

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 2nd day of July, 1956, at 2:30 o'clock P.M., E.D.S.T., there were:

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

ABSENT: Benedict T. Holtz-Supervisor

Without any objections Councilman Wroblewski was designated to act as Chairman for this meeting due to the absence of Supervisor Holtz.

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

Item No. 3 Notice of Public Hearing Petition of the New York Central Railroad Company to discontinue and close the grade crossing of its Main Line Tracks at Dick Road in the Town, ordered received and filed.

Dr. Victor Reinstein was granted the floor and protested vigorously against the proposed closing of the Dick Road Crossing and recommended that the Town Attorney appear at the public hearing on July 19, 1956, at 10:00 A.M., in the interest of the Taxpayers of the Town of Cheektowaga, New York.

17
31

Item No. 4 Petition for street lighting equipment in Vern Lane, ordered referred to Assessors for a property check.

17
27

Item No. 5 Petition for the Extension of Sewer District No. 4 presented by Mr. Gentile, ordered referred to the Assessors for a property check.

17
24

Item No. 6 Petition for a lateral sanitary sewer in Yvonne Avenue and Crestview Avenue and Kuhn Road, ordered referred to the Assessors for a property check.

17
24

Item No. 7 Communication read from Lieut. Kostrzewski of the Cheektowaga Police relating to Parking Congestion of Marsdale Road between Cleveland Drive and Woodcliffe Avenue. Ordered referred to the Town Board.

16
41

Item No. 8 Complaint in regard to motorists ignoring the traffic signal light at the intersection of Kensington Avenue and Kenview Blvd., ordered referred to the Police Department for investigation.

18

Item No. 9 At the request of Councilman Wroblewski the Town Clerk was authorized to communicate with the Buffalo Transit Company to have a representative present at the next regular Town Board meeting.

10
42

Item No. 10 Request for a Bow and Arrow Range to be located in the rear of No. , was ordered referred to the Chief of Police for investigation.

18

Item No. 11 The request of the Town Clerk for the construction of five (5) additional voting booths was ordered tabled for study and investigation.

11

Item No. 12 On a motion of Councilman Kornecki, seconded by Councilman Trojanosky, the request of Patrolman H.J. Kuehlewind to attend a meeting in Albany, New York, on July 9, 1956, was granted.

31

Item No. 13 Councilman Trojanosky moved, seconded by Councilman Kornecki, that the request of Chief of Police John Mersmann to attend the Annual New York State Association of Chief of Police Conference at Elmira, New York, on July 23, 1956 to 26th, inclusive, be granted.

18
42

19 Item No. 14 Application of Francis Nickel to rezone from Residential to Second Industrial Zone premises located on Clinton Street, ordered referred to the Zoning Board of Appeals.

19 Item No. 15 Application of Donald A. Lischer to rezone from Residential District to Business District premises located on the west side of Union Road near Walden Avenue Extension, ordered referred to the Zoning Board of Appeals.

42 Item No. 16 At the request of Councilman Kornecki, Mr Peter Yeager advised the Board that Parker Street will be cut through in the very near future.

Item No. 17 This being the time and the place advertised for a public hearing on the proposed ordinance to be known as FIRE PREVENTION CODE, in and for the Town of Cheektowaga, Erie County, New York.

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

The Chairman announced that the Town Board would hear all persons interested in the subject of the hearing, and the following named persons spoke in favor thereof:

Albert Forrestt No. , Chairman of the Town Fire Chiefs Association and Mr. Nat Hawes, Manager of J.C. Penny and Company, Thruway Plaza.

No one appeared in opposition.

40 At the request of the Chairman the decision was reserved.

Item No. 18 The following resolution was offered by Councilman Bystrak, who moved its adoption, seconded by Councilman Neibert, to wit:

WHEREAS, this Town Board deems it advisable to submit to the duly qualified electors of the Town of Cheektowaga a proposition to increase the term of office of the Town Highway Superintendent to four years.

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

Section 1. A special election shall be held of the duly qualified electors of the Town of Cheektowaga, New York, to be held each of the regular voting districts at the voting places provided therein in said Town on the 6th day of November, 1956 for the purpose of approving or rejecting the proposition hereinafter described:

The Polls in said election will be kept open between the hours of 6 o'clock A.M. and 9 P.M., which are the hours provided by the Board of Elections for the general election to be held on that day. Said proposition to appear on the voting machines as set up. Said proposition is as follows:

PROPOSITION

Shall the term of office of the Town Highway Superintendent be increased to four year?

Section 2. The Town Clerk of said Town is hereby ordered and directed to give notice of such election by publication thereof in the Depew Herald-Cheektowaga News and the Cheektowaga Sun, newspapers having a general circulation in the Town, the first publication to be at least ten days prior to the date of said special election and by posting in at least five conspicuous places in said Town copies of such notice at least ten days before such special election, which notice shall be in substantially the following form:

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, County of Erie, State of New York, has adopted a resolution calling a special election of qualified electors of said Town to be held at the regular polling places in each of the election districts in said Town on November 6, 1956, at which the polls will be kept open to receive ballots between the hours of 6 o'clock A.M., and 9 o'clock P.M., on the question of approving or rejecting the following proposition:

PROPOSITION

Shall the term of office of the Town Highway Superintendent be increased to four years ?

All qualified electors of the Town of Cheektowaga, New York, shall be qualified to vote at said special election.

Dated: Cheektowaga, New York

July 2, 1956.

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

BY: Kenneth T. Hanley, Town Clerk.

Section 3. This resolution shall take effect immediately. The question of adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

Councilman Nagel	Voting AYE
Councilman Wroblewski	" "
Councilman Kornecki	" "
Councilman Trojanosky	" "
Councilman Neibert	" "
Councilman Bystrak	" "

The resolution was thereupon declared duly adopted.

AYES: -6-

NOES: -0-

ABSENT: -1-

11
13

The above notice will be posted and published as required by law.

Item No. 19

adoption:

WHEREAS, emergency sewer repairs were required on Wanda Street and were ordered by the Town Engineer and,

WHEREAS, the cost of the work and material amounted to \$392.28 to install a new line in connection with existing manholes, and

WHEREAS, the cost of work and material in the amount of \$540.64 to repair three (3) breaks in the sanitary lines in front of 59 and 65 Wanda Street, be it

RESOLVED, that the vouchers of Straco Inc., in the amounts of \$392.28 and \$540.64 to do the work and furnish the material be approved and ordered paid.

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

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

6
24

Item No. 20
its adoption:

Councilman Kornecki presented the following resolution and moved

WHEREAS, emergency sewer repairs were required on Buell Avenue and were ordered by the Town Engineer and

WHEREAS, the cost of the work and material amounted to \$359.32, be it

RESOLVED that the voucher of Straco Inc., in the amount of \$359.32 to do the work and furnish the material be approved and ordered paid.

Seconded by Councilman Trojanosky. CARRIED: AYES: -6- ABSENT: -1-

6
24

15
35
Item No. 21 Councilman Wroblewski moved, seconded by Councilman Trojanosky that the Town Clerk be authorized and directed to issue building permits on applications processed by the Petitions Committee on June 23 and June 30, 1956, after same have been approved by the Building Inspector. CARRIED: AYES: -6- ABSENT: -1-

9
41
Item No. 22 Councilman Bystrak moved, seconded by Councilman Neibert that the Town Clerk be authorized and directed to secure from the Erie County Highway Department permission to erect pedestrian signal light at the intersection of Cleveland Drive and Charnwood Drive, Town of Cheektowaga, New York.

30
Item No. 22A Councilman Neibert moved, seconded by Councilman Trojanosky, that the Subdivision Map of McNaughton Park Part 2 Part of Lot 24 T 11 R 7 prepared by Herthe and Sonnenberger, Engineers be approved and filed in the Assessors office.

31
20
Item No. 23 Councilman Bystrak moved, seconded by Councilman Neibert, that Stanley Bogdan be provisionally appointed Disposal Plant Operator at Sewer District No. 5 at a salary of \$4,200.00 per year.

31
20
Item No. 24 Councilman Bystrak moved, seconded by Councilman Kornecki, that Victor Drajem be appointed Temporary Engineer Assistant at a salary of \$1.50 per hour.

31
20
Item No. 25 Councilman Neibert moved, seconded by Councilman Trojanosky, that Patricia Weiss be appointed part time assistant Supervisor for the recreation Department at a salary of \$1.44 per hour.

27
Item No. 26 Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS a street lighting standard situate on Donald Drive and Genesee Street in the Town of Cheektowaga was struck and knocked down by a tractor owned by the Anchor Motor Freight 2100 Norwood Avenue, Norwood Ohio, and driven by James M. Reddle of Gart Lane, Olive Branch Ohio, and which light must be replaced, be it RESOLVED, that the New York State Electric and Gas Corporation be authorized to make the necessary replacement and installment and that the Anchor Motor Freight 2100 Norwood Avenue, Norwood Ohio be enjoined to the payment thereof.

Seconded by Councilman Neibert.

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

Item No. 27 Councilman Wroblewski moved, seconded by Councilman Kornecki that the attached request of the Cleveland Hill Fire District No. 6, Town of Cheektowaga, for the installation of fire hydrants be granted.

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

- 22
28.
- #1 On Ellen Drive at Montford Drive
 - #2 At approximately #280 Ellen Drive
 - #3 On Ellen Drive approximately 600 feet east of house #280
 - #4 On Ellen Drive at Cayuga Road
 - #5 North of Esso Gas Station on Cayuga Road at Cleveland Drive
 - #6 At approximately #118 Susan Lane
 - #7 At approximately # 35 Hillside Avenue
 - #8 On Huth Road, between Birkdale and Delray
 - #9 On Mapleview Dr. approximately 600 feet east of Birkdale Avenue..
 - #10 White Rd. and Ellen Dr.
 - #11 At approximately #21 White Road
 - #12 On Homesgarth Avenue near end of street
 - #13 On Seton Road 100 feet east of present hydrant at Woodbridge and Seton Road
 - #14 At Seton Road and Rosary Dr.
 - #15 At Sugnet Rd and Aurora Dr.
 - #16 On the extension of Marrymont Rd. off Gilmore near the property line of the North Cleveland Hill School.

Item No. 28 Also present at this meeting were:

140

Town Clerk Kenneth T. Hanley; Employee of the Town Attorneys Office Thomas E. Delahunt; Town Engineer A.J. Kamm; Receiver of Taxes & Assessments Edward H. Pfohl and General Foreman John Eberl.

Item No. 29 Councilman Korneck 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. 1667 to No. 1775 inclusive, drawn on the Supervisor.) 6

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

SEAL

Kenneth T. Hanley, Town Clerk.

Kenneth T. Hanley

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 11th day of July, 1956, at 5:30 o'clock P.M., E.D.S.T., there were:

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

Also present were: Town Clerk Kenneth T. Hanley; Assistant to the Town Attorney Thomas E. Delahunt; Highway Superintendent John J. Zablotny and Town Engineer Albert J. Kamm.

Item No. 2 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Public Service Commission has issued a notice that a public hearing will be held at 65 Court Street, Buffalo, New York, on Thursday July 19, 1956 at 10 A.M., E.D.S.T., to discuss the proposed closing of the Dick Road, Cheektowaga, New York, crossing by the New York Central Railroad Company, and

WHEREAS, the notice of this hearing was recently brought to the attention of the Cheektowaga Town Board at its regularly scheduled meeting on July 2, 1956, and

WHEREAS, the Town Board has had insufficient time to analyze and study the possible serious consequences of the outcome of this proposed hearing in a matter which vitally affects the safety and convenience of all the citizens in this rapidly expanding area, together with the possible serious impairment of proper and efficient fire and police protection for all the people and business concerns in the area, and also the possible serious interference with the proper convenient flow of business and industrial traffic to and from the many vast concerns located in the vicinity, and

WHEREAS, the Cheektowaga Town Attorney is in a local hospital recuperating from a serious operation, and will be so confined at the time of the proposed hearing, and

WHEREAS, the Supervisor of the Town of Cheektowaga and the Assistant Town Attorney have a scheduled meeting on important town matters with the New York State Comptroller in Albany, New York, at 11 A.M. Thursday July 19, 1956, the date of the proposed hearing, and

WHEREAS, the Town Board is of the unanimous opinion that it is to the best interests of all concerned that the proposed public hearing be postponed a reasonable length time to allow for proper study and an intelligent presentation of views on the matter, realizing that no party will be harmed by the postponement of the hearing.

BE IT RESOLVED, that the Cheektowaga Town Clerk be and he hereby is authorized to contact Alton G. Marshall, Secretary, Public Service Commission, Albany, New York, by Western Union and inform him of the contents of this resolution and to send to Mr. Marshall by registered mail a certified copy of this resolution requesting a postponement of the public hearing scheduled to be held at No. 65 Court Street, Buffalo, New York, on Thursday July 19, 1956, at 10 A.M., concerning the closing of the Dick Road, Cheektowaga, New York, crossing by the New York Central Railroad Company and that the Town Clerk request the Public Service Commission to advise the Cheektowaga Town Board of the outcome of the request for postponement as soon as conveniently possible and that the public service commission be requested to subsequently advise the Cheektowaga Town Board concerning the time and place of the postponed public hearing, if and when the same is granted, and be it further

RESOLVED, that Russell A. Tryon, the Cheektowaga Town Planning Consultant be and he hereby is authorized and directed to make an exhaustive study of the proposed closing of the Dick Road, Cheektowaga, New York, crossing by the New York Central Railroad Company and to report his findings and recommendations to the Cheektowaga Town Board.

Seconded by Councilman Kornecki and duly put to a vote which resulted as follows: CARRIED: AYES: -7-.

27
Item No. 3 Councilman Bystrak moved seconded by Councilman Neibert that the New York State Gas & Electric Corporation be authorized and directed to place on pole on the north side of Rosedale Avenue 100 feet east of Union Road one 2500 lumen street light.
CARRIED: AYES: -7-

31
Item No. 4 Councilman Trojanosky presented the following resolution and moved its adoption:

RESOLVED, that in accordance with the Sick Leave Ordinance of the Town of Cheektowaga that John Buczynski an employee in the Highway Department be granted Sick Leave for the period July 6th thru July 11th, 1956.

Seconded by Councilman Wroblewski..

CARRIED: AYES: -7-

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

WHEREAS, two (2) Numbering Heads for the Addressograph Machine are needed immediately for use in the Assessors Office to print the rolls for this year, and

WHEREAS, the total cost of these two machines will be approximately \$426.00, be it

RESOLVED, that the Supervisor be authorized to enter into a contract for the purchase of two Numbering Heads for the Addressograph Machine at a cost not to exceed \$450.00.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -7-

32
Item No. 6 Councilman Nagel moved, seconded by Councilman Bystrak, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk

Kenneth T. Hanley

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 16th day of July, 1956, at 7:30 o'clock, P.M., E.D.S.T., there were:

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

ABSENT: Benedict T. Holtz Supervisor

Also present were: Town Clerk Kenneth T. Hanley and Assistant Town Attorney Thomas E. Delahunt.

Due to the absence of Supervisor Holtz, Councilman Wroblewski was designated to act as Chairman for this meeting.

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

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

WHEREAS it is necessary for all people boarding Buffalo bound buses at the intersection of Broadway and Wagner Street in the Village of Sloan, New York, to cross Broadway, and

WHEREAS, an unlimited number of people use this bus service with a majority doing so at the peak automobile traffic hours from 7 A.M. to 10 A.M. and 4 P.M. to 7 P.M., and

WHEREAS, there is no traffic signal of any kind at or near this intersection, which facts have resulted in the creation of an extremely dangerous and hazardous condition and which makes it practically impossible, especially for older people and youngsters to cross this busy main road with any degree of safety.

BE IT RESOLVED, that the Town Clerk be and he hereby is authorized and directed to seek authorization and permission from the New York State Traffic Commission for the Town of Cheektowaga, New York, to install a pedestrian traffic signal at the junction of Broadway and Wagner Street in the Village of Sloan, New York, and be it further

RESOLVED that a copy of this resolution be forwarded to the State Traffic Commission at Albany New York.

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

Councilman Joseph A. Neibert	Voting	AYE
Councilman Henry J. Nagel	"	"
Councilman Felix T. Wroblewski	"	"
Councilman Stanley R. Bystrak	"	"
Councilman Joseph Kornecki	"	"
Councilman Joseph Trojanosky	"	"

AYES: -6-

NOES: -0-

ABSENT: -1-

8
41

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

WHEREAS many requests have been made by the Town of Cheektowaga from employees of the Town, requesting the Town to deduct \$2.00 per month from their wages to be paid directly by the Town to their respective Unions and Union Dues,

BE IT RESOLVED that the Fiscal Officer of the Town of Cheektowaga be and hereby is authorized to deduct \$2.00 per month from the pay of any Town employee only after an employee has filed a written request with the Town Fiscal Officer authorizing the deduction and designating the payee of such funds.

Seconded by Councilman Kornecki. **CARRIED: AYES:** -6-
ABSENT: -1-

31
20

Item No. 5 Councilman Trojanosky moved, seconded by Councilman Wroblewski, that the Town Clerk be authorized and directed to issue building permits on applications processed by the Petitions Committee on July 7th and 14th 1956, after same have been approved by the Building Inspector.

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

15
35

(Installation of Curbs together with the installation of receivers and necessary underground drains)

NOTICE OF HEARING

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in the said Town of Cheektowaga, New York, on the 16th day of July, 1956, at 7:30 o'clock p.m., Eastern Daylight Saving Time, there were

PRESENT:

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

ABSENT:

Benedict T. Holtz, Supervisor
Councilman Kornecki 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, commencing at William Street, running north to Stradtman a distance of approximately 2449 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 highway proposed to be improved, and

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of \$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 of Cheektowaga on the 6th day of August, 1956, 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 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 Sun and the Depew Herald and Cheektowaga News, newspapers having a general circulation in the township, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that 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.

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

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

Aye
Councilman Bystrak, voting Aye
Councilman Kornecki, voting Aye
Councilman Trojanosky, voting Aye
Ayes: 6—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 July, 1956, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 16th day of July, 1956.

(Seal)

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

jy19

Posted as follows on the 20th day of July, 1956:

- 1- Telephone Pole at the corner of Mansion and William Street
- 2- Telephone Pole No. 1 on Mansion Street
- 3- Telephone Pole No. 46 on Mansion Street
- 4- Telephone Pole No. 78 on Mansion Street
- 5- Telephone Pole No. 9 on Mansion Street

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

17
29A

STATE OF NEW YORK
COUNTY OF ERIE

vs:

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

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, did meet on the 2nd day of July, 1956, at the Town Hall in the Town of Cheektowaga, New York, for the purpose of

Town Board decided that was in the public interest adopt a Fire Prevention Code to provide as follows:

FIRE PREVENTION CODE

ARTICLE 1

GENERAL PROVISIONS

in said Code, and the same shall be read and approved at the Town Hall, Cheektowaga, Erie County, New York, on the 13th day of July, 1956.

EDMOND, JULY 13, 1956

ROBERT A.

being duly sworn, deposes and says that

PUBLISHER

of

The Cheektowaga Sun

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

one

week, the first insertion being on the

18th

day of July

1956

.....

.....

.....

.....

Robert A. Neumann

Sworn to before me this 24th day of

July, 1956

Kenneth M. Hardy

Notary Public in and for Erie County

towaga, Erie County, New York, shall at the Town Hall, corner of Union Road and Broadway, in said Town of Cheektowaga on the 6th day of August, 1936 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 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 Sun and the Depew Herald and Cheektowaga News, newspapers having a general circulation in the township, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that 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.

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

Councilman Hubert, voting aye; Councilman Nagel, voting aye; Councilman Wroblewski, voting aye; Councilman Bystrak, voting aye; Councilman Kordecki, voting aye; Councilman Trojanoski, voting aye. Ayes: 6; Noes: 0; Absent: 1.

STATE OF NEW YORK
ERIE COUNTY

Office of the Clerk of the Town of Cheektowaga

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution and order and find it to be a true and correct copy of the original resolution and order.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this day of July 16, 1936.

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

Item No. 6-Contd

t-Mansion Street Improvement

STATE OF NEW YORK
COUNTY OF ERIE

... Erie County, New York, shall at the Town Hall, in the Town of Cheektowaga, New York, on the 18th day of July, 1936 at 7:30 o'clock P.M., Eastern Daylight Saving Time,

Joseph A. Mc... Councilman; Henry J. ... Councilman; Felix T. Wroblewski, Councilman; Stanley B. Bystrak, Councilman; Joseph Kordecki, Councilman; Joseph Trojanoski, Councilman.

ABSENT: Benedict T. Holtz,

Councilman Kordecki 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, commencing at William Street, running north to Stradman Street, a distance of approximately 2500 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains, and said highway is now paved (for mile length) and

WHEREAS, it duly appears that such petition has been signed by owners of real property fronting and abutting 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 highway proposed to be improved, and

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of \$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 at the Town Hall, in the Town of Cheektowaga, New York, on the 18th day of July, 1936 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 Sun and the Depew Herald and Cheektowaga News, newspapers having a general circulation in the township, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that 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.

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 19th day of July, 1956, and the last insertion being on the 19th day of July, 1956, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

... this Order to be taken into consideration...
... conspicuously or cause to be posted...
... and that the Town Clerk post...
... days prior to the date of the hearing...
... (10) not more than twenty days...
... in the township, not less than ten...
... papers having a general circulation...
... and Cheektowaga News, News...
... was sent and the Depew Herald...
... station and were in full circulation...
... public a certain copy of this...
... before a certain date of this...
... that the Town Clerk should...
... that the...
... Depew Herald where there were...
... at least 1000 people present...

Boy Scout Troop 161 of Resurrec-
tion Church left Sunday, July 8,
for one week's stay at Southaven
with Mr. Daniel Kuczkowski.
Mr. and Mrs. William Jusak of
Raymond St. entertained the fol-
lowing guests at their cottage at
Point Brown, on July 6th: Mr. and
Mrs. Anthony Glusinski and
daughter, Jeanne of Mansfield,
Mr. and Mrs. Frank Fishers
of Point Brown and John Dome...

