT
7	1617	Anthony M. Marinese & W.	14 ( Lateral)	\$ 4.12
8	733/976	Stanley Frankowski & W.	9-EL. C (San.Sewer)	11.00
8	"	Walter Skymanski	15 ( " " )	22.36
12	1230/1423/ 1496	Anthony Kwiatkowski & W.	541A(Lateral)	3.29
TOTAL TO BE RAISED				<u>\$ 40.77</u>

In accordance with the Town Law, it is the duty of the Town Board to estimate the 1955 revenues and expenditures for the above listed districts and file same with the Town Clerk. A date for public hearing upon the Board's estimates should be fixed and the Town Clerk instructed to give due notice of such hearing.

Respectfully submitted,

Benedict T. Holtz, Supervisor.

Councilman Bystrak moved, seconded by Councilman Neibert:

WHEREAS, this Town Board has prepared a detailed estimate of the anticipated 1955 revenue and expenditures for every district in which the expense of the improvement is to be assessed on a benefit basis, and

WHEREAS, this Town Board has assessed the Special District on a benefit basis, against the lots and parcels of land which is chargeable, and

WHEREAS, this Town Board has prepared an assessment roll describing each lot or parcel of land, the owner thereof, and the assessment levied against it, and

WHEREAS, this Town Board has filed such estimates and assessment roll with the Town Clerk.

NOW, THEREFORE, BE IT RESOLVED, that the detailed estimates of the anticipated revenues and expenditures for every special district and the assessment roll for every special district be and the same is hereby approved, and

BE IT FURTHER RESOLVED, that the Town Clerk be and he hereby is, authorized and directed to publish a Notice of Public Hearing for same in the Cheektowaga Times and the Depew Herald-Cheektowaga News, newspapers published in the Town of Cheektowaga, New York, said notice to be in the following form and to be published the week of September 9, 1954, said Public Hearing to be held at the Town Hall, corner of Union Road and Broadway, on the 20th day of September, 1954, at 7:30, o'clock P.M., E.D.S.T., and shall be in the following form, to wit:

The Town Board of Cheektowaga, New York, at a special meeting held on September 7th, 1954, adopted its Estimates and Assessment Roll relating to Special Districts spreading costs on a basis which has been filed same with the Town Clerk for the following Districts:

Sewer Districts: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

Storm Sewer Districts: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

All Lateral Sanitary Sewer Districts:

All Sidewalk Districts:

All Curbing Districts:

All Paving Districts:

All Street Lighting Improvement Districts:

Notice is also given that a public hearing on such estimates and Assessment Roll will be held September 20th, 1954, at 7:30 P.M., E.D. S.T., in the Council Chamber of the Cheektowaga Town Hall, corner of Union Road and Broadway, at which time the Town Board will meet to hear and consider any objections which shall be made to such Estimates and Assessment Roll.

Dated: September 7, 1954.

By order of the Town Board of  
the Town of Cheektowaga,  
New York

CARRIED:

AYES: -5- NOES: -0-

The above mentioned notice was posted on the 10th day of September, 1954, in the following places:

- 1- Town Hall Bulletin Board;
- 2- Forks Fire Hall Bulletin Board, Broadway and Union Rd;
- 3- U-Crest Fire Hall - Evergreen Street & Clover Place;
- 4- Pine Hill Fire House-Genesee Street and Normandy Avenue;
- 5- Doyle Fire House No. 1 Bulletin Board- William and Alaska Street.

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

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

*Harriet M. Allis*, of the  
Town of Cheektowaga, in said County of Erie, be-  
ing duly sworn, deposes and says that *she* is  
*secretary* of the  
Cheektowaga Times, a public newspaper published  
weekly in said Town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for *one* weeks; first  
publication *SEP 9 1954*;  
last publication *SEP 9 1954*;  
and that no more than six days intervened be-  
tween publications.

*Harriet M. Allis*

Sworn to before me this .....  
day of *SEP 9 1954*, 19.....

*Eve J. Allis*

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

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

STATE OF NEW YORK  
COUNTY OF CHEEKTOWAGA

NOTICE  
that the Board of Cheektowaga, New York, at a special meeting held on September 7th, 1954, completed its Estimates and Assessment Roll relating to Special Districts spreading costs on a benefit Basis and has filed same with the Town Clerk for the following Districts:

Sewer Districts: 1, 2, 3, 4, 5, 5-Walden Extension, 5-Peinkofer Extension, 6.

Storm Sewer Districts: 1, 2, 3, 4. All Lateral Sanitary Sewer Districts.

All Sidewalk Districts,

All Curbing Districts,

All Paving Districts,

All Street Lighting Improvement Districts.

Notice is also given that a public hearing on such estimates and Assessment Roll will be held September 20th, 1954, at 7:30 p.m., E.D.S.T., in the Council Chamber of the Cheektowaga Town Hall, corner of Union Road and Broadway, at which time the Town Board will meet to hear and consider any objections which shall be made to such Estimates and Assessment Roll.

Dated: September 7, 1954  
By order of the Town Board of the Town of Cheektowaga, New York.

KENNETH T. HANLEY,  
Town Clerk

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 9th day of September, 1954 and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

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

SEP 24 1954

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

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

no 52882

**NOTICE IS HEREBY GIVEN** that the Town Board of Cheektowaga, New York, at a special meeting held on September 7th, 1954, completed its Estimates and Assessment Roll relating to Special Districts spreading costs on a benefit Basis and has filed same with the Town Clerk for the following Districts:

Sewer Districts: 1, 2, 3, 4, 5, 5-Walden Extension, 5-Peinkofer Extension, 6.

Storm Sewer Districts: 1, 2, 3, 4.

All Lateral Sanitary Sewer Districts:

All Sidewalk Districts:

All Curbing Districts:

All Paving Districts:

All Street Lighting Improvement Districts:

Notice is also given that a public hearing on such estimates and Assessment Roll will be held September 20th, 1954, at 7:30 P.M., E.D. S.T., in the Council Chamber of the Cheektowaga Town Hall, corner of Union Road and Broadway, at which time the Town Board will meet to hear and consider any objections which shall be made to such Estimates and Assessment Roll.

Dated: September 7, 1954.

By order of the Town Board of  
the Town of Cheektowaga,

New York.

**KENNETH T. HANLEY**

Town Clerk

(9-9)

Item No. 11

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

SEAL

Kenneth T. Hanley, Town Clerk

At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 13th day of September, 1954, at 2:30 o'clock P.M., E.D.S.T., there were:

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

Also present were: Town Clerk Hanley; Town Attorney Doyle; Justice of the Peace Pyszcynski; General Foreman Eberl; Receiver of Taxes & Assessments Pfohl; Town Engineer Kam and Chief of Police Mersmann.

Item No. 2 The Town Clerk advised the Board that the minutes of the previous meeting have been placed on their respective desks in the Council Chamber.

Item No. 3 This being the time and the place advertised for the receiving of sealed bids for the purchase of 3 Police Automobiles.  
The Town Clerk presented proof of publication of the Notice to Bidders. Councilman Nagel moved, seconded by Councilman Wroblewski, that the Town Clerk be authorized and directed to open the sealed bids.

Following is a summary of the bids received:

Mernan Chevrolet.....	\$4,158.33
E.H. Cottrell.....	3,786.00
M. Hubers, Inc.....	4,870.00
Brost Bros.....	3,854.30

Councilman Nagel moved, seconded by Councilman Wroblewski, that the bids be referred to the Town Board for tabulation and analysis.

Item No. 4 This being the time and the place advertised for a public hearing for the creation of Water District No. 10.

The Town Clerk presented proof of the Notice of Hearing.

No one appearing in opposition to the proposed creation of Water District No. 10, Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, there has been duly presented to this Town Board a written petition in due form, together with the necessary map and plan for the creation of Water District No. 10 in the Town of Cheektowaga, New York, and an order of the Town Board reciting the filing of said petition and specifying the time when and the place where the said Town Board would meet to consider the said petition and to hear all persons interested in the subject thereof concerning the same having been published and posted as required by law, the hearing having taken place at the Town Hall corner of Broadway & Union Road, Cheektowaga, New York, on the 13th day of September, 1954, at which hearing an opportunity was afforded all persons to be heard in favor and in opposition to the proposed creation of Water District No. 10, and the Town Board having given due deliberation thereon; and

WHEREAS, the said petition for the creation of said Water District No. 10 in the Town of Cheektowaga, New York, is signed, approved, and acknowledged as required by law, and is otherwise sufficient; and there is annexed to said petition a map and plan prepared by Albert J. Kamm, a competent engineer, duly licensed by the State of New York, showing the boundaries of the said proposed Water District No. 10, the general plan of the proposed water system, source of the water supply, the water mains, distribution pipes, hydrants, reservoirs, if any, and the location of each; and

WHEREAS, it is proposed that the expense of the creation of said Water District shall be assessed, levied and collected from the several lots and parcels of land within the proposed Water District in the same manner and at the same time as other Town charges, except as otherwise provided by law, and

WHEREAS, the maximum cost of the proposed improvement is the sum of Forty-Five Thousand Dollars (\$45,000.00),

NOW, THEREFORE, after due deliberation thereon, it is hereby,

RESOLVED, that this Town Board does hereby determine as follows:

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



Item No. 4 Cont'd B) That all the property and property owners within the proposed Water District No. 10 are benefitted thereby, and

C) That all property and property owners benefitted are included within the limits of the proposed Water District, and

D) That it is in the public interest to grant in whole the relief sought, by creating said Water District No. 10 of the Town of Cheektowaga, New York, to include the following described property: MARKED "Exhibit A" and be it further

RESOLVED, that the Supervisor of the Town of Cheektowaga be and he hereby is authorized to make application to the State Comptroller for the approval of the creation of Water District No. 10 in accordance with the provisions of Paragraph 3 of Section 194 of the Town Law, and be it

FURTHER RESOLVED, that the Supervisor be also authorized to apply to the Water Power and Control Commission for approval of the creation of Water District No. 10.

**EXHIBIT "A"**

**DESCRIPTION OF PROPOSED WATER DISTRICT NO. 10**

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

BEGINNING at a point in the southerly line of the West Shore Railroad property, said point being the intersection of the westerly line of the lands conveyed to the Scharell Corporation and the southerly line of the West Shore Railroad property; thence northeasterly along the southerly line of the West Shore Railroad property 2775 feet more or less to the point of intersection of the southerly line of the West Shore Railroad property and a line through the lands conveyed to the Ernst Construction Corporation, said line being 270 feet more or less, measured at right angles, east of and parallel to the westerly line of lands conveyed to the Ernst Construction Corporation; thence southerly along said line through the Ernst Construction Corporation 1306 feet more or less, to the point of intersection of said line and the center line of New Walden Avenue; thence southwesterly along the center line of New Walden Avenue 1976 feet more or less; thence westerly 575 feet more or less, along a line parallel to, and 75 feet more or less, measured at right angles, south of the southerly line of lands conveyed to the Scharell Corporation to a point on the westerly line of the Scharell Corporation property extended southerly; thence northerly 360 feet more or less, easterly 50 feet more or less, and northerly 256 feet more or less, along the westerly property line of the Scharell Corporation property to the point of beginning.

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

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

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 5 This being the time and the place advertised for a public hearing for the improvement of both sides of Chesterfield Drive, from Burke Drive north to Treehaven Road, a distance of approximately 1700 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains.

The Town Clerk presented proof of publication of the Notice of Hearing.

Mr. W.A. Mauer of No. 228 Burke Drive appeared in opposition to the proposed improvement.

The Chairman ordered the hearing closed and Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Chesterfield Drive extending from Burke Drive, north to Treehaven Road, a distance of approximately 1700 feet, by the construction of curbs, together with the installation of receivers and necessary underground drain. ( Said highway is now paved for its entire length), and

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

proposed to be improved, and

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

WHEREAS, at a meeting of said Town Board duly called and held on the 16th day of August, 1954, an order was duly adopted by it and entered in its minutes, reciting the filing of such petition, the improvement proposed and the maximum amount proposed to be expended for the improvement as stated in such petition, to wit, the sum of Ten Thousand Dollars, (\$10,000) and specifying that the Board would meet to consider the petition and to hear all persons interested in the subject thereof concerning the same, at the Town Hall in the Town of Cheektowaga on the 13th day of September, 1954, at 2:30 o'clock P.M., E.D.S.T., and

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

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

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

RESOLVED, that this Board is hereby determined that it is in the public interest to make the improvement petitioned for, to wit, both sides of Chesterfield Drive, extending from Burke Drive, north to Treehaven Road, a distance of approximately 1700 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains, and it is further

RESOLVED, that Nussbaumer, Clarke and Velzy, Consulting Engineers for this Town, shall survey said Chesterfield Drive, establish the lines and grades thereof and shall file such survey and profile in the Town Clerk's Office, and be it further

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

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

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

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 6 This being the time and the place advertised for a public hearing on the application of the Western New York Motor Lines, Inc., for a consent to operate a motor bus line on and along certain highways in the Town of Cheektowaga, New York, as follows:

On and along Routes 78 and 20 from the northerly corporation line to the southerly corporation line.

The Town Clerk presented proof of publication of the Notice of Hearing.

No one appearing in opposition to the proposed application, Councilman Wroblewski moved, seconded by Councilman Neibert,

WHEREAS, the Western New York Motor Lines, Inc., a domestic corporation, with its principal office and place of business in the City of Batavia, Genesee County, New York, having heretofore made written application to the Town Board of the Town of Cheektowaga, pursuant to Section 66 of the Transportation Corporations Law of the State of New York, for the operation by said Corporation of motor vehicles buses on and along certain highways in the Town of Cheektowaga; and public notice having been duly given that a hearing upon said application would be had by the Town Board of the Town of Cheektowaga, on the 13th day of September, 1954, and a hearing having been duly held by such Town Board on said day, and the hearing having been closed without objections to the granting of said consent, and due deliberation having been had on such application,

NOW, THEREFORE, BE IT

RESOLVED, that the consent of the Town of Cheektowaga be and hereby given to the Western New York Motor Lines, Inc., to operate omnibus lines or routes on and along the highways of the Town of Cheektowaga, as follows:

On and along Routes 78 and 20  
from the northerly corporation  
line to the southerly corporation  
line.

The consent herein granted to the Western New York Motor  
Lines, Inc., is, however, upon the following terms and conditions, to wit:

1. There shall be full compliance with all statutes  
of the State of New York and all rules and regulations of the  
Public Service Commission.

2. This consent shall not be sold, assigned or  
transferred without consent of the Town of Cheektowaga, nor  
shall any part of the operations on any of such route be  
sublet without such consent.

CARRIED: AYES: -5-

Item No. 7 This being the time and the place advertised for a public hearing  
for the purpose of repealing Section 20 A ( Airport District ) of the Zoning  
Ordinances of the Town of Cheektowaga, New York.

The Town Clerk presented proof of publication of the Notice of the Hearing,  
and no one appearing in opposition to the proposed repeal of Section 20 A of the  
Zoning Ordinance of the Town of Cheektowaga, New York, Councilman Nagel moved,  
seconded by Councilman Wroblewski, that the hearing be closed and that the decision  
be reserved.

Item No. 8 This being the time and place advertised for a public hearing for the  
improvement of both sides of Peoria Street, commencing at William Street and extend-  
ing to Stradtman Street, a distance of approximately 2620 feet, by the construction  
of curbs, together with the installation of receivers and necessary underground  
drains.

The Town Clerk presented proof of the publication of the Notice of  
the Hearing.

Councilman Wroblewski moved, seconded by Councilman Weibert, that  
the hearing be closed and that the decision be reserved until September 20, 1954,  
at 7:30 P.M., E.D.S.T.,

Item No. 9 This being the time and the place advertised for a public hearing for  
the purpose of adopting Ordinance No. 3 of the Town of Cheektowaga, New York.

The Town Clerk presented proof of publication of the notice of the  
hearing.

No one appeared in opposition to the proposed adoption of Ordinance  
No. 3, Councilman Wroblewski moved, seconded by Councilman Bystrak, that the matter  
be referred to the Town Attorney for adoption.

ITEM NO. 10. Councilman Wroblewski moved, seconded by Councilman Bystrak, that the Town Clerk be authorized and directed to issue building permits on applications processed by the Petitions Committee on 9-11-54, after same have been approved by the Building Inspector. 200

CARRIED Ayes 5

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

RESOLVED that in the future the Town Superintendent of Highways shall submit to the Chairman of the Highway Committee, Councilman Henry J. Nagel, in writing, his recommendation of the acceptance of Town Highways, no Town Highway shall be accepted without approval of the Highway Committee.  
Seconded by Councilman Wroblewski.

CARRIED Ayes 5

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

RESOLVED, that the Town Engineer be authorized to have installed a fence at Roycroft Pumping Station in accordance with bid of Smith Fence Company at a cost of \$187.00, cost thereof to be charged to Sewer District No. 5.  
Seconded by Councilman Wroblewski.

CARRIED Ayes 5

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

RESOLVED, that Charles R. Water, District Engineer of the New York State Department of Public Works be requested to resurface Broadway for its entire length in the Town of Cheektowaga, or at least to do some patch work immediately, to insure safe driving for the Fall and Winter months.  
Seconded by Councilman Bystrak.

CARRIED Ayes 5

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

WHEREAS, the Town Highway Superintendent has recommended that CRESCENT COURT, as shown on subdivision map filed under Map Cover No. 1800, in the Erie County Clerk's Office on January 29, 1953, and PRINCETON COURT, as shown on a subdivision map filed under Map Cover No. 1832, in the Erie County Clerk's Office on December 18, 1953, be accepted as Town highways, be it

RESOLVED, that his recommendation be accepted and CRESCENT COURT and PRINCETON COURT be accepted as Town highways, subject to the jurisdiction of the Town Highway Superintendent, and be it further,

RESOLVED, that the Town Attorney be authorized to record in the Erie County Clerk's Office deeds to said highways after the same have been approved by the Town Engineer.

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

CARRIED Ayes 5

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

WHEREAS, Cayuga Creek Road is a County highway and there are sharp turns in said highway at Fonckowiak Ave., what was formerly Bright Street, also between Cass and Aris Street, and many accidents have happened at said sharp turns, due to the excessive speed permitted on said highway, also due to the fact that some motorists are unfamiliar with the sharp turns and do not have their automobile under control while attempting to make the turn, be it

RESOLVED, that the Town of Cheektowaga, New York, thru its Utilities Committee, request Harry A. Kraft, County Superintendent of Highways, to permit the erection of "Stop and Go" blinders at the three sharp turns aforementioned, and that he also be requested to permit the erection of a sign on the county right-of-way near these intersections, notifying motorists to stop at the blinker, and be it further

RESOLVED, that the State Traffic Commission and the County Superintendent of Highways be requested to reduce the speed limit on Cayuga Creek Road, for its entire length, from William Street to Harlem Road to thirty-five (35) miles per hour, and to erect appropriate signs to inform motorists of the speed limit, and be it further

RESOLVED, that the Town Clerk be and he is hereby authorized to forward a certified copy of this Resolution to the State Traffic Commission and the County Superintendent of Highways.

BE IT FURTHER RESOLVED that we are also asking for permission to install a Blinker System at the corner of Rossler and Dingens Streets.

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

CARRIED Ayes 5

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

RESOLVED, that the Supervisor be authorized to execute on behalf of the Town of Cheektowaga, New York, a water easement to the Erie County Water Authority for LYMAN AVENUE, commencing at Harlem Avenue and extending in an easterly direction to the west line of Tillotson Avenue.

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

CARRIED Ayes 5

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

RESOLVED, that the request of the Board of Fire Commissioners of Pine Hill Fire District No. 5 to install hydrants on the new extension of Alpine Place, and also the installation of a hydrant at Park Edge and Kaufman Road, be granted, and the Erie County Water Authority be requested to install hydrants at these locations, and be it further

RESOLVED, that the Town Clerk forward to the Erie County Water Authority and to the Board of Fire Commissioners of Pine Hill Fire District No.5, a certified copy of this resolution, and be it further

RESOLVED, that the Erie County Water Authority be requested to arrange a conference with the Board of Fire Commissioners in each of the Fire Districts located in the Town of Cheektowaga which have unfilled requests for hydrants.

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

CARRIED Ayes 5

Item No. 18

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Town of Cheektowaga, New York request a permit from the County Superintendent of Highways to install a traffic actuated signal at the intersection of Walden Ave. and Rep Street, and that the Supervisor be authorized to execute permit forms for approval by the County Highway Superintendent.

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

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

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 19

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, the Utilities Committee has made an inspection of traffic conditions at Oriole Place and George Urban Blvd. after complaints being lodged with the Town Board, by residents in the neighborhood, and

WHEREAS, George Urban Blvd. is a county highway and is much traveled, be it

RESOLVED, that the County Superintendent of Highways be requested to erect "Stop" signs on Oriole Place, at its intersection with George Urban Blvd.

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

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

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 20

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the County Highway Department has granted the request of the Town of Cheektowaga, New York to erect and maintain "No Parking" signs on the north side of Cleveland Drive County Road 141, from Century Road to Cayuga Road, be it

RESOLVED, that the Chief of Police be, and he is hereby authorized to erect "No Parking" signs in accordance with said permit.

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

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

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 21

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, PELVION LAND CO., INC., had entered into an agreement to complete the pavement on LYMAN AVENUE, in accordance with the specifications of the Town Highway Department, and is filing a surety bond in the sum of \$10,000.00 conditioned that it will complete the pavement on said highway between now and July 1, 1955, be it

Item No. 21 Con't

RESOLVED, that LYMAN AVENUE, commencing at Harlem Road and extending in an easterly direction to the west line of Tillotson Avenue be accepted as a Town Highway, and be it further

RESOLVED, that the Town Attorney be authorized to record the deed to said highway in the Erie County Clerk's Office upon approval of the Town Engineer.

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

as follows:

Supervisor Holts,  
Councilman Bystrak,  
Councilman Nagel,  
Councilman Neibert,  
Councilman Wroblewski,

Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye

AYES: -5-

NOES: -0-

Item No. 22

Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved, and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. (Warrant No. 1690 to Warrant No. 1793, inclusive, drawn on the Supervisor).

Item No. 23

Councilman Nagel moved, seconded by Councilman Bystrak to adjourn.

Kenneth T. Hanley  
Town Clerk

SEAL

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga on the 20th day of September, 1954, at 7:30 P.M., E.D.S.T., there were:

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

Also present were: Town Clerk Hanley; Town Attorney Doyle; Highway Superintendent Zablony; General Foreman Eberl; Chief of Police Mersmann; Town Engineer Kama; Town Historian Julia B. Reinstein.

Item No. 2 The Town Clerk advised the Board that the minutes of the previous meeting have been placed on their desk in the Council Chamber.

Item No. 3 Councilman Neibert moved, seconded by Councilman Wroblewski, that Dr. Vendetti be authorized and directed to attend the U.S. Health Conference to be held at Buffalo, New York, on October 11, 1954, to October 15, 1954, inclusive.

Item No. 4 Petition presented for the improvement of Aura Drive by the construction of a pavement in said highway. Ordered referred to the Assessors for a property check by the chairman.

Item No. 5 This being the time and the place advertised for the receiving of sealed bids for the construction of certain improvements in Sewer District No. 5 at a cost not to exceed \$950,000.00, in accordance with a certain map and plan prepared by Nussbamer, Clarke and Velky, consulting Engineers of this Town dated June 11, 1954, and on file in the Town Clerks' Office.

The Town Clerk presented proof of publication of the Notice to Contractors.

Councilman Nagel moved, seconded by Councilman Wroblewski, that the Town Clerk be directed to open the sealed bids at hand.

Hereto attached is a summary of the bids received:





Councilman Nagel moved, seconded by Councilman Wroblewski, that the bids be referred to the Consulting Engineers for tabulation and analysis, and that they report back to the Town Board their recommendations as soon as possible.

**Item No. 6** This being the time and the place advertised for the receiving of sealed bids for the improvement of Homesgarth Avenue by the construction of a permanent pavement in said highway.

The Town Clerk presented proof of the publication of the Notice to Bidders.

Councilman Nagel moved, seconded by Councilman Bystrak, that the Town Clerk be authorized and directed to open the sealed bids on hand.

Following is a summary of the bids received:

- 1- George Roetzer.....\$4,496
- 2- Erie Paving Company..... 7,176

Councilman Nagel moved, seconded by Councilman Bystrak, that the bids be referred to the consulting engineers for tabulation and analysis, and that the said consulting engineers report back to the Town Board their recommendations as soon as possible.

**Item No. 7**

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

**BOND RESOLUTION**  
BOND RESOLUTION DATED SEPTEMBER 20, 1954, AUTHORIZING THE ISSUANCE OF \$35,000.00 SERIAL SEWER DISTRICT No. 5 BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

WHEREAS, Sewer District No. 5, hereinafter described is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York, and the purpose, hereinafter described, is a special improvement authorized by said Article 12;

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$35,000.00 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") is the construction of a trunk sewer and the manholes and other appurtenances suitable for the operation of such trunk sewer to be connected with the existing 24-inch trunk sanitary sewer which is maintained by Sewer District No. 5 at a point located 103.7 feet south of the center line of Central Boulevard Extension and 10 feet west of the east line of the school site of Union Free School District No. 11, and to run from such point in an easterly direction for 204 feet, and thence in a northerly direction at approximately a right angle a distance of 200 feet, and thence easterly at approximately a right angle a distance of 340 feet, and thence northerly at approximately a right angle a distance of 221.5 feet, and thence easterly at a right angle a distance of 325 feet to the westerly line of the Extension of Sewer District No. 5, established by the Town Board on February 1, 1954, where it will be connected with sanitary sewers to be constructed in such Extension, in accordance with an Order and Resolution authorizing said improvements, made by the Town Board of said Town on June 7, 1954, pursuant to the provisions of Article 12 of the Town

Law of New York in order to increase and improve facilities of said Sewer District No. 5.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$35,000.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

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

Section 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

Section 6. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers having a general circulation in said Town and which are official newspapers of said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or if said obligations are authorized in violation of the provisions of the Constitution of New York.

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

Duly put to a vote which resulted as follows:

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

SUMMARY OF BIDS — TOWN OF CHEEKTOWAGA N.Y. — GEORGE URBAN BLVD. RELIEF PUMPING STATION — SEPT. 20, 1954

BID NO.	DESCRIPTION OF BID ITEMS	ALLEAIER	H.F. STIMM	H.F. DARLING	PITT CONST. CO.	REIFLER BROS & BENNETT	L.E. KNOWLES
1	OVERFLOW CHAMBER	\$ 4,209	\$ 2,400	\$ 3,170	\$ 3,000	\$ 3,400	\$ 3,140
2	PUMPING STATION SUBSTRUCTURE	33,586	30,000	35,250	28,500	32,340	37,800
3	PUMPING STATION SUPERSTRUCTURE	25,630	25,000	23,900	29,500	31,500	33,600
4	OUTFALL STRUCTURE	1,550	1,200	1,410	1,200	2,360	1,800
5	PUMPING EQUIPMENT	21,331	20,000	21,600	20,200	20,700	24,950
6	PIPING AND VALVES	21,098	22,000	23,310	20,700	20,900	23,700
7	CHLORINATION EQUIPMENT	8,888	8,000	6,250	6,200	7,000	7,100
7A	ALT. CHLORINATION EQUIPMENT	6,833	4,500	5,900	6,200	7,500	6,708
8	HEATING, VENTILATING & PLUMBING	3,464	4,000	2,400	3,800	3,700	3,960
9	ELECTRICAL WORK	11,110	12,500	11,000	12,000	11,900	14,580
10	SITE IMPROVEMENT	4,591	7,500	7,000	3,000	4,350	3,964
TOTAL WITH BID ITEM 7		\$ 135,659.00	\$ 132,600.00	\$ 138,290.00	\$ 128,100.00	\$ 138,650.00	\$ 159,594.00
TOTAL WITH BID ITEM 7A		\$ 132,604.00	\$ 131,100.00	\$ 137,910.00	\$ 128,100.00	\$ 139,150.00	\$ 159,200.00
ALT 20" PUMP. ADDITION BY ALTER.		+ 2,000	+ 3,400	+ 3,400	- 2,500	- 3,400	+ 2,112
ITEM 5		+ 1,833					
ITEM 6							
A.	MFR. OF PUMPING EQUIPMENT	WORTHINGTON	* FAIRBANKS M.	WORTHINGTON	WORTHINGTON	WORTHINGTON	
B.	MFR. OF CHLORINATING EQUIPMENT	W.E.T.	W.E.T.	BUILDERS PROVIDENCE	BUILDERS REG. OR FISHER PORTER	W.E.T.	
C.	MFR. OF CHLORINE SCALE	FAIRBANKS M.	FAIRBANKS M.	FAIRBANKS M.	FAIRBANKS M.	FAIRBANKS M.	
D.	MFR. OF HEATERS	JANITROL	JANITROL	REZTOR	JANITROL	JANITROL	
E.	MFR. OF VENTILATING FANS	BUFFALO FORGE	BISON BLOWER	BUFFALO FORGE	BUFFALO FORGE	BUFFALO FORGE	
F.	MFR. OF ELECTRICAL CONTROL PANELS	WESTINGHOUSE	WESTINGHOUSE	WESTINGHOUSE	CUTLER HAMMER	CUTLER HAMMER	
G.	SUBCONTRACTOR FOR ELECTRICAL WORK	DOBKIN ELECTRIC	DOBKIN ELECTRIC		STRON ELECTRIC	STON ELECTRIC	
		* FOR WORTHINGTON 21,000 ITEMS FOR 20" PUMP 24,000					
BID SECURITY		AM. SURETY	AM. SURETY	F & D OF MARYLAND	H.D.F. & S. CO.	F & D OF MARYLAND	AM. EMPLOYERS
		WESBARGER, CLARKE & VEELY CONSULTING ENGINEERS BUFFALO N.Y. New York N.Y. A-616					

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

that said purpose is an object or purpose described in Sub-division 4 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

Section 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

Section 6. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form authorized by Section 81.00 of said Local Finance Law, and such publication shall be in the CHEEKTOWAGA TIMES and the "Depew Herald and Cheektowaga News," newspapers having a general circulation in said Town and which are official newspapers of said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of Law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or if said obligations are authorized in violation of the provisions of the Constitution of New York.

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

Duly put to a vote which resulted as follows:

- Supervisor Holtz, voting Aye.
- Councilman Wroblewski, voting Aye.
- Councilman Bystrak, voting Aye.
- Councilman Nagel, voting Aye.
- Councilman Neibert, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0

The bond resolution published herewith has been adopted on the 30th day of September, 1954 and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money, or if the provision of law should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

(9-28)

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for ~~two~~ two weeks; first publication SEP 23 1954; last publication SEP 23 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of SEP 30 1954, 19.....

*Eve J. Allis*

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 19 55  
Registered No. 5029

Item No.

\$197

AND DIAL  
HAND

204

SPECIAL  
EXTRA

Shock Resistant  
Proof, Shock Resistant

BULOVA

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

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

*Richard G. Bennett*

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

OCT 1 1954

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

*James T. Hanley*

Notary Public in and for Erie County.

hn 528000

BOND ANTICIPATION NOTE RESOLUTION  
DATED SEPTEMBER 20, 1954, AUTHORIZING  
THE ISSUANCE OF \$35,000 BOND ANTICIPATION  
NOTES OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY,  
NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW.

Councilman Wroblewski presented the following resolution  
and moved its adoption:

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

Section 1. The Town of Cheektowaga, in the County of Erie,  
New York, shall issue its Bond Anticipation Notes of the aggregate principal amount  
of Thirty-Five Thousand Dollars (\$35,000) pursuant to the Local Finance Law of New  
York, in order to finance the specific object or purpose hereinafter described in  
anticipation of the issuance of Thirty-Five Thousand Dollars (\$35,000) Serial  
Bonds, authorized by the Bond Resolution entitled "Bond Resolution Dated September  
20, 1954, authorizing the issuance of \$35,000 Serial District (Sewer) District  
No. 5 Bonds of the town of Cheektowaga, in the County of Erie, New York, pursuant  
to the Local Finance Law.

Section 2. The specific purpose (hereinafter referred  
to as "purpose") is the construction of a trunk sewer and the manholes and other  
appurtenances suitable for the operation of such trunk sewer to be connected with the  
existing 24 inch trunk sanitary sewer which is maintained by Sewer District No. 5 at a  
point located 103.7 feet south of the center line of Central Boulevard Extension and 10  
feet west of the east line of the school site of Union Free School District No. 11, and  
to run from such point in an easterly direction for 204 feet and thence in a northerly  
direction at approximately a right angle a distance of 200 feet, and thence easterly  
at approximately a right angle a distance of 340 feet, and thence northerly at  
approximately a right angle a distance of 221.5 feet, and thence easterly at a right  
angle a distance of 325 feet to the westerly line of the Extension of Sewer District  
No. 5, established by the Town Board on February 1, 1954, where it will be connected  
with sanitary sewers to be constructed in such extension, in accordance with an order  
and resolution authorizing said improvements, made by the Town Board of said Town on  
June 7, 1954, pursuant to the provisions of Article 12 of the Town Law of New York  
in order to increase and improve facilities of said Sewer District No. 5.

Section 3. As required by said Local Finance Law, it is hereby  
stated that (a) there are no outstanding Bond Anticipation Notes issued in anticipation  
of the sale of said Serial Bonds and (b) the notes authorized by this resolution are not  
renewal notes and (c) the notes authorized by this resolution shall mature within  
one year from the date of their issue and (d) such notes are not issued in  
anticipation of bonds for an assessable improvement.

Section 4. The power to prescribe the terms, form and contents  
of said Bond Anticipation Notes, subject to the provisions of this resolution and to sell  
and deliver said Bond Anticipation Notes is hereby delegated to the Supervisor. The  
Supervisor is hereby directed to sign and Bond Anticipation Notes issued pursuant  
to this resolution and the Town Clerk is hereby directed to affix to such notes the  
corporate seal of the Town of Cheektowaga, New York.

This resolution shall take effect immediately upon its  
adoption:

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

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

AYES: -5-      Nones: -0-

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

BOND ANTICIPATION NOTE OF 1954 \$21,000

The Town of Cheektowaga, in the County of Erie, a  
municipality of the State of New York, hereby acknowledges itself indebted and for  
value received promises to pay to the bearer of this note the sum of  
TWENTY-ONE THOUSAND DOLLARS (\$21,000)

on the 1st day of July, 1955, together with interest thereon from the date hereof  
at the rate of Two Per Cent (2%) per annum, payable July 1, 1955, and annually thereafter.

Item No. 7 Cont'd both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

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This note is one of an authorized issue, the aggregate principal amount of which is Thirty-Five Thousand Dollars (\$35,000).

This note is issued pursuant to the provisions of a bond anticipation note resolution, dated September 20, 1954, authorizing the issuance of Bond Anticipation Notes of the Town of Cheektowaga, New York, in the amount of Thirty-Five Thousand Dollars (\$35,000) in anticipation of the sale of Serial Bonds authorized to finance improvements by the construction of a trunk sewer to connect with sanitary sewer to be constructed in Extension of Sewer District No.5, in accordance with Town Board resolution of June 7, 1954.

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

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Statutes of the State of New York, to exist, to have happened and to have been performed precedent to and in the issuance of this note, have happened and have been performed, and that this note, together with all other indebtedness of such Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this note to be signed by its Supervisor, and its corporate seal to be hereunto affixed and attested by its Town Clerk and this note to be dated as of the 20th day of September, 1954.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK  
BY: Benedict T. Holtz, Supervisor

Attest:  
Kenneth T. Hanley, Town Clerk.

**BOND RESOLUTION DATED SEPTEMBER  
20, 1954 AUTHORIZING THE ISSUANCE  
OF \$60,000 SERIAL SEWER DISTRICT  
NO. 5 BONDS OF THE TOWN OF  
CHEEKTOWAGA, IN THE COUNTY OF ERIE,  
PURSUANT TO THE LOCAL FINANCE LAW.**

**LEGAL NOTICE  
EXTRACTS FROM MINUTES  
OF TOWN BOARD**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, corner Broadway and Union Road, Cheektowaga, New York, in said Town on the 20th day of September, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time.