Sworn to before me this 20 day of

July, 1956

Walter Hanley
Notary Public in and for Erie County

17
29 A

STATE OF NEW YORK
COUNTY OF ERIE

Checktowaga, New York,
18th day of July, 1966, at
10:00 p.m., Eastern Daylight
Time, there were
present:
A. Nelbert, Councilman
J. Nagel, Councilman
T. Wroblewski, Councilman
E. Bystrak, Councilman
K. Kornecki, Councilman
Trojanosky, Councilman
T. Hollis, Supervisor
Kornecki presented
resolution and moved
that a written petition
be presented to the Board for

Sworn to before me this

[Signature]
Notary

In 11096-C8

17
29 A

...to be improved sit-
...between the points abovesaid
...at least one-half of the en-
...percentage of benefits on both
...the highway to be im-
...was signed
...owners wanting not less
...of the frontage owned
...owners residing above
...highway proposed to be im-
...
...in the name of
...to be received and
...the Board
...approved to be expended
...improvement of said high-
...the petition is the
...
...of the State of New
...
...Board
...Erie
...at
...of
...
...the date of the hearing
...and that the Town Clerk post-
...or cause to be posted
...certified copies of
...Order in five (5) public places
...the portion of said highway
...approved not less than ten
...more than twenty (20) days
...the date of the hearing.
...by Councilman Tro-
...and duly put to a vote,
...resulted as follows:
...Councilman Nelbert, voting Aye
...Councilman Nagel, voting Aye
...Councilman Wroblewski, voting
...
...Councilman Bystrak, voting Aye
...Councilman Kornecki, voting Aye
...Councilman Trojanosky, voting Aye
Ayes: 6—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
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 18th
day of July, 1966, and that the
same is a correct and true trans-
script of each original resolution
and the whole thereof.
In Witness Whereof, I have here-
unto set my hand and affixed the
seal of said Town this 18th day of
July, 1966.
(Seal)

NOTICE TO BIDDERS

WHEREAS, the Superintendent of Highways has requested the Town Board to purchase an automobile for use by the Highway Department, this purchase being necessary to efficiently conduct the duties of the department,

BE IT RESOLVED that the request of the Superintendent of Highways be granted and that the Town of Cheektowaga purchase for the Town Highway Department an automobile to meet the specifications referred to in the Notice to Bidders, and be it further

RESOLVED, that the Town Clerk published the annexed Notice to Bidders in the Depew Herald and Cheektowaga News and the Cheektowaga Sun Newspapers having a general circulation in the Township at least five (5) days before the receipt of bids. That sealed bids be received not later than 7:30 o'clock P.M., on July 30, 1956, at which time they will be publicly opened by the Town Board at a meeting called for that purpose, to be held at the Town Hall corner of Broadway and Union Road, Cheektowaga, New York.

That the Notice to Bidders be in substantially the following form:

NOTICE TO BIDDERS

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of an automobile, fully equipped, for use by the Highway Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file.

Copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 7:30 o'clock p.m., Eastern Daylight Saving Time, on July 30th, 1956 at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York.

The Town of Cheektowaga reserves the right to reject any and all bids or to waive technical defects in bids if it be in the public interest of the Town of Cheektowaga to do so.

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

Dated: July 16th, 1956.

KENNETH T. HANLEY, Town Clerk

jl19

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

Councilman Neibert	Voting	AYE
Councilman Nagel	"	"
Councilman Wroblewski	"	"
Councilman Bystrak	"	"
Councilman Kornecki	"	"
Councilman Trojanosky	"	"

AYES: -6-

NOES: -0-

ABSENT: -1-

Posted as follows on the 19th day of July, 1956:

- 1- Town Hall Bulletin Board
- 2- Forks Hose Company Bulletin Board-Union Rd. and Broadway
- 3- U-Crest Hose Company-Evergreen and Clover Place
- 4- Pine Hill Fire Hall- Genesee and Normandy Avenue
- 5- Rescue Fire Hall Bulletin Board-Pine Ridge Road and Walden Avenue.

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

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for *one* week, the first insertion being on the *19th* day of *July*, 19*56*, and the last insertion being on the *19th* day of *July*, 19*56*, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

Department.
Detailed specifications may be
at the office of the Town
where the same are on file.
of the specifications are
available for all prospective
Sealed bids must be re-
not later than 7:30 o'clock
Eastern Daylight Saving
July 30th, 1956 at which
they will be publicly opened
Town Board at a public
called for that purpose to
at the Town Hall, corner of
and Union Road, Cheek-
New York.
Town of Cheektowaga re-
the right to reject any and
to waive technical re-
if it be in the public
of the Town of Cheekto-
is published by di-
the Town Board of the
Cheektowaga, New York.
July 10th, 1956.
BENNETT T. HANLEY,
Town Clerk

Sworn to before me this *20* day of

July, 19*56*
Bennett T. Hanley
Notary Public in and for Erie County

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

(Purchase of Election Booths-Notice to Bidders)

WHEREAS the Town Clerk has notified the Town Board that he is in need of four (4) election booths to be used for the Fall Registration Days and Election Day, be it

RESOLVED, that his request be granted and that he be directed to publish the annexed Notice to Bidders in the Depew Herald-Cheektowaga News and the Cheektowaga Sun, newspapers having a general circulation in the Township in connection with said four (4) Election Booths, and

BE IT FURTHER RESOLVED, that the Town Board meet on the 30th day of July, 1956, at 7:30 o'clock P.M., E.D.S.T., at the Town Hall, Broadway and Union Roads, Cheektowaga, New York for the purpose of receiving sealed bids at which time they will be publicly opened by the Town Board at a public meeting called for that purpose.

Seconded by Councilman Kornecki. CARRIED: AYES: -6-

ABSENT: -1-

NOTICE TO BIDDERS

The Town of Cheektowaga hereby requires separate sealed bids for four election booths.

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 must be received not later than 7:30 p.m., E.D.T., on the 30th day of July, 1956, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York.

The Town of Cheektowaga reserves the right to reject any and all bids, or to waive technical defects in bids, if it be in the public interest of the Town of Cheektowaga to do so.

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

Dated: July 18, 1956.

KENNETH T. HANLEY,
Town Clerk

jt.19

Posted as follows on the 19th day of July, 1956:

- 1- Town Hall Bulletin Board
- 2- Forks Hose Company Bulletin Board-Broadway and Union Rd.
- 3- U-Crest Fire Hall-Evergreen and Clover Place
- 4- Pine Hill Fire Hall Bulletin Board-Genesee and Normandy Avenue
- 5- Rescue Fire Hall Bulletin Board-Pine Ridge Road and Walden

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

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

[Faded and mostly illegible text, likely a copy of a bid or specification document.]

ROBERT A. NUSBAUM

being duly sworn, deposes and says that he is the

PUBLISHER

of

The Cheektowaga Sun

a public newspaper published in the Town of Cheektowaga,
Erie County, New York, that notice of which the
annexed printed slip taken from said newspaper, is a copy,
was inserted and published therein once a week for
ONE week, the first insertion being on the
18th day of July, 1956, ~~1956~~

~~XX~~
~~XX~~
~~XX~~

Robert A. Nusbaum

Sworn to before me this 24th day of

July, 1956

Kenneth P. Hanley

Notary Public in and for Erie County

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 19th day of July, 1956, and the last insertion being on the 19th day of July, 1956 and that not more than six days intervened between any two publications thereof

Richard G. Bennett

Sealed bids must be received not later than 7:30 p.m. on the 30th day of July, which time they will be opened by the Town Board at a meeting called for that purpose at the Town Hall, Union Road and Cheektowaga, New York. The Town of Cheektowaga reserves the right to reject any and all bids, or to waive technical details, if it is in the public interest of the Town of Cheektowaga. This notice is published in the Depew Herald and News, Cheektowaga, New York, July 19, 1956.
KENNETH T. HANLEY,
Town Clerk

Sworn to before me this 20 day of July, 1956
Kenneth T. Hanley
Notary Public in and for Erie County

Item No. 9 \$2,500 CAPITAL NOTE RESOLUTION PARK & PLAYGROUND IMPROVEMENT

Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS, the Town Board desires to provide for the issuance of \$2,500.00 capital notes authorized by a Bond Resolution passed by the Town Board on April 19, 1956,

NOW, THEREFORE

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

(1) A \$2,500.00 capital note shall be issued pursuant to the Bond Resolution entitled " Bond Resolution, dated April 19, 1956, authorizing the issuance of \$47,500 Serial Bonds and \$2,500 Capital Notes of the Town of Cheektowaga, in the County of Erie, New York, pursuant to the Local Finance Law, for Park and Playground Improvements ", adopted by the Town Board on April 19, 1956.

(2) Said note shall be dated subsequent to January 16, 1956, payable on April 1, 1957, and shall bear interest at not exceeding two percent (2%) per annum, payable at maturity.

(3) The power to prescribe the terms, form and contents of said note subject to the provisions of this resolution, and to sell and deliver said note, is hereby delegated to the Town Supervisor. The Town Supervisor is hereby directed to sign said note and the Town Clerk is hereby directed to affix to such note the corporate seal of the Town of Cheektowaga and to attest such seal.

(4) This resolution shall take effect immediately upon its adoption.

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

Councilman Neibert	Voting	AYE
Councilman Nagel	"	"
Councilman Wroblewski	"	"
Councilman Bystrak	"	"
Councilman Trojanoksy	"	"
Councilman Kornecki	"	"

AYES: -6-

NOES: -0-

ABSENT: -1-

12
16

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

BOND ANTICIPATION NOTE RESOLUTION DATED JULY 16, 1956, AUTHORIZING THE ISSUANCE OF \$47,500 BOND ANTICIPATION NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, IN ANTICIPATION OF THE SALE OF SERIAL BONDS AUTHORIZED TO FINANCE PARK AND PLAYGROUND IMPROVEMENTS.

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 Bond Anticipation Notes of the aggregate principal amount of \$47,500 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described, in anticipation of the issuance of \$47,500.00 Serial Bonds, authorized by the Bond Resolution entitled " Bond Resolution dated April 19, 1956, authorizing the issuance of \$47,500.00 Serial Bonds and \$2,500.00 Capital Notes of the Town of Cheektowaga, in the County, of Erie pursuant to the Local Finance Law, for Park and Playground Improvements", adopted by the Town Board on April 19, 1956.

Section 2. The specific purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the improvement of the public park or playground which is located on Harlem Road near George Urban Boulevard in the Town of Cheektowaga and is maintained by said Town as a public park or playground, by constructing thereon a concrete wading pool and the facilities required for its operation.

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 Town Supervisor. The Town 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 and to attest such seal.

Section 5. This resolution shall take effect immediately upon its adoption:

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

Councilman Neibert	Voting AYE
Councilman Nagel	" "
Councilman Wroblewski	" "
Councilman Bystrak	" "
Councilman Trojanosky	" "
Councilman Kornecki	" "

AYES: -6-

NOES: -0-

ABSENT: -1-

Item No. 11 Councilman Neibert presented the following resolution and moved its adoption: (TOPPING ON COLDEN COURT)

WHEREAS Steinmiller Construction Inc., has entered into an agreement with the Town of Cheektowaga, New York, wherein the said Steinmiller Construction Inc., has agreed to place topping on Colden Court beginning at a point 560 feet south of Maryvale Drive and extending in a southerly direction to Genesee Street a distance of approximately 1800 feet and has filed a surety bond in the amount of \$18,000.00 for the faithful performance of said agreement, conditioned that it will comply in all respects with the aforementioned agreement.

BE IT RESOLVED, that the Supervisor be and he is hereby authorized to execute the annexed agreement between the Town of Cheektowaga New York and Steinmiller Construction Inc., on behalf of the Town of Cheektowaga New York.

BE IT RESOLVED, that Colden Court beginning at a point 560 feet south of Maryvale Drive and extending in a southerly direction to Genesee Street a distance of approximately 1800 feet be accepted as a town highway under the jurisdiction of the Town Highway Superintendent.

That the said agreement is hereby approved as to its form and sufficiency as is the amount of the Bond. The Town Attorney is hereby authorized to record in the Erie County Clerks Office a deed to said highway.

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

Councilman Joseph A. Neibert	Voting AYE
Councilman Henry J. Nagel	" "
Councilman Felix T. Wroblewski	" "
Councilman Stanley R. Bystrak	" "
Councilman Joseph Kornecki	" "
Councilman Joseph Trojanosky	" "

AYES: -6-

NOES: -0-

ABSENT: -1-

A G R E E M E N T

This agreement made this 16th day of July, 1956, by and between the Town of Cheektowaga, a municipal corporation of the State of New York with its office and principal place of business located in the County of Erie, State of New York, party of the first part and Steinmiller Construction Inc., a domestic corporation organized and existing under and by virtue of the laws of the State of New York, with its office and principal place of business located at 4498 Main Street, Snyder, New York, party of the second part"

W I T N E S S E T H :

WHEREAS, the party of the second part is the owner of the abutting property on Colden Court, beginning at a point 560 feet south of Maryvale Drive and extending in a southerly direction to Genesee Street a distance of approximately 1800 feet, and

WHEREAS, the party of the second part has constructed the foundation for the highway, has also constructed in said highway sanitary sewers and will enter into a contract with the Erie County Water Authority for the construction of a water line in said highway, and

WHEREAS, the party of the second part has requested the Town of Cheektowaga to accept as a Town Highway Colden Court beginning at a point 560 feet south of Maryvale Drive and extending in a southerly direction to Genesee Street a distance of approximately 1800 feet and has agreed to enter into a contract with the Town of Cheektowaga, New York, to place the topping on said street and complete the same so that the same will comply, with the specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, it is hereby

AGREED that the party of the second part agrees to place topping on Colden Court beginning at a point 560 feet south of Maryvale Drive and extending in a southerly direction to Genesee Street a distance of approximately 1800 feet on or before August 1, 1957. It further agrees, where necessary, to reconstruct the foundation of said highway and complete the same so that said highway will conform in every respect with the specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, it is further

UNDERSTOOD AND AGREED that the party of the second part will furnish the party of the first part, a Surety Bond, executed by a Bonding Company authorized to do business in the State of New York, in the sum of \$18,000.00 said bond to provide that the party of the second part will in all respects conform with the terms and conditions of this Agreement and the accompanying resolution of the Town Board on or before August 1st, 1957. In the event the party of the second part fails to live up to the terms of this Agreement, then the party of the first part is authorized to complete said highway so that the same complies in every respect with the minimum specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York and all expenses incurred by it in completing said highway shall be paid by the party of the second part and its surety, and in the event said sum of \$18,000.00 is insufficient to pay such cost then the party of the second part hereby agrees to pay any sum required in excess of that amount, it is however,

AGREED that the maximum liability of the Surety Company is limited to the sum of \$18,000.00.

Upon filing with the Town Board an executed copy of this Agreement and the Surety Company Bond, it is agreed that the party of the first part does hereby accept said highway as a Town Highway subject to the jurisdiction of the Town Highway Superintendent.

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

TOWN OF CHEEKTOWAGA, NEW YORK

By: Benedict T. Holtz
Supervisor

Steinmiller Construction Inc.

BY: _____
Secretary.

33
13

Item No. 12 FIRE PREVENTION CODE

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board at a meeting held June 18, 1956 adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 2nd day of July 1956, at 2:30 o'clock P.M., E.D.S.T., for the purpose of considering the advisablity of adopting a Fire Prevention Code, and

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

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, did meet on the 2nd day of July, 1956, at the Town Hall in the Town of Cheektowaga, New York, for the purpose of considering the advisability of adopting a Fire Prevention Code, and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard and at the conclusion of said public hearing, the Town Board decided that it was in the public interest to adopt a Fire Prevention Code to provide as follows:

shall have the power to authorize the Fire Chief or their duly authorized inspectors to enter any building or premises within their jurisdiction, at all reasonable hours, for the purpose of making any inspection or investigation which, under the provisions of this code, he or they, may deem necessary to be made.

Section 103. Inspections of Buildings and Premises.

The Board of Fire Commissioners of each established Fire District shall have the power to inspect or cause to be inspected by the Fire Chief, or their inspectors, all buildings and premises, including the interior of private dwellings, as often as may be necessary for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violations of the provisions or intent of this code and of any other ordinances affecting fire hazards and to insure compliance in all places of assembly with all laws, regulations, and orders dealing with overcrowding, use of decorative materials, maintenance of exit ways, and maintenance of fire detecting systems, fire extinguishing systems and appliances.

Section 104. Orders to Eliminate Fire Hazards.

Whenever any Fire Chief or authorized inspector of the Fire Department as mentioned in Section 103, shall find any building or premises in a dangerous or hazardous condition as follows, the Chief or authorized inspector shall order such dangerous conditions to be remedied in such manner as may be specified by the Chief of the Fire Company or authorized inspector:

- a. Dangerous or unlawful amounts of combustible or explosive matter.
- b. Hazardous conditions arising from defective or improperly installed equipment for handling or using combustible or explosive matter;
- c. Dangerous accumulations of rubbish, waste paper, boxes, shavings or other highly flammable materials;
- d. Accumulations of dust or waste material in air conditioning systems or of grease in kitchen exhaust ducts;
- e. Obstructions to or on fire escapes, stairs, passageways, doors or windows, liable to interfere with the operations of the Fire Department or egress of occupants in case of fire;
- f. Any building or other structure which, for want of repairs, lack of sufficient fire escapes or other exit facilities, automatic or other fire alarm apparatus or fire extinguishing equipment, or by reason of age or dilapidated conditions, or from any other cause, creates a fire hazard.

Section 105. Service of Orders.

The service of such orders as mentioned in Section 104 may be made upon the owner, occupant or other person responsible for the conditions, either by delivering a copy of same personally or by de-

livering the same to and leaving it with any person in charge of the premises, or in case no such person is found upon the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of the said premises. Whenever it may be necessary to serve such an order upon the owner of premises such order may be served either by delivering to and leaving with the said person a copy of the said order, or, if such owner is absent from the jurisdiction of the officer making the order, by mailing such copy to the owner's last known post office address.

Section 106. Permits.

- a. Permits required by the provisions of this code shall be obtained in writing from the Chief of the Fire Department. Permits shall be for such period as the Chief of the Fire Department may specify but not exceeding one (1) year. They shall be kept on the premises designated therein and shall be subject to inspection by any officer of the fire or police departments.
- b. Before permits are issued, the Chief of the Fire Department shall make or cause to be made such inspections or tests as are necessary to assure that the provisions of this code are complied with.

Section 107. Definitions.

- a. "Approved" shall mean accepted by the Chief or duly authorized inspectors of the Fire Department as a result of investigation and experience, or by reason of test, listing or approval by Underwriters' Laboratories Inc. the National Bureau of Standards, the American Gas Association Laboratories or other nationally recognized testing authorities.
- b. "Person" shall mean and include person, persons, firm, corporation or co-partnership.
- c. "Town Board" shall mean the Cheektowaga Town Board.
- d. "Board of Appeals" shall mean and include Chiefs of the Fire Departments of the eight fire Districts in the Town of Cheektowaga, New York.
- e. For the purposes of this Code the Town Board will perform the duties of the fire commissioners for property that is located outside of a fire district.

Section 108. Conformity to Nationally Recognized Standard Practice.

The storage, handling and use of flammable or explosive substances and the use or occupancy of buildings or premises shall be in conformity with nationally recognized standard practice for the safeguarding, to a reasonable degree, of life and property from the hazards of fire or explosion. Compliance with the provisions of the Fire Prevention Code as adopted and amended and amendments thereto as recommended by the National Board of Fire Underwriters shall be deemed to be prima facie evidence of compliance.

FIRE PREVENTION CODE ARTICLE 1 GENERAL PROVISIONS

Section 101. Application to New and Existing Conditions.

The provisions of this code shall apply equally to new and existing conditions except that existing conditions not in strict compliance with the terms of this code shall be permitted to continue where the exceptions do not constitute a distinct hazard to life or adjoining property.

Section 102. Authority to Enter Premises.

The Board of Fire Commissioners of each established Fire Dis-

with such nationally recognized standard practice for all matters not covered by this code.

Section 109. Enforcement.

The Code hereby adopted shall be enforced by the Board of Fire Commissioners in their established districts.

Section 110. Modifications.

The Board of Fire Commissioners in their established districts shall have power to modify any of the provisions of the code hereby adopted upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Board of Fire Commissioners thereon shall be entered upon the records of the department and a signed copy shall be furnished to the applicant.

Section 111. Appeals.

A Board of Appeals is hereby created to consist of the Fire Chiefs of the eight Fire Districts of the Town of Cheektowaga, New York.

When an appeal is taken from the decision of the Board of Fire Commissioners, the Chief of that particular fire department shall be disqualified and shall not participate in the determination of the appeal.

Any applicant may appeal from the decision of the Board of Fire Commissioners to the Board of Appeals within thirty (30) days after the Board of Fire Commissioners have disapproved an application or refused to grant a license or permit or where it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongfully interpreted. The appeal must be in writing and must be served on any member of the Board of Appeals.

Whenever a matter is appealed to the Board of Appeals, it shall set down a date for a hearing and at least ten (10) days written notice must be given to the applicant and the Board of Fire Commissioners, whose action is being appealed from.

The Board of Appeals shall render a decision within twenty (20) days after the matter has been finally submitted to it and the decision of a majority of the members of the Board of Appeals in attendance at the hearing shall be binding and conclusive upon the parties, subject to a review by the court under Article 78 of the Civil Practice Act.

This code shall take effect and be in force from and after its approval by the Town Board as required by law.

ARTICLE 2 BOWLING ALLEYS

Section 201. General.

Bowling alleys shall conform to all other applicable requirements

of this code, as well as the following provisions.

Section 202. Alley Resurfacing Operations.