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

**PRESENT:**

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

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

**BOND RESOLUTION  
BOND RESOLUTION DATED  
SEPTEMBER 20, 1954, AUTH-  
ORIZING THE ISSUANCE OF  
\$60,000.00 SERIAL SEWER DIS-  
TRICT No. 5 BONDS OF THE  
TOWN OF CHEEKTOWAGA,  
IN THE COUNTY OF ERIE,  
PURSUANT TO THE LOCAL  
FINANCE LAW.**

WHEREAS, Sewer District No. 5, hereinafter described is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, and as such, has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York; and

WHEREAS, said Sewer District No. 5 was by an order duly made by said Town Board on February 1, 1954, extended so as to include certain additional territory within said Town and said order provides that there shall be constructed in said territory a sanitary sewer system consisting of sewer lines and the appurtenances necessary for their operation at locations specified in the map and plan described in said order and the purpose hereinafter described is a special improvement authorized by said Article 12;

**NOW THEREFORE,**

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$60,000.00 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") to the financed by the issuance of such Serial Bonds in the construction of a sanitary sewer system consisting of the sewer lines and the appurtenances necessary for their operation, in the territory included in the extension of said Sewer District No. 5 by said order adopted by the Town Board of said Town on February 1, 1954 in accordance with said order and pursuant to the provisions of Section 194 of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$60,000.00, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose and (c) the Town Board plans to

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

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

Section 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

Section 6. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the Cheektowaga Times and the Depew Herald and Cheektowaga News newspapers having a general circulation in said Town and which are official newspapers of said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or if said obligations are authorized in violation of the provisions of the Constitution of New York.

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

Duly put to a vote which resulted as follows:

Supervisor Holtz, Voting Aye,  
Councilman Wroblewski,

Voting Aye,  
Councilman Bystrak, Voting Aye,  
Councilman Nagel, Voting Aye,  
Councilman Neibert, Voting Aye,  
Ayes: 5; Noes: 0; Absent: 0.

The bond resolution published herewith has been adopted on the 20th day of September, 1954 and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice or such obligations were authorized in violation of the provisions of the Constitution of New York.

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



Item No. 8 Cont'd Hereto attached is a copy of the notice published  
 in the Cheektowaga Times and the Depew Herald-Cheektowaga News:

200

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.....week(s);  
 first publication ..... SEP 23 1954 .....  
 last publication ..... SEP 23 1954 .....  
 and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
 SEP 30 1954  
 day of ....., 19.....

*Eve J. Allis*

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

EVE J. ALLIS  
 NOTARY PUBLIC, STATE OF NEW YORK  
 Qualified in Erie County  
 My Commission Expires March 30, 19 55  
 Registered No. 5029

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, corner Broadway and Union Rd., Cheektowaga, New York, in said Town on the 20th day of September, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time.

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

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

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

**BOND RESOLUTION**  
 Bond Resolution Dated September 20, 1954, Authorizing the Issuance of \$60,000.00 Serial Sewer District No. 5 Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law.

WHEREAS, Sewer District No. 5, hereinafter described is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, and as such, has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York; and

WHEREAS, said Sewer District No. 5 was by an order duly made by said Town Board on February 1, 1954, extended so as to include certain additional territory within said Town and said order provides that there shall be constructed in said territory a sanitary sewer system consisting of sewer lines and the appurtenances necessary for their operation at locations specified in the map and plan described in said order and the purpose hereinafter described is a special improvement authorized by said Article 12;

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$60,000.00 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") to be financed by the issuance of such Serial Bonds is the construction of a sanitary sewer system consisting of the sewer lines and the appurtenances necessary for their operation, in the territory included in the extension of said Sewer District No. 5 by said order adopted by the Town Board of said Town on February 1, 1954 in accordance with said order and pursuant to the provisions of Section 194 of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$60,000.00, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

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

Section 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

Section 6. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the CHEEKTOWAGA TIMES and the "Depew Herald and Cheektowaga News," newspapers having a general circulation in said Town and which are official newspapers of said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial

**BOND RESOLUTION DATED SEPTEMBER 20, 1954 AUTHORIZING THE ISSUANCE OF \$60,000 SERIAL SEWER DISTRICT NO. 5 BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.**

**LEGAL NOTICE  
EXTRACTS FROM MINUTES  
OF TOWN BOARD**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, corner Broadway and Union Road, Cheektowaga, New York, in said Town on the 20th day of September, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time.

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

**PRESENT:**

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

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

**BOND RESOLUTION**

**BOND RESOLUTION DATED SEPTEMBER 20, 1954, AUTHORIZING THE ISSUANCE OF \$60,000.00 SERIAL SEWER DISTRICT NO. 5 BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.**

WHEREAS, Sewer District No. 5, hereinafter described is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, and as such, has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York; and

WHEREAS, said Sewer District No. 5 was by an order duly made by said Town Board on February 1, 1954, extended so as to include certain additional territory within said Town and said order provides that there shall be constructed in said territory a sanitary sewer system consisting of sewer lines and the appurtenances necessary for their operation at locations specified in the map and plan described in said order and the purpose hereinafter described is a special improvement authorized by said Article 12;

**NOW THEREFORE,**

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$60,000.00 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") to be financed by the issuance of such Serial Bonds in the construction of a sanitary sewer system consisting of the sewer lines and the appurtenances necessary for their operation, in the territory included in the extension of said Sewer District No. 5 by said order adopted by the Town Board of said Town on February 1, 1954 in accordance with said order and pursuant to the provisions of Section 194 of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$60,000.00, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose and (c) the Town Board plans to

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

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

Section 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

Section 6. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the Cheektowaga Times and the Depew Herald and Cheektowaga News newspapers having a general circulation in said Town and which are official newspapers of said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or if said obligations are authorized in violation of the provisions of the Constitution of New York.

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

Duly put to a vote which resulted as follows:  
Supervisor Holtz, Voting Aye,  
Councilman Wroblewski,

Voting Aye,  
Councilman Bystrak, Voting Aye,  
Councilman Nagel, Voting Aye,  
Councilman Neibert, Voting Aye,  
Ayes: 5; Noes: 0; Absent: 0.

The bond resolution published herewith has been adopted on the 20th day of September, 1954 and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

Section 6. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the CHEEKTOWAGA TIMES and the "Depew Herald and Cheektowaga News," newspapers having a general circulation in said Town and which are official newspapers of said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or if said obligations are authorized in violation of the provisions of the Constitution of New York.

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

Duly put to a vote which resulted as follows:

Supervisor Holtz, voting Aye.  
 Councilman Wroblewski, voting Aye.  
 Councilman Bystrak, voting Aye.  
 Councilman Nagel, voting Aye.  
 Councilman Neibert, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0

The bond resolution published herewith has been adopted on the 20th day of September, 1954 and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

(9-23) Cheektowaga, New York

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for.....weeks:  
 first publication ..... SEP 23 1954 .....  
 last publication ..... SEP 23 1954 .....  
 and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of SEP 30 1954, 19.....

*Eve J. Allis*

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

EVE J. ALLIS  
 NOTARY PUBLIC, STATE OF NEW YORK  
 Qualified in Erie County  
 My Commission Expires March 30, 19 55  
 Registered No. 5029

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**RESOLUTIONS OF THE TOWN BOARD**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, corner Broadway and Union Road, Cheektowaga, New York, in said Town on the 20th day of September, 1954, at 7:30 o'clock, P.M. Eastern Daylight Saving Time.

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

**PRESENT:**

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

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

**BOND RESOLUTION**

**BOND RESOLUTION DATED SEPTEMBER 20, 1954, AUTHORIZING THE ISSUANCE OF \$60,000.00 SERIAL SEWER DISTRICT NO. 5 BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.**

WHEREAS, Sewer District No. 5, hereinafter described is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, and as such, has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York; and

WHEREAS, said Sewer District No. 5 was by an order duly made by said Town Board on February 1, 1954, extended so as to include certain additional territory within said Town and said order provides that there shall be constructed in said territory a sanitary sewer system consisting of sewer lines and the appurtenances necessary for their operation at locations specified in the map and plan described in said order and the purpose hereinafter described is a special improvement authorized by said Article 12;

**NOW THEREFORE,**

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

**Section 1.** The Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$60,000.00 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

**Section 2.** The specific purpose (hereinafter referred to as "purpose") to be financed by the issuance of such Serial Bonds in the construction of a sanitary sewer system consisting of the sewer lines and the appurtenances necessary for their operation, in the territory included in the extension of said Sewer District No. 5 by said order adopted by the Town Board of said Town on February 1, 1954 in accordance with said order and pursuant to the provisions of Section 194 of the Town Law of New York.

**Section 3.** It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board is \$60,000.00, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

**Section 4.** It is hereby determined that said purpose is an object or purpose described in Sub-division 4 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

**Section 5.** It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

**Section 6.** This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 51.00 of said Local Finance Law, and such publication shall be in the Cheektowaga Times and the Depew Herald.

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 23rd day of September, 1954 and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

day of

19\_\_\_\_

*Hanley*  
Public in and for Erie County.

BOND ANTICIPATION NOTE RESOLUTION  
DATED SEPTEMBER 20, 1954, AUTHORIZING  
THE ISSUANCE OF \$60,000 BOND ANTICIPATION  
NOTES OF THE TOWN OF CHEEKTOWAGA, NEW  
YORK, IN THE COUNTY OF ERIE, PURSUANT  
TO THE LOCAL FINANCE LAW.

Councilman Weibert presented the following resolution and moved its adoption:

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Bond Anticipation Notes of the aggregate principal amount of Sixty Thousand Dollars, (\$60,000) pursuant to the Local Finance Law of New York, in order to finance the specific object or purpose hereinafter described in anticipation of the issuance of Sixty Thousand Dollars (\$60,000) Serial Bonds authorized by the Bond resolution entitled "Bond Resolution dated September 20, 1954, authorizing the issuance of \$60,000 Serial Sewer District No. 5 Bonds of the Town of Cheektowaga, in the County of Erie, New York, pursuant to the Local Finance Law.

Section 2. The specific purpose (Hereinafter referred to as "purpose" to be financed by the issuance of such Serial Bonds is the construction of a sanitary sewer system consisting of the sewer lines and the appurtenances necessary for their operation, in the territory included in the extension of said Sewer District No. 5, by said order adopted by the Town Board of said Town on February 1, 1954, in accordance with said order and pursuant to the provisions of Section 194 of the Town Law of New York.

Section 3. As required by said Local Finance Law, it is hereby stated that (a) there are no outstanding Bond Anticipation Notes issued in anticipation of the sale of said Serial Bonds and (b) the notes authorized by this resolution are not renewal notes and (c) the notes authorized by this resolution shall mature within one year from the date of their issue and (d) such notes are not issued in anticipation of bonds for an assessable improvement.

Section 4. The power to prescribe the terms, form and contents of said Bond Anticipation Notes, subject to the provisions of this resolution and to sell and deliver said Bond Anticipation Notes is hereby delegated to the Supervisor.

The Supervisor is hereby directed to sign any bond anticipation notes issued pursuant to this resolution and the Town Clerk is hereby directed to affix to such notes the corporate seal of the Town of Cheektowaga, New York.

This resolution shall take effect immediately upon its adoption: Seconded by Councilman Wroblewski and duly put to a vote which resulted as follows:

Supervisor Holtz	Voting AYE
Councilman Nagal	" "
Councilman Wroblewski	" "
Councilman Weibert	" "
Councilman Bystrak	" "

Carried: Ayes: -5- Noes: -0-

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

BOND ANTICIPATION NOTE OF 1954

\$23,000

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

----- TWENTY THREE THOUSAND DOLLARS (\$23,000.00) -----

on the 1st day of July, 1955, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable July 1, 1955, and annually thereafter.

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

This note is one of an authorized issue, the aggregate principal amount of which is Sixty Thousand Dollars (\$60,000.00).

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

Section 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

Section 6. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 2100 of said Local Finance Law, and such publication shall be in the Cheektowaga Times and the Depew Herald and Cheektowaga News newspapers having a general circulation in said Town and which are official newspapers of said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or if said obligations are authorized in violation of the provisions of the Constitution of New York.

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

Duly put to a vote which resulted as follows:

Supervisor Holtz, Voting Aye,  
Councilman Wroblewski,

Voting Aye,  
Councilman Bystrak, Voting Aye,  
Councilman Nagel, Voting Aye,  
Councilman Neibert, Voting Aye,  
Ayes: 5; Noes: 0; Absent: 0.

The bond resolution published herewith has been adopted on the 20th day of September, 1954 and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy,

was inserted and published therein once a week for

one week, the first insertion being on the 23rd day of September, 1954 and

the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not

more than six days intervened between any two publications thereof.

*Richard G. Bennett*

\_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

*Hanley*  
Public in and for Erie County.

BOND ANTICIPATION NOTE RESOLUTION  
DATED SEPTEMBER 20, 1954, AUTHORIZING  
THE ISSUANCE OF \$60,000 BOND ANTICIPATION  
NOTES OF THE TOWN OF CHEEKTOWAGA, NEW  
YORK, IN THE COUNTY OF ERIE, PURSUANT  
TO THE LOCAL FINANCE LAW.

207

Councilman Neibert presented the following resolution and moved its adoption:

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Bond Anticipation Notes of the aggregate principal amount of Sixty Thousand Dollars, (\$60,000) pursuant to the Local Finance Law of New York, in order to finance the specific object or purpose hereinafter described in anticipation of the issuance of Sixty Thousand Dollars (\$60,000) Serial Bonds authorized by the Bond resolution entitled "Bond Resolution dated September 20, 1954, authorizing the issuance of \$60,000 Serial Sewer District No. 5 Bonds of the Town of Cheektowaga, in the County of Erie, New York, pursuant to the Local Finance Law.

Section 2. The specific purpose (Hereinafter referred to as "purpose" to be financed by the issuance of such Serial Bonds is the construction of a sanitary sewer system consisting of the sewer lines and the appurtenances necessary for their operation, in the territory included in the extension of said Sewer District No. 5, by said order adopted by the Town Board of said Town on February 1, 1954, in accordance with said order and pursuant to the provisions of Section 194 of the Town Law of New York.

Section 3. As required by said Local Finance Law, it is hereby stated that (a) there are no outstanding Bond Anticipation Notes issued in anticipation of the sale of said Serial Bonds and (b) the notes authorized by this resolution are not renewal notes and (c) the notes authorized by this resolution shall mature within one year from the date of their issue and (d) such notes are not issued in anticipation of bonds for an assessable improvement.

Section 4. The power to prescribe the terms, form and contents of said Bond Anticipation Notes, subject to the provisions of this resolution and to sell and deliver said Bond Anticipation Notes is hereby delegated to the Supervisor.

The Supervisor is hereby directed to sign any bond anticipation notes issued pursuant to this resolution and the Town Clerk is hereby directed to affix to such notes the corporate seal of the Town of Cheektowaga, New York.

This resolution shall take effect immediately upon its adoption: Seconded by Councilman Wroblewski and duly put to a vote which resulted as follows:

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

Carried: Ayes: -5- Noes: -0-

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

BOND ANTICIPATION NOTE OF 1954

\$23,000

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

----- TWENTY THREE THOUSAND DOLLARS (\$23,000.00) -----

on the 1st day of July, 1955, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable July 1, 1955, and annually thereafter.

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

This note is one of an authorized issue, the aggregate principal amount of which is Sixty Thousand Dollars (\$60,000.00).

Item No



**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

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

a public newspaper published at Depew, Town of Cheek-  
towaga, Erie County, New York, that notice of which the  
annexed printed slip taken from said newspaper, is a copy,  
was inserted and published therein once a week for  
..... *one* ..... week, the first insertion being on the  
..... *23rd* day of *September*, 19.....*54* and  
the last insertion being on the ..... day of  
....., 19....., and that not  
more than six days intervened between any two publi-  
cations thereof

*Richard G. Bennett*

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

*OCT 1 1954*

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

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

IN 528600



This note is issued pursuant to the provisions of a bond anticipation note resolution, dated September 20, 1954, authorizing the issuance of bond anticipation notes of the Town of Cheektowaga, New York, in the amount of Sixty Thousand Dollars (\$60,000.00), in anticipation of the sale of serial bonds authorized to finance improvements to Sewer District No. 5 by the construction of a sanitary sewer system consisting of the sewer lines and the appurtenances necessary for their operation, in the territory included in the extension of said Sewer District No. 5, in the Town of Cheektowaga, New York.

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

It is hereby certified and recited that all conditions, acts and things required by the Construction and Statutes of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this note, exist, have happened and have been performed, and that this note, together with all other indebtedness of such Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga New York, has caused this note to be signed by its Supervisor, and its corporated seal to be hereunto affixed and attested by its Town Clerk and this note to be date as of the 20th day of September, 1954.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK

By: Benedict T. Holtz  
Supervisor

ATTEST:

Kenneth T. Hanley  
Town Clerk

Item No. 9 PUBLIC HEARING - CEDAR ROAD STREET LIGHT IMPROVEMENT FROM SUB LOT NO. 29 TO SUB LOT NO. 118.

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

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, herein-after particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 17th day of September, 1954.

**PUBLIC HIGHWAYS TO BE IMPROVED**  
**NAME OF HIGHWAY**  
Cedar Road  
from Sub Lot No. 29 to  
Sub Lot No. 118  
**TYPE OF STREET LIGHTING INSTALLATION**  
Y-19 Standards - Underground Conduit

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

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 4th day of October, 1954, at 2:30 P.M., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

Supervisor Holtz, Voting Aye,  
Councilman Nagel, Voting Aye,  
Councilman Wroblewski,  
Councilman Nebert, Voting Aye,  
Councilman Bystrak, Voting Aye.  
Ayes: 5, Nays: 0, Absent: 0.

Posted as follows on the 24th day of September, 1954:

- 1- Post in front of No. 38 Cedar Road;
- 2- Post in front of No. 203 Cedar Road;
- 3- Post in front of No. 163 Cedar Road;
- 4- Post in front of No. 155 Cedar Road;
- 5- Light Post No. 155 Cedar Road/

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

**NOTICE OF ORDER**  
**TYPE OF STREET LIGHTING**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, in said Town of Cheektowaga, on the 20th day of September, 1954, at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

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

**ABSENT:** None

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

**WHEREAS,** a petition for the improvement of both sides of the public highways situate in Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 17th day of September, 1954.

**PUBLIC HIGHWAYS TO BE IMPROVED**  
Cedar Road, from Sub Lot No. 29 to Sub Lot No. 118.

**TYPE OF STREET LIGHTING INSTALLATION**  
Y-19 Standards — Underground Conduit.

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

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

**NOW, THEREFORE, IT IS HEREBY ORDERED** that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 4th day of October, 1954, at 2:30 o'clock P.M., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

Seconded by Councilman Nagel and duly put to a vote which resulted as follows:  
Supervisor Holtz, voting Aye.  
Councilman Nagel, voting Aye.  
Councilman Wroblewski, voting Aye.  
Councilman Neibert, voting Aye.  
Councilman Bystrak, voting Aye  
**AYES: 5 NOES: 0 ABSENT: 0**

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

This to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 20th day of September, 1954 and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 20th day of September, 1954.

KENNETH T. HANLEY  
Clerk of the Town Board,  
(9-23) Town of Cheektowaga, N. Y.

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for...~~two~~...weeks:  
first publication ..... SEP 23 1954 .....  
last publication ..... SEP 23 1954 .....  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
SEP 30 1954, 19.....  
day of .....

*Eve J. Allis*

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

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

STATE OF NEW YORK  
COUNTY OF ERIE

held at the Town Hall, in said Town of Cheektowaga, on the 20th day of September, 1954, at 7:30 o'clock p.m., Eastern Daylight Time, there were:

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

ABSENT: —0—  
Mr. Bystrak offered the following resolution and moved its adoption:

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

Lot No. 29 to  
Lot No. 118  
TYPE OF STREET LIGHTING  
INSTALLATION  
Y-19 Standards - Underground  
Conduit

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

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 4th day of October, 1954, at 2:30 p.m., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

Councilman Nelbert, Voting Aye,  
Councilman Bystrak, Voting Aye,  
Ayes: 5, Noes: 0; Absent: 0.  
State of New York )  
Erie County )  
Office of the Clerk of the ) ss:  
T

original resolution now on file in this office, and which was passed by the Town Board of Cheektowaga, Erie, on September 15, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 20th day of September, 1954.  
KENNETH T. HANLEY,  
Clerk of the Town Board,  
Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 27th day of September, 1954, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

day of

19\_\_\_\_

*Hanley*  
public in and for Erie County.

## LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, corner Union Road and Broadway, Cheektowaga, Erie County, New York, on the 20th day of September, 1954 at 7:30 o'clock, P.M. Eastern Daylight Saving Time there were:

## PRESENT:

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

## ABSENT: —0—

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting on the 16th day of August, 1954 adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on the 13th day of September, 1954 at 2:30 o'clock, P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of adopting an Ordinance to be known as Ordinance No. 3 of the General Ordinances of the Town of Cheektowaga, New York, and

WHEREAS, at such meeting held on the 13th day of September, 1954 an opportunity was afforded all persons interested in the subject matter to be heard, and at the conclusion of said public hearing the Town Board decided that it was in the best interests to adopt the following ordinance to be known as Ordinance No. 3, of the General Ordinances of the Town of Cheektowaga, New York, and

WHEREAS, notice of said meeting was duly published in the Cheektowaga Times and the Depew Herald and Cheektowaga News, official newspapers of the Town of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, as shown by the affidavit of publication filed in the Town Clerk's Office, and the Town Clerk post or caused to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of the resolution not less than ten (10) days nor more than twenty (20) prior to the date of the hearing, be it

RESOLVED, that the following Ordinance be adopted to be known as General Ordinance No. 3, of the Town of Cheektowaga, New York.

## ORDINANCE NO. 3

No person, firm or corporation shall enter upon any Town property, or any portion of the right of way of a Town Highway, for the purpose of making an excavation for any purpose unless authorized to do so in writing, by the Building and Plumbing Inspector, as well as by the Town Highway Superintendent.

Applications for such permit must be made in writing and shall set forth the name of the owner, or owners of the abutting property where the excavation is intended to be made; the exact location of the excavation, its width and depth and the reason therefor and what arrangements have been made to fill in the excavation, the method of guarding the same and such other information as may be requested by the Building and Plumbing Inspector and the Town

Highway Superintendent to protect the public using the Town property or said highway.

The fee for the issuance of such permit shall be \$50.00. In addition to such fee the applicant shall execute and file with his application a surety bond in the sum of \$1000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after the permit is issued.

"A" Any person, firm or corporation may file a surety bond in the sum of \$20,000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after permit is issued, in which event no further bond shall be required for additional permits. Same must be renewed on the first day of January of each year.

In addition thereto the applicant must agree to properly barricade the excavation so as to prevent any person from suffering injury to person or property by reason of such excavation.

The applicant must further agree in writing to protect the Town of Cheektowaga, from any claim of damage being made for injury to person or property by reason of such excavation and to save the Town harmless from any such claim or demand.

The applicant must agree that if the Town of Cheektowaga is obliged to pay any claim for damage caused by such excavation that the Town be promptly reimbursed by him for the amount thereof, whether such amount is reached by way of a compromise of the claim or demand or by a judgment of a Court of competent jurisdiction.

Nothing herein contained is intended to in anywise repeal any existing provision of the Plumbing and Draining Ordinances or the Building Code of the Town of Cheektowaga.

Any person, firm or corporation whether he be owner, contractor, sub-contractor or employee of the owner, contractor or sub-contractor violating the provisions of this Ordinance shall be punished by a fine not to exceed \$50.00 or by imprisonment for a term not exceeding six months.

BE IT FURTHER RESOLVED, that a copy of this resolution certified by the Town Clerk, shall be entered in the minutes and published at least once in the Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers having general circulation in said Town, and being the official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavit of the publication and posting thereof shall be filed with the Town Clerk.

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

of its passage and entry into the minutes.

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

Supervisor Holtz, Voting Aye,  
Councilman Nagel, Voting Aye,  
Councilman Wroblewski,

Voting Aye,

Councilman Neibert, Voting Aye  
Councilman Bystrak, Voting Aye,  
Ayes: 5; Noes: 0; Absent: 0.

State of New York )

Erie County ) ss:

Office of the Clerk of the )

Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 20th day of September, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 20th day of August, 1954.

KENNETH T. HANLEY,  
Clerk of the Town Board

s23 Town of Cheektowaga, N. Y.

Notary Public in and for Erie County.

Signature of Notary Public  
OCT 1 1954

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

Signature of Edward Krause

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.

**Herald and News**  
Depew  
Cheektowaga

..... of the  
PUBLISHER

being duly sworn, deposes and says that he is the

RICHARD G. BENNETT

off hand we have about 30 girls  
in our organization and will need  
every one of them whenever any  
parade projects arise for our  
school.

This year the sixth graders have  
been allowed to join the cheer-  
leading group. We are practicing  
our old cheers and adding new  
ones. We have some new pep  
songs and you'll be hearing them  
soon. And you'll be seeing new

**Saturday Nite**  
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**DEPEW SCHOOL NEWS**

Mr. Edward Krause, a DHS Eng-  
lish teacher and a Naval Reser-  
vist, has been on a temporary ac-  
tive duty tour at Quonset Point,  
Rhode Island. He will return to  
his teaching duties next week.

Jane Stapleton, a senior in the  
Office Work Program, has been  
employed on a part-time basis in  
Chicago

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## LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, corner Union Road and Broadway, Cheektowaga, Erie County, New York, on the 20th day of September, 1954 at 7:30 o'clock, P.M. Eastern Daylight Saving Time there were:

## PRESENT:

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

## ABSENT: —0—

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting on the 16th day of August, 1954 adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on the 13th day of September, 1954 at 2:30 o'clock, P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of adopting an Ordinance to be known as Ordinance No. 3 of the General Ordinances of the Town of Cheektowaga, New York, and

WHEREAS, at such meeting held on the 13th day of September, 1954 an opportunity was afforded all persons interested in the subject matter to be heard, and at the conclusion of said public hearing the Town Board decided that it was in the best interests to adopt the following ordinance to be known as Ordinance No. 3, of the General Ordinances of the Town of Cheektowaga, New York, and

WHEREAS, notice of said meeting was duly published in the Cheektowaga Times and the Depew Herald and Cheektowaga News, official newspapers of the Town of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, as shown by the affidavit of publication filed in the Town Clerk's Office, and the Town Clerk post or caused to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of the resolution not less than ten (10) days nor more than twenty (20) prior to the date of the hearing, be it

RESOLVED, that the following Ordinance be adopted to be known as General Ordinance No. 3, of the Town of Cheektowaga, New York.

## ORDINANCE NO. 3

No person, firm or corporation shall enter upon any Town property, or any portion of the right of way of a Town Highway, for the purpose of making an excavation for any purpose unless authorized to do so in writing, by the Building and Plumbing Inspector, as well as by the Town Highway Superintendent.

Applications for such permit must be made in writing and shall set forth the name of the owner, or owners of the abutting property where the excavation is intended to be made; the exact location of the excavation, its width and depth and the reason therefor and what arrangements have been made to fill in the excavation, the method of guarding the same and such other information as may be requested by the Building and Plumbing Inspector and the Town

Highway Superintendent to protect the public using the Town property or said highway.

The fee for the issuance of such permit shall be \$50.00. In addition to such fee the applicant shall execute and file with his application a surety bond in the sum of \$1000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after the permit is issued.

"A" Any person, firm or corporation may file a surety bond in the sum of \$20,000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after permit is issued, in which event no further bond shall be required for additional permits. Same must be renewed on the first day of January of each year.

In addition thereto the applicant must agree to properly barricade the excavation so as to prevent any person from suffering injury to person or property by reason of such excavation.

The applicant must further agree in writing to protect the Town of Cheektowaga, from any claim of damage being made for injury to person or property by reason of such excavation and to save the Town harmless from any such claim or demand.

The applicant must agree that if the Town of Cheektowaga is obliged to pay any claim for damage caused by such excavation that the Town be promptly reimbursed by him for the amount thereof, whether such amount is reached by way of a compromise of the claim or demand or by a judgment of a Court of competent jurisdiction.

Nothing herein contained is intended to in anywise repeal any existing provision of the Plumbing and Draining Ordinances or the Building Code of the Town of Cheektowaga.

Any person, firm or corporation whether he be owner, contractor, sub-contractor or employee of the owner, contractor or sub-contractor violating the provisions of this Ordinance shall be punished by a fine not to exceed \$50.00 or by imprisonment for a term not exceeding six months.

BE IT FURTHER RESOLVED, that a copy of this resolution certified by the Town Clerk, shall be entered in the minutes and published at least once in the Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers having general circulation in said Town, and being the official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavit of the publication and posting thereof shall be filed with the Town Clerk.

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

of its passage and entry into the minutes.

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

Supervisor Holtz, Voting Aye,  
Councilman Nagel, Voting Aye,  
Councilman Wroblewski,

Councilman Neibert, Voting Aye,  
Councilman Bystrak, Voting Aye,  
Ayes: 5; Noes: 0; Absent: 0.  
State of New York )  
Erie County ) ss:  
Office of the Clerk of the )  
Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 20th day of September, 1954, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 20th day of August, 1954.

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

s23

Item No. 10 Cont'd

Posted as follows on the 28th day of September, 1954:

1- Town Hall Bulletin Board.

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

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

Seconded by Councilman Nagel and duly put to a vote, which resulted as follows: Supervisor Holtz, voting Aye. Councilman Nagel, voting Aye. Councilman Wroblewski, voting Aye. Councilman Neibert, voting Aye. Councilman Bystrak, voting Aye. AYES: 5 NOES: 0 ABSENT: 0

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga, in said County of Erie, on the 20th day of September, 1954 and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 20th day of September, 1954.

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

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks: first publication SEP 23 1954 last publication SEP 23 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of SEP 30 1954, 19.....

*Eve J. Allis*

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

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

Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on the 20th day of September, 1954 at 7:30 o'clock, P.M. Eastern Daylight Saving Time, there were:

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

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

WHEREAS, this Town Board, at a regular meeting on the 16th day of August, 1954 adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on the 13th day of September, 1954 at 2:30 o'clock, P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of adopting an Ordinance to be known as Ordinance No. 3 of the General Ordinances of the Town of Cheektowaga, New York, and

WHEREAS, at such meeting held on the 13th day of September, 1954 an opportunity was afforded all persons interested in the subject matter to be heard, and at the conclusion of said public hearing the Town Board decided that it was in the best interests to adopt the following ordinance to be known as Ordinance No. 3, of the General Ordinances of the Town of Cheektowaga, New York; and

WHEREAS, notice of said meeting was duly published in the CHEEKTOWAGA TIMES and the "Depew Herald and Cheektowaga News," official newspapers of the Town of Cheektowaga, not less than ten (10) no more than twenty (20) days prior to the date of the hearing, as shown by the affidavit of publication filed in the Town Clerk's Office, and the Town Clerk posted or caused to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office, a certified copy of the resolution not less than ten (10) days nor more than twenty (20) days prior to the date of the hearing, be it

RESOLVED, that the following Ordinance be adopted to be known as General Ordinance No. 3, of the Town of Cheektowaga, New York.

ORDINANCE #3

No person, firm or corporation shall enter upon any Town property, or any portion of the right of way of a Town Highway, for the purpose of making an excavation for any purpose unless authorized to do so in writing, by the Building and Plumbing Inspector, as well as by the Town Highway Superintendent.

Applications for such permit must be made in writing and shall set forth the name of the owner, or owners of the abutting property where the excavation is intended to be made; the exact location of the excavation, its width and depth and the reason therefor and what arrangements have been made to fill in the excavation, the method of guarding the same and such other information as may be requested by the Building and Plumbing Inspector and the Town Highway Superintendent to protect the public using the Town property or said highway.

The fee for the issuance of such permit shall be \$50.00. In addition to such fee the applicant shall execute and file with his application a surety bond in the sum of \$1,000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made within thirty days after the permit is issued.

"A" Any person, firm or corporation may file a surety bond in the sum of \$20,000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after permit is issued, in which event no further bond shall be required for additional permits. Same must be renewed on the first day of January of each year.

In addition thereto the applicant must agree to properly barricade the excavation so as to prevent any person from suffering injury to person or property by reason of such excavation.

The applicant must further agree in writing to protect the Town of Cheektowaga, from any claim of damage being made for injury to person or property by reason of such excavation and to save the Town



STATE OF NEW YORK  
COUNTY OF CHEEKTOWAGA

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 29th day of September, 1954, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

day of

19\_\_\_\_

*Stanley*  
at \_\_\_\_\_  
in and for Erie County.

York, held at the Town Hall, corner Union Road and Broadway, Cheektowaga, Erie County, New York, on the 20th day of September, 1954 at 7:30 o'clock, P.M. Eastern Daylight Saving Time there were:

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

**ABSENT:** -0-  
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a regular meeting on the 16th day of August, 1954 adopted a resolution that the Town Board meet at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York;

WHEREAS, at such meeting held on the 13th day of September, 1954 an opportunity was afforded all persons interested in the subject matter to be heard, and at the conclusion of said public hearing the Town Board decided that it was in the best interests to adopt the following ordinance to be known as Ordinance No. 3, of the General Ordinances of the Town of Cheektowaga, New York, and

WHEREAS, notice of said meeting was duly published in the Cheektowaga Times and the Depew Herald and Cheektowaga News, official newspapers of the Town of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, as shown by the affidavit of publication filed in the Town of Cheektowaga, New York;

RESOLVED, that the following Ordinance be adopted to be known as General Ordinance No. 3, of the Town of Cheektowaga, New York.

**ORDINANCE NO. 3**

No person, firm or corporation shall enter upon any Town property, or any portion of the right of way of a Town Highway, for the purpose of making an excavation for any purpose, unless authorized to do so in writing, by the Building and Plumbing Inspector, as well as by the Town Highway Superintendent.

Applications for such permit must be made in writing and shall set forth the name of the owner, or owners of the abutting property where the excavation is intended to be made; the exact location of the excavation, its width and depth and the reason therefor and what arrangements have been made to fill in the excavation, the method of guarding the same and such other information as may be requested by the Building and Plumbing Inspector and the Town Highway Superintendent to protect the public using the Town property or said highway.

The fee for the issuance of such permit shall be \$50.00. In addition to such fee the applicant shall execute and file with his application a surety bond in the sum of \$1000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after the permit is issued.

"A" Any person, firm or corporation may file a surety bond in the sum of \$20,000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after permit is issued.



Item No. 10 Cont'd

Posted as follows on the 28th day of September, 1954:

1- Town Hall Bulletin Board.

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

~~excavation.~~

The applicant must further agree in writing to protect the Town of Cheektowaga, from any claim of damage being made for injury to person or property by reason of such excavation and to save the Town harmless from any such claim or demand.

The applicant must agree that if the Town of Cheektowaga is obliged to pay any claim for damage caused by such excavation that the Town be promptly reimbursed by him for the amount thereof, whether such amount is reached by way of a compromise of the claim or demand or by a judgment of a Court of competent jurisdiction.

Nothing herein contained is intended to in anywise repeal any existing provision of the Plumbing and Drainage Ordinances or the Building Code of the Town of Cheektowaga.

Any person, firm or corporation, whether he be owner, contractor, sub-contractor or employee of the owner, contractor or sub-contractor violating the provisions of this Ordinance shall be punished by a fine not to exceed \$50.00 or by imprisonment for a term not exceeding six months.

Be IT FURTHER RESOLVED, that a copy of this resolution certified by the Town Clerk, shall be entered in the minutes and published at least once in the CHEEKTOWAGA TIMES and the "Depew Herald and Cheektowaga News," newspapers having general circulation in said Town, and being the official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavit of the publication and posting thereof shall be filed with the Town Clerk.

day of SEP 30 1954, 19.....

*Eve J. Allis*

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

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

"A" Any person, firm or corporation may file a surety bond in the sum of \$20,000.00 conditioned that the applicant will restore the property to the same condition as it was before the excavation was made, within thirty days after permit is issued, in which event no further bond shall be required for additional permits. Same must be renewed on the first day of January of each year.

In addition thereto the applicant must agree to properly barricade the excavation so as to prevent any person from suffering injury to person or property by reason of such excavation.

The applicant must further agree in writing to protect the Town of Cheektowaga from any claim or demand or by a judgment of a Court of competent jurisdiction.

that if the Town of Cheektowaga is held to pay any such amount that the Town be promptly reimbursed by him for the amount thereof, whether such amount is reached by way of a compromise of the claim or demand or by a judgment of a Court of competent jurisdiction.

Nothing herein contained is intended to in anywise repeal any existing provision of the Plumbing and Draining Ordinances or the Building Code of the Town of Cheektowaga.

Any person, firm or corporation whether he be owner, contractor, sub-contractor or employee of the owner, contractor or sub-contractor violating the provisions of this Ordinance shall be punished by a fine not to exceed \$50.00 or by imprisonment for a term not exceeding six months.

BE IT FURTHER RESOLVED, that a copy of this resolution certified by the Town Clerk shall be entered in the minutes and published at least once in the Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers having general circulation in said Town, and being the official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavit of the publication and posting thereof shall be filed with the Town Clerk.

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

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

Supervisor Holtz, Voting Aye,  
Councilman Nagel, Voting Aye,  
Councilman Wroblewski,

Voting Aye,  
Councilman Neibert, Voting Aye  
Councilman Bystrak, Voting Aye,  
Ayes: 5; Noes: 0; Absent: 0.