Resurfacing operations shall not be carried on while the establishment is open for business. The Chief of the Fire Department shall be notified when alleys are to be resurfaced. Proper ventilation shall be provided. Heating, ventilating, or cooling systems employing recirculation of air shall not be operated during resurfacing operations or within one hour following the application of flammable finishes. All electric motors or other equipment in the area which might be a source of ignition shall be shut down, and all smoking and use of open flames prohibited during the application of flammable finishes and for one hour thereafter.

Section 203. Pin Refinishing.

Pin Refinishing involving the application of flammable finishes shall not be done in a room located below grade, nor shall it have communication with any pits, wells, pockets or basements; the room wherein such pin refinishing is carried on must be equipped with an approved automatic sprinkler system unless the room is enclosed by walls and ceiling of construction having a fire-resistance rating of not less than one hour with openings therein protected by approved fire doors or fire windows, and with no opening from such room to any upper story.

Storage or flammable liquids shall not exceed a combined aggregate of 60 gallons in original metal containers, or approved safety containers not exceeding 5 gallons individual capacity. A metal waste can with self-closing cover shall be removed daily. Smoking shall be prohibited at all times in refinishing rooms.

ARTICLE 3 FIRE PROTECTION EQUIPMENT

Section 201. Chief to Survey Premises and Specify Equipment to be Provided.

The Chief of the Fire Department or the duly authorized inspector of the Board of Fire Commissioners shall survey each mercantile and manufacturing establishment, school, place of assembly, hospital, place of detention, hotel and multi-family house, and shall specify suitable fire detecting devices or extinguishing appliances which shall be provided, in or near boiler rooms, kitchens of restaurants, clubs and like establishments, storage rooms involving considerable combustible material, rooms in which hazardous manufacturing processes are involved, garage sections and other places of a generally hazardous nature. Such devices or appliances may consist of automatic fire alarm systems, automatic sprinkler or water spray systems, standpipe and hose, fixed or portable fire extinguishers of a type suitable for the probable class of fire, or suitable asbestos blankets, manual or automatic covers, or carbon dioxide or other inert gas extinguishing

systems. In specially hazardous processes or storages, appliances of more than one type or special systems may be required.

Section 302. Maintenance of Equipment.

Sprinkler systems, standpipe systems, fire alarm systems, and other fire protective or extinguishing systems or appliances which have been installed in compliance with any permit or order, or because of any law or ordinance, shall be maintained in operative condition at all times, and it shall be unlawful for any owner or occupant to reduce the effectiveness of the protection so required; except this shall not prohibit the owner or occupant from temporarily reducing or discontinuing the protection where necessary to make tests, repairs, alterations or additions. The Chief of the Fire Department shall be notified before such tests, repairs, alterations or additions are started unless the work is to be continuous until completion.

ARTICLE 4 GARAGES

Section 401. General.

Garages shall conform to all other applicable requirements of this code, as well as the following provisions.

Section 402. Repair Work.

Welding and cutting and other processes involving direct application of flame shall not be carried on in any garage unless such garage is equipped with an approved automatic sprinkler system, or such processes are carried on in a room enclosed by walls and ceiling of construction having a fire-resistance rating of not less than one hour with openings therein protected by approved fire doors or fire windows, and with no opening from any such room to any upper story. No repairs of any kind shall be made in any garage the floor of which is more than two feet below the drive-in entrance level.

Section 403. Cleaning with Flammable Liquids.

No flammable liquid with a flash point below 100°F. shall be used in any garage for washing parts or removing grease or dirt, unless in a special closed machine approved for the purpose or in a separate well-ventilated room enclosed by walls having a fire resistance rating of not less than two hours with openings therein protected by approved fire doors or fire windows, with no opening from such room to any upper or lower story.

Section 404. Handling of Gasoline and Oils.

- a. The fuel tanks of motor vehicles shall be filled directly through hose from approved pumps attached to approved portable tanks or drawing from underground storage tanks. No transfer of gasoline in any garage shall be made in any open container.
- b. No garage floor drain shall connect to any sewer unless provided with an oil separator or trap.

**ARTICLE 5
GAS PIPING AND APPLIANCES**

Section 501. Installations to Conform to Standard Safe Practice.

- a. Gas piping and gas appliances in buildings shall be installed in accordance with standard safe practice.
- b. Installation of gas piping and appliances for domestic and commercial uses, in accordance with the standards of the National Board of Fire Underwriters for the installation of Gas Piping and Gas Appliances in Buildings, shall be deemed prima facie evidence of installation in accordance with standard safe practice.

Section 502. Pressure Regulation.

- a. Where the pressure of gas supplied to domestic, commercial or other low pressure gas piping systems in buildings is in excess of one pound per square inch, an approved gas pressure regulator of sufficient size shall be installed in the service pipe of each such system to prevent pressure in excess of one pound per square inch from being introduced into such building piping.
- b. If located inside a building the above required regulator shall be equipped with a vent pipe leading to the outer air. Means shall be employed to prevent water from entering this pipe and also to prevent stoppage of it by insects or foreign matter.

Section 503. Pipe Entrance to Buildings.

Where gas piping enters a building through a wall or floor of masonry or concrete any gas pipe or other nearby pipes entering the same wall or floor shall be suitably sealed against the entrance of water or gas.

Section 504. Outside Valves.

Approved means for shutting off the flow of gas from outside the building shall be provided on every gas service pipe 2 inches or larger in diameter or which supplies gas at a pressure in excess of one pound per square inch. Outside gas shut-off cocks or valves shall be located so as to be readily accessible and, when underground shall be placed in suitable valve boxes, manholes or vaults, the covers of which shall be clearly marked "Gas".

**ARTICLE 6
LIQUEFIED PETROLEUM GASES**

Section 601. Definition.

"Liquefied petroleum gas" shall mean any material which is composed predominantly of any of the following hydrocarbons, or mixtures of them: propane, propylene, butane (normal butane or isobutane) and butylenes.

Section 602. Permits and Reports of Installations.

- a. A permit shall be obtained from the Fire Chief of said district, or if outside of a Fire District from the Town Board, for each installation of liquefied petroleum gas em-

ploying a container or an aggregate of interconnected containers of over 2,000 gallons water capacity, and for each permanent installation irrespective of size of containers, made at buildings in which people congregate for civic, political, educational, religious, social or recreational purposes. Such buildings shall include schools, churches, hospitals, institutions, hotels, and restaurants, each having a capacity of 20 or more persons. Prior to making such an installation, an installer shall submit plans to the Chief of the Fire Department or the Town Board if outside a Fire District, and if compliance with the requirements of this code is shown by said plans, a permit shall be issued.

- b. Installers shall maintain a record of all installations for which a permit is not required by paragraph (a) above (but not including installation of gas burning appliances and replacing of portable cylinders) and have it available for inspection by the Chief of the Fire Department or the Town Board if outside a Fire District.

Section 603. Standards for Liquefied Petroleum Gas Equipment and its Installation.

All installations of liquefied petroleum gas equipment including such equipment installed at utility gas plants, shall be in conformity with generally recognized standards for safety to persons and property. Except as otherwise provided in this article or in other laws or regulations legally in effect, conformity with the Standards of the National Board of Fire Underwriters for the Storage and Handling of Liquefied Petroleum Gases and in the case of liquefied petroleum gases at utility gas plants, conformity with the Standards of the National Board of Fire Underwriters for the Storage and Handling of Liquefied Petroleum Gases at Utility Gas Plants shall be prima facie evidence of conformity with generally recognized standards for safety to persons and property.

**ARTICLE 7
GENERAL PRECAUTIONS AGAINST FIRE**

Section 701. Bonfires and Outdoor Rubbish Fires.

- a. **PERMIT REQUIRED.** No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained on or in any public street, alley, road, or other public ground without a permit or other proper authorization.

- b. **LOCATION RESTRICTED.** No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained on any private land unless (1) the location is not less than 50 feet from any structure and adequate provision is made to prevent

fire from spreading to within 50 feet of any structure, or (2) the fire is contained in an approved waste burner with closed top, located safely not less than 15 feet from any structure. An adult person must be in attendance at the fire until the same is extinguished.

c. CHIEF MAY PROHIBIT.

The Chief of the Fire Department may prohibit any or all bonfires and outdoor rubbish fires when atmospheric conditions or local circumstances make such fires hazardous.

- d. The burning of buildings, barns, or hazardous structures is prohibited unless a permit is obtained from the Chief of the Fire Department or the Town Board if in areas outside of Fire Districts, which burning must take place under the supervision of the Fire Department, or a Town Board representative if outside of a fire district.

Section 702. Kindling of Fire on Land of Others Restricted.

No person shall kindle a fire upon the land of another without permission of the owner thereof or his agent.

Section 703. Hot Ashes and Other Damaging Materials.

No person shall deposit hot ashes or cinders, or smoldering coals, or gassy or oily substances liable to spontaneous ignition, into any wooden receptacle, or place the same within ten feet of any combustible materials, except in metal or other noncombustible receptacles. Such receptacles, unless resting on a noncombustible floor or on the ground outside the building, shall be placed on noncombustible stands, and in every case must be kept at least two feet away from any combustible wall or partition.

Section 704. Accumulations of Waste Materials.

Accumulations of waste paper, hay, grass, straw, weeds, litter or combustible or flammable waste or rubbish of any kind shall not be permitted to remain upon any roof or in any court, yard, vacant lot or open space. All weeds, grass, vines or other growth, when same endangers property, or is liable to be fired, shall be cut down and removed by the owner or occupant of the property it is on.

Section 705. Handling Readily Combustible Materials.

No person making, using, storing or having in charge, or under his control any shavings, excelsior, rubbish, sacks, bags, litter, hay, straw or combustible waste materials shall fail or neglect at the close of each day to cause all such material which is not compactly baled and stacked in an orderly manner to be removed from the building or stored in suitable vaults or in metal or metal lined, covered, receptacles or bins. The Chief of the Fire Department shall require suitable baling presses to be installed in stores, apartment buildings, factories and similar places where accumulations of paper and waste materials are not

removed at least every second day.
Section 706. Storage of Readily Combustible Materials.

a. **PERMIT REQUIRED.** No person shall store in excess of 2,500 cubic feet gross volume of combustible empty packing cases, boxes, barrels or similar containers, or rubber tires, or baled cotton, rubber or cork, or other similarly combustible material.

b. **STORAGE REQUIREMENTS.** Storage in buildings shall be orderly, shall not be within two feet of the ceiling, and not so located as to endanger exit from the building. Storage in the open shall not be more than twenty feet in height, shall be so located, with respect to adjacent buildings, as not to constitute a hazard, and shall be compact and orderly.

Section 707. Flammable Decorative Materials in Stores and Public Buildings.

Cotton batting, straw, dry vines, leaves, trees, or other highly flammable materials shall not be used for decorative purposes in show windows or other parts of stores, schools, churches, public buildings, or other public gathering places unless flame-proofed and unless approved by the District Fire Chief; provided, however, that nothing in this section shall be held to prohibit the display of saleable goods permitted and offered for sale.

Section 708. Chimneys and Heating Appliances to be Maintained in Safe Condition.

All chimneys, smokestacks or similar devices for conveying smoke or hot gases to the outer air, and the stoves, furnaces, fire boxes or boilers to which they are connected shall be constructed and maintained in such a manner as not to create a fire hazard.

Section 709. Use of Torches or Flame-producing Devices for Removing Paint.

Any person using a torch or other flame-producing device for removing paint from any building or structure shall provide one approved fire extinguisher or water hose connected to the water supply on the premises where such burning is done. In all cases, the person doing the burning shall remain on the premises one (1) hour after the torch or flame-producing device has been used.

ARTICLE 8 SMOKING PROHIBITED UNDER CERTAIN CONDITIONS

Section 801. Definition.

"Smoking" shall mean and include the carrying of lighted pipe, cigar or cigarette.

Section 802. Chief to Designate Areas Where Smoking Shall be Prohibited.

Where conditions are such as to make smoking a hazard in any areas of warehouses, stores, industrial plants, institutions, places of assembly, and in open spaces where combustible materials are stored or handled, the Chief of the Fire Department is empowered and authorized to order the owner or occupant in writing to post "No Smoking" signs in each building,

structure, room or place in which smoking shall be prohibited. The Chief of the Fire Department shall designate specific safe locations, if necessary, in any building structure or place in which smoking may be permitted.

Section 803. No Smoking Signs.

"No Smoking" signs required in accordance with Section 802 shall read "BY ORDER OF THE CHIEF OF THE FIRE DEPARTMENT", and shall be in "red" lettering on a "white background."

Section 804. Smoking and Removal of No Smoking Signs Prohibited.

It shall be unlawful for any person to remove any legally required "No Smoking" sign or to smoke in any place, where such signs are posted.

ARTICLE 9 SEPARABILITY CLAUSE

If any clause, sentence, paragraph, section or part of this article as adopted, or as amended or supplemented, shall be adjudged by any court of competent jurisdiction, to be invalid or unconstitutional, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which judgment shall have been rendered.

ARTICLE 10 PENALTIES

a. Any person who shall violate any of the provisions of the code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder and from which no appeal has been taken or who shall fail to comply with such an order as affirmed or modified by the Appeal Board or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor punishable by a fine of not more than \$50.00 or by imprisonment for not more than six (6) months, or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

b. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

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

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

This Fire Prevention Code 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 Kornecki and duly put to a vote which resulted as follows:

Councilman Neibert	Voting AYE
Councilman Nagel	" "
Councilman Wroblewski	" "
Councilman Bystrak	" "
Councilman Kornecki	" "
Councilman Trojanosky	" "

AYES: -6-

NOES: -0-

ABSENT: -1-

Thomas E. Delahunt, acting Town Attorney notified the Town Clerk that he will recommend to the Town Board at its adjourned meeting to be held on July 30, 1956, at 7:30 o'clock P.M., E.D.S.T., a change in the recently approved FIRE PREVENTION CODE.

Mr. Delahunt related to the Town Clerk that the Cheektowaga Fire Chief Association has pointed out that Section 103 of said Ordinance may be open to legal question.

Due to the above mentioned facts the Town Clerk did not publish said adoption of the Ordinance in the Depew Herald-Cheektowaga News, and did not post a copy of said adoption on the Bulletin Board in the Town Hall and has not served anyone with a copy of the Ordinance, however the Ordinance was published once in the Cheektowaga News.

Therefore Item No. 12 appears as only a record and does not constitute the adoption of said Fire Prevention Ordinance.

40

Item No. 13 Councilman Trojanosky moved, seconded by Councilman Kornecki, that the reasonable expenses incurred by Supervisor Holtz, Highway Superintendent Zablony and Acting Town Attorney Delahunt in conferring with the State Comptroller at Albany, New York, on July 19 and 20th, 1956, in relation to the proposed Bellevue Sewer District and the Transit Road Water District, be approved as a general town charge.

31
24
42

Item No. 14 Councilman Bystrak moved, seconded by Councilman Kornecki, that the request of U-Crest Hose Company No. 4 to close off Clover Place and Evergreen Street in connection with their Annual Field Days be granted.

10
42

Item No. 15 Councilman Kornecki moved seconded by Councilman Bystrak, that the Town Recreational Director be authorized and directed to to place the ball diamond at the Theodore Roosevelt School in tip top condition as soon as reasonably possible.

16
42

NOTICE OF HEARING

At a regular meeting of the Town Board of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 16th day of July, 1956, at 7:30 o'clock, p.m., Eastern Daylight Saving Time, there were:

PRESENT:
Henry J. Nagel, Councilman
Felix T. Wroblewski, Councilman
Joseph Kornecki, Councilman
Joseph Trojanosky, Councilman
Stanley Bystrak, Councilman

ABSENT:
Benedict T. Holtz, Supervisor
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 27th day of June, 1956.

PUBLIC HIGHWAYS TO BE IMPROVED
Vern Lane from William Street north a distance of 2700 feet.
TYPE OF STREET LIGHTING INSTALLATION
Y-19 Standards—Under Ground Conduit.

WHEREAS, Edward B. Jerzew-

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

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

NOW, THEREFORE, It is hereby ordered that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 6th day of August, 1956, 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-Cheektowaga News, a newspaper having a general circulation in the town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five public places on each of the

said highways to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

Seconded by Councilman Neibert and duly put to a vote which resulted as follows:
Henry J. Nagel, voting Aye
Joseph Kornecki, voting Aye
Joseph Trojanosky, voting Aye
Joseph A. Neibert, voting Aye
Stanley R. Bystrak, voting Aye
Ayes: 6—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 July, 1956, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 16th day of July, 1956.

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

Posted as follows on the 20th day of July, 1956:

- 1- Tree in front of No. 25 Vern Lane
- 2- Tree in front of No. 17 Vern Lane
- 3- Tree in front of No. 11 Vern Lane
- 4- Telephone Pole at the corner of Vern Lane and William Street
- 5- Post at the corner of Vern Lane and William Street

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

... OF NEW YORK ...

Lance Cal

11:14 p.m.—Ve
Central Ave. to Mill
hospital.

11:15 a.m.—
Minden St. to St

12:37 p.m.—Mrs.
77 School St. to St

9:28 a.m.—Ho
Lombardy to B

11:50 p.m.—Made
Erie St. to Sisters Hos

**WAGA CLUB SCOUT
LEAGUE**

League No. 1

3	0
3	1
2	1
1	2
1	2
0	4

League No. 2

3	0
3	1
3	1
1	2
1	2
0	3

Results
10th: All games rain-
11: Yankees 6, Ath-

11: Yankees 8.

CATERING
Weddings — Outings
Banquets — Meetings
\$5 to 10,000

BOB FORD Call MA 471

FLY SERVICE

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
19th day of July, 1956, and
the last insertion being on the 19th day of
July, 1956, and that not
more than six days intervened between any two publi-
cations thereof.

Richard G. Bennett

Sworn to before me this 20 day of

July, 1956

Kurt Stanley
Notary Public in and for Erie County

tn 11096-C8

17
27.

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

In said Town of Cheektowaga, on the 16th day of July, 1936, at 8:30 o'clock, p.m., Eastern Standard Time, there were present:

Harry J. Nagel, Councilman
 Frank T. Wroblewski, Councilman
 Joseph Kornecki, Councilman
 Joseph Trojanosky, Councilman
 Arthur R. Bystrak, Councilman
 Benedict T. Holtz, Supervisor

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

WHEREAS, a petition for the improvement of both sides of the highway situated in the 1st Precinct Lighting District of the Town of Cheektowaga, heretofore particularly set forth by the petitioners, and the need for the installation of street lighting equipment thereon, particularly described in the petition, was presented to the Town Board of the Town of Cheektowaga, on the 15th day of July, 1936, 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

IT IS FURTHER ordered that a copy of this order, certified by the Town Clerk, be published at least once in the Depew Herald-Cheektowaga News, a general circulation newspaper having a general circulation in the town, not less than ten days before the date set forth for the hearing

...to be approved not less than (10) nor more than (30) days before the day appointed for the hearing as aforesaid, and the same was seconded by Councilman Nelbert and duly put to a vote which resulted as follows:

Harry J. Nagel, voting Aye
 Joseph Kornecki, voting Aye
 Joseph Trojanosky, voting Aye
 Arthur A. Nelbert, voting Aye
 Arthur R. Bystrak, voting Aye

Ayes: 6—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 July, 1936, 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 office seal of said Town this 16th day of July, 1936.

(Seal)

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

...C. HIGHWAY TO BE
 IMPROVED
 ...Lane from William Street
 a distance of 300 feet.
 ...OF STREET LIGHTING
 INSTALLATION
 ...Standards—Under Ground

C. M. Krawczyk
RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

ASSOC. 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 26th day of July, 1956, and the last insertion being on the 26th day of July, 1956 and that not more than six days intervened between any two publications thereof.

Chester M. Krawczyk

Sworn to before me this day of

..... 1956, 19.....
Kenneth T. Ward
Notary Public in and for Erie County
In 11096-C8

A copy of the above Notice was posted on the Town Hall Bulletin Board on the 28th day of July, 1956.

19

... Enterprise and the Herald...
... for \$10. 25 per word...
... or less. Special rates for...
... by phone, HU 1102, or...
... in person at one of our offices...
... Depew.

WOOD TOP SOIL for sale at Clinton Heights subdivision...
... 8011 Clinton St. RE 29-33

3 HORSE bicycle, chain-drive tricycle and fire engine. Will sell or swap for girl's 20" bicycle. Phone HU 4428. 29-31

DRAPERY FABRICS! Largest selection at lowest prices anywhere. Wrinkle resistant slip cover fabrics. Assistance with color schemes and paints free. Fabric into matching panels free. Complete line of Kirca Hardware. Sylvia Rich, RE 6314. 30-32

CONVERTED electric sewing machine. Antique rockers, tables, chairs, jewelry, china, books, tapes, etc. paisley shawls. RE 1740.

COVERERS for your bed. Cover one that custom look. Always retains its shape. Twin bed size \$1.98. Sylvia Rich, RE 6314. 30-31

COMBINATION kitchen stove.

...in considering the petition of Bernard William Hubert, Jr. and Grace F. Hubert for the rezoning of premises from Residential District 15 to Business District 15, the Zoning Board of Appeals, after hearing the parties and the public, and after considering the Zoning Ordinance accordingly, WHEREAS, the Zoning Board of Appeals, having rendered its decision in favor of the application of the petition for rezoning from Residential District 15 to Business District 15, the premises hereinafter described, be IT IS RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petition for rezoning from Residential District 15 to Business District 15, the premises hereinafter described, be hereby confirmed and approved, be it

RESOLVED, by this Town Board, that the Ordinance adopted December 21, 1942, and as now amended, be amended to read 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 part of Farm Lot number thirty-six (36), Township Eleven (11), Range Seven (7) of the Holland Land Company's survey, and bounded and described as follows:

BEGINNING at a point in the westerly line of Harlem Avenue distant northerly three hundred (300) feet from its intersection with the northerly line of Cleveland Drive (formerly known as Zuniata Road and Kensington Avenue); running thence northerly along the westerly line of Harlem Avenue one hundred (100) feet; thence westerly parallel with said line of Cleveland Drive one hundred seventy (170) feet; thence southerly parallel with Harlem Avenue one hundred (100) feet; thence easterly parallel with said line of Cleveland Drive one hundred seventy (170) feet to the said line of Harlem Avenue at the point of beginning.