State of New York )  
Erie County ) ss:  
Office of the Clerk of the )  
Town of Cheektowaga )

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and the same is a true and correct copy of the original resolution and the same was passed by the Town Board of the Town of Cheektowaga, Erie County, New York, on the 20th day of August, 1954.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 20th day of August, 1954.

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 23rd day of September, 1954, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

day of

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

*Hanley*  
in and for Erie County.

Item No. 10 Cont'd

Posted as follows on the 28th day of September, 1954:

1- Town Hall Bulletin Board.

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

excavation.

The applicant must further agree in writing to protect the Town of Cheektowaga, from any claim of damage being made for injury to person or property by reason of such excavation and to save the Town harmless from any such claim or demand.

The applicant must agree that if the Town of Cheektowaga is obliged to pay any claim for damage caused by such excavation that the Town be promptly reimbursed by him for the amount thereof, whether such amount is reached by way of a compromise of the claim or demand or by a judgment of a Court of competent jurisdiction.

Nothing herein contained is intended to in anywise repeal any existing provision of the Plumbing and Drainage Ordinances or the Building Code of the Town of Cheektowaga.

Any person, firm or corporation, whether he be owner, contractor, sub-contractor or employee of the owner, contractor or sub-contractor violating the provisions of this Ordinance shall be punished by a fine not to exceed \$50.00 or by imprisonment for a term not exceeding six months.

Be IT FURTHER RESOLVED, that a copy of this resolution certified by the Town Clerk, shall be entered in the minutes and published at least once in the CHEEKTOWAGA TIMES and the "Depew Herald and Cheektowaga News," newspapers having general circulation in said Town, and being the official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavit of the publication and posting thereof shall be filed with the Town Clerk.

day of SEP 30 1954, 19.....

Eve J. Allis

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

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

him for the amount thereof, whether such amount is reached by way of a compromise of the claim or demand or by a judgment of a Court of competent jurisdiction.

Nothing herein contained is intended to in anywise repeal any existing provision of the Plumbing and Draining Ordinances or the Building Code of the Town of Cheektowaga.

Any person, firm or corporation whether he be owner, contractor, sub-contractor or employee of the owner, contractor or sub-contractor violating the provisions of this Ordinance shall be punished by a fine not to exceed \$50.00 or by imprisonment for a term not exceeding six months.

BE IT FURTHER RESOLVED, that a copy of this resolution certified by the Town Clerk, shall be entered in the minutes and published at least once in the Cheektowaga Times and the Depew Herald and Cheektowaga News, newspapers having general circulation in said Town, and being the official newspapers thereof. That the Town Clerk post, or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution and affidavit of the publication and posting thereof shall be filed with the Town Clerk.

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

Seconded by Councilman Nagel and duly put to a vote, which resulted as follows:  
Supervisor Holtz, Voting Aye,  
Councilman Nagel, Voting Aye,  
Councilman Wroblewski, Voting Aye,  
Councilman Neibert, Voting Aye,  
Councilman Bystrak, Voting Aye,  
Ayes: 5.

314 Wende Road  
Telephone:  
Mrs. Gertu

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 29th day of September, 1954, and last insertion being on the ..... day of ....., 19....., and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

day of

....., 19.....  
*Kenneth T. Hanley*

Notary Public in and for Erie County.

tn 51 7779

This being the time and the place advertised for a public hearing for the improvement of both sides of Mansion Street, for its entire length as follows; Mansion Street, commencing at William Street to Stradtman Street, by the construction of curbs, together with the installation of receivers and necessary underground drains. The Town Clerk presented proof of the publication of the Notice of hearing.

No one appearing in opposition to the proposed improvement of Mansion Street, the Chairman ordered the hearing closed and the decision was reserved.

Item No. 12 This being the time and the place advertised for a public hearing on the Special Districts Budget and Assessment Roll for the year 1955, the Supervisor directed the Town Clerk to present proof of the publication of the Notice of the Hearing. The Town Clerk presented proof that the notice was duly published and posted as required by law.

Supervisor Holts then asked if there was anyone present who wished to speak against the Special Districts Budget and Assessment Roll.

No objections were heard.

Councilman Nagel moved, seconded by Councilman Wroblewski, that the Public Hearing be closed and that the decision be reserved, until September 23, 1954, at 2:00 P.M., E.D.S.T.

The Town Attorney requested that the following be read by the Town Clerk;

In the Matter of the Assessment  
of the Right of Way  
of  
Niagara Mohawk Power Corporation  
in the Town of Cheektowaga, County  
of Erie and State of New York,  
in Sewer District 5 and in the  
Extension of said District No. 5,  
for the years 1954 and 1955

TO THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA:

The NIAGARA MOHAWK POWER CORPORATION, a corporation organized and existing under and by virtue of the laws of the State of New York, objects to and protests any assessment against its right of way in Sanitary Sewer No. 5 or in the extension of said district.

Last summer we understood that our assessment in Sanitary Sewer District No. 5 for the year 1954 was to be 87,116 square feet, the same as it had been in the preceding year. Thereafter, and without notice to us, our right of way, which was dedicated to the public service, was assessed in Sanitary Sewer District No. 5 at 2,326,655 square feet and at 352,725 square feet in the extension of said district. The first notice we had of this assessment was the tax on the county roll for the year 1954. Taxes on these assessments were paid under protest and amounted to \$3,195.02 and \$353.56 respectively, a total of \$3,548.58

At the time District 5 was created it was determined by the officials of the Town of Cheektowaga that our right of way would derive no benefit from the creation of the sewer district and it was directed that no assessment should be levied against our right of way. No assessment was levied at that time or in any of the succeeding years until last year, as stated above.

We are informed that these assessments are being tentatively levied against our property for the assessment year 1955.

FIRST OBJECTION

The original decision that our Company's right of way derived no benefit from Sanitary Sewer District 5 is res adjudicata as between the parties and any attempt to reopen this decision is illegal, erroneous and void.

SECOND OBJECTION

The additional assessments were, and are, against a strip of land used exclusively as a right of way. This type of property, as a matter of law, cannot be benefited by a sanitary sewer district. In this connection see the case of People ex rel N.Y.C. R.R. Co. v. Limburg 283 N.Y. 344.

On information and belief, the right of way of the various railroads in the Town of Cheektowaga has been, and continues to be, exempted from taxation in these districts and we protest against this discriminatory treatment.

WHEREFORE, complainant prays:

1. That the assessment of 2,325,655 square feet in Sanitary Sewer 5 and the assessment of 352,725 square feet in Sanitary Sewer 5 Extension against this Company's right of way, dedicated to the public use, be set aside, withdrawn and canceled on the current tax roll for the year 1955.

2. That the Town Board initiate an application to the Board of Supervisors of the County of Erie to refund the total of last year's erroneous and illegal taxes amounting to \$3,548.58 to this Company.

NIAGARA MOHAWK POWER CORPORATION

By Esther Scharman  
Tax Attorney

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

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

WHEREAS, the South Line Volunteer Fire Company, a membership company incorporated under the Laws of the State of New York, with an office at their fire house, French Road, Town of Cheektowaga, New York, has offered in writing to enter into a contract with the Town of Cheektowaga, New York, to furnish adequate Fire Protection for Fire Protection District No. 3 for a period of five years commencing January 1, 1955, and ending December 31, 1959, in consideration of receipt from the Town of Cheektowaga, New York, the sum of Eighteen Hundred Dollars (\$1800) per year, said payment to be made to the South Line Volunteer Fire Company on the 1st day of March of each year, and

WHEREAS, the said South Line Volunteer Fire Company states that it has adequate and suitable fire fighting apparatus and equipment, as well as sufficient membership and personal to enable it to furnish suitable and adequate fire protection to the property located within said Fire Protection District No. 3 and

WHEREAS, it is essential to provide fire protection to said Fire Protection District by entering into a contract with a Fire District or Fire Company capable of providing suitable or adequate fire protection to the property within the boundaries of said Fire Protection District;

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board meet at the Town Hall on the 4th day of October, 1954 at 2:30 o'clock P.M. Eastern Standard Time, for the purpose of considering the advisability of entering into a contract with said South Line Volunteer Fire Company to provide fire protection for said Fire Protection District No. 3 and the hearing of all persons interested in the subject matter concerning the same, and

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

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

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

Supervisor Holtz,	Voting Aye
Councilman Nagel,	Voting Aye
Councilman Neibert,	Voting Aye
Councilman Bystrak,	Voting Aye
Councilman Wroblewski,	Voting Aye

AYES: -5-

NOES: -0-

ABSENT: -0-

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

NOTICE IS HEREBY GIVEN, that there will be a public hearing held by the Town Board of the Town of Cheektowaga, New York, at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on the 4th day of October, 1954, at 2:30 o'clock P. M. Eastern Standard Time, for the purpose of considering the advisability of entering into a contract with the South Line Volunteer Fire Company, a corporation organized under the membership laws of the State of New York, having its office at their Fire House on French Road, Cheektowaga, New York, for the furnishing of fire protection to Fire Protection District No. 3 briefly described as follows:

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

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

**TERMS OF CONTRACT**

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

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

In consideration of providing said service to said Fire Protection District No. 3 the Town of Cheektowaga will agree on behalf of said Fire Protection District No. 3 that it will pay to the South Line Volunteer Fire Company, the sum of Eighteen Hundred Dollars (\$1800.00) a year for a period of five (5) years, commencing January 1, 1955 and ending December 31, 1959, that there shall be levied against all property located within the limits of Fire Protection District No. 3 an assessment to pay the cost of said fire protection and the payment of said money to the South Line Volunteer Fire Company shall be made on March 1st of each year.

Dated: September 20, 1954.

By Order of the Town Board  
of the Town of Cheektowaga,  
New York.

**KENNETH T. HANLEY,**

Item No. 13 Cont'd At a regular meeting of the South Line Volunteer Fire Company, 12  
a membership company incorporated under the Laws of the State of New York, held at  
their fire house, French Road, Town of Cheektowaga, New York, on September 7, 1954,  
the following resolution was presented and adopted:

RESOLVED, that the South Line Volunteer Fire Company having  
sufficient amount of equipment, personel and membership to furnish adequate fire  
protection for Fire Protection District #3, in the Town of Cheektowaga,

THEREFORE, be it further resolved that the South Line  
Volunteer Fire Company agree to enter into a contract with the Town of Cheektowaga  
to furnish adequate fire protection for Fire Protection District #3, Town of  
Cheektowaga, New York, for a period of five years beginning January 1, 1955, for  
the consideration of eighteen hundred dollars (\$1,800.00) per year.

This is to certify that I am the duly elected Secretary  
of the South Line Volunteer Fire Company and was and am acting as such at the time  
of the adoption of the above resolution which I also certify that it is a true and  
accurate copy of the resolution duly passed at the above meeting.

Harold W. Sager

Subscribed and Sworn to  
before me this 10th day of  
September, 1954

Harvey H. Monin

Notary Public.

The Notice of the Hearing to provide fire protection was  
posted as follows on the 24th day of September, 1954;

- 1- Telephone Pole No. 105 on Losson Road;
- 2- Telephone Pole No. 100 on Losson Road;
- 3- Telephone Pole No. 240 on French and Borden Road;
- 4- Bulletin Board-South Line Fire House on French Road;
- 5- Telephone Pole No. 90 on French Road.

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



**NOTICE OF PUBLIC HEARING FOR FIRE PROTECTION DISTRICT No. 3, TOWN OF CHEEKTOWAGA, NEW YORK.**

NOTICE IS HEREBY GIVEN that there will be a public hearing held by the Town Board of the Town of Cheektowaga, New York, at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on the 4th day of October, 1954, at 2:30 o'clock P.M. Eastern Standard Time, for the purpose of considering the advisability of entering into a contract with the South Line Volunteer Fire Company, a corporation organized under the membership laws of the State of New York, having its office at their Fire House on French Road, Cheektowaga, New York, for the furnishing of fire protection to Fire Protection District No. 3 briefly described as follows:

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

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

**Terms of Contract  
TERMS OF CONTRACT**

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

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

In consideration of providing said service to said Fire Protection District No. 3 the Town of Cheektowaga will agree on behalf of said Fire Protection District No. 3 that it will pay to the South Line Volunteer Fire Company, the sum of Eighteen Hundred Dollars (\$1800.00) a year for a period of five (5) years, commencing January 1, 1955 and ending December 31, 1959, that there shall be levied against all property located within the limits of Fire Protection District No. 3 an assessment to pay the cost of said fire protection and the payment of said money to the South Line Volunteer Fire Company shall be made on March 1st of each year.

Dated: September 20, 1954  
By order of the Town Board of the Town of Cheektowaga, New York,  
**KENNETH T. HANLEY**  
Town Clerk

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

**WILLARD C. ALLIS**, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication SEP 23 1954; last publication SEP 23 1954; and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this SEP 30 1954 day of SEP 30 1954, 1954

*Eve J. Allis*

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

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

STATE OF NEW YORK  
COUNTY OF ERIE

NOTICE IS HEREBY GIVEN, that there will be a public hearing held by the Town Board of the Town of Cheektowaga, New York, at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on the 4th day of October, 1954, at 2:30 o'clock P. M. Eastern Standard Time, for the purpose of considering the advisability of entering into a contract with the South Line Volunteer Fire Company, a corporation organized under the membership laws of the State of New York, having its office at their Fire House on French Road, Cheektowaga, New York, for the furnishing of fire protection to Fire Protection District No. 3 briefly described as follows:

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

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

TERMS OF CONTRACT

The South Line Volunteer Fire Company agrees that it has adequate and suitable fire fighting apparatus and equipment as well as sufficient membership and personnel to furnish suitable

and it further agrees that it and its members will promptly respond to any and all fires occurring in said district and to the best of its ability will extinguish such fires and prevent the loss of life and injury to person or property therefrom.

In consideration of providing said service to said Fire Protection District No. 3 the Town of Cheektowaga will agree on behalf of said Fire Protection District No. 3 that it will pay to the South Line Volunteer Fire Company, the sum of Eighteen Hundred Dollars (\$1800.00) a year for a period of five (5) years, commencing January 1, 1955 and ending December 31, 1959, that there shall be levied against all property located within the limits of Fire Protection District No. 3 an assessment to pay the cost of said fire protection and the payment of said money to the South Line Volunteer Fire Company shall be made on March 1st of each year.

Dated: September 20, 1954.

By Order of the Town Board of the Town of Cheektowaga, New York.

KENNETH T. HANLEY,  
Town Clerk

NYT

that he is the

of the

Cheektowaga  
News

sw, Town of Cheek-

notice of which the

newspaper, is a copy,

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her, 1954, and

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been any two publi-

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Sworn to before me this

*Kenneth T. Hanley*  
Notary Public

NY-5-0880

STATE OF NEW YORK  
COUNTY OF ERLE

ally itself will be held from 8 to 11 p.m., followed by a dance from 11 p.m. until 11. The affair also serves to open the season for Pine Hill whose first football game is scheduled for Saturday, Sept. 25th, at Caryvale High School.  
After a tryout before a faculty committee, the following cheerleaders were chosen: Varsity: Claudia Hubert, Marlene Kuehfu, Elaine DePierro, Marie DePierro, Joan Lates, and Pat Schick; Junior Varsity: Beverly Haimer, Gloria McCoy, Judy Jasnau, Charlotte Woelful, Diane Breitkus and Joan Murray.  
As a prelude to class elections, student council elections took place last week. The results are as follows: Representatives: Seniors: Ann Giambelluca, Richard Wozniak, Robert O'Shaughnessy; Juniors: Nancy Choops, John Podsiad-

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

**Herald and News**  
Depew  
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

one week, the first insertion being on the

13th day of September, 1957, and the last insertion being on the

day of 1957, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

Sworn to before me this 13th day of

1957

Notary Public in and for Erie County.

*[Signature]*

Notary Public

the 15th day of August, 1954, for the purpose of considering the application of Carl Fassel for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

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

WHEREAS, the Zoning Board of Appeals on the 18th day of September, 1954, having rendered its decision granting the application of Carl Fassel to rezone from Residential District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly reported to the Town Board at a public hearing on the 20th day of September, 1954,

IT IS RESOLVED, that the decision of the Zoning Board of Appeals granting the application of Carl Fassel to rezone premises from Residential District to Business District be and the same is hereby approved.

NOW, THEREFORE,

IT IS ORDERED by this Town Board that the Ordinance adopted December 21, 1942 and as amended entitled "Zoning Ordinance" be and the same hereby amended by changing the Zoning Map so as to change the following described property from that of Residential District to Business District:

DESCRIPTION  
 Lots No. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

1- Town Hall Bulletin Board.

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

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

WHEREAS, the Zoning Board of Appeals held a public hearing on the 11th day of August, 1954, for the purpose of considering the application of Carl Fassel for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

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

WHEREAS, the Zoning Board of Appeals on the 18th day of September, 1954, having rendered its decision granting the application of petitioner to rezone from Residential District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 20th day of September, 1954.

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

NOW, THEREFORE,

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

DESCRIPTION

Lots No. 23 and 24, Map Cover No. 1230, Beverly Hills Sub - Division, 84.70 feet frontage on Genesee Street 42 feet west of East Grand Boulevard, 168.07 feet in depth.

(No. 2845 Genesee Street)  
KENNETH T. HANLEY,  
Town Clerk,  
Town of Cheektowaga,  
New York.

Dated: September 20, 1954 (9-23)

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks;  
first publication SEP 23 1954;  
last publication SEP 23 1954;

and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this SEP 30 1954, 1954  
day of SEP 30 1954, 1954

*Eve J. Allis*

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

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

STATE OF NEW YORK  
COUNTY OF ERIE

Herald and News

[REDACTED]  
[REDACTED] a public hearing on the 11th day of August, 1954, for the purpose of considering the application of Carl Fassel for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

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

WHEREAS, the Zoning Board of Appeals on the 18th day of September, 1954, having rendered its decision granting the application of petitioner to rezone from Residential District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 20th day of September, 1954,

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

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

DESCRIPTION

Lots No. 23 and 24, Map Cover No. 1230 Beverly Hills Sub-Division 84.70 feet frontage on Genesee Street, 42 feet west of East Grand Boulevard, 168.07 feet in depth. (No. 2845 Genesee Street).

Dated: September 20, 1954.  
KENNETH T. HANLEY,  
Town Clerk, Town of Cheektowaga, New York

..... day of  
....., 19.....  
*K Hanley*  
.....  
blic in and for Erie County.

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 *September*, 19*54*, and

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

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

more than six days intervened between any two publications thereof.

*Richard G Bennett*

Item No. 15 ANTHONY KAJDASZ REZONING

Councilman Nagel presented the following resolution and moved its adoption: 015

RESOLVED, that the application of Anthony Kajdasz to rezone the southwest corner of William and Frederick Street from residential district to business district be granted.

No second on the motion, motion lost.

Councilman Bystrak moved, seconded by Supervisor Holtz, WHEREAS, the Zoning Board of Appeals has recommended that the application of Anthony Kajdasz to rezone the southwest corner of William and Frederick Street from residential district to business district, be denied, that this Town Board does hereby adhere to the recommendation of the Zoning Board of Appeals, that the same be denied.

Duly put to a vote which resulted as follows:

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

Carried: Ayes: -3- Nays: -1- Present: -1-

Item No. 16 Councilman Neibert moved, seconded by Councilman Wroblewski, that the recommendation of the Zoning Board of Appeals to deny the application of Chester Walczak to rezone the south-east corner of William and Andrew Streets be upheld. Carried: Ayes: -5-.

Item No. 17 Councilman Wroblewski moved, seconded by Councilman Neibert, that the Town Board confirm the following decision of the Zoning Board of Appeals:

**IN THE MATTER OF THE APPLICATION OF  
CRESBURY CLOTHES., INC., FOR A VARIANCE  
OF THE ZONING ORDINANCES**

The petitioner, Cresbury Clothes, Inc., constructed a building on the north side of Walden Avenue near its intersection with Harlem Road. There is some land located between the property acquired by Cresbury Clothes, Inc. and New Walden Avenue belonging either to the State, the County or the Town; it was part of the Walden Avenue right of way before Walden Ave. was re-routed. The land is not now used for highway purposes, but the State Highway Department will not dispose of the same because it may be needed for highway right of way at some future time.

The inability of Cresbury Clothes, Inc. to acquire an interest in this property has required it to construct its buildings more than 100 feet from the used right of way in New Walden Avenue. The property of Cresbury Clothes, Inc. is triangular in shape making it necessary to locate the building as shown on the drawing. The building is located approximately 35 feet at one front corner and 52 feet at the other front corner from the property line which fronts on New Walden Avenue. The property is so designed as to provide off-street parking.

A public hearing was held on this application on the 11th day of August, 1954 and thereafter the members of the Zoning Board of Appeals inspected the property, as well as other property located in the immediate area. The matter has been carefully studied by members of the Zoning Board of Appeals and it grants to Cresbury Clothes, Inc. the following variances:

Cresbury Clothes, Inc., is permitted to construct a building on the property hereinafter described, 35 feet at one front corner and 52 feet at the other front corner, from the property line, which fronts on New Walden Avenue. The foundation of the building had already been located on the property at the time the Zoning Board of Appeals made the inspection. The provisions of the Ordinances requiring the 50 ft. set-back on New Walden Avenue is modified only to the extent of approving the location of the building now in the process of construction on the property.

This variance does not permit the construction of any further building, or alteration of present buildings, on the property, unless the same complies with the Ordinances of the Town of Cheektowaga, New York.

Notary Public In and for Erie County

42528000

*Wm. J. ...*  
19 1954

Sworn to before me this ... day of

*Richard G. Bennett*

Notary Public

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

**Herald and News**  
Depew  
Cheektowaga

PUBLISHER

being duly sworn, deposes and says that he is the

**RICHARD G. BENNETT**

This year our class is extra lucky because we have received a new order of kindergarten equipment for our use in work and play. Besides that, we are adding a whole new list of books to last years already begun kindergarten library. And our room, We'll have to tell you something about it! Our walls are painted a rosy color and our furniture is blond. This combination is accented by green. For that added touch on each of our tables and throughout, the room we have green plants, which by the way, help us to learn about how things grow.

**Home Economic Highlights**

The CJHS seventh grade girls are becoming color-wise. They are re-studying the compliments, harmonies and characteristics of color hues. The next project, which they will soon go into, is making lovely styled skirts and learning to use patterns for the first time.

The sixth graders are making personalized pin cushions and will soon be starting aprons as a Christmas present for their moth-

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Item No. 17 Con't

The following is a description of the property referred to above:

A triangular parcel of land on the north side of  
Walden Avenue, bounded on the east by the Bennet  
Cemetery and on the north by the right of way of  
the West Shore Railroad more specifically described  
upon a map and plan already in evidence before  
the Zoning Board of Appeals and filed in the Town  
Clerk's Office.

Leo Kurnick  
Chairman

Michael Henfling

Charles G. Hanson

Lawrence M. Jamuszczak

Item No. 18 Councilman Wroblewski moved that the Subdivision Map of Thruway Court prepared by Nussbaumer, Clarke and Velzy, Licensed Engineers, be approved and ordered filed in the Assessors Office.

Seconded by Councilman Nagel.

Carried: Ayes: -5-.

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Item No. 19 Councilman Wroblewski moved, that the Subdivision Map of Cherokee Park Part 3, prepared by Herthe & Sonnenberger, Licensed Engineers, dated May 14, 1954, be approved and ordered filed in the Assessors Office.

Seconded by Councilman Nagel.

Carried: Ayes: -5-.

Item No. 20 Councilman Wroblewski moved, that the Chief of Police be authorized to install "No Parking from Here to Corner" sign on the south side of Straley Avenue 60 feet from its intersection with Harlem Avenue.

Seconded by Councilman Neibert.

Carried: Ayes: -5-.

Item No. 21 Councilman Bystrak moved, that the Supervisor be authorized to purchase through Westinghouse Electric Company four ornamental standards (Y-20) to be charged to McNaughton Avenue Special Lighting District.

Seconded by Councilman Nagel.

Carried: Ayes: -5-.

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

RESOLVED, that Michael A. Wagner and Sons, Inc. be engaged to paint the Civilian Defense Lockout Post on the exterior with two coats of paint; interior with one coat of varnish and lay 9" x 9" asphalt tile on the floor, at a cost not to exceed \$385.00.

Seconded by Councilman Bystrak.

Carried: Ayes: -5-.

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

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Peoria Street, commencing at William Street and extending to Stradtman Street, a distance of approximately 2,620 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains. ( Said highway is now paved for its entire length, and

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

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

WHEREAS, at a meeting of said Town Board duly called and held on the 16th day of August, 1954, an order was duly adopted by it and entered in its minutes, reciting the filing of such petition, the improvement proposed and the maximum amount proposed to be expended for the improvement as stated in such petition, to wit, the sum of Ten Thousand Dollars, (\$10,000) and specifying that the said Board would meet to consider the petition and to hear all persons interested in the subject thereof concerning the same, at the Town Hall in the Town of Cheektowaga on the 13th day of September, 1954, at 2:30 o'clock P.M., E.D.S.T., and

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

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

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

RESOLVED, that this Board is hereby determined that it is in the public interest to make the improvement petitioned for to wit: the construction of curbs, together with the installation of receivers and necessary underground drains, on both sides of Peoria Street, commencing at William Street and extending to Stradtman Street a distance of approximately 2,620 feet, and it is further

RESOLVED, that Nussbaumer, Clarke and Velzy, Consulting Engineers for this Town shall survey said Peoria Street, establish the lines and grades thereof and shall file such survey and profile in the Town Clerks' Office, and be it further

Item No. 23. Cont'd

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

Seconded by Councilman Nagel.

Carried: Ayes: -5-

Item No. 24  
its adoption:

Councilman Nagel presented the following resolution and moved

RESOLVED, that permission be granted to Mrs Janet Zimmerman to have a Fireworks Display at Liberty Park on October 30, 1954, weather permitting, if not, then on October 11, 1954, upon the following conditions:

1- That there is no fireworks display on or over any public highway.

2- That either New Liberty Park, Inc., or Mrs Janet Zimmerman file with the Town Clerk a policy of casulaty insurance with minimum coverage of \$50,000 and a maximum coverage of \$100,000 containing provisions protecting all persons from any injuries resulting from said fireworks display, whether on the premises of the New Liberty Park, Inc., or upon a public highway.

3- That upon filing said policy of casulaty insurance, the Town Clerk is authorized to execute the permit for a patriotic fireworks display on behalf of the Town of Cheektowaga, New York.

Seconded by Councilman Heibert.

Carried: Ayes: -5-

Item No. 25

Councilman Nagel moved, that be it

RESOLVED, that STANLEY SENKO, Broadway, Depew, New York, be provisionally appointed in the Laboratory Department for Disposal Plants No. 3 and 5 at an annual salary of \$4,000.00, payable in semi-monthly installments, and be it further

RESOLVED, that an application be made to the Personnel Director of Erie County to hold a competitive examination for the position, and the Town Engineer is authorized to furnish the Personnel Director of Erie County with the necessary information to define the exact title of the position.

Seconded by Councilman Wroblewski.

Carried: Ayes \*5-

Item No. 26

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, the Town of Cheektowaga, New York is the owner of a tract of land located on the east side of Union Road, a short distance north of Genesee Street, which has been used in the past as a cemetery, but no burials have been made in said cemetery for upwards of fifty years, according to the knowledge, information and belief of the Town Board, and

WHEREAS, the Town of Cheektowaga, New York requested an estimate from Edgar Krauch, doing business under the name of Amherst Memorial Co., to submit a bid of the cost of removing said bodies interred in said cemetery, to a cemetery providing perpetual care, and

Item No. 26 Con't

WHEREAS, on May 6, 1954 the said Edgar Krauch submitted a bid to remove approximately thirty graves, furnish plain wooden roughboxes for reinterment, transport the remains to the Bowmansville Perpetual Care Cemetery, furnish a Quincy Granite all finished monument appropriately lettered with sandblast letters and eight grass markers of granite, lettered to conform with the inscription shown on old stones now in the cemetery. Foundations of cement for all stones included. Grave space and opening and closing of new graves in the Bowmansville Perpetual Cemetery also provided, also to provide all necessary work involved to be covered in this proposal, for the sum of Twenty-Two Hundred and Thirty Dollars (\$2230.00), on the basis of thirty graves to be opened. If more than thirty graves are to be opened an additional cost of Thirty Dollars (\$30.00) per grave to be added, and

WHEREAS, this Town Board by appropriate resolution authorized the Supervisor and the Town Attorney to apply to the Supreme Court for an Order, pursuant to section 296 of the Town Law to abandon said cemetery and

WHEREAS, the Court on September 10, 1954 granted an Order which in substance provides that the remains of deceased persons buried in said cemetery be removed and reinterred in the Bowmansville Perpetual Care Cemetery, be it

RESOLVED, that the proposal of Edgar Krauch, doing business under the name of Amherst Memorial Co. dated May 6, 1954, copy of which is hereto annexed and made a part hereof be accepted. That the Town Attorney be authorized to prepare for execution a written contract between Edgar Krauch, doing business under the firm name of Amherst Memorial Co., and the Town of Cheektowaga, New York, in accordance with the written estimate. That upon completion of the proceedings the property be sold at public auction to the highest bidder, subject to such terms and conditions as may be provided by a further resolution of the Town Board.

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

Supervisor Holtz,  
Councilman Bystrak,  
Councilman Wroblewski,  
Councilman Nagel,  
Councilman Neibert,

Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 27

Councilman Wroblewski moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to issue building permits on applications processed by the Petitions Committee on September 18, 1954, after same have been approved by the Building Inspector.

Carried: Ayes; -5-

Item No. 28

Councilman Nagel, moved, seconded by Councilman Wroblewski that all claims presented at this meeting for audit be approved, and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. (Warrant No. 1794 to Warrant No. 1885, inclusive, drawn on the supervisor).

Item No. 29

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

Kenneth T. Hanley  
Town Clerk

SEAL

Item No. 1 At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 23rd day of September, 1954, at 2:00 o'clock P.M., E.D.S.T., there were:

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

ABSENT: Joseph A. Neibert Councilman

Due to the absence of Town Clerk Kenneth T. Hanley, Councilman Nagel was designated to act as Town Clerk for this meeting.

Item No. 2 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, Benedict T. Holtz, Supervisor of the Town of Cheektowaga, Erie County, New York, having presented a Budget and Assessment Roll showing the various sums of money that were and will be required to defray the expenses of Special Districts in the Town of Cheektowaga, New York, and

WHEREAS, this Town Board has carefully considered the said Estimates and Assessment Roll of the amounts set forth as Special Districts, respectively, and does determine same to be necessary and required aforesaid and set forth namely:

SPECIAL DISTRICTS BUDGET FOR 1955 AS ADOPTED AND APPROVED:

SEWER DISTRICTS

District No. 1

Rent to City of Buffalo	\$ 586.08	
Installment on old balance	150.00	
Interest on old balance	33.39	
To be raised by assessment		\$ 769.47

District No. 2

Rent payable to District No. 5	\$ 4,000.00	
Maintenance	900.00	
		4,900.00

District No. 3

Bond principal and interest due in 1955	\$ 29,663.95	
Salary to Town Attorney	500.00	
Operation of Disposal Plant	34,525.00	
Real Estate taxes - 1955	6,000.00	
Maintenance of sewers	3,000.00	
Services of Superintendent	1,500.00	
Services of Engineer	1,000.00	
Erie County Chargebacks - Thruway	2,095.12	
Erie County chargebacks - Current	1.96	
TOTAL EXPENSE FOR 1955		78,286.03
Less Rentals:		
William Street tie-in	\$ 300.00	
Franklin Street tie-in	1,250.00	
Special fixed charges	22,000.00	
To be raised by assessment	23,550.00	54,736.03

District No. 4

Rent payable to District No. 5	\$ 4,500.00	
Operation of pump station	1,700.00	
Maintenance	500.00	
TOTAL EXPENSE FOR 1955	\$ 6,700.00	
Less: Amount payable out of District's Reserve Fund	1,000.00	
To be raised by assessment		5,700.00

ITEM NO. 2 CONT'D

SEWER DISTRICTS - Cont'd

District No. 5

Salary of the Town Attorney	\$	1,000.00	
Bond Principal and Interest due in 1955		161,330.46	
Operation of Disposal Plant		99,625.00	
Maintenance of sewers		12,000.00	
Services of Superintendent		3,000.00	
Services of Engineer		3,000.00	
Erie County chargebacks - Current		570.07	
Erie County Chargebacks - Thruway		24,681.88	
Erie County chargebacks - Cemeteries		6,386.43	
<b>TOTAL EXPENSE FOR 1955</b>	<b>\$</b>	<b>311,593.84</b>	

Less: Revenue from charges to:

Josephine Asmondus	\$	75.00	
City of Buffalo		12,000.00	
Sewer District No. 2		4,000.00	
Sewer District No. 4		4,500.00	
Sewer District No. 6		23,200.00	
		<u>43,775.00</u>	
To be raised by assessment			\$267,818.84

District No. 5 - Walden Extension

Bond principal and interest due in 1955		<u>5,561.00</u>	
To be raised by assessment			5,561.00

District No. 5 - Peinkofer Extension

Bond principal and interest due in 1955	\$	<u>1,650.00</u>	
To be raised by assessment			1,650.00

District No. 6

Bond principal and interest due in 1955		2,294.00	
Rent payable to District No. 5		22,000.00	
Maintenance payable to District No. 5		<u>1,200.00</u>	
To be raised by assessment			25,494.00
<b>TOTAL FOR ALL SIX SANITARY SEWER DISTRICTS</b>			<u>366,629.34</u>

NOTE: Amounts shown for the two Sewer District No. 5 extensions are in addition to the regular Sewer District No. 5 charges applicable to property in the extensions.

STORM SEWER DISTRICTS

District No. 1

To be raised by assessment	\$	-0-	
	\$	-0-	-0-

District No. 2

Erie County chargebacks - Cemeteries	\$	9,229.06	
Maintenance		<u>1,100.00</u>	
To be raised by assessment			10,329.06

District No. 3

Bond principal and interest due in 1955	\$	7,056.00	
Maintenance		<u>200.00</u>	
To be raised by assessment			7,256.00

District No. 4

Bond principal and interest due in 1955	\$	9,050.00	
Maintenance	\$	<u>200.00</u>	
	\$	9,250.00	

Less: Amount payable out of District's Reserve Fund

To be raised by assessment		<u>1,500.00</u>	
<b>TOTAL FOR ALL FOUR STORM SEWER DISTRICTS</b>			<u>7,750.00</u>
	\$		<u>25,335.06</u>

ITEM NO. #3

LATERAL SEWER ( SANITARY ) DISTRICTS

Continued next page

LATERAL SANITARY SEWER DISTRICTS

	PRINCIPAL AND INTEREST DUE IN 1955	LESS AMOUNT PAYABLE OUT OF DISTRICT'S RESERVE FUND	
Arthur Street	\$ 313.13	\$ -0-	\$ 313.13
Roycroft Blvd.	227.54	-0-	227.54
Maryvale Drive	811.38	132.58	678.80
W. Grand Blvd.	691.51	129.79	561.72
Cleveland Drive	752.33	-0-	752.33
S. Huxley	773.28	189.38	583.90
Woodland Ave - (formerly Commodore)	2,060.00	486.90	1,573.10
Darwin Drive	3,090.00	2,181.21	908.79
Homesgarth Avenue	1,581.00	660.60	920.40
Toelkin Road	3,162.00	-0-	3,162.00
Cresthaven	1,621.50	18.28	1,639.78
Sugnet	2,162.00	160.12	2,001.88
Walton	1,635.00	324.53	1,310.47
Abel, Vincent and Lena	900.00	-0-	900.00
Floral Blace	1,000.00	-0-	1,000.00
Mapleview Drive	1,690.00	-0-	1,690.00
	<u>\$ 22,470.57</u>	<u>\$ 4,246.83</u>	<u>\$ 18,223.84</u>
Ro be raised by assessment			<u>\$ 18,223.84</u>

SIDEWALK DISTRICTS

	PRINCIPAL AND INTEREST DUE IN 1955	LESS AMOUNT PAYABLE OUT OF DISTRICT'S RESERVE FUND	
Evergreen	\$ 1,564.67	331.55	\$ 1,896.22
Wellworth	979.39	358.63	620.76
Clover	1,329.34	417.44	911.90
Rosler	669.35	329.17	998.52
Woodridge	1,500.00	-0-	1,500.00
Peinkofer	600.00	-0-	600.00
	<u>\$ 6,642.75</u>	<u>\$ 115.35</u>	<u>\$ 6,527.40</u>
To be raised by assessment			<u>6,527.40</u>

ITEM NO. 4

CURBING DISTRICTS

Olcott:

Bond principal and interest due in 1955	\$ 3,200.00	
Less: Amount payable out of District's Reserve Fund	<u>120.94</u>	
Ro be raised by assessment		<u>\$ 3,079.06</u>

PAVING DISTRICTS

	PRINCIPAL AND INTEREST DUE IN 1955	LESS AMOUNT PAYABLE OUT OF DISTRICT'S RESERVE FUND	
Darwin Drive	\$ 4,364.00	\$ 787.06	\$ 3,576.94
Walton Drive	2,143.00	326.56	1,816.44
Cresthaven Drive	1,636.50	308.64	1,327.86
Sugnet Road	2,169.00	354.96	1,814.04
	<u>\$ 10,312.50</u>	<u>\$ 1,777.22</u>	<u>\$ 8,535.28</u>
Ro be raised by assessment			<u>\$ 8,535.28</u>

STREET LIGHTING IMPROVEMENT

	PRINCIPAL AND INTEREST DUE IN 1955	LESS AMOUNT PAYABLE OUT OF DISTRICT'S RESERVE FUND	
Group (8) Highview	\$ 146.45	\$ 18.23	128.22
South Century	358.55	44.63	313.92
To be raised by assessment	<u>\$ 505.00</u>	<u>62.86</u>	<u>\$ 442.14</u>
Group (9)			
Cunard	\$ 636.30	\$ 41.75	594.55
Mapleview	333.30	47.30	286.00
Briarcliffe	545.40	51.20	494.20
To be raised by assessment	<u>\$ 1,515.00</u>	<u>140.25</u>	<u>\$ 1,374.75</u>

Con't ITEM No. 2

Group (10)  
 South Roycroft \$ 378.75 \$ 70.40 \$ 308.35  
 To be raised by assessment \$ 308.35

Group (11)  
 Principal and interest due in 1955  
 W. Grand 222.48  
 Merrymont 593.28  
 McNaughton 420.24  
 To be raised by assessment \$ 1,236.00

Group (12)  
 Principal and interest due in 1955:  
 Chesterfield 413.33  
 Verdun 268.67  
 Carol 537.33  
 Mafalda 847.34  
 To be raised by assessment \$ 2,066.67  
 TOTAL TO BE ASSESSED FOR ALL FIVE GROUPS \$ 5,427.91  
 ASSESSMENTS OMITTED FROM 1954 ROLLS

SANITARY SEWER DISTRICT NO. 5

<u>BOOK</u>	<u>MAP COVER</u>	<u>OWNER</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
7	1617	Anthony M. Marinese & W	14 (Lateral	\$ 4.12
8	733/976	Stanley Frankowski & "	9-Bl.C (San. Se	
			wer	11.00
8	1733/976	Walter Szymanski	15 (San. Sewer)	22.36
12	1230/1423			
	1496	Anthony Kwiatkowski & W	541 A (Lateral)	3.29
		Total to be assessed		\$ 40.77

Seconded by Councilman Bystrak.  
ITEM NO. 3

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

Councilman Wroblewski moved; seconded by Councilman Nagel to adjourn the meeting.

Henry J. Nagel  
 Acting Town Clerk

SEAL



Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 27th day of September, 1954, at 7:30 P.M., E.S.T. there were

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

Also present were: Town Clerk Kenneth T. Hanley and Town Historian Julia B. Reinstein.

Item No. 2 The Town Clerk advised the Board that the minutes of the previous meeting have been placed on their desks in the Council Chamber.

Item No. 3 Councilman Wroblewski moved, seconded by Councilman Bystrak, that the Town Clerk be authorized and directed to issue building permits on applications processed by the Petitions Committee on September 25, 1954, after same have been approved by the Building Inspector.

CARRIED: AYES -5-

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

WHEREAS, Steinmiller Construction Inc., a domestic corporation with its office in the Town of Cheektowaga, New York, has entered into a contract with Gencrott Inc., a domestic corporation, with its office in the Liberty Bank Building, Buffalo, New York, to construct the highway shown on Subdivision Map No. 1824 as being Colden Court, and

WHEREAS, it has been estimated by the Town Highway Superintendent that the cost of completing said highway, in accordance with the specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, would not exceed the sum of Seven Thousand Dollars (\$7,000.00), and

WHEREAS, Steinmiller Construction Inc. has agreed to complete said highway in accordance with the aforementioned specifications and regulations, be it

RESOLVED, that the Town of Cheektowaga, New York enter into a contract with Steinmiller Construction Inc. which contract is to provide that the said Steinmiller Construction Inc. will complete the highway in all respects in accordance with the specifications of the Town Highway Department and regulations of the Town of Cheektowaga, New York, on or before October 1, 1955.

That the annexed contract is hereby approved and the Supervisor is authorized to execute the same on behalf of the Town of Cheektowaga, New York, and be it further

RESOLVED, that the Town of Cheektowaga accept in lieu of a Surety Bond, a check in the sum of Seven Thousand Dollars (\$7,000.00), dated September 16, 1954, and being No. 121 drawn on the Marine Trust Co., Snyder, New York, and be it further

RESOLVED, that Colden Court be accepted as a Town highway subject to the jurisdiction of the Town Highway Department, and the Town Attorney is authorized to record in the Erie County Clerk's Office, deed to said premises.

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

follows:

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

AYES: -5-

NOES: -0-

ABSENT: -0-

Item No. 5

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, Steinmiller Construction Inc., a domestic corporation with its office in the Town of Cheektowaga, New York, has entered into a contract with Maryjo Inc. and Kathan Inc., both corporations organized in existing under the laws of the State of New York, with offices in the Liberty Bank Building, Buffalo, New York, to construct the highways shown on Subdivision Map No. 1831 as being Heather Road and Hillside Avenue, and

WHEREAS, it has been estimated by the Town Highway Superintendent that the cost of completing said highways, in accordance with the specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, would not exceed the sum of Fourteen Thousand Dollars, (\$14,000.00), and

WHEREAS, Steinmiller Construction Inc. has agreed to complete said highways in accordance with the aforementioned specifications and regulations, be it

RESOLVED, that the Town of Cheektowaga, New York enter into a contract with Steinmiller Construction Inc. which contract is to provide that the said Steinmiller Construction Inc. will complete the highways in all respects in accordance with the specifications of the Town Highway Department and regulations of the Town of Cheektowaga, New York, on or before October 1, 1955.

That the annexed contract is hereby approved and the Supervisor is authorized to execute the same on behalf of the Town of Cheektowaga, New York, and be it further

RESOLVED, that the Surety Bond of the United States Fidelity and Guaranty Company, in the sum of Fourteen Thousand Dollars (\$14,000.00) be approved as to form and sufficiency, and be it further

RESOLVED, that Heather Road and Hillside Avenue be accepted as Town Highways subject to the jurisdiction of the Town Highway Department, and the Town Attorney is authorized to record in the Erie County Clerk's Office, deed to said premises.

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

Supervisor	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. 6

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, bids were received on September 20, 1954, for the paving of Homesgarth Avenue and the bid of George Roetzer of Buffalo, New York, in the sum of \$4,496 was the lowest one submitted, be it

RESOLVED, that the bid of George Roetzer to construct the pavement on Homesgarth Avenue in accordance with plans and specifications prepared by Nussbaumer, Clarke, and Velsy, Engineers, in the sum of \$4,496 be accepted.

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

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

CARRIED: AYES: -5-

Item No. 7

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, after competitive bidding held September 20, 1954, Pitt Construction Company was low bidder on project known as George Urban Blvd. Pump Station, and

WHEREAS, Nussbaumer, Clarke & Velsy, Consulting Engineers of the Town of Cheektowaga, New York, have recommended that its's bid for Item 1 to 10 inclusive, omitting Item 7a, and including the alternate for the 20" pumping unit, and connecting piping of 20" diameter for the total sum of \$130,600.00, be accepted, equipment and sub-contractors being subject to the approval of the consulting Engineers, be it

Item No. 7 Con't

RESOLVED, that the bid of Pitt Construction Company on project known as George Urban Blvd. Pump Station, be accepted, as recommended by Nussbaumer, Clarke & Velsy, Consulting Engineers of the Town of Cheektowaga, New York. 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. 8

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Town of Cheektowaga, New York, accepted the bid of the C. E. Knowles Co. in the sum of \$446,385.00, and

WHEREAS, Nussbaumer, Clarke and Velsy, Consulting Engineers, have recommended that the bid item for pavement, in the amount of \$10,400.00 and the bid item for the fence in the amount of \$5,390.00, be reinstated, be it

RESOLVED, that the bid items aforementioned, contained in the bid of the C. E. Knowles Co., be accepted and the Consulting Engineers and the Town Attorney be authorized to include these items in the contract entered into between the Town of Cheektowaga, New York and the C. E. Knowles Co. The previous award was made on the basis of \$446,385.00. The revised total contract, with the two bid items aforementioned, amounts to the sum of \$462,175.00.

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 NO
Councilman	Henry Nagel	Voting AYE

AYES: -4-

NOES: -1-

ABSENT: -0-

Item No. 9

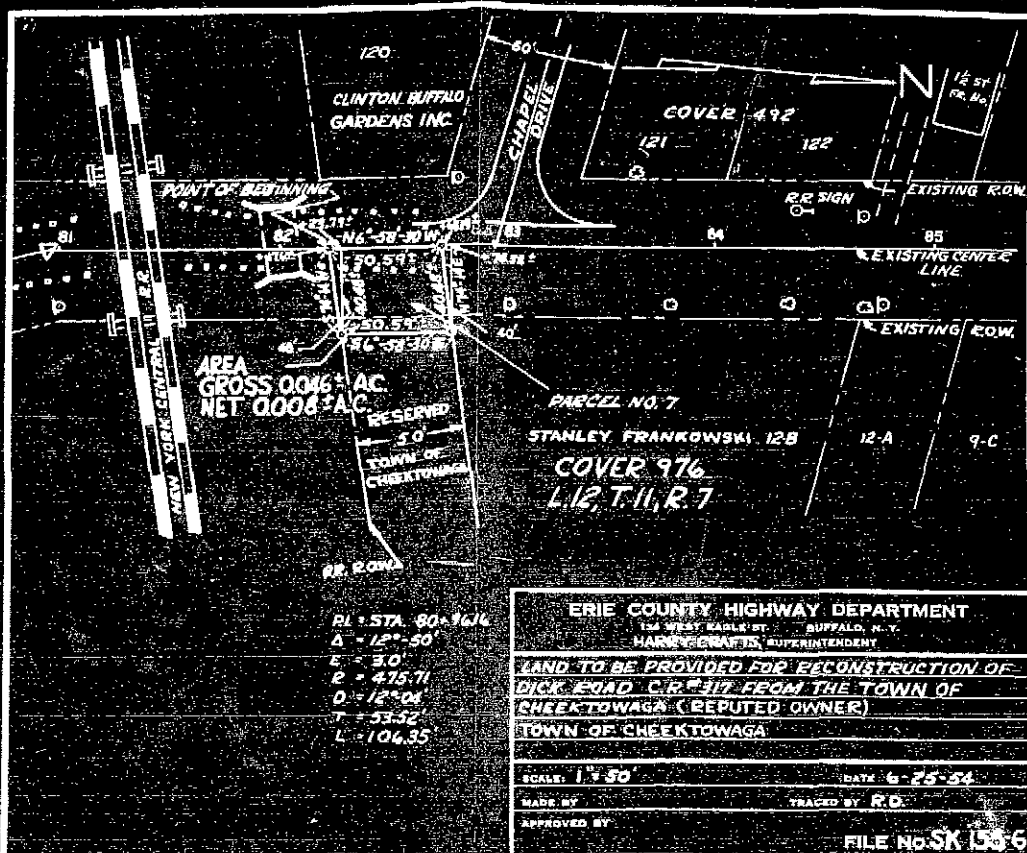
Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Town of Cheektowaga, New York, convey to the County of Erie for highway purposes a net area of 0.008 acres on Dick Road, as shown on Erie County Highway map File No. SK 155-6, and the Supervisor is authorized to execute deed to the County of said premises.

Seconded by Councilman Nagel.

CARRIED: -5-

Hereto attached is a copy of Map File No. SK 155-6.



ERIE COUNTY HIGHWAY DEPARTMENT

Land to be provided for the reconstruction of Dick Road, C. R. No. 317, from:  
Town of Cheektowaga (reputed owner)

All that piece or parcel of land known as Parcel No. 7, situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot 12, Township 11, Range 7, of the Holland Land Company's survey and also distinguished as being part of a subdivision street of a certain subdivision filed under Map Cover 976 in the Erie County Clerk's office and more particularly described as follows:

Beginning at a point of intersection between a division line dividing the lands of the Town of Cheektowaga, (reputed owner) on the north and the lands of the New York Central Railroad (reputed owner) on the south and the existing center line of Dick Road, C. R. No. 317, at Station 82+17.60 + -; thence north  $6^{\circ}58'30''$  west and on the said existing center line of Dick Road, C. R. No. 317, a distance of 50.59 + - feet to a point of intersection between a division line dividing the lands of Stanley Frankowski (reputed owner) on the north and the lands of the Town of Cheektowaga (reputed owner) on the south and the said existing center line of Dick Road, C. R. No. 317, at Station 82+68.19 + -; thence north  $74^{\circ}14'$  east and on the last mentioned division line dividing the lands of Stanley Frankowski (reputed owner) on the north and the lands of the Town of Cheektowaga (reputed owner) on the south, a distance of 40.48 + - feet to a point, said point being distant 40 feet easterly at right angles to the said existing center line of Dick Road, C. R. No. 317, at Station 82+74.38 + -; thence south  $6^{\circ}58'30''$  east and parallel to the said existing center line of Dick Road, C. R. No. 317, and 40 feet easterly therefrom, a distance of 50.59 + - feet to a point on the first mentioned division line dividing the lands of the Town of Cheektowaga (reputed owner) on the north and the lands of the New York Central Railroad (reputed owner) on the south, said point also being distant 40 feet easterly at right angles to the said existing center line of Dick Road, C. R. No. 317, at Station 82+23.79 + -; thence south  $74^{\circ}14'$  west and on the last mentioned division line dividing the lands of the Town of Cheektowaga (reputed owner) on the north and the lands of the New York Central Railroad (reputed owner) on the south, a distance of 40.48 + - feet to the point of beginning and containing a gross area of 0.046 acres more or less and a net area of 0.008 acres more or less.

SL. 155-4

June 25, 1964

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

We, the undersigned, comprising the Board of Town Trustees of the Town of Cheektowaga, New York, do hereby certify that we have designated the following Polling Places in said Town for Registration Days to be held on the 2nd day of October, 1954, from 7 A. M., and on the 9th day of October, 1954, from 1 P. M. to 10 P. M.

- Election Dist. No. 1, at Louson Road School, Louson Rd. near Union Rd.
- Election Dist. No. 2, at Bellevue Fire House, Como Park Blvd., near Bennett Road
- Election Dist. No. 3, at Cayuga Fire Hall, River Road, Depew  
(Personal Registration, October 1, 2 and 8, 10 A. M. to 10 P. M., and October 9, 7 A. M. to 10 P. M.)
- Election Dist. No. 4, at Town Hall, Broadway and Union Road
- Election Dist. No. 5, at U-Crest Fire House, Clover Place and Evergreen Street
- Election Dist. No. 6, at Chapel School Basement, Union Road, near Genesee Street
- Election Dist. No. 7, at Election Booth, Cleveland Dr. near Union Rd.
- Election Dist. No. 8, at Maryvale High School, Maryvale Drive and Union Road
- Election Dist. No. 9, at Maryvale School, Maryvale Drive at Beach Rd.
- Election Dist. No. 10, at Basement Cleveland Heights Christ Church, Union Road, near Cleveland Drive
- Election District No. 11, at Election Booth, Cleveland Drive at Power Line, near Cresthaven Dr.
- Election Dist. No. 12, at Cleveland Hill Fire House, Cleveland Drive at Merrymont Road
- Election Dist. No. 13, at Election Booth, Century Road and Kensington Avenue
- Election Dist. No. 14, at Election Booth, West Cleveland Drive and Century Rd., northwest corner
- Election Dist. No. 15, at Election Booth, Mark Lane, between Cedar Road and Kenville Rd.
- Election Dist. No. 16, at Cleveland Hill School, Mapleview Road
- Election Dist. No. 17, at Cleveland Hill School, Mapleview Road
- Election Dist. No. 18, at Election Booth, South Tiorunda Dr. and 28th Street
- Election Dist. No. 19, at Maryvale Dr. Presbyterian Church Recreation Room, Community Dr.
- Election Dist. No. 20, at Maryvale Dr. Presbyterian Church Recreation Room, Community Dr.
- Election Dist. No. 21, at Pine Hill High School, Delavan Avenue
- Election Dist. No. 22, at Pine Hill High School, Delavan Avenue
- Election Dist. No. 23, at Pine Hill Fire House, Genesee St. at Normandy
- Election Dist. No. 24, at Pine Hill Fire House, Genesee St. at Normandy
- Election Dist. No. 25, at Election Booth, Genesee Street and Geo. Urban Blvd.
- Election Dist. No. 26, at Election Booth, Grand Blvd., between Rosewood Terrace and Midland Drive
- Election Dist. No. 27, at Election Booth, Walden Terrace, near Walden Avenue and Krakus Blvd.
- Election Dist. No. 28, at School No. 10, Alexander Street
- Election Dist. No. 29, at School No. 10, Alexander Street
- Election Dist. No. 30, at Rescue Fire Hall, Pine Ridge Road and Walden Ave.
- Election Dist. No. 31, at Woodrow Wilson School, Halstead Ave., Sloan
- Election Dist. No. 32, at Woodrow Wilson School, Halstead Ave., Sloan
- Election Dist. No. 33, at St. Andrews Church Hall, Gierlach St., Sloan
- Election Dist. No. 34, at Doyle Fire House No. 2, Willowlawn and Griswold Street
- Election Dist. No. 35, at Doyle Fire House No. 1, William and Alaska St.
- Election Dist. No. 36, at Roosevelt School, William and Helen Street
- Election Dist. No. 37, at Roosevelt School, William and Helen Street

Dated: September, 1954.

BENEDICT T. HOLTZ, Supervisor  
HENRY NAGEL, Councilman  
FELIX T. WRUBLEWSKI, Councilman  
JOSEPH A. NEIBERT, Councilman  
STANLEY BYSTRAK, Councilman

s30-07

BENNETT

says that he is the

of the

Checkowaga News

Depew, Town of Cheek-

that notice of which the

aid newspaper, is a copy,

rein once a week for

insertion being on the

7th day of

1954, and that not

between any two publi-

Street

Room, Community Dr.