BERNARD T. HANLEY,
July 18, 1956
Town Clerk,
Town of Cheektowaga,
Erie County, New York

A copy of the above Notice was posted on the Town Hall Bulletin Board on the 28th day of July, 1956.

19

STATE OF NEW YORK
COUNTY OF ERIE

District Clerk, 108 Main Street
Buffalo 12, New York, on request.
Sealed bids are to be in the hands
of the Clerk not later than 7
p.m. August 1, 1956.

Bidders must be owners of approved vehicles as of the day of presenting bids and must be able to furnish performance bonds.
The Board of Education hereby

C. M. Krawczyk
~~RICHARD G. BENNETT~~

being duly sworn, deposes and says that he is the

Asso C. 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 *26th* day of *July*, 19*56* and the last insertion being on the *26th* day of *July*, 19*56* and that not more than six days intervened between any two publications thereof.

Chester M. Krawczyk

Days to Save
Gorham

ITEMS IN ALL PATTERNS SHOWN

CARSON'S
Jewelers

Start or fill in your set NOW
of Gorham Sterling flat silver at TODAY'S LOW PRICES. Anticipate the wed-

Sworn to before me this day of

JUL 28 1956

19.....

Walter D. ...

Notary Public in and for Erie County

hn 11098-C8

A copy of the above Notice was posted on the Town Hall Bulletin Board on July 28, 1956.

STATE OF NEW YORK
COUNTY OF ERIE

Application of Robert K. Stevens for
the rezoning of premises from
Residential District to Business
District of the property hereinafter
described and amending the
Zoning Map and Ordinance accord-
ingly, and
WHEREAS, the Zoning Board of
Appeals having rendered its de-
cision granting the application of
the petitioner to rezone from Resi-
dential District to Business District

from Resi-
dential District to Business District
be and the same is hereby confirm-
ed and approved, be it
RESOLVED, by this Town Board
that the Ordinance adopted De-
cember 21, 1942, and as now
amended, entitled "Zoning Ordinance",
be and the same hereby
is amended by changing the Zon-
ing Map so as to change the fol-
lowing described property from
that of Residential District to Busi-
ness District.

DESCRIPTION

All that tract or parcel of land
situate in the Town of Cheektowaga,
County of Erie, State of
New York, and being part of Lot
No. 65, Township 10, Range 7, and
Section 22, and described as follows:
Beginning at a point in the North
line of Lot 65, which also is the
North line of William Street at the dis-
tance of about 200 ft. East from the
West line of said Lot 65.

Thence Easterly on said North
line of said Lot 65 a distance of
100 ft. Thence Southerly a dis-
tance of 302 ft. Thence North-
westerly a distance of 560 ft.
Thence Southerly 125 ft. to point
of beginning.

Witness my hand and seal
this 15th day of July, 1956.
NORTH T. HANLEY,
Town Clerk,
Town of Cheektowaga,
Erie County, New York

A copy of the above Notice was posted on the Town Hall
Bulletin Board on July 28, 1956.

NEW YORK

ANTHONY C. CIMINELLI and JOHN LEONARDI, for the reason-
 ables from Residential
 District of the
 described and
 Map and Or-
 dinance, and
 Zoning Board of
 having rendered its decis-
 ion on the application of the
 to rezone from Residen-
 tial District the
 hereinafter described, be-
 lieves and is con-
 vinced, that the decision of
 the Zoning Board of Appeals granting
 the application of the petition-
 ers to rezone from Resi-
 dential to Business Dis-
 trict and the same is hereby
 approved, be it
 known, that this Town Board
 has adopted Decree
 and as now amended
 Ordinance", be-
 cause same is amended
 the Zoning Map so as
 to change the following described
 from that of Residential
 to Business District.

DESCRIPTION
TRACT OR PARCEL
 AND, situate in the Town of
 Cheektowaga, County of Erie and
 State of New York, being part of
 Lot 25, Township 11, Range
 10, 1st Meridian, Erie County

C.H. Krawczyk
 RICHARD C. BENNETT

being duly sworn, deposes and says that he is the
 Assoc. 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
 26th day of July, 1956, and
 the last insertion being on the 26th day of
 July, 1956, and that not
 more than six days intervened between any two publi-
 cations thereof.

Charles H. Krawczyk

Sworn to before me this _____ day of

1956

19

Kenneth T. Wally
 Notary Public in and for Erie County

tn 11096-C8

The above Notice was posted on the Town Hall Bulletin Board
 on the 28th day of July, 1956.

19

CHESTER, NEW YORK

process of considering the application of Anthony C. Connally and Leonard for the rezoning of the premises from Residential to Business District of the town of Chester, New York, as hereinafter described and shown on the Zoning Map and Ordinance, and

WHEREAS, the Zoning Board of the town of Chester, New York, having rendered its decision regarding the application of the applicant to rezone from Residential to Business District the premises hereinafter described, be

IT IS CONSIDERED, that the decision of the Zoning Board of Appeals granting the application of the petitioner for rezoning from Residential to Business District, and the same is hereby approved, be it known that this Town Board, in a resolution adopted December 1955, and as now amended by the "Zoning Ordinance", be amended hereby is amended to change the Zoning Map so as to rezone the following described premises from that of Residential to Business District.

DESCRIPTION

WHAT TRACT OR PARCEL
 KNOWN, situate in the Town of Chester, County of Erie and State of New York, being part of Lot 25, Township 11, Range 1, of the Holland Land's Company and according to map of the "Holland Subdivision" in the office of the Clerk of the County under May Cover 1317, and designated as Subdivision No. 52 (52).
 July 14, 1954.

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

hn 11096-C8

The above Notice was posted on the Town Hall Bulletin Board on the 28th day of July, 1956.

19

Item No. 17 The complaint of Councilman Bystrak that the New York Central Railroad was burning various materials in the Cheektowaga Yards was referred to the Chief of Police.

18

Item No. 18 Communication read from the Chief of Police relating to restricted parking on the west side of Union Road from Geo. Urban Blvd., to a point 50 feet north of the intersection ordered referred to the State Department of Public Works.

8
41

Item No. 19 Communication from the Police Department relating to the restriction of parking on the west side of Pine Ridge Road from Genesee Street south to a point directly across from Wildy Street, ordered referred to the Erie County Highway Department.

9
41

Item No. 20 Petition for the improvement of Dania Drive by the installation of street lights ordered referred to the Assessors for a property check.

17
27

Item No. 21 Complaint registered by the residents of Alpine Place relating to the Erie County Water Authority erecting a water storage tank in that area of the town, also relating to flooded conditions caused by the erection of certain dwelling on a higher level than on Alpine Place. Ordered referred to the Town Engineer and the Supervisor.

10
36

Item No. 22 Councilman Korneck 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. 1776 to No. 1890, inclusive, drawn on the Supervisor.)

6

Item No. 23 Councilman Neibert moved, seconded by Councilman Bystrak to adjourn to July 30, 1956, at 7:30 P.M., E.D.S.T.

SEAL

Kenneth T. Hanley, Town Clerk

Kenneth T. Hanley

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 July, 1956, 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 Kornecki	"
	Joseph Trojanoski	"
	Joseph A. Neibert	"
	Stanley R. Bystrak	"

ABSENT: -0-

Also present were: Town Clerk Kenneth T. Hanley; Assistant to the Town Attorney Thomas E. Delahunt; Town Engineer Albert J. Kamm and Chief of Police John Mersmann.

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

Item No. 3 Mr. C.W. Baker, Superintendent of the Lehigh Valley Railroad Company was granted the floor and explained to the Board various reasons why his company should not erect a signal at the French Road Crossing. Ordered referred to Councilman Trojanoski. 41

Item No. 4 Communication read from Lieutenant Kostrzewski of the Cheektowaga Police relating to load restrictions on Burdette Drive. Ordered referred to the Highway Superintendent. 18
13

Item No. 5 Request for a shield on light pole No. 36 on Allendale Road, ordered referred to Councilman Bystrak. 27

Item No. 6 Application of Virginia I. DuBois to rezone premises from residential district to business district, south west corner of Cleveland Drive and Century Road, ordered referred to the Zoning Board of Appeals. 19

Item No. 7 Communication read from the State Traffic Commission, Albany, New York, relating to parking on the west side of Union Road from Geo. Urban Boulevard to a point 50 feet northerly therefrom. Ordered received and filed. 8
41

Item No. 8 Communication read from Frank L. Gierlach Post No. 1320 American Legion, inviting the Board to attend their Annual Parade on August 5, 1956, ordered received and filed and to attend. 10
42

Item No. 9 Communication from the Board of Assessors relating to the Extension of Sewer District No. 5, ordered referred to the Town Engineer for further study and investigation. 24
36

Item No. 10 The request of the Pine Hill Hose Company No. 5 to close Normandy Avenue on August 11th and 12th, 1956, in connection with their Annual Field Day, was granted. 10
42

Item No. 11 This being the time and the place advertised for the RECEIVING OF SEALED BIDS FOR THE PURCHASE OF AN AUTOMOBILE TO BE USED BY THE HIGHWAY DEPARTMENT.

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

Councilman Nagel moved, seconded by Councilman Neibert, that the sealed bids be opened.

The Clerk advised the Board that NO BIDS have been received. The matter was referred to the Highway Committee. 1
13

Item No. 12 This being the time and the place advertised for the receiving of sealed bids for the purchase of four election booths.

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

Councilman Wroblewski moved, seconded by Councilman Nagel, that the Clerk be authorized and directed to open the sealed bids on hand. Hereto is a summary of the bids received:

Anthony Tabkerski (wooden type).....\$5,800.00
L.B. Smith Inc., (trailer type)..... 9,298.00
Geo. W. Whitehead Co., Inc., (trailer type)..... 11,000.00

On a motion by Councilman Wroblewski, seconded by Councilman Nagel, the bids were referred to the Town Board for analysis and tabulation.

Item No. 13 APPROVAL SUB-DIVISION MAP NANDALE SUB DIVISION PART 2

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Sub Division Map of Nandale Drive lots numbers 1 to 12, inclusive, Nandale Sub Division Part 2 part of Lot 69 T 10 R 7 Buffalo Creek Reservation, prepared by Herthe and Sonnenberger, Engineers, and Surveyors dated July 18, 1956, be approved and ordered filed in the Assessors Office.

Seconded by Councilman Kornecki. CARRIED: AYES: -7-

Item No. 14 REYNDERS ELECTRIC COMPANY TO INSTALL TRAFFIC SIGNAL LIGHT CLEVELAND DR. AT CHARNWOOD.

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Reynders Electric Company be authorized and directed to install a stop and go traffic signal at the intersection of Cleveland Drive and Charnwood as per permit hereto attached, issued by the Erie County Highway Department.

Seconded by Councilman Neibert. CARRIED: AYES: -7-

Item No. 15 BOULEVARD STOP AND GO SIGN PINE RIDGE ROAD AND MARYVALE DR.

Councilman Neibert moved, seconded by Councilman Bystrak, that the Erie County Highway Superintendent be requested to erect a Boulevard Stop and Go Sign at the intersection of Maryvale Drive and Pine Ridge Road, Town of Cheektowaga, New York, directing automobiles to stop on Maryvale Drive near the entrance to Mt. Calvary Cemetery.

CARRIED: AYES: -7-

Item No. 16 THOMAS E. DELAHUNT

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, George B. Doyle, the Town Attorney is seriously ill and unable to perform the duties of the office of Town Attorney, and

WHEREAS, Thomas E. Delahunt the Assistant to the Town Attorney has been performing the duties of this office since prior to July 1, 1956,

BE IT RESOLVED, that the salary of Thomas E. Delahunt, Assistant to the Town Attorney, be increased to \$3,600.00 per year, effective July 1, 1956 pending further developments.

Seconded by Councilman Trojanoski, CARRIED: AYES: -7-

Item No. 17 BUILDING PERMITS

Councilman Wroblewski moved, seconded by Councilman Neibert that the Town Clerk be authorized and directed to issue Building Permits on applications processed by the Petitions Committee on July 21, 1956 and July 28, 1956, after same have been approved by the Building Inspector.

CARRIED: AYES: -7-

NOTICE OF HEARING

At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 30th day of July, 1956, at 7:30 o'clock p.m., Eastern Daylight Saving Time, there were Present:

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

Absent: —0—
Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board for the improvement of a portion of Lemoine Avenue as shown on a subdivision map filed in the Erie County Clerk's Office under Map Cover No. 342, and extending from Grunner Street north a distance of approximately 1,553 feet, more or less, to and including Subdivision Lot Number 151 located on the west side of said Lemoine Avenue and Subdivision Lot Number 125 located on the east side of said Lemoine Avenue, by the construction of permanent pavement and any necessary drains and receivers, and

WHEREAS, it duly appears that such petition has been signed by owners of real property fronting and abutting on that portion of said highway, situate between the points aforesaid, owning at least

one-half of the entire frontage or bounds on that portion of said highway to be improved as aforesaid, and that there are no resident owners owning real property fronting or abutting on either side of said portion of Lemoine Avenue proposed to be so 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 \$25,000.00.

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 of Cheektowaga on the 20th day of August, 1956 at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing all persons interested in the subject 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 Sun and Depew Herald and Cheektowaga News, newspapers having a general circulation in the township, not less than ten (10) nor more than twenty (20) days prior to the date of the hear-

ing, and that the Town Clerk post conspicuously or cause to be posted conspicuously certified copies of this Order in five (5) public places along said highway to be improved not less than ten (10) nor more than twenty (20) days prior to the date of the hearing.

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

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

Aye
Councilman Bystrak, voting Aye
Councilman Kornecki, voting Aye
Councilman Trojanoski, voting Aye
AYES: 7; 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 30th day of July, 1956, 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 July, 1956.

(Seal)
KENNETH T. HANLEY,
Clerk of the Town Board,
au.2 Town of Cheektowaga, N. Y.

Posted as follows on the 9th day of August, 1956:

- 1- Post on Lemoine Avenue - 50 feet north of Grunner Road;
- 2- Post on Lemoine Avenue - 100 feet north of Grunner Road;
- 3- Post on Lemoine Avenue - 150 feet north of Grunner Road;
- 4- Post on Lemoine Avenue - 200 feet north of Grunner Road;
- 5- Post on Lemoine Avenue - 250 feet north of Grunner Road.

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

17
13

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

ROBERT A. WUSBAUM

being duly sworn, deposes and says that he is the

PUBLISHER of

The Cheektowaga Sun

a public newspaper published in the 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
2nd day of AUG., 1956.

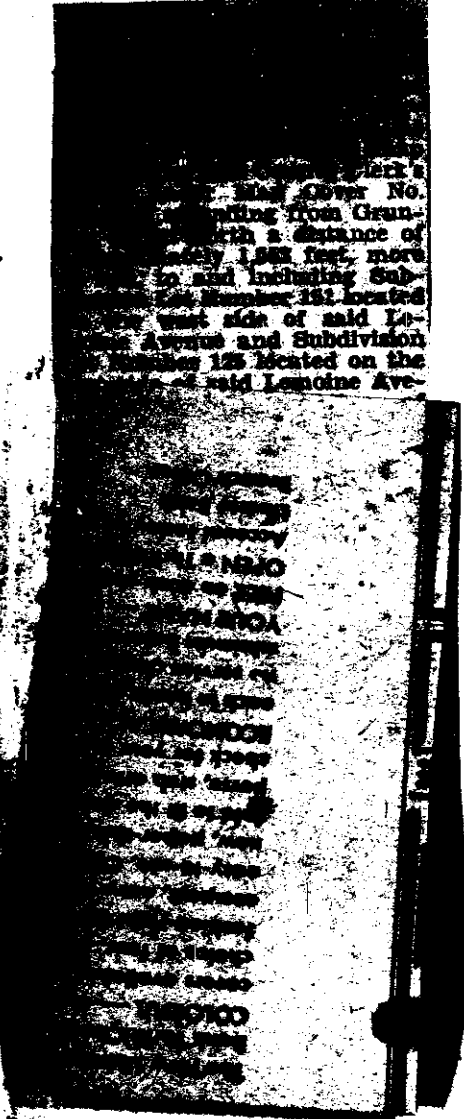
~~_____~~
~~_____~~
~~_____~~
~~_____~~

Robert A. Wusbaum

Sworn to before me this 3rd day of

AUG., 1956

Yvonne D. [Signature]
Notary Public in and for Erie County



STATE OF NEW YORK
COUNTY OF ERIE

... Clerk's
... Over No
... from Grun
... with a distance of
... 1,543 feet, more
... including Sub
... Number 151, located
... west side of said Le
... Avenue and Subdivision
... 125 located on the
... side of said Lemoine Ave
... the construction of
... pavement and any
... drains and receivers

... daily appear
... has been
... of seal prop
... abutting on
... highway
... the point
... at least one
... frontage of
... of said
... compared an
... of there are
... owning real
... abutting
... said portion
... to be so

... petition was
... or proper
... the same
... be record-
... maximum
... expend-
... of said
... to the peti-
... of said

... pursuant
... of section 289
... Law of the State
... it is hereby
... that the Town
... of the Town of Cheek-
... County, New York,
... Town Hall
... and

... this resolu-
... in the Cheek-
... The Depew
... Cheektowaga Town
... having a general
... in the township, not
... (10) nor more
... (20) days prior to
... of the hearing, and
... Cheek past con-
... to be post-
... certified co-
... Order in five (5)
... along said high-
... be improved not less
... (10) nor more than
... (20) days prior to the
... of the hearing.

... OF NEW YORK
... COUNTY
... of the Clerk of the
... OF CHEEKTOWAGA

... This is to certify that
I, KENNETH T. HAN-
LEY, Clerk of the Town
of Cheektowaga, in the
said County of Erie,
have compared the
foregoing copy of resolu-
tion 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 30 day of July,
1956 and that the same
is a correct and true
transcript of such
original resolution and
the whole thereof.

In Witness Whereof, I have
herewith set my hand and af-
fixed the seal of said Town this
30 day of July, 1956.
KENNETH T. HANLEY,
Clerk of the Town Board,
Cheektowaga, N.Y.



The following is a list of the names of the members of the Town Board of Cheektowaga, Erie County, New York, as follows:
 Supervisor Holts, voting Aye
 Councilman Nelbart, voting Aye
 Councilman Nagel, voting Aye
 Councilman Wroblewski, voting Aye
 Councilman Bystrak, voting Aye
 Councilman Kornecki, voting Aye
 Councilman Trojanowski, voting Aye
 YEA: 7; NAY: 0; ABSENT: 0.
 State of New York,)
 Erie County)
 Office of the Clerk of the ss:
 Town of Cheektowaga)
 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, Erie County of Erie, on the 29th day of July, 1956, and that the same is a correct and true copy of the original resolution.

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, 1956, and last insertion being on the day of 19....., and that not

more than six days intervened between any two publications thereof.

Richard G. Bennett

Sworn to before me this day of

AUG 6 1956

, 19.....

Kenneth T. Hanley

Notary Public in and for Erie County

STATE OF NEW YORK
COUNTY OF ERIE

At a regular meeting of the Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 30th day of July, 1956, at 7:30 o'clock p.m., Eastern Daylight Saving Time, there were present:

Benedict T. Holtz, Supervisor
Joseph A. Neibert, Councilman
Henry J. Nagel, Councilman
Felix T. Wroblewski, Councilman
Stanley R. Bystrak, Councilman
Joseph Kornecki, Councilman
Joseph Trojanoski, Councilman
Absent: —0—

Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board for the improvement of a portion of Lemoine Avenue as shown on a subdivision map filed in the Erie County Clerk's Office under Map Order No. 342, and extending from Cramer Street north a distance of approximately 1,553 feet, more or less, to and including Subdivision Lot Number 151 located on the west side of said Lemoine Avenue and Subdivision Lot Number 125 located on the east side of said Lemoine Avenue, by the construction of permanent pavement and any necessary drains and receivers,

and WHEREAS, it duly appears that said petition has been signed by the owners of real property fronting and abutting on that portion of said highway, situate between the points aforesaid, owning at least one-half of the entire frontage or abutting on that portion of said highway to be improved as aforesaid, and that there are no resident owners owning real property fronting or abutting on either side of said portion of Lemoine Avenue proposed to be so improved, and

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

and WHEREAS, the maximum amount to be expended for the improvement of said highway, as stated in the petition, is the sum of \$25,000.00.

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 Street and Broadway in said Town of Cheektowaga on the 30th day of August, 1956 at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing all persons interested in the subject matter thereof concerning the same, and to do further

and WHEREAS, 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 Sun and Depew Herald and Cheektowaga News, newspapers having a general circulation in the township, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that the Town Clerk post conspicuously or cause to be posted conspicuously certified copies of this Order in five (5) public places along said highway to be improved not less than ten (10) nor more than twenty (20) days prior to the date of the hearing.

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

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

Councilman Bystrak, voting Aye
Councilman Kornecki, voting Aye
Councilman Trojanoski, voting Aye

AYES: 7; NOES: 0; ABSENT: 0.
State of New York,)
Erie County)
Office of the Clerk of the Town of Cheektowaga)

This is to certify that I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 30th day of July, 1956, 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 July, 1956.

(Seal)
KENNETH T. HANLEY,
Clerk of the Town Board,
su.2 Town of Cheektowaga, N. Y.

LATERAL SEWER

NOTICE OF HEARING

At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 30th day of July, 1956, at 7:30 o'clock p.m., Eastern Daylight Saving Time, there were Present:

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

Absent: —0—

Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board for the improvement of highways known as Yvonne Avenue, Crestview Avenue and Kuhn Road, by the construction of a lateral sewer in said highways to wit: That portion of Yvonne Avenue commencing 150 feet north of Cleveland Drive extending in a northerly direction to the north line of the Town of Cheektowaga, New York, and on Crestview Avenue extending in a northerly direction to Kuhn Road and on Kuhn Road commencing at Yvonne Avenue and extending in an easterly direction to Crestview Avenue as shown on a subdivision map filed in the Erie County Clerk's Office under Cover No. 1473-1898, and

WHEREAS, it duly appears that such petition has been duly signed by owners of real estate fronting or abutting on both sides of said

public highways, situate between the points aforesaid owning at least one-half of the frontage or bounds on both sides of said public highways to be improved as aforesaid, and has been signed by resident owners residing along said highways proposed to be improved, owning not less than one-half of the aggregate frontage owned by resident owners, and

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said highways as stated in the petition is the sum of \$22,000.00,

NOW, THEREFORE,

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

ORDERED, that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Broadway and Union Road in said Town on the 20th day of August, 1956 at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing all persons interested in the subject thereof concerning the same, and be it further

RESOLVED and Ordered, that the Town Clerk be and he is hereby Ordered and Directed to publish a certified copy of this resolution and order in the Depew Herald and Cheektowaga News and the Cheektowaga Sun, newspapers having a general circulation in the Township, not less than ten (10) nor

more than Twenty (20) days prior to the date of the hearing, and that on or before said date he post conspicuously or cause to be posted conspicuously, certified copies of this order in five (5) public places along said portion of said highways to be improved.

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

- Supervisor Holtz, voting Aye
 - Councilman Neibert, voting Aye
 - Councilman Nagel, voting Aye
 - Councilman Wroblewski, voting Aye
 - Councilman Bystrak, voting Aye
 - Councilman Kornecki, voting Aye
 - Councilman Trojanoski, voting Aye
- AYES: 7; NOES: 0; ABSENT: 0.
 State of New York,)
 Erie County)
 Office of the Clerk of the)
 Town of Cheektowaga)

This is to certify that I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 30th day of July, 1956, 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 July, 1956.

(Seal)

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

Posted as follows on the 9th day of August, 1956:

(YVONNE AVENUE)

- 1- Post on Yvonne Avenue-150 feet north of Cleveland Drive;
- 2- Post on Yvonne Avenue-170 feet north of Cleveland Drive;
- 3- Post on Yvonne Avenue-180 feet north of Cleveland Drive;
- 4- Post on Yvonne Avenue-200 feet north of Cleveland Drive;
- 5- Post on Yvonne Avenue-250 feet north of Cleveland Drive.

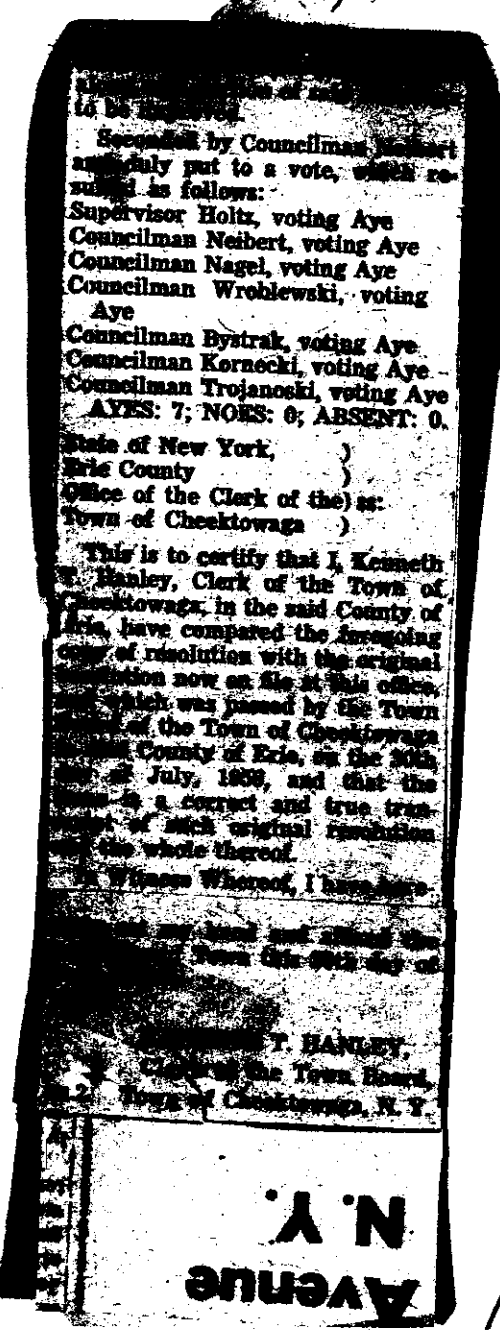
(Crestview Avenue)

- 1- Post in front of No. 87 Crestview Avenue;
- 2- Post 50 feet south of No. 87 Crestview Avenue;
- 3- Post 70 feet south of No. 87 Crestview Avenue;
- 4- Post 100 feet south of No. 87 Crestview Avenue;
- 5- Hartleys Refreshment Stand-Crestview Avenue and Cleveland Drive.

Posted as follows on the 9th day of August, 1956;

- 1- Post at the corner of Kuhn Road and Yvonne Avenue;
- 2- Post at the corner Kuhn Road and Crestview Avenue;
- 3- Post 50 feet east of Yvonne Avenue;
- 4- post 70 feet east of Yvonne Avenue;
- 5- Post 100 feet east of Yvonne Avenue;

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



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, 1956 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

August, 19 *56*

Kenneth T. Hanley

Notary Public in and for Erie County

hn 11096-C8

17
24

STATE OF NEW YORK
COUNTY OF ERIE

A public hearing was held at the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga, New York, on the 30th day of July, 1936, at 7:30 o'clock p.m., Eastern Daylight Saving Time, there were present:

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

Present: —0—
Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board for the improvement of highway known as Yvonne Avenue, Crestview Avenue and Kuhn Road, by the construction of a lateral sewer and highways to wit: That portion of Yvonne Avenue commencing 150 feet north of Cleveland Avenue extending in a northerly direction to the north line of the Town of Cheektowaga, New York, on Crestview Avenue extending in a northerly direction on Kuhn Road and on Kuhn Road commencing at Yvonne Avenue and extending in an easterly direction on Crestview Avenue as shown on a subdivision map filed in the Erie County Clerk's Office under Cover of 1473-1838, and

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

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said highways as shown in the petition is the sum of \$25,000.

NOW, THEREFORE, it is **RESOLVED**, pursuant to the provisions of Section 109 of the Law of the State of New York, that

RESOLVED, that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Broadway and Union Road in said Town on the 30th day of August, 1936, at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing all persons interested in the subject thereof concerning the same, and do it further.

RESOLVED and Ordered, that the Town Clerk be and he is hereby Ordered and Directed to publish a certified copy of this resolution and order in the Deposit Record and Cheektowaga News and the Cheektowaga Sun newspapers having a general circulation in the Town of Cheektowaga, not less than ten (10) days, nor more than Twenty (20) days prior to the date of the hearing, and that six or before said date he cause conspicuously or cause to be posted conspicuously, certified copies of this order in five (5) public places along said portion of said highways to be improved.

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

- Supervisor Holtz, voting Aye
- Councilman Neibert, voting Aye
- Councilman Nagel, voting Aye
- Councilman Wroblewski, voting Aye
- Councilman Bystrak, voting Aye
- Councilman Kornecki, voting Aye
- Councilman Trojanoski, voting Aye

AYES: 7; NOES: 0; ABSENT: 0.
State of New York,)
Erie County)
Office of the Clerk of the)
Town of Cheektowaga)

This is to certify that I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 30th day of July, 1936, 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 July, 1936.

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

17
24

Item
Check

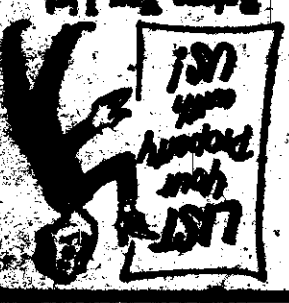
1600 JEFFERSON
MARTINSON

HARBRAVE

CONFIDENCE
WE SELL
Besides Bonds

TO BE

YALK



U. S. SAVING BONDS
at the Industrial Bank
agent because even if a
is lost, stolen, damaged or
destroyed completely, the
my Department will replace

Registration through
Special Student Rates
the interest of the
at the Industrial Bank

Attached is a copy of the Notice published in the

ROBERT A. NUSBAUM

being duly sworn, deposes and says that he is the

PUBLISHER

The Cheektowaga Sun

a public newspaper published in the 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
2nd day of AUG., 19 56

Robert A. Nusbaum

Sworn to before me this 3rd day of

AUG., 19 56

Henry D. [Signature]
Notary Public in and for Erie County

BOARD OF NEW YORK
COUNTY OF ERIE

Board for the improvement of
highways known as Front
Street, Cheektonga Avenue and
Main Road, by the construc-
tion of a lateral sewer in addi-
tion to the main sewer. That portion
of Front Street commencing
at the north of Cheektonga
Avenue and extending in a north-
westerly direction to the north
side of Cheektonga Avenue.

Resolved, That the Board do hereby
authorize the Town Board of
Cheektonga, New York, to
execute the same and to
obtain the necessary
funds therefor from the
general fund of said Town.
That the Board do hereby
authorize the Town Board of
Cheektonga, New York, to
execute the same and to
obtain the necessary
funds therefor from the
general fund of said Town.
That the Board do hereby
authorize the Town Board of
Cheektonga, New York, to
execute the same and to
obtain the necessary
funds therefor from the
general fund of said Town.

That the Board do hereby
authorize the Town Board of
Cheektonga, New York, to
execute the same and to
obtain the necessary
funds therefor from the
general fund of said Town.

RESOLUTION
The Board of New York
County of Erie, do hereby
authorize the Town Board of
Cheektonga, New York, to
execute the same and to
obtain the necessary
funds therefor from the
general fund of said Town.
That the Board do hereby
authorize the Town Board of
Cheektonga, New York, to
execute the same and to
obtain the necessary
funds therefor from the
general fund of said Town.

RESOLUTION AND ORDERED,
That the Board do hereby
authorize the Town Clerk to and his
successors to publish a certified
copy of this resolution and
the same in the Cheektonga Sun,
a general circulation in
said County, not less than ten
times, and that on or before
the date of the date of the
resolution, to be posted copies
of this resolution in five (5) public places
in said portion of said high-
way to be improved.

COUNTY OF NEW YORK
Clerk of the
County of Cheektonga

NOTED
This is to certify that
I, KENNETH T. HAN-
LEY, Clerk of the Town
of Cheektonga, in
the said County of Erie,
have compared the
foregoing copy of re-
solution with the origi-
nal resolution now on
file at this office, and
which was passed by
the Town Board of the
Town of Cheektonga
in said County of Erie,
on the 30 day of July
1966 and that the same
is a correct and true
transcript of such origi-
nal resolution and the
whole thereof.
In Witness Whereof, I have
set my hand and af-
fixed the seal of said Town
on the 30 day of July 1966.
KENNETH T. HANLEY,
Clerk of the Town Board,
Cheektonga, N.Y.

NOTICE OF HEARING

At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 30th day of July, 1956, at 7:30 o'clock p.m., Eastern Daylight Saving Time, there were Present:

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

Absent. —0—

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board on the 18th day of June, 1956, at a regular meeting of said Town Board conducted a public hearing concerning the adoption of a Fire Prevention Code, which had been presented and sponsored by the Cheektowaga Fire Chiefs Association, through the Fire Commissioners of the Fire Districts located in the Town of Cheektowaga, New York, and

WHEREAS, no one appeared in opposition to the adoption of said code at said public hearing, and

WHEREAS, the notice of said public hearing had been published as prescribed by law, and

WHEREAS, this Town Board, on the 16th day of July, 1956, at a regular meeting of said Town Board, did adopt the Fire Prevention Code as submitted, and

WHEREAS, the Cheektowaga Fire Chiefs Association through the Fire Commissioners of the Fire Districts located in the Town of Cheektowaga, New York, have requested certain minor changes in said Fire Prevention Code, and

WHEREAS, this Town Board is of the opinion that said changes be adopted, namely the exclusion of private dwellings from inspection and changing the members of the Board of Appeals from Fire

Chiefs of the eight fire districts of the Town of Cheektowaga to include all the Fire Chiefs of all the Fire Districts in the Town of Cheektowaga, exclusive of the Fire Chiefs in the villages of Cheektowaga.

BE IT RESOLVED, that the Town Board rescind and repeal the Fire Prevention Code as adopted at its regular meeting held on the 16th day of July, 1956, and that the Town Board meet on the 20th day of August, 1956 at 7:30 o'clock P.M., Eastern Daylight Saving Time, at the Cheektowaga Town Hall, corner of Union Road and Broadway in the Town of Cheektowaga, New York, to conduct a public hearing for the purpose of considering the advisability of adopting the Fire Prevention Code to incorporate the above mentioned changes. The Fire Prevention Code contains rules and regulations concerning fire protection for the good and welfare of the Town of Cheektowaga, New York, containing general provisions covering the following items: 1. Application of the law to new and existing conditions; 2. Authority to enter premises; 3. Inspection of buildings and premises; 4. Orders concerning the elimination of fire hazards; 5. Service of Orders; 6. Permits; 7. Applicable Definitions; 8. Conformity of nationally recognized standard practice; 9. Enforcement; 10. Modifications; 11. Appeals; 12. Provisions concerning bowling alleys; 13. Provisions concerning fire prevention equipment and maintenance of equipment; 14. General provisions concerning garages; 15. Provisions concerning gas piping and appliances; 16. Provisions concerning liquefied petroleum gases; 17. General precautions against fire; 18. Provisions concerning smoking under certain conditions; 19. Separability clause; 20. Penalties for the violation of the Code, and

BE IT FURTHER RESOLVED, that at such public hearing all persons interested in the subject matter thereof concerning the same

shall be given an opportunity to be heard, and be it further

RESOLVED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the Depew Herald and Cheektowaga News, a newspaper having a general circulation in the said town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that a certified copy of this resolution and order be posted conspicuously on a sign board maintained by the Town Clerk not less than ten nor more than twenty days prior to the date designated for said hearing.

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

- Supervisor Holtz, voting Aye
- Councilman Neibert, voting Aye
- Councilman Nagel, voting Aye
- Councilman Wroblewski, voting Aye

- Councilman Bystrak, voting Aye
- Councilman Kornecki, voting Aye
- Councilman Trojanoski, voting Aye

AYES: 7; NOES: 0; ABSENT: 0.
 State of New York,)
 Erie County)
 Office of the Clerk of the)
 Town of Cheektowaga)

This is to certify that I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 30th day of July, 1956, 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 July, 1956.
 (Seal)

KENNETH T. HANLEY,
 Clerk of the Town Board,
 au.2 Town of Cheektowaga, N. Y.

Posted as follows on the 9th day of August, 1956:

- 1- Town Hall Bulletin Board.

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

22
 40

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

...provisions concerning the
 ...of the Code; 2. Fire
 ...of the Code; 3. Fire
 ...of the Code; 4. Fire
 ...of the Code; 5. Fire
 ...of the Code; 6. Fire
 ...of the Code; 7. Fire
 ...of the Code; 8. Fire
 ...of the Code; 9. Fire
 ...of the Code; 10. Fire
 ...of the Code; 11. Fire
 ...of the Code; 12. Fire
 ...of the Code; 13. Fire
 ...of the Code; 14. Fire
 ...of the Code; 15. Fire
 ...of the Code; 16. Fire
 ...of the Code; 17. Fire
 ...of the Code; 18. Fire
 ...of the Code; 19. Fire
 ...of the Code; 20. Fire
 ...of the Code; and

IT FURTHER RESOLVED,
 that at such public hearing all per-
 sons interested in the subject mat-
 ter thereof concerning the same
 shall be given an opportunity to be
 heard, and be it further

RESOLVED, that the Town Clerk
 and he is hereby ordered and
 directed to publish a certified copy
 of this resolution and order in the
 Depew Herald and Cheektowaga
 News, a newspaper having a gen-
 eral circulation in the said town,
 not less than ten (10) nor more
 than twenty (20) days before the
 date set herein for the hearing
 on said and that a certified copy
 of this resolution and order be
 conspicuously on a sign

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, 1956 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

AUG 6 1956

Kent D. Wark

Notary Public in and for Erie County

STATE OF NEW YORK
COUNTY OF ERIE

of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the Town of Cheektowaga, New York, on the 30th day of July, 1958, at 7:30 o'clock p.m., Eastern Daylight Saving Time, there were present:

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

Absent: —0—
Councilman Neibert presented the following resolution and moved for its adoption:

WHEREAS, this Town Board on the 18th day of June, 1958, at a regular meeting of said Town Board conducted a public hearing concerning the adoption of a Fire Prevention Code, which had been presented and sponsored by the Cheektowaga Fire Chiefs Association, through the Fire Commissioners of the Fire Districts located in the Town of Cheektowaga, New York, and

WHEREAS, no one appeared in opposition to the adoption of said Code at said public hearing, and

WHEREAS, the notice of said public hearing had been published as prescribed by law, and

WHEREAS, this Town Board, on the 19th day of July, 1958, at a regular meeting of said Town Board, did adopt the Fire Prevention Code as submitted, and

WHEREAS, the Cheektowaga Fire Chiefs Association through the Fire Commissioners of the Fire Districts located in the Town of Cheektowaga, New York, have requested certain minor changes in said Fire Prevention Code, and

WHEREAS, this Town Board is of the opinion that said changes adopted, namely the exclusion of certain dwellings from inspection and changing the members of the Board of Appeals from Fire Districts of the eight fire districts of the Town of Cheektowaga to include all the Fire Chiefs of all the Fire Districts in the Town of Cheektowaga, exclusive of the Fire Districts in the villages of Cheektowaga,

IT IS RESOLVED, that the Town Board repeal and amend the Fire Prevention Code as adopted at its regular meeting held on the 18th day of June, 1958, and that the Town Board meet on the 30th day of August, 1958, at 7:30 o'clock p.m., Eastern Daylight Saving Time, at the Cheektowaga Town Hall, located on Union Road and Broadway in the Town of Cheektowaga, Erie County, New York, to conduct a public hearing for the purpose of considering the advisability of adopting the Fire Prevention Code to include the above mentioned changes. The Fire Prevention Code as amended shall contain the following provisions and regulations concerning fire protection for the good of the Town of Cheektowaga, New York, containing general provisions covering the following: 1. Application of the Code to new and existing buildings; 2. Authority to enter premises for inspection of buildings and

3. Orders concerning the removal of fire hazards; 4. Penalties for violation of the Code; 5. Enforcement of the Code; 6. Appeals; 7. Provisions concerning bowling alleys; 8. Provisions concerning fire prevention equipment and maintenance of equipment; 9. General provisions concerning garages; 10. Provisions concerning gas piping and appliances; 11. Provisions concerning liquefied petroleum gases; 12. General precautions against fire; 13. Provisions concerning smoking under certain conditions; 14. Separability clause; 15. Penalties for the violation of the Code, and

BE IT FURTHER RESOLVED, that at such public hearing all persons interested in the subject matter thereof concerning the same shall be given an opportunity to be heard, and be it further

RESOLVED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the Depew Herald and Cheektowaga News, a newspaper having a general circulation in the said town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that a certified copy of this resolution and order be posted conspicuously on a sign board maintained by the Town Clerk not less than ten nor more than twenty days prior to the date designated for said hearing.

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

AYES: 7; NOES: 0; ABSENT: 0.
State of New York,)
Erie County)
Office of the Clerk of the Town of Cheektowaga)

This is to certify that I, Kenneth Hester, Clerk of the Town of

...shall be given an opportunity to be heard, and be it further

RESOLVED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution and order in the Depew Herald and Cheektowaga News, a newspaper having a general circulation in the said town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that a certified copy of this resolution and order be posted conspicuously on a sign board maintained by the Town Clerk not less than ten nor more than twenty days prior to the date designated for said hearing.

Resolved by Councilman Trojanski and duly put to a vote, which resulted as follows:

- Supervisor Holtz, voting Aye
 - Councilman Neibert, voting Aye
 - Councilman Nagel, voting Aye
 - Councilman Wroblewski, voting Aye
 - Councilman Bystrak, voting Aye
 - Councilman Kordecki, voting Aye
 - Councilman Trojanski, voting Aye
- AYES: 7; NOES: 0; ABSENT: 0.
 State of New York,
 Erie County,
 Town of Cheektowaga)
 Clerk 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, which was passed by the Town Board of the Town of Cheektowaga, Erie County of Erie, on the 30th day of July, 1956, and that the same is a correct and true transcription of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 20th day of July, 1956.

(Seal)
KENNETH T. HANLEY,
 Clerk of the Town Board,
 au.2 Town of Cheektowaga, N. Y.

NOTICE OF HEARING

At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 30th day of July, 1956, at 7:30 o'clock p.m., Eastern Daylight Saving Time, there were Present:

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

Absent: —0—

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a petition for the extension of the existing Fire District No. 4, in the Town of Cheektowaga, New York, pursuant to the Town Law, was presented to this Town Board on the 16th day of July, 1956, and

WHEREAS, it appears to this Town Board that the above mentioned 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 situate in the territory proposed to be annexed to said fire district as an extension thereof, owned by resident taxpayers, and

WHEREAS, said petition is accompanied by a map, showing the boundaries of the proposed extension, and

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

Description of Territory Proposed

To Be Annexed to Fire District No. 4

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

Beginning at the point of intersection of the easterly line of the Ontario Thruway with the southerly line of the existing district.

Running thence easterly along the southerly line of the existing district to the center line of Dick Road.

Thence southeasterly along the center line of Dick Road to the center line of Scajaquada Creek.

Thence westerly along the center line of Scajaquada Creek to the easterly line of the Ontario Thruway.

Thence northerly along the easterly line of the Ontario Thruway to the southerly line of the existing district or the point or place of beginning.

and

WHEREAS, the territory hereinbefore described is situated entirely in the said Town 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 of Broadway and Union Road in the Town of Cheektowaga, on the 20th day of August, 1956, at 7:30 o'clock P.M., Eastern Daylight Saving Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and it is further

ORDERED, that a copy of this order, certified by the Town Clerk be published at least once in the Depew Herald and Cheektowaga News and the Cheektowaga Sun,

newspapers having a general circulation in the 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 be posted conspicuously in five (5) public places within the proposed extension of said fire district not less than ten (10) nor more than twenty (20) days before said day designated for the hearing.

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

- Supervisor Holtz, voting Aye
- Councilman Neibert, voting Aye
- Councilman Nagel, voting Aye
- Councilman Wroblewski, voting Aye

- Councilman Bystrak, voting Aye
- Councilman Kornecki, voting Aye
- Councilman Trojanoski, voting Aye

AYES: 7; 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 30th day of July, 1956, 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 July, 1956.

(Seal)

KENNETH T. HANLEY,
Clerk of the Town Board,
au.2 Town of Cheektowaga, N. Y.

Posted as follows on the 9th day of August, 1956:

- 1- Telephone Pole No. 332 on Union Road;
- 2- Telephone Pole No. 330 on Union Road;
- 3- Telephone Pole No. 289 on Union Road;
- 4- Telephone Pole No. 423 on Union Road;
- 5- Telephone Pole No. 426 on Union Road.

Hereto attached is a copy of the Notice published in the Depew Herald-Cheektowaga News and the Cheektowaga Sun;

22
17

...and the Cheektowaga Sun, newspapers having a general circulation in the 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 be posted conspicuously in five (5) public places within the proposed extension of said fire district not less than ten (10) nor more than twenty (20) days before said day designated for the hearing.

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

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

Councilman Bystrak, voting Aye
Councilman Kornecki, voting Aye
Councilman Trojanoski, voting Aye

AYES: 7; NOES: 0; ABSENT: 0.

State of New York,)

 Erie County)

 I, _____ (Name of the Clerk of the) as:

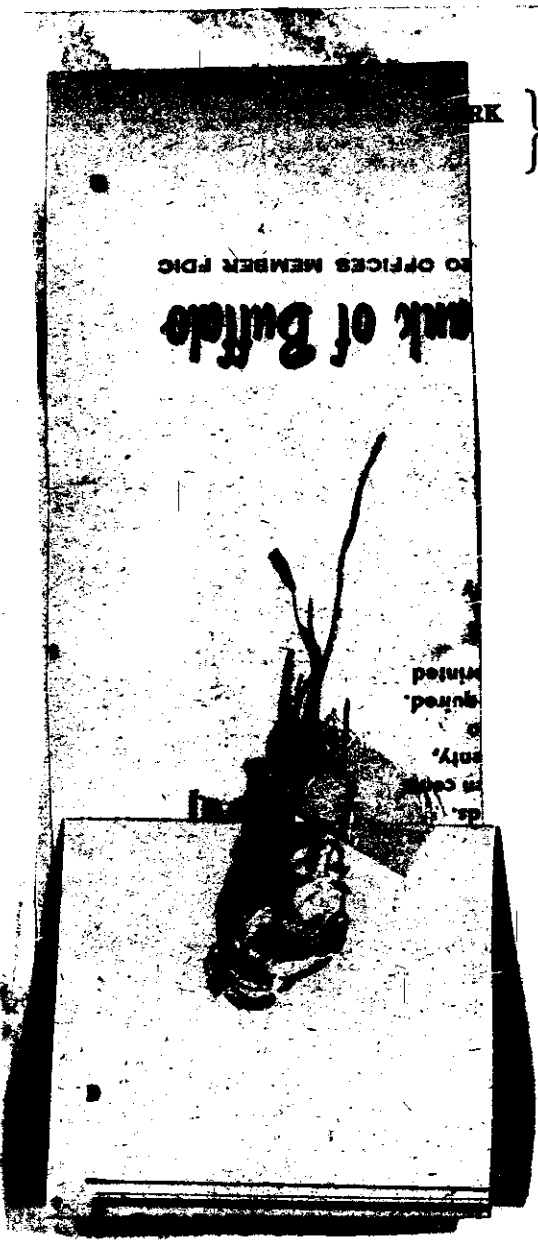
 Clerk of Cheektowaga)

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 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 30th day of July, 1954.

(Seal)

KENNETH T. HANLEY,
Clerk of the Town Board,
No. 2 Town of Cheektowaga, N. Y.



SR.:

ROBERT A. NUSBAUM

being duly sworn, deposes and says that he is the

PUBLISHER

of

The Cheektowaga Sun

a public newspaper published in the 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 2nd day of Aug., 1956

.....

.....

.....

Robert A. Nusbaum

Sworn to before me this 3rd day of

Aug., 1956

Henri D. ...

Notary Public in and for Erie County

STATE OF NEW YORK
COUNTY OF ERIE

above mentioned 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 situate in the territory proposed to be annexed to said fire district as an extension thereof, owned by resident taxpayers, and

WHEREAS, said petition is accompanied by a map, showing the boundaries of the proposed extension, and

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

DESCRIPTION OF
TERRITORY PROPOSED TO
BE ANNEXED TO FIRE
DISTRICT NO. 4

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

Beginning at the point of intersection of the easterly line of the Ontario Thruway with the southerly line of the existing district.

Thence thence easterly along the southerly line of the existing district to the center line of Dick Road.

Thence southeasterly along the center line of Dick Road to the center line of Scajaquada Creek.

Thence westerly along the center line of Scajaquada Creek to the southerly line of the Ontario Thruway.

Thence northerly along the southerly line of the Ontario Thruway to the southerly line of the Ontario Thruway or the great division separating the

territory proposed to be annexed to said fire district from the territory proposed to be annexed to said fire district.

IT IS ORDERED, that the Town Clerk of the Town of Cheektowaga, make at the Town Hall corner of Broadway and Union Road in the Town of Cheektowaga, on the 29th day of July, 1956, at 10:00 A.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 Depew Herald and Cheektowaga News and the Cheektowaga Sun, newspapers having a general circulation in the Townships, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five (5) public places within the proposed extension of said fire district not less than ten (10) nor more than twenty (20) days before said day designated for the hearing.

STATE OF NEW YORK
ERIE COUNTY
Office of the Clerk of the
Town of Cheektowaga

(SEAL) 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 30 day of July 1956, 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 30 day of July, 1956.

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

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, Section 54 Subdivision 5-A of the State Finance Law and Section 20 of the State General Municipal Law, as said sections were amended by Chapter 588 of the Laws of 1956, provide in substance that a Town may, at its own cost and expense, contract with the United States Bureau of Census to supervise a special population census for purposes of computation of State assistance payable pursuant to State Law, and

WHEREAS, it appears to this Board that it would be advantageous to the Town to have such a special census taken, since the State Aid to the Town would be tremendously increased on account of the great growth of the Town of Cheektowaga since the 1950 United States Census, be it

RESOLVED, that the Town Attorney be and he hereby is authorized and directed to contact the United States Bureau of Census and negotiate with it for a special census of the Town as of April 1, 1957, and that the cost and expense of such census be paid by the Town of Cheektowaga.

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

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

1
33

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 23

COMPLAINT - VIOLATIONS OF TOWN ORDINANCE- SMOKE ETC.,

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, the Town Board has received many complaints concerning violations of the Town Ordinances regarding odors, smoke and the illegal display of automobiles, and

WHEREAS, individual complaints have been received concerning among others the Darling Company, International Fertilizer, Marks Auto Wrecking, U.S. Rubber Re-Claiming Company Inc., Summer and Company, New York Central Railroad and certain cemeteries,

BE IT RESOLVED, that the Health Commissioner and the Chief of Police of the Town of Cheektowaga be and they hereby are directed to investigate the above mentioned individual complaints and any apparent violations of the Ordinances of the Town of Cheektowaga regarding odors, smoke and the illegal display of automobiles and report to the Town Board the result of their findings so that proper legal action may be taken.

Seconded by Councilman Wroblewski. CARRIED: AYES: -7-

18
43
40

Item No. 24

FIRE HYDRANTS-U-CREST FIRE DISTRICT

Councilman Trojanoski presented the following resolution and moved its adoption:

WHEREAS, the Board of Fire Commissioners of U-Crest Fire District No. 4 have requested the Cheektowaga Town Board to contact the Erie County Water Authority and request them to install new fire hydrants in Fire District No. 4 as follows:

41 Colden Court; North west corner of New Beach Road and Laurentian Drive, north; Southwest corner of New Beach Road and Laurentian Drive, south; 66 Thruway Court; Corner of Old Beach Road and Lucid Drive; No. 24 or No. 25 Crestwood Place; on whichever side the main is located; Lot No. 41 Camel Road; Lot No 26 Melcrest Drive east, on the north end as shown on Map #1970; Lot No. 25 on the north end of Melcourt Drive west as shown on Map No. 1917.

BE IT RESOLVED, that the Supervisor be and he is hereby authorized and directed to contact the Erie County Water Authority to request the installation of fire hydrants at the aforementioned locations.

Seconded by Councilman Neibert.

CARRIED: AYES: -7-.

22
28

Item No. 25 FIRE HYDRANTS- WALDEN FIRE DISTRICT NO. 2

Councilman Trojanoski presented the following resolution and moved its adoption:

WHEREAS, the Board of Fire Commissioners of Walden Fire District No. 2 have requested the Cheektowaga Town Board to contact the Erie County Water Authority and request them to install new fire hydrants in Fire District No. 2, as follows:

- In front of No. 124 McNaughton Avenue;
- In front of No. 150 McNaughton Avenue;
- At the corner of Cathedral Lane and Ruth Drive, on which ever side the water main is located.

BE IT RESOLVED, that the Supervisor be and he is hereby authorized and directed to contact the Erie County Water Authority to request the installation of fire hydrants at the aforementioned locations.

Seconded by Councilman Neibert.

CARRIED: AYES: -7-

22
28

Item No. 26 STREET LIGHTS

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the New York State Gas & Electric Corporation be authorized to install 2500 lumen lights on existing Poles No. 1 2 4 and 6 situate in Bink Street in the Town of Cheektowaga the cost of said installation to be charged against the General Lighting District.

Seconded by Councilman Kornecki.

CARRIED: AYES: -7-

27

Item No. 27 STREET LIGHTS

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Niagara Mohawk Power Corporation be authorized to replace a 1348 lighting standard at Mapleview and South Huxley Road in the Town of Cheektowaga knocked down by person or persons unknown and that the same be charged against the General Lighting District.

Seconded by Councilman Kornecki.

CARRIED: AYES: -7-.

27

Item No. 28

STRACO INC., APPROVED VOUCHER

Councilman Trojanoski presented the following resolution and moved its adoption:

WHEREAS, emergency sewer repairs were required in Huxley Drive and were ordered by the Town Engineer, and
WHEREAS, the cost of the work and materials amounted to \$719.35 for excavation for and building a new manhole,
BE IT RESOLVED, that the voucher of Straco Inc., for \$719.35 to do the work and furnish the materials be approved and ordered paid.

Seconded by Councilman Kornecki. CARRIED: AYES: -7-.

6
24

Item No. 29

Straco Inc., APPROVED VOUCHER

Councilman Trojanoski presented the following resolution and moved its adoption:

WHEREAS, Emergency sewer repairs were required on Tiorunda Drive and were ordered by the Town Engineer, and
WHEREAS, the cost of the work and materials amounted to \$17.86 to repair open joints,
BE IT RESOLVED, that the voucher of Straco Inc., for \$17.86 to do the work and furnish the materials be approved and ordered paid.

Seconded by Councilman Kornecki. CARRIED: AYES: -7-

6
24

Item No. 30

Councilman Wroblewski presented the following resolution and moved its adoption: (REQUEST STATE TO REPAIR CRISFIELD AVENUE)

WHEREAS, Crisfield Avenue from Dingen Street to Parker Avenue in the Town of Cheektowaga, New York, has been seriously damaged on account of being used as a detour for the building of the New York State Thruway and is in need of immediate rebuilding and repairs,
BE IT RESOLVED, that the Supervisor be and he is hereby authorized and directed to request the State of New York to immediately rebuild Crisfield Avenue from Dingen Street to Parker Avenue in the Town of Cheektowaga, New York.

Seconded by Councilman Kornecki. CARRIED: AYES: -7-.

8
13

Item No. 31

BLINKER LIGHT GENESEE STREET AT ALPINE PLACE

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, there is a blinker light at the corner of Genesee Street and Alpine Place, in the Town of Cheektowaga, New York, which operates only during school hours and is not in operation during the summer time, and
WHEREAS, this intersection is immediately adjacent to the City of Buffalo and the speed of automobile traffic greatly increases at this point, and
WHEREAS, there is a curve in the street immediately west of this intersection which makes it impossible for pedestrian or automobile traffic to see vehicles approaching from the west, and
WHEREAS, it is practically impossible for automobile traffic to enter Genesee Street from Alpine Place during the heavy traffic hours from 7 A.M. to 10 A.M. and from 4 P.M. to 7 P.M., and extremely dangerous for pedestrian traffic to cross Genesee Street at any hour of the day, and
WHEREAS, this is a heavily populated area containing many retail stores,

BE IT RESOLVED, that the Supervisor be and he is hereby authorized and directed to request the New York State Traffic Commission to install a traffic signal at the corner of Genesee Street and Alpine Place, and
BE IT FURTHER RESOLVED, that a certified copy of this resolution be sent to the New York State Traffic Commission.

Seconded by Councilman Trojanoski. CARRIED: AYES: -7-.

8
21

Item No. 32 AUDIT OF CLAIMS

Councilman Kornecki moved, seconded by Councilman Neibert, that all claims presented at this meeting for audit be approved, and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same.

Warrant No. 1891 to Warrant No. 1983, inclusive, drawn on the Supervisor.

6

Item No. 33 Councilman Nagel moved, seconded by Councilman Bystrak, to adjourn.

SEAL

Kenneth T. Hanley
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 6th day of August, 1956, at 2:30 o'clock P.M., E.D.S.T., there were:

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

ABSENT: Supervisor Benedict T. Holts.

Also present were: Town Clerk Kenneth T. Hanley; Assistant to the Town Attorney Thomas E. Dalahunt; Chief of Police John Mersmann; Town Engineer Albert J. Kawa; Receiver of Taxes & Assessments Edward H. Pfohl; Building & Plumbing Inspector Carl J. Trafalci and Town Historian Mrs. Julia B. Reinstein.

Item No. 2 Without any objections Councilman Felix T. Wroblewski was designated to act as Chairman for this meeting due to the absence of the Supervisor.

Item No. 3 The Town Clerk advised the Board that a copy of the minutes of the previous meeting has been placed on their desk in the Council Chamber.

Item No. 4 Communication read from Chief of Police Mersmann relating to the investigation of various plants in the town which are alleged to be violating the Smoke and Odor Ordinance. Ordered received and filed.

40
73

Item No. 5 On a motion of Councilman Kornecki, seconded by Councilman Neibert, the request of the Chief of Police to attend the International Association of Chiefs of Police meeting to be held in Chicago Ills., from September 9th, to 13th, was granted.

18
42

Item No. 6 CIVIL AIR PATROL PERMISSION TO USE FIREWORKS

Councilman Neibert moved, seconded by Councilman Kornecki, that the request of the Civil Air Patrol, Buffalo Group Headquarters 167 Fisher Street, Buffalo 15, New York, to have a fireworks display on August 25, 1956, on a site belonging to it on Cayuga Road be granted with the understanding that there be no fireworks display on any public highway but on its own property, and that it file with the Town Clerk written proof that it has obtained public liability insurance in the maximum amount of not less than Twenty-five Thousand Dollars (\$25,000.00).

10
14

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

Item No. 7 Councilman Neibert moved, seconded by Councilman Kornecki, (PURCHASING ELECTION BOOTHS)

WHEREAS Anthony Tabkarski was the low bidder for the construction of four election booths, be it
RESOLVED, that the bid of Anthony Tabkarski in the amount of \$5,800.00 be accepted and be it further
RESOLVED, that said election booths be ready for delivery not later than September 29, 1956, as same have to be used for the Fall Registration Days.

1
11

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

Item No. 8

PUBLIC HEARING FOR THE IMPROVEMENT OF MANSION STREET BY THE INSTALLATION CURBS, ETC.

This being the time and the place advertised for a public hearing for the improvement of both sides of Mansion Street commencing at William Street running north to Stradtman a distance of approximately 2449 feet, by the construction of curbs, together with the installation of receivers and necessary underground drains.

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

The chairman announced that the Board would hear all persons interested in the subject of the hearing, and no persons appearing in opposition thereof, the chairman ordered the hearing closed and that the decision be reserved.

29A

Item No. 9

STREET LIGHTING

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the New York State Electric and Gas Corporation be authorized to install three (3) 4000 lumen pole type lighting standards on the West Seneca side of Clinton Street at the Thruway, the Town of Cheektowaga to assume future maintenance thereof.

Seconded by Councilman Kornecki. CARRIED: AYES: -6- ABSENT: -1-

27

Item No. 10

FINAL RESOLUTION ADOPTION OF STREET LIGHTING EQUIPMENT VERN LANE FROM WILLIAM STREET TO A DISTANCE OF 2700 FEET

This being the time and the place advertised for a public hearing on the proposed improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth by the installation of street lighting equipment hereinafter particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the Notice of Hearing.

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

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
VERN LANE	WILLIAM STREET	A DISTANCE OF 2700 FEET

TYPE OF STREET LIGHTING INSTALLATION

18 Y-19 Ornamental Standards with underground conduit

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

Mr. 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
Vern Lane	William Street	a distance of 2700 feet

TYPE OF STREET LIGHTING EQUIPMENT

18- Y 19 Ornamental standards with underground conduit, and heard all persons interested in the subject thereof.

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

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

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

BE IT FURTHER RESOLVED, that such petition is hereby approved and the installation of such street lighting equipment along said 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 10 days after the adoption hereof, in conformity with Section 195 of the Town Law.

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

Councilman Nagel	Voting	AYE
Councilman Wroblewski	"	"
Councilman Kornecki	"	"
Councilman Trojanoski	"	"
Councilman Meibert	"	"
Councilman Bystrak	"	"

AYES: -6-

NOES: -0-

ABSENT: -1-

This is to certify that the hereinabove resolution was recorded in the Office of the Erie County Clerk on the 16th day of August, 1956.

Kenneth T. Hanley, Town Clerk.

17
27

Item No. 11

PURCHASE STREET LIGHTING STANDARDS VERN LANE

Councilman Bystrak moved, seconded by Councilman Kornecki, that the Supervisor be authorized and directed to purchase 18 Y-19 lighting standards to be used in the Vern Lane Special Street Lighting District.

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

27

Item No. 12

STATE TRAFFIC COMMISSION REQUEST TRAFFIC SIGNAL LIGHT BROADWAY AND WAGNER AVENUE- VILLAGE OF SLOAN

WHEREAS, this Town Board has requested the New York State Traffic Commission by resolution to install a pedestrian traffic signal at the junction of Broadway and Wagner Avenue in the Village of Sloan, New York

WHEREAS, the State Traffic Commission has advised this Town Board that the request has been denied

WHEREAS, the State Traffic Commission has advised this Town Board that the situation could be solved if inbound passengers were permitted to board the buses of the Niagara Frontier Transit Company at the bus stop on the south side of Broadway and were permitted to ride around the loop located at Broadway and Michael Street

WHEREAS, the above mentioned territory is entirely within the bounds of the Buffalo Transit Company

BE IT RESOLVED, that this Town Board does hereby apply to the Public Service Commission of the State of New York, to make a study and to investigate this situation and to ascertain whether or not the said Niagara Frontier Transit Company are allowed to pick up said passengers in the above mentioned territory.

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

8
41

Item No. 13 ACCEPTANCE OF MANDALE DRIVE AS A TOWN HIGHWAY

Councilman Kernecki moved seconded by Councilman Trejanoski, WHEREAS the Town Highway Superintendent has recommended to this Board that the highway known as Mandale Drive, for its entire length, be accepted as a Town Highway,

BE IT RESOLVED, that the recommendation of the Highway Superintendent be accepted and that Mandale Drive be accepted as a Town Highway and to be maintained by the Highway Department of the Town of Cheektowaga, New York.

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

Item No. 14 ACCEPTANCE OF VICTORIA BLVD AS A TOWN HIGHWAY TO LOT NO. 16

Councilman Heibert moved, seconded by Councilman Trejanoski, WHEREAS, the Highway Superintendent has recommended to this Board that he has inspected the highway known as Victoria Boulevard running easterly from Pine Ridge Road to Lot No. 16 shown on Sub Division Map and finds that it meets the specifications set forth by the Town

BE IT RESOLVED, that this Town Board does hereby accept the above described highway as a Town Highway and that the same will be maintained by the Town of Cheektowaga Highway Department.

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

Item No. 15 APPROVAL SUB DIVISION MAP PARK LANE SUB DIVISION NO. 3

Councilman Bystrak moved, seconded by Councilman Kernecki, that the Sub Division Map of Park Lane Sub Division No. 3 part of Lot 15 T 11 R 7 lots 1 to 42 inclusive, Vern Lane prepared by Krebbiel and Krebbiel, Civil Engineers, be approved and ordered filed in the Assessors Office.

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

Item No. 16 INSTALLATION OF FIRE HYDRANTS MEDINA STREET

Councilman Heibert moved, seconded by Councilman Kernecki, that the request of Doyle Fire District No. 1, for the installation of fire hydrants on the corner of Medina and Dingen Street and on Medina Street 500 feet north of Dingen Street be granted and that the Town Clerk be authorized and directed to notify the Erie County Water Authority for installation of same.

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

Item No. 17 NOTICE TO BIDDERS FOR THE PURCHASE OF AN AUTOMOBILE FOR USE IN THE HIGHWAY DEPARTMENT.

Councilman Kernecki presented the following resolution and moved its adoption:

WHEREAS, the Superintendent of Highways has requested the Town Board to purchase an automobile for use by the Highway Department, this purchase being necessary to efficiently conduct the duties of the department

BE IT RESOLVED, that the request of the Superintendent of Highways be granted and that the Town of Cheektowaga purchase for the Town Highway Department an automobile to meet the specifications referred to in the Notice to Bidders, and be it further

RESOLVED, that the Town Clerk published the annexed Notice to Bidders in the Depew Herald-Cheektowaga News and the Cheektowaga Sun, newspapers having a general circulation in the township, at least five (5) days before the receipt of bids. That sealed bids be received not later than 7:30 o'clock P.M., on August 20th, 1956, at which time they will be publicly opened by the Town Board at a meeting called for that purpose, to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York,

That the Notice to Bidders shall be in substantially the following form:

NOTICE TO BIDDERS

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of an automobile, fully equipped, for use by the Highway Department.

The detailed specifications may be examined at the office of the Town Clerk where the same are on file.

Copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 7:30 o'clock P.M., Eastern Daylight Saving Time on August 20th, 1956, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York.

Item No. 17-Contd¹ The Town of Cheektowaga reserves the right to reject and all bids and to waive technical defects in bids if it be in the public interest of the Town of Cheektowaga to do so.

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

Dated: August 6th, 1956

Kenneth T. Hanley, Town Clerk

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

Councilman Neibert	Voting	AYE
Councilman Frejzambek	"	"
Councilman Nagal	"	"
Councilman Wroblewski	"	"
Councilman Bystrak	"	"
Councilman Kornecki	"	"

AYES: -6-

NOES: -0-

ABSENT: -1-

The above Notice to Bidders was posted as follows on the 9th day of August, 1956:

1- Town Hall Bulletin Board .

Hereto are a copy of the heretofore mentioned specifications:

PASSENGER CAR SPECIFICATIONS NEW 1956 PASSENGER CAR 2 DOOR SEDAN

- 1- V 8 engine 205 horse power valve in head compression ratio 8.9:1 or more
- 2- Wheel Base 122"
- 3- Tires-5- 710 x 15 tubeless
- 4- Type of Drive-Hotchkiss
- 5- Engine Lubrication-Pressure Lubrication
- 6- Carburetor: Dual Automatic Choke
- 7- Electrical System: 12 Volt Battery
- 8- Rear Axle: Type Semi Floating - Hypoid
- 9- Steering Ratio: Recirculating Ball Bearing 25:1
- 10- Brakes: Effective area 178 sq. in.
- 11- Frame: Channel side rails and cross members with straight I-Beam X members
- 12- Transmission: Hydramatic four forward speeds-one reverse or synchro mesh transmission
- 13- Generator: low cut-in
- 14- Heater and Defroster-Fresh Air Unit
- 15- Turn Signals

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

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

... of the specifications may be examined at the office of the Town Clerk, where the same are on file. Copies of the specifications are available for all prospective bidders. Sealed bids must be received not later than 7:30 o'clock P.M., Eastern Daylight Saving Time, on August 20th, 1956, at which time they will be publicly opened by the Board at a public meeting for that purpose to be held in Town Hall, corner of Broad and Union Road, Cheektowaga, New York. The Town of Cheektowaga reserves the right to reject any and all bids and to waive technical details if it be in the public interest for the Town of Cheektowaga to do so. The notice is published by direction of the Town Board of the Town of Cheektowaga, New York, August 6th, 1956.
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 August, 1956; and the last insertion being on the 9th day of August, 1956; and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

Sworn to before me this day of

AUG 10 1956

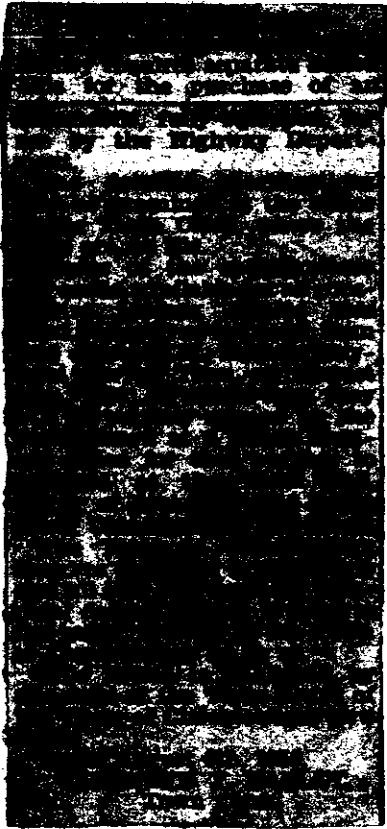
19.....

Kenneth Hanley

Notary Public in and for Erie County

STATE OF NEW YORK
COUNTY OF ERIE

ss.:



ROBERT A. NEUBAUM

being duly sworn, deposes and says that he is the

PUBLISHER

The Cheektowaga Sun

a public newspaper published in the 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 August, 1956

~~the last insertion being on the _____ day of _____, 19____~~
~~more than _____ days, _____~~

Robert A. Neubaum

Sworn to before me this 10th day of

August, 1956

Keneth J. Haney
Notary Public in and for Erie County

Councilman Trejanokai presented the following resolution and moved its adoption:

WHEREAS, the Town Highway Department is in need of a Road Grader to meet the specifications referred to in the Notice to Bidders, and BE IT RESOLVED, that the Town of Cheektowaga purchase for the Town Highway Department a Road Grader to meet the specifications referred to in the Notice to Bidders, and be it further

RESOLVED, that the Town Clerk published the annexed Notice to Bidders in the Depew Herald-Cheektowaga News and the Cheektowaga Sun, newspapers having a general circulation in the Township at least five (5) days before the receipt of bids. That sealed bids shall be received not later than 7:30 o'clock P.M., on August 20th, 1956, at which time they will be publicly opened by the Town Board at a meeting called for that purpose to be held at the Town Hall, corner of Union Road and Broadway, Cheektowaga, New York.

That the Notice to Bidders shall be in substantially the following form:

NOTICE TO BIDDERS

The Town of Cheektowaga hereby requires sealed bids for the purchase of a ROAD GRADER for use by the Highway Department.

The detailed specifications may be examined at the office of the Town Clerk where the same are on file.

The copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 7:30 o'clock P.M., on August 20th, 1956, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York.

The Town of Cheektowaga reserves the right to reject any and all bids or to waive technical defects in bids if it be in the public interest of the Town of Cheektowaga to do so.

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

Dated: August 6th, 1956

Kenneth T. Hanley, Town Clerk

The above mentioned Notice to Bidders was posted as follows on the 9th day of August, 1956:

1- Town Hall Bulletin Board.

Here are a list of specifications for said Road Grader:

All Wheel Drive
 All Wheel Steer (4 wheel drive and 4 wheel steer)
 Four cylinder diesel engine
 Torque converter
 13' Moldboard
 Hydraulic Controls Throughout
 Power shift moldboard
 Electric Starter
 High-lift full reversible blade
 Hydraulic Brakes
 Muffler, horn, thermostat
 1300 x 24 tires - Sciberling
 Booster Steer
 Auxiliary brakes
 Cab and Cab enclosure
 Defroster-Electric Fan Pipe
 Rear Draw Bar
 Heavy Duty Generator
 Heater
 Hood side for engine
 Lights-Electric, 2 head, 2 tail, 1 dash, combination stop and tail lights, directional light, Extra flasher light on top of cab
 Radiator Shutters
 11 Tooth Oval Type Scarifier
 Windshield Wipers-Electric
 Hour Meter
 Belt Conveyor Loader

Item No. 18-Contd' Hereto attached is a copy of the Notice published in the Depew Herald-Cheektowaga News and the Cheektowaga Sun:

Cheektowaga Sun Affidavit

1
13

STATE OF NEW YORK
COUNTY OF ERIE

} ss.:

ROBERT A. MURBAUM

being duly sworn, deposes and says that he is the

PUBLISHER of

The Cheektowaga Sun

a public newspaper published in the Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy,

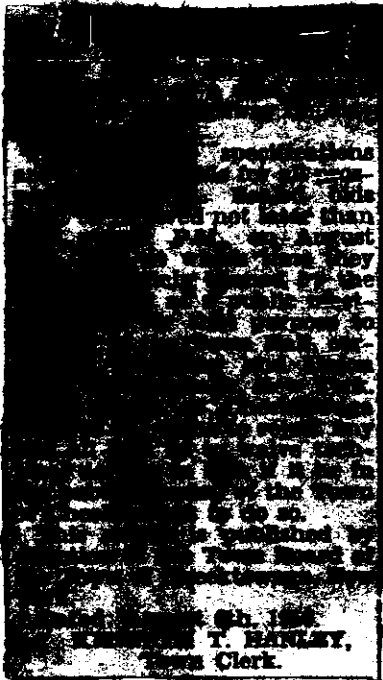
was inserted and published therein once a week for

ONE week,

the first insertion being on the 9th day of AUGUST, 1955, and

~~XX~~
~~XX~~
~~XX~~
~~XX~~

Robert A. Murbaurm



Sworn to before me this 10th day of

August, 1955

[Signature]
Notary Public in and for Erie County

STATE OF NEW YORK }
COUNTY OF ERIE } m.l.:

The copies of the specifications shall be made available for all prospective bidders. Sealed bids must be received not later than 7:30 o'clock on August 20th, 1956, at the time they will be publicly opened by the Town Board at a meeting called for that purpose to be held at the Town Hall, 100 Broadway and Union Street, Cheektowaga, New York, Town of Cheektowaga, Erie County, New York. The right to reject any or to waive to accept any bids if it be in the interest of the Town of Cheektowaga is reserved to do so.
This notice is published in the Depew Herald-Cheektowaga News, a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, on August 6th, 1956.
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 August, 1956, and the last insertion being on the 9th day of August, 1956, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

Sworn to before me this day of

AUG 10 1956

19

Kenneth T. Hanley

Notary Public in and for Erie County

PARKING ON AIRPORTS AND AIRFIELDS

NOTICE OF HEARING

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 6th day of August, 1956, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were

PRESENT:

Joseph A. Nelbert, Councilman
Henry J. Nagel, Councilman
Felix T. Wroblewski, Councilman
Stanley R. Bystrak, Councilman
Joseph Kornecki, Councilman
Joseph Trojanoski, Councilman

ABSENT:

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

WHEREAS, it has been found necessary to enact restriction concerning the parking of vehicles on property of the Buffalo Municipal Airport, in the Town of Cheektowaga, New York.

BE IT RESOLVED that pursuant to the provisions of the Town Law of the State of New York, the Town Board of the Town of Cheektowaga, New York, shall meet at the Town Hall, corner of Union Road and Broadway in said Town on the 20th day of August, 1956 at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of adopting the Parking Ordinance, which is to provide as follows:

**PARKING ORDINANCE
PARKING ON AIRPORTS AND AIRFIELDS**

Pursuant to the authority of Section 130, Subdivision 22 of the Town Law of the State of New York (Laws of 1932, Chapter 634), parking, standing, storing or leaving a motor vehicle attended or unattended upon any publicly or privately owned airport, airport premises, or airfield, or the roads, driveways, traffic circles and pavements thereof, and in other than duly constituted and maintained commercial parking areas thereof without the consent and permission of the owner or lessee of said airport or airfields is hereby prohibited.

To effectuate the prohibition of such premises, as above described, a conspicuous sign or signs shall be posted at each entrance to the airport premises. A sign, as herein-

after described, shall be deemed substantial compliance with this section.

NO PARKING OR STANDING EXCEPT IN AUTHORIZED PARKING LOTS POLICE ENFORCEMENT UNDER PENALTY OF LAW ORDINANCES OF TOWN OF CHEEKTOWAGA

but any other words or phraseology prohibiting the parking, standing, storing, or leaving of motor vehicles shall suffice.

The words "police enforcement" and "under penalty of Law" on such signs shall be construed, among other things to mean that the police, special patrolmen, or any law enforcement officers shall enforce the provisions of this section against persons parking, standing, storing or leaving vehicles on such premises without the consent of the owner or lessee, and that the police and other law enforcement officers are authorized to enter upon such premises to enforce the provisions of this ordinance.

This ordinance may be enforced by the police or by special patrolmen or other law enforcement officers and they may use such procedure as is authorized by law, including tags, summonses, and towing to effectuate the enforcement of this ordinance.

Proof of ownership of a vehicle shall be presumptive evidence in an action for enforcement of this section that the owner parked or caused his vehicle to be parked on such premises.

This ordinance shall not prevent the establishment or continuance of commercial parking areas or employes' parking areas provided said areas are plainly marked and designated and shall not limit or prevent the designation of an area for the standing and parking of taxicabs provided said areas shall be plainly marked "Taxi only may stand or park in this area."

No person shall park, stand, store or leave a motor vehicle in any employes' parking area without the consent and permission of the owner or lessee of said airport or airfield.

The standing, parking, storing or leaving of a motor vehicle, other than a taxicab, in any area designated for the parking of taxicabs

shall constitute a violation of this ordinance.

Any person who shall violate any provision of this ordinance shall, upon conviction, be subject to a fine or penalty of not more than Twenty-Five Dollars (\$25.00).

That at such public hearing all persons interested in the subject matter thereof shall be given an opportunity to be heard, and be it further

RESOLVED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution in the *Dewey Herald & Cheektowaga News* and the *Cheektowaga Sun*, newspapers having general circulation in the said Town, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post, 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 Kornecki and duly put to a vote, which resulted as follows:

Councilman Nelbert, voting Aye
Councilman Nagel, voting Aye
Councilman Wroblewski,

voting Aye
Councilman Bystrak voting Aye
Councilman Kornecki, voting Aye
Councilman Trojanoski, voting Aye
AYES: 6; NOES: 0; ABSENT: 1.

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 6th day of August, 1956, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand (seal) and affixed the seal of said Town this 6th day of August, 1956.

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

40

The above mentioned Notice was posted as follows on the 9th day of August, 1957:

1- Town Hall Bulletin Board.

Item No. 19-Contd' Hereto attached is a copy of the Notice published in the Depew Herald-Cheektowaga News:

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 6th week, the first insertion being on the 9th day of August, 1956, and the last insertion being on the 9th day of August, 1956, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

Sworn to before me this day of

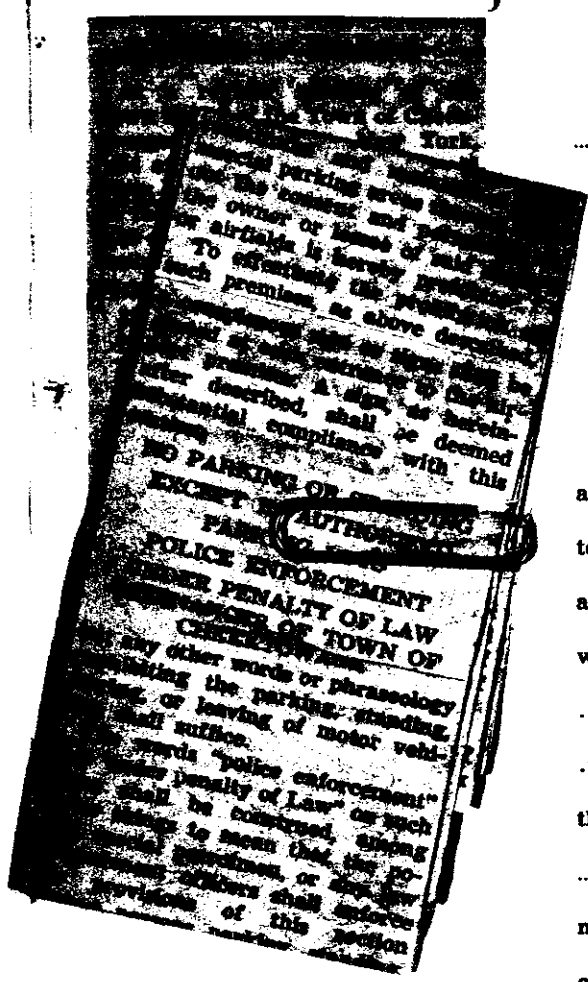
AUG 10 1956

19.....

Kenneth D. Harley

Notary Public in and for Erie County

tn 11096-C8



STATE OF NEW YORK
COUNTY OF ERIE

At a regular meeting of the Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said town of Cheektowaga, New York, on the 6th day of August, 1956, at 8 o'clock P.M., Eastern Daylight Saving Time, there were

PRESENT:
Joseph A. Nelbert, Councilman
Henry J. Nagel, Councilman
Felix T. Wroblewski, Councilman
Stanley R. Bystrak, Councilman
Joseph Kornecki, Councilman
Joseph Trojanoski, Councilman

ABSENT:
Benedict T. Holtz, Supervisor
Councilman Trojanoski, present

the following resolution and its adoption:

WHEREAS, it has been found necessary to enact restriction concerning the parking of vehicles on property of the Buffalo Municipal Airport, in the Town of Cheektowaga, New York.

BE IT RESOLVED that pursuant to the provisions of the Town Law of the State of New York, the Board of the Town of Cheektowaga, New York, shall meet at the Town Hall, corner of Union Street and Broadway in said Town on the 20th day of August, 1956 at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of adopting the Parking Ordinance, which is to provide as follows:

**PARKING ORDINANCE
PARKING ON AIRPORTS AND
AIRFIELDS**

Pursuant to the authority of Section 130, Subdivision 22 of the Town Law of the State of New York (Articles of 1932, Chapter 634), parking, standing, storing or leaving a motor vehicle attended or unattended upon any publicly or privately owned airport, airport premises, or airfield, or the roads, driveways, traffic circles and pavements adjacent to and immediately connected with the parking areas adjacent with the airport and airfields of the Town of Cheektowaga is hereby prohibited.

It is hereby declared to be the public interest and policy of the Town of Cheektowaga to prohibit the parking, standing, storing or leaving of motor vehicles as above described, and it is further declared that any person who shall violate this ordinance shall be deemed to be in violation of the public interest and policy of the Town of Cheektowaga.

**PARKING OR LEAVING
MOTOR VEHICLES**

**POLICE ENFORCEMENT
PENALTY OF LAW
VIOLATIONS OF TOWN OF
CHEEKTOWAGA**

Any other words or phraseology appearing in this ordinance relating to the parking, standing, storing or leaving of motor vehicles shall read:

"Police enforcement" shall mean the penalty of Law or such other penalty as may be authorized, through the provisions of this ordinance, or any other ordinance, which shall apply to the parking, standing, storing or leaving of vehicles on such premises without the consent of the owner or lessee, and that the police or other law enforcement officers are authorized to enter upon such premises to enforce the provisions of this ordinance.

This ordinance may be enforced by the police or by special patrolmen or other law enforcement officers and they may use such procedure as is authorized by law, including tags, summonses, and towing to effectuate the enforcement of this ordinance.

Proof of ownership of a vehicle shall be presumptive evidence for enforcement of this section that the owner parked or caused his vehicle to be parked on such premises.

This ordinance shall not prevent the establishment or continuance of commercial parking areas or employer parking areas provided said areas are plainly marked and designated and shall not limit or prevent the designation of an area for the standing and parking of taxicabs provided said areas shall be plainly marked "Taxi only may stand or park in this area."

No person shall park, stand, store or leave a motor vehicle in any employer parking area without the consent and permission of the owner or lessee of said airport or airfield.

The standing, parking, storing or leaving of a motor vehicle, other than a taxicab, in any area designated for the parking of taxicabs shall constitute a violation of this ordinance.

Any person who shall violate any provision of this ordinance shall, upon conviction, be subject to a fine or penalty of not more than Twenty-Five Dollars (\$25.00).

That at such public hearing all persons interested in the subject matter thereof shall be given an opportunity to be heard, and be it further

RESOLVED, that the Town Clerk be and he is hereby ordered and directed to publish a certified copy of this resolution in the DeWey Herald & Cheektowaga News and the Cheektowaga Sun, newspapers having general circulation in said Town, not less than ten days prior to the date of the hearing.

Item No. 19-Contd' Hereto attached is a copy of the Notice published in the Depew Herald-Cheektowaga News:

STATE OF NEW YORK
COUNTY OF ERIE

The standing, parking, storing or
loading of a motor vehicle, other
than a taxicab, in any area design-
ated for the parking of taxicabs
shall constitute a violation of this
ordinance.

Any person who shall violate any
provision of this ordinance shall,
upon conviction, be subject to a
fine or penalty of not more than
Five Dollars (\$5.00).

At each public hearing all
persons interested in the subject
of this resolution shall be given an
opportunity to be heard, and be it

RESOLVED, that the Town
Board be and it is hereby ordered
that the Board do hereby order
that this resolution in the De-
pew Herald-Cheektowaga News
shall be published for a period
of not less than ten
days, nor more than twenty (20)
days prior to the date of the hear-
ing, and that on or before said date
there shall be posted con-
spicuously on a signboard main-
tained by him at the entrance of
the Town Clerk's Office, a certi-
fied copy of this resolution.

Witness my hand and the seal of
said Town at Cheektowaga, New York,
this 6th day of August, 1934.

Mayor voting Aye
Town Board voting Aye
Trojanocki voting Aye
TOWN OF CHEEKTOWAGA
COUNTY OF ERIE, STATE OF NEW YORK

I, the Clerk of the Town of
Cheektowaga, do hereby certify that

the foregoing is a true and correct
copy of the resolution as the same
appears in the original resolution now on file
in this office, and which was passed
by the Town Board of the Town
of Cheektowaga in said County of
Erie, on the 6th day of August,
1934, and that the same is a cor-
rect and true transcript of such
resolution and proceedings.

In Witness Whereof, I
have hereunto set my hand
(seal) and affixed the seal of
said Town this 6th day of
August, 1934.
KENNETH T. HANLEY,
Clerk of the Town Board, Town of
Cheektowaga, New York

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

ROBERT A. NUSBAUM

being duly sworn, deposes and says that he is the

PUBLISHER of

The Cheektowaga Sun

a public newspaper published in the 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 August, 1952, 1952

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Robert A. Nusbaum

Sworn to before me this 22nd day of

August, 1952

[Signature]
Notary Public in and for Erie County

Item No. 20 NOTICE OF PUBLIC HEARING-- IMPROVEMENT OF YVONNE AVENUE--

KUHN ROAD and CRESTVIEW AVENUE--PROPOSED PAVING, ETC.

NOTICE OF HEARING

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 6th day of August, 1956, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were

PRESENT:

Joseph A. Neibert, Councilman
Henry J. Nagel, Councilman
Felix T. Wroblewski, Councilman
Stanley R. Bystrak, Councilman
Joseph Kornecki, Councilman
Joseph Trojanoski, 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 the public highways in said Town known as Yvonne Avenue, commencing at Cleveland Drive, extending in a northerly direction to the north line of the Town of Cheektowaga, New York, and on Kuhn Road, commencing at Yvonne Avenue and extending in an easterly direction to Crestview Avenue, and on Crestview Avenue, commencing at Cleveland Drive, extending in a northerly direction to Kuhn Road, as shown on a Sub-division Map filed in the Erie County Clerk's Office under Cover No. 1473-1898, by the construction of permanent pavement along said highways, together with the installation of receivers and all necessary underground drains, and

WHEREAS, it duly appears that such petition has been signed by owners of real property fronting

and abutting on said highways, situate between the points aforesaid, owning at least one-half of the entire frontage or bounds on said highways to be improved as aforesaid, and also by resident owners owning more 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 highways, as stated in the petition, is the sum of Forty-nine thousand dollars (\$49,000.00).

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 of Cheektowaga, on the 20th day of August, 1956, at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing all persons interested in the subject matter thereof concerning the same, and be it further

RESOLVED, that the Town Clerk be and he hereby is Ordered and Directed to publish a certified copy of this resolution and order in the Depew Herald and Cheektowaga News, a newspaper having a general circulation in the township, not less than ten (10) nor more than twenty (20) days prior to the

date of the hearing, and that the Town Clerk post conspicuously or cause to be posted conspicuously certified copies of this Order in five (5) public places along said highways to be improved, not less than ten nor more than twenty days prior to the date of the hearing.

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

Supervisor Holtz, absent
Councilman Neibert, voting Aye
Councilman Nagel, voting Aye
Councilman Wroblewski, voting Aye
Councilman Bystrak, voting Aye
Councilman Kornecki, voting Aye
Councilman Trojanoski, voting Aye

AYES: 6; NOES: 0; ABSENT: 1
State of New York,)
Erie County)
Office of the Clerk of the) ss
Town of Cheektowaga)

This is to certify that I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 6th day of August, 1956, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 6th day of August, 1956.

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

Posted as follows on the 9th day of August, 1956:

Yvonne Avenue--
1- Post at the corner of Yvonne Avenue and Cleveland Drive;
2- Post 170 feet north of Cleveland Drive on Yvonne Avenue;
3- Post 180 feet north of Cleveland Drive on Yvonne Avenue;
4- Post 200 feet north of Cleveland Drive on Yvonne Avenue;
5- Post 250 feet north of Cleveland Drive on Yvonne Avenue.

Kuhn Road--
1- Post at the corner of Kuhn Road and Yvonne Avenue;
2- Post 50 feet east of Yvonne Avenue;
3- Post 70 feet east of Yvonne Avenue;
4- Post 100 feet east of Yvonne Avenue;
5- Post at the corner of Kuhn Road and Crestview Avenue;

Crestview Avenue--
1- Post in front of No. 87 Crestview Avenue;
2- Post 50 feet south of No. 87 Crestview Avenue;
3- Post 70 feet south of No. 87 Crestview Avenue;
4- Post 100 feet south of No. 87 Crestview Avenue;
5- Hartleys Refreshment Stand-Crestview Avenue and Cleveland Drive.

17
13

Item No. 20-Contd Hereto attached is a copy of the Notice published in the Depew Herald-Cheektowaga News:

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

The Honorable Justice of the Peace
of the Town of Cheektowaga, Erie County, New York, held
at the Town Hall in the said Town
of Cheektowaga, New York, on the
10th day of August, 1956 at 2:30
P.M.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

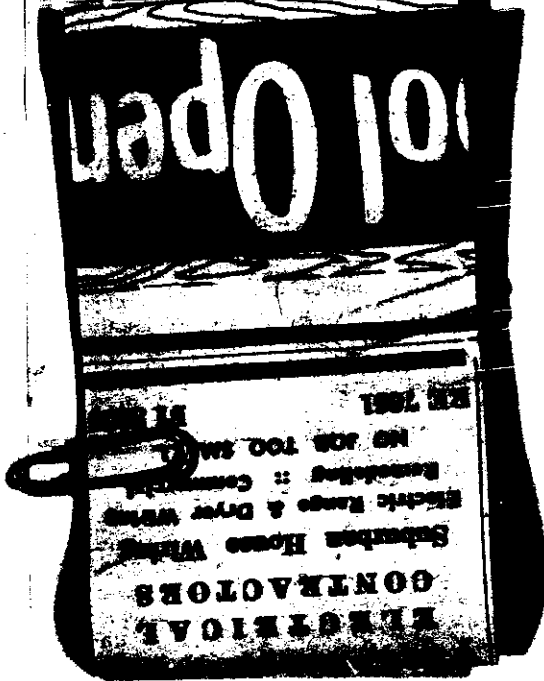
PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 9th day of August, 1956, and the last insertion being on the 9th day of August, 1956, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett



Sworn to before me this day of

AUG 10 1956

19.....

Kenneth T. Hanley

Notary Public in and for Erie County

hn 11096-C8

STATE OF NEW YORK
COUNTY OF ERIE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 6th day of August, 1956, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were

PRESENT:
Joseph A. Neibert, Councilman
Henry J. Nagel, Councilman
Felix T. Wroblewski, Councilman
Stanley R. Bystrak, Councilman
Joseph Kornecki, Councilman
Joseph Trojanowski, 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 the public highways in said Town known as Yvonne Avenue, commencing at Cleveland Drive, extending in a northerly direction to the north line of the Town of Cheektowaga, New York, and on Kuhn Road, commencing at Yvonne Avenue and extending in an easterly direction to Crestview Avenue, and on Crestview Avenue, commencing at Cleveland Drive, extending in a northerly direction to Kuhn Road, as shown on a Sub-division Map filed in the Erie County Clerk's Office under Cover No. 1473-1808, by the construction of permanent pavement along said highways, together with the installation of receivers and all necessary underground drains, and

WHEREAS, it duly appears that such petition has been signed by owners of real property fronting and abutting on said highways, situate between the points aforesaid, amounting at least one-half of the entire frontage or bounds on said highways to be improved as aforesaid, and also by resident owners owning more than one-half of the lots abutting along said highways to be improved, and

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said highways, as stated in the petition, is the sum of Forty-nine thousand dollars (\$49,000.00).

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 Street and Broadway, in said Town of Cheektowaga, on the 20th day of August, 1956, at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing persons interested in the subject matter thereof concerning the same, and be it further

ORDERED, that the Town Clerk be and he hereby is ordered and directed to publish a certified copy of this resolution and order in the Dewey Herald and Cheektowaga News, a newspaper having a general circulation in the township, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that the Town Clerk post conspicuously or cause to be posted conspicuously certified copies of this Order in five (5) public places along said highways to be improved, not less than ten nor more than twenty days prior to the date of the hearing.

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

Supervisor Holtz, absent *
Councilman Neibert, voting Aye,
Councilman Nagel, voting Aye
Councilman Wroblewski,
voting Aye
Councilman Bystrak, voting Aye,
Councilman Kornecki, voting Aye
Councilman Trojanowski,
voting Aye

AYES: 6; NOES: 0; ABSENT: 1.
State of New York,)
Erie County)
Office of the Clerk of the) as
Town of Cheektowaga)

This is to certify that I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 6th day of August, 1956, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 6th day of August, 1956.
KENNETH T. HANLEY,
Clerk of the Town Board,
Town of Cheektowaga, N. Y.

Item No. 21 DICK ROAD RAILROAD CROSSING

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Dick Road crossing of the New York Central Railroad tracks in the Town of Cheektowaga, New York, is an extremely hazardous condition, and

WHEREAS, the amount of automobile traffic at this crossing has been increasing steadily, and

WHEREAS, another fatal accident recently occurred at this crossing, and

WHEREAS, the Public Service Commission ordered certain improvements at this crossing in 1952, which improvements have not been realized.

BE IT RESOLVED, that the Town Clerk be and he hereby is authorized and directed to send certified copies of this resolution to the New York Central Railroad Company and the Erie County Highway Department, requesting the installation of an underpass at this crossing, and be it further

RESOLVED, that the Town Clerk be and he hereby is authorized and directed to request the New York Central Railroad Company and the Erie County Highway Department, pending the construction of an underpass at this crossing to raise the highway approaches so that they will be level with the railroad crossing and to eliminate the turns in the highway approaching the railroad tracks.

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

Councilman Heibert	Voting	AYE
Councilman Nagel	"	"
Councilman Wroblewski	"	"
Councilman Bystrak	"	"
Councilman Kernecki	"	"
Councilman Trojanoski	"	"

AYES: -6-

NOES: -0-

ABSENT: -1-

9
+2
13

Item No. 22 BUILDING PERMIT APPLICATIONS

Councilman Wroblewski moved, seconded by Councilman Trojanoski, that the Town Clerk be authorized and directed to issue Building Permits on Applications processed by the Petitions Committee on August 4th, 1956, after same have been approved by the Building Inspector. CARRIES: AYES; -6- ABSENT: -1-

15
35

Item No. 23 The recommendation of Dr. Victor Reinstein, Peter N. Yeager and Arthur Massara, that trunk sewers should be fit into a master plan for the rapidly increase in building in the new Walden Avenue area and that the amount of \$1,000 be appropriated in order that the Town Planning Consultant can immediately start a study and plan for the area was referred to the Board for further study and investigation.

10
24

Item No. 24 The request of Arthur Massara of 335 Ellicott Square, Buffalo, New York, to submit a petition for an extension of Sewer District No. 5, between Union Road and Dick Road, on Geo. Urban Boulevard was granted.

17
24

Item No. 25 AUDIT OF CLAIMS

Councilman Kernecki moved, seconded by Councilman Trojanoski, 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. 1984 to No. 2073 inclusive drawn on the Supervisor.

6

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

SEAL

Kenneth T. Hanley, Town Clerk

Kenneth T. Hanley

AUG 20 1956

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 20th day of August, 1956, at 7:30 o'clock P.M., E.D.S.T., there were:

PRESENT: Benedict T. Holts	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	"
Joseph Kornecki	"
Joseph Trojanski	"
Joseph A. Neibert	"
Stanley R. Bystrak	"

ABSENT: -0-

Also present were: Town Clerk Kenneth T. Hanley; Assistant to the Town Attorney Thomas E. Delamunt; Highway Superintendent John J. Zablotny; Building and Plumbing Inspector Carl J. Trafalski; Town Historian Julia B. Reinstein and Town Engineer Albert J. Kamm.

Item No. 2 The Clerk advised the Board that a copy of the last Town Board Meeting minutes has been placed on their desk in the Council Chamber.

Item No. 3 The request of the Town Clerk for extra salary for Election Inspectors on Election Day for two extra hours of voting was referred to Councilman Wroblewski.

Item No. 4 Request for Dead End sign at Jean Court and Mathew Lane ordered referred to Councilman Wroblewski. 41

Item No. 5 Request for Children at Play signs at the intersection of Jean Court and Mathew Lane ordered referred to Councilman Wroblewski. 41

Item No. 6 Request for a Boulevard Stop and Go sign at the intersection of Danbury Drive and Barrymore Drive ordered referred to Councilman Wroblewski. 41

Item No. 7 Request for Children at Play signs on Danbury Drive and Barrymore Drive ordered referred to Councilman Wroblewski. 41

Item No. 8 Request for a Boulevard Stop and Go sign at the intersection of Belmar Road and Wilshire Road ordered referred to Councilman Wroblewski. 41

Item No. 9 Petition presented which read as follows:

"We, the undersigned, owners of real property located on Harvard Avenue, in the Village of Depew, New York, petition your Honorable Body to give us relief from Scjaquads Creek which is in the rear of our property. It seems that during the construction of these homes the building contractor filled in some of this creek when he was grading the rear of these properties. This has narrowed the creek considerably and with the brush that has grown in it the flow of water has been impeded.

26
17

Ordered referred to the Supervisor, Highway Superintendent and Foreman of the Highway Superintendent.

Item No. 10 Communication, petition relating to the erection of a basement to be used by the Northeastern Evangelizing Fellowship Church, until a larger scale building program can be installed was ordered referred to the Town Board Petitions and Building Committee. 17
3

Item No. 11 Communication read from the Department of Commerce, Bureau of Census, relating to a special census of the Town of Cheektowaga ordered referred to the Town Attorney. 7
33

LATERAL SANITARY SEWER

(ADOPTED)

This being the time and the place advertised for a public hearing for the improvement of the highways known as Yvonne Avenue, Crestview Avenue and Kuhn Road, by the construction of a lateral sewer in said highways.

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

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

WHEREAS, a written petition was duly filed with this Board, requesting the improvement of the highways known as Yvonne Avenue, Crestview Avenue and Kuhn Road, by the construction of a lateral sewer in said highways, to wit:

That portion of Yvonne Avenue commencing 150 feet north of Cleveland Drive extending in a northerly direction to the north side of the Town of Cheektowaga, New York, and on Crestview Avenue extending in a northerly direction to Kuhn Road and on Kuhn Road commencing at Yvonne Avenue and extending in an easterly direction to Crestview Avenue as shown on a sub division map filed in the Erie County Clerks' Office under Cover No. 1473-1898, 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 highways 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 highways proposed to be improved, and

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

WHEREAS, at a meeting of the Town Board duly held on the 16th day of July, 1956, an order was duly adopted by it and entered in its minutes reciting the filing of such petition, the improvement proposed and the maximum amount proposed to be expended for the improvement as stated in the petition, to wit: the sum of Twenty two thousand dollars (\$22,000.00) and specifying that the said Town Board would meet to consider the petition and to hear all persons interested in the subject thereof concerning the same, at the Town Hall in the Town of Cheektowaga, New York, on the 10th day of August, 1956 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 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 the Town Law of the State of New York it is hereby

RESOLVED, that this Board determine that it is in the public interest to make the improvement petitioned for, to wit: by the construction of a lateral sewer in said highways known as Yvonne Avenue, that portion commencing 150 feet north of Cleveland Drive extending in a northerly direction to the north line of the Town of Cheektowaga, New York, and on Crestview Avenue extending in a northerly direction to Kuhn Road and on Kuhn Road commencing at Yvonne Avenue and extending in an easterly direction to Crestview Avenue as shown on a sub division map filed in the Erie County Clerks' Office under Cover No. 1473-1898, and it is further

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

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

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

Supervisor	Benedict T. Holts	Voting	AYE
Councilman	Joseph A. Neibert	"	"
Councilman	Henry J. Nagel	"	"
Councilman	Felix T. Wroblewski	"	"
Councilman	Stanley R. Bystrak	"	"
Councilman	Joseph Kornecki	"	"
Councilman	Joseph Trojanoski	"	"

Item No. 13

----- PUBLIC HEARING -IMPROVEMENT OF YVONNE AVENUE-

173

KUHN ROAD-CRESTVIEW AVENUE- PERMANENT PAVEMENT-----

This being the time and the place advertised for a public hearing for the improvement of Yvonne Avenue, Kuhn Road and Crestview Avenue, by the installation of a permanent pavement in said highways.

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

The Supervisor announced that the Board would hear all persons interested in the subject of the hearing, and Mr. Peter Yeager appeared in favor and Mr. Norman Castine of No. appeared in opposition to the proposed improvement.

The Supervisor ordered the hearing closed and that the decision be reserved and that the matter be referred to the Town Attorney.

No action was taken.

17
24

Item No. 14

** PUBLIC HEARING-IMPROVEMENT OF WALLACE AVENUE
BY THE CONSTRUCTION OF A PERMANENT PAVEMENT IN SAID HIGHWAY**

This being the time and the place advertised for a public hearing for the improvement of Wallace Avenue by the construction of a permanent highway in said highway.

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

The Supervisor announced that the Board would hear all persons interested in the subject of the hearing, and Mr. John Rogowski appearing in favor, and Dr. Victor Reinstein appearing in opposition, the Chairman ordered the hearing closed and the decision reserved, and that the matter be referred to the Town Attorney.

No action taken on the matter at this meeting.

13
33

Item No. 15

--NOTICE OF PUBLIC HEARING-IMPROVEMENT OF LEMOINE AVENUE-
INSTALLATION OF PERMANENT PAVEMENT AND NECESSARY DRAINS
AND RECEIVERS--

This being the time and the place advertised for a public hearing for the improvement of Lemoine Avenue by the installation of a permanent pavement and necessary drains and receivers.

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

The Supervisor announced that the Board would hear all persons interested in the subject of the hearing.

Mr. John Rogowski of No.

appeared in favor.

Dr. Victor Reinstein, Danforth Street appeared in opposition.

The Chairman ordered the hearing closed and that the decision be reserved and that the matter be referred to the Town Attorney.

No action was taken on the above at this meeting.

13
33

Item No. 16

--NOTICE OF PUBLIC HEARING AND ADOPTION OF THE U-CREST FIRE
DISTRICT NO. 4 EXTENSION SOUTH OF THE PRESENT DISTRICT--

This being the time and the place advertised for a public hearing for the extension of the present U-Crest Fire District No. 4, south of the present district.

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

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

WHEREAS, there has been presented to this Town Board a written petition in due form together with the necessary map and plan for the extension of the existing fire district in this town, known as Fire District No. 4 by annexing thereto the territory situate in such Town and hereinafter described, and an order of the Town Board reciting the filing of said petition and specifying the time and the place where said Town Board would meet to consider said petition and to hear all persons interested in the subject thereof concerning the same having been published and posted as required by law, and the hearing having taken place at the Town Hall, corner of Broadway and Union Road, Town of Cheektowaga, New York, on the 20th day of August, 1956, 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

Item No. 16-Cont'd WHEREAS, the said petition as presented to the Town Board on the 16th day of July 1956 for the extension of the existing Fire District No. 4 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 and plan prepared by Nussbaumer, Clarke and Velzy Engineers, duly licensed by the State of New York, showing the boundaries of the existing Fire District, and the general plan of the proposed extension, and

WHEREAS, it is not proposed or required that the Town shall finance the cost of the extension by the issuance of bonds, notes, certificates, or other evidence of indebtedness of the Town therefor, and

WHEREAS, there is annexed to the petition the consent duly executed by the Fire Commissioners of Fire District No. 4;

NOW, THEREFORE, after due deliberation, it is hereby RESOLVED AND DETERMINED:

First; That the petition is signed and acknowledged or proved as required by law and is otherwise sufficient;

Second; That it is in the public interest to grant the relief sought;

Third: That all property and property owners included within the proposed district are benefitted thereby;

Fourth: That all 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 Supervisor be and he is hereby authorized on behalf of the Town of Cheektowaga, New York, to apply to the Department of Audit and Control of the State of New York for its approval of the extension of said Fire District, and be it further

RESOLVED, that a certified copy of this resolution be filed by the Town Clerk of the Town of Cheektowaga, in the Erie County Clerks' Office within ten (10) days after the date of its adoption, and be it further

RESOLVED, that the petition for the extension of the existing Fire District No. 4 be and the same hereby is granted and the said existing Fire District No. 4 is hereby extended to embrace the following described territory:

DESCRIPTION OF TERRITORY PROPOSED TO BE ANNEXED TO FIRE DISTRICT NO. 4.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York being more

particularly described as follows:

BEGINNING at the point of intersection of the easterly line of the Ontario Thruway with the southerly line of the existing district,

RUNNING thence easterly along the southerly line of the existing district to the center line of Dick Road,

THENCE southeasterly along the center line of Dick Road to the center line of Scajaquada Creek.

THENCE westerly along the center line of Scajaquada Creek to the easterly line of the Ontario Thruway,

THENCE northerly along the easterly line of the Ontario Thruway to the southerly line of the existing district or the point or place of beginning.

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

Supervisor Holtz	Voting	AYE
Councilman Neibert	"	"
Councilman Nagel	"	"
Councilman Wroblewski	"	"
Councilman Bystrak	"	"
Councilman Kornecki	"	"
Councilman Trojanoski	"	"

17
2
CARRIED- AYES: -7-.

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, bids were requested and received from competitive bidders for the furnishing of all materials and equipment, together with all labor for the construction of certain improvements to the sanitary sewer system, to consist of the installation of a sanitary sewer and appurtenances in Beach Road, Sanitary Sewer District No. 5, and

WHEREAS, the lowest bid submitted was made by Straco Inc., in the amount of \$66,283.30, and

WHEREAS, there has been appropriated the sum of \$65,000.00 for this work,

BE IT RESOLVED, that the said bid of Straco Inc., for \$66,283.30 be accepted and that the balance in excess of the appropriation be paid from existing surplus in sewer district No. 5, and be it further

RESOLVED, that the Supervisor be and he hereby is authorized to pay the same upon completion.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	" "
Councilman Nagel	" "
Councilman Wroblewski	" "
Councilman Bystrak	" "
Councilman Kornecki	" "
Councilman Trojanoski	" "

CARRIED- AYES: -7-

1
24

PARKING ON AIRPORTS AND AIRFIELDS

This being the time and the place advertised for a public hearing for the purpose of enacting restrictions concerning the parking of vehicles on property of the Buffalo Municipal Airport, in the Town of Cheektowaga, New York.

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

The