Room, Community Dr.

Walden Ave.

Walden Ave.

Walden Ave.

Walden Ave.

Walden Ave.

Walden Ave.

Walden Ave.

Walden Ave.

Walden Ave.

The Town Clerk then proceeded to present to the Town Board the Budget Estimates of Expenses and Revenue from the various Departments in the Town of Cheektowaga for the year 1955 for study and approval.

Copy of same hereto outlined:

OFFICE OF TOWN CLERK

Salary of Town Clerk	\$ 7,500.00
Salary of Deputy Town Clerk	3,500.00
Salary of Second Deputy Town Clerk	3,450.00
Salary of Senior Stenographer	3,200.00
Telephone Operator ( Which should be a Town charge )	3,450.00
Postage, Stationery, etc.,	2,000.00
Office Equipment	<u>300.00</u>

TOTAL ESTIMATED EXPENDITURES 23,400.00

OFFICE OF THE RECEIVER OF TAXES & ASSESSMENTS

Salary of Receiver of Taxes	7,500.00
Salary of Senior Account Clerk	3,500.00
Salary of Accounting Machine Operator	2,800.00
Compensation of Extra Clerks	3,500.00
Office Supplies	400.00
Service Contracts	<u>307.00</u>
	\$18,007.00

County Tax Collection

Postage	500.00
Daily Records	40.00
Tax Notices	40.00
Binding Daily Records	20.00
Envelopes	<u>140.00</u>
	740.00

School Tax Collection

Tax Bills ( Various School Districts )	450.00
Daily Records	40.00
Tax Notices	40.00
Envelopes	140.00
Postage	475.00
Binding Daily Records	<u>20.00</u>
	1,165.00

Equipment

Post Index System	1,120.00
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TOTAL ESTIMATED EXPENDITURES \$21,032.00

OFFICE OF THE BOARD OF ASSESSORS

Salary of Assessors:	
Chairman	5,000.00
2 Assessors @ \$4,300 each	8,600.00
Salary-Addressograph Operator	3,300.00
Salary-Stenographer	3,100.00
Salary-Senior Clerk-Special Assessments	3,550.00
Salary of Clerk to Assessors	4,100.00
Salary of Draftsman	2,050.00
Extra Clerks-Special Assessments	800.00
Office Expense	700.00
Traveling Expense	600.00
Equipment	2,000.00
Handyman	<u>1,800.00</u>
TOTAL ESTIMATED EXPENDITURES	35,600.00

OFFICE OF THE JUSTICE OF THE PEACE

Salary of Justices: 2 @ \$5,200.00 each	\$	10,400.00	
Dockets, postage, legal forms, etc.,		500.00	
Stenographic Services		300.00	
Jurors' Fees		200.00	
Equipment		600.00	
		<u>        </u>	
			\$ 12,000.00

TOTAL ESTIMATED EXPENDITURES

\$ 12,000.00

POLICE DEPARTMENT

Town Police Force-Salaries	206,700.00	
Telephone Operators-Salaries	16,000.00	
Mechanic Salary	4,000.00	
Town Police Force-Uniforms	4,800.00	
Gasoline & Oil	9,000.00	
Maintenance- Cars & Cycles	5,000.00	
Printing & Stationery	500.00	
Materials & Supplies	1,000.00	
Purchase of Motor Equipment	12,000.00	
Purchase of Equipment-Office	250.00	
Medical Examinations	500.00	
Special Traffic Guards	75.00	
Special Investigations	200.00	
Radio Station:		
Maintenance	1,500.00	
New Equipment	4,200.00	
Travelling Expense	500.00	
Fees in Criminal proceedings	100.00	
Town Lock-Up:		
Meals to prisoners	500.00	
Services of Matron	1,100.00	
	<u>        </u>	
		\$267,925.00

TOTAL ESTIMATED EXPENDITURES

\$267,925.00

ESTIMATE OF GENERAL FUND BUDGET ITEMS

ESTIMATED EXPENDITURES

TOWN BOARD

Salaries of Councilmen (4)	14,400.00	
Salary of Town Attorney	8,500.00	
Senior Stenographer	2,800.00	
Printing briefs, cost of litigation and expense of Town Attorney	1,000.00	
Print and Publishing Reports	800.00	
Office and other expense of Councilmen	1,000.00	28,500.00
	<u>        </u>	

CONTINGENT FUND

Extraordinary legal actions, expenses in legislative matters and other special and professional services		25,000.00
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ADVERTISING AND PUBLISHING NOTICES

3,000.00

SUPERVISOR

Salary of Supervisor	7,500.00	
Salary of Secretary to Supervisor	4,000.00	
Senior Stenographer	3,000.00	
Payroll Clerk	3,200.00	
Office and other expense	1,800.00	19,500.00
	<u>        </u>	

ELECTIONS

Compensation of election inspectors	\$ 10,212.00	
Rental of Polling Places	2,000.00	
Moving Booths, etc.,	<u>5,000.00</u>	\$ 17,212.00

TOWN HOUSE

Electricity, gas & water	4,000.00	
Telephone	6,000.00	
Supplies	3,000.00	
Purchase of equipment-Station Wagon for general Town use	2,200.00	
Repairs	2,000.00	
Cleaning Wages	7,300.00	
Window Cleaning	<u>1,000.00</u>	25,500.00

TRAFFIC REGULATION EXPENSE

School Crossing Guards	21,600.00	
Traffic signal lights	10,200.00	
Street marking & paint	4,500.00	
Traffic signs	<u>1,500.00</u>	37,800.00

INSURANCE AND SURETY BONDS

43,000.00

DOG WARDENS

Salaries (2)	5,900.00	
Other expense	<u>800.00</u>	6,700.00

ATTENDANCE OFFICERS

Salaries (2)	2,800.00	
Supplies	<u>100.00</u>	2,900.00

MISCELLANEOUS REPAIRS & MINOR IMPROVEMENTS

Sidewalks and other repairs and minor improvements	7,500.00	
Veteran Monument-Town Hall Grounds	<u>2,500.00</u>	10,000.00

CONTRIBUTION TO NEW YORK STATE RETIREMENT SYSTEM

For Policemen	15,098.00	
For other Town Employees	<u>41,699.00</u>	56,797.00

DEPARTMENT OF PUBLIC WORKS

Miscellaneous Functions:		
General Foreman	4,200.00	
Principal Clerk	4,100.00	
Maintenance (2)	7,200.00	
Supplies	<u>200.00</u>	15,700.00

SHADE TREE FUND

10,000.00

ZONING BOARD OF APPEALS

Fees of members		2,000.00
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INTEREST ON TEMPORARY LOANS

500.00

REIMBURSEMENT OF ERIE COUNTY TREASURER

Current chargebacks for erroneous taxes	775.28	
Chargebacks relating to Thruway	34,901.32	
Amortized portion of prior chargebacks relating to cemetery property	<u>16,345.18</u>	52,021.78

VETERANS OBSERVANCE

800.00

MISCELLANEOUS

Including expense in connection with paying bonds, coupons, fire wardens, etc.		4,000.00
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PROVISION FOR CIVIL DEFENSE AID

3,000.00

PAYMENT OF NOTE AND INTEREST

Damage Claim		2,486.10
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GENERAL TOWN BONDED DEBT

Principal due in 1955	17,000.00	
Interest due in 1955	<u>3,474.50</u>	20,474.50

TOTAL ESTIMATED EXPENDITURES

\$386,891.38



**LESS: ESTIMATED REVENUE AND REDISTRIBUTED CHARGES**Revenue other than taxes levied:

Fees of Town Officers	\$ 3,000.00
Mortgage Tax	10,000.00
Dog Tax	5,000.00
Licenses, permits, etc.,	13,000.00
Fines	5,000.00
Per capita assistance for the support of local government	<u>161,006.70</u>
	197,006.70

## Redistributed Charges:

## Chargebacks by Erie County

## Treasurer-Payable by:

Town Health Fund	\$ 3.19
Highway Fund	2,032.14
Lighting District	976.14
Water Hydrant Districts	667.97
Consolidated Garbage Dist.	2,841.68
Sewer Districts	33,735.46
Storm Sewer Dist. No. 2	9,229.06

## Payments from Consolidated Garbage

## District for:

Incineration	55,000.00
Services of Foreman	2,100.00
Services of Clerk	2,050.00

## Payment from Sewer Districts for

## services of Town Attorney

Sewer District No. 3	500.00
Sewer District No. 5	1,000.00

## Payment from Sewer Districts

## for services of Engineer

District No. 3	1,000.00
District No. 5	<u>3,000.00</u>

114,135.64  
311,142.34

Estimated surplus at December 31, 1954

60,000.00

**TOTAL OF ESTIMATED REVENUE AND REDISTRIBUTED CHARGES  
 AVAILABLE FOR GENERAL TOWN PURPOSES IN 1955**

**\$371,142.34**RECREATION

Salary-Park and Recreational Director	3,800.00
Secretary to Board	850.00
Extra Labor	9,600.00
Supplies	4,000.00
Umpire and Referees	3,000.00
Purchase of Equipment	3,500.00
Maintenance of parks, etc	6,000.00
Traveling expense	600.00
Playground supervisors	4,700.00
Equipment Operators	7,600.00
Real estate taxes	<u>4,600.00</u>
	48,250.00

## TOTAL

Less: Estimated State Aid

4,206.75

**TOTAL ESTIMATED EXPENDITURES FOR  
 1955**

44,043.25

TOWN HEALTH FUND

Salary of Health Officer	4,000.00
Expense of Health Officer	850.00
Erie County Chargebacks	3.19
Estimated 1954 deficit	350.00

REGISTRAR OF VITAL STATISTICS

Fees

TOTAL ESTIMATED EXPENDITURES

125.00  
 5,328.19

TOWN HISTORIAN

Maps, records, supplies, etc.,

TOTAL ESTIMATED EXPENDITURES

1,200.00  
 1,200.00

BUDGET ESTIMATES FOR SPECIAL DISTRICTS

225

SPREADING COSTS ON AD VALOREM BASIS

	<u>SERVICE</u>	<u>ESTIMATED SURPLUS DEFICIT 12-31-54</u>	<u>ERIE COUNTY CHARGEBACKS</u>	<u>TOTAL</u>
<u>WATER HYDRANT DISTRICTS</u>				
District No. 1 - Doyle	\$ 8,973.50	\$ 181.20	\$ 53.46	\$ 9,208.16
District No. 2 - Walden	3,767.50	336.75	1.32	3,432.07
District No. 3 - Forks	2,740.00	137.00	20.07	2,623.07
District No. 4 - U-Crest	10,823.00	68.40	268.50	11,023.10
District No. 5 - Pine Hill	5,822.50	102.70	106.41	5,826.21
District No. 6 - Cleveland Hill	15,412.50	256.79	218.21	15,373.92
District No. 7 - French Road	1,507.00	-0-	-0-	1,507.00
District No. 8 - Hyland Road	342.50	-0-	-0-	342.50
District No. 10 - Bellevue	1,370.00	450.91	-0-	919.09
	<u>\$50,758.50</u>	<u>\$1,171.35</u>	<u>\$667.97</u>	<u>\$50,255.12</u>
		<u>AMOUNT TO BE ASSESSED</u>		<u>\$50,255.12</u>

NOTE: District No. 4 includes a charge for rental of ten water hydrants to be spread against property in Peinkofer Extension.

GENERAL LIGHTING DISTRICT

Estimated cost of service	\$105,500.00	
Repairs to standards, etc.	5,000.00	
Erie County chargebacks - Thruway	782.00	
Erie County chargebacks - Current	20.24	
Erie County chargebacks - Cemeteries	173.90	\$111,476.14
Less: Amount due from Village of Sloan	\$ 300.00	
Estimated surplus as of December 31, 1954	6,000.00	6,300.00
	<u>AMOUNT TO BE ASSESSED</u>	
		<u>\$105,176.14</u>

WATER SUPPLY DISTRICTS

<u>Borden Road:</u>		
Bond principal and interest due in 1955	\$ 3,776.00	
Estimated deficit December 31, 1954	<u>1,000.00</u>	\$ 4,776.00
<u>Como Park Extension:</u>		
Bond principal and interest due in 1955		2,750.00
<u>Strasmer Road Extension:</u>		
Bond principal and interest due in 1955		1,375.00
		<u>\$ 8,901.00</u>
	<u>TOTAL TO BE ASSESSED FOR THE THREE DISTRICTS</u>	

FIRE PROTECTION DISTRICTS

<u>District No. 1 - Bownansville</u>		
Estimated payment to outside district for protection		\$ 741.33
<u>District No. 2 - Tio-run-da</u>		
Payment to Cleveland Hill Fire District		
For protection service	\$4,500.00	
For hydrant rental	<u>2,466.00</u>	
	\$6,966.00	
Less: Estimated surplus as of December 31, 1954	<u>500.00</u>	6,466.00
<u>District No. 3 - South Line Volunteer Fire Co.</u>		
For fire protection service		1,800.00
		<u>\$ 9,007.33</u>
	<u>TOTAL TO BE ASSESSED FOR THE THREE DISTRICTS</u>	

ASSESSMENTS OMITTED FROM 1953 ROLLS

FIRE DISTRICT NO. 1

Book 1 - Edward T. Kruszczyński - Cayuga Creek Road (2.4 acres) \$ 16.92

WATER HYDRANT DISTRICT No. 3

Book 1 - Thomas P. Geddes - Grunner Road - (4.2 acres) 2.46

CONSOLIDATED GARBAGE DISTRICT

Book 1 - Victor Reinstein (.76 acres)

TOTAL \$ 33.02  
52.40

FIRE DISTRICTS

Doyle Fire Dist. No. 1	\$21,053.40
Walden No. 2	18,170.00
Forks No. 3	9,916.92
u-Crest No. 4	14,852.35
Pine Hill No. 5	25,600.00
Cleveland Hill No. 6	13,124.79
Urban No. 8	1,025.00

INCINERATOR DEPARTMENT

Purchase of new truck	1,500.00
Salary of Superintendent	4,400.00
Wages of Operators	31,000.00
Extra labor	3,600.00
Supplies	3,000.00
Power, gas and water	3,000.00
Repairs to building	1,500.00
Furnace repairs	3,000.00
Repair Elevator	6,356.00
Maintenance	960.00
<b>TOTAL ESTIMATED EXPENDITURES</b>	<b>48,816.00</b>

ENGINEERING DEPARTMENT

Engineers' Salary	5,100.00
Senior Engineering Aid ( Part Time )	4,000.00
Draftsman	2,050.00
Jr. Engineering Aides	8,200.00
Rodman (Summer Only)	1,000.00
Stenographic Services	3,100.00
Supplies	1,000.00
Gasoline and Oil	500.00
<b>TOTAL ESTIMATED EXPENDITURES</b>	<b>24,950.00</b>

BUILDING AND PLUMBING DEPARTMENT

Building and Plumbing Inspectors Salary	5,000.00
Assistant Building Inspector's Salary	4,700.00
Stenographic Services	2,800.00
Office Supplies and Expense	2,100.00
Use of personal auto for official duties	1,000.00
<b>TOTAL ESTIMATED EXPENDITURES FOR 1955</b>	<b>15,600.00</b>

GARBAGE DISTRICTS

Incinerator - Plant payment	45,000.00
Sanitation helpers	85,558.20
Sanitation drivers	29,611.40
Mechanic	4,350.00
Repair parts, tires, gasoline, oil tools, etc.	26,000.00
Disposal site	2,000.00
One extra helper	4,074.20
Office expense	200.00
Erie County chargebacks	1,900.00
Services of general foreman	4,300.00
Services of principal clerk	4,200.00
Miscellaneous and sick leave	3,000.00
4 extra men 90 days each, for vacation time	5,641.20
Payment of capital note and interest	
<b>TOTAL ESTIMATED EXPENDITURES</b>	<b>215,835.00</b>

Item No. 10 Cont'd

HIGHWAY DEPARTMENT

Primary FUND ITEM NO 1

LABOR	5,200.00	5% increase
Road Oil	68,200.00	
Stone gravel and cement	22,000.00	
Gasoline, oil and grease	22,500.00	
Ready Mix Coldpatch	6,000.00	
Culvert and Sluice pipe	20,000.00	
Hire of Machinery	2,000.00	
Erie County Chargebacks - Current	3,000.00	
Erie County Chargebacks - Cemeteries	27.13	
Erie County Chargebacks - Thruway	123.00	
	1188 .29	
	<u>149,050 .13</u>	
Less: Estimated State Aid	2,500.00	
	<u>TOTAL</u>	\$147,739.42

BRIDGE FUND ITEM NO 2

Bridge Work	1,000.00	
Bond Principal and interest due in 1955	3,243.00	
Concrete culvert under French Road in the Village of Depew	<u>3,500.00</u>	7,743.00

MACHINERY FUND - ITEM NO. 3

Mechanic and extra Labor	5,000.00	
Tires, tubes & repairs	10,000.00	
Repayment of Capital Notes & Interest	11,240.00	
Down Payment on Machinery	<u>13,000.00</u>	39,240.00

MISCELLANEOUS FUND-ITEM NO. 4

Salary-Superintendent of Highways	6,500.00	
Salary-Principal Clerk	4,500.00	
Snow Removal	10,000.00	
Miscellaneous Labor	18,000.00	
Weed Cutting	600.00	
Snow Fence-Setting & Removing	1,000.00	
Fuel for Heating Plant	1,000.00	
Gasoline & Oil	2,000.00	
Purchase of signs, paint and repair	1,500.00	
Salt & Sand	2,000.00	
Transportation expenses	400.00	
Erie County chargebacks-Current	19.13	
Erie County chargebacks-Cemeteries	24.60	
Erie County chargebacks-Thruway	649.99	
Repair to curbs	1,000.00	
Cleaning Ditches	<u>10,000.00</u>	
	<u>57,593.73</u>	
Less: Revenue (estimated) from County	<u>2,500.00</u>	
		<u>65,743.72</u>

TOTAL FOR ALL HIGHWAY FUNDS

\$260,466.14

Councilman Nagel moved, seconded by Councilman Bystrak, that the Budget Estimates, as submitted by the various departments, be referred to the Town Board for further study.

CARRIED: AYES: -5-

Item No. 11 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit, be approved, and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same.  
( Warrant No. 1886 to Warrant No. 1929, inclusive, drawn on the Supervisor ).

Item No. 12 Councilman Nagel moved, seconded by Councilman Bystrak, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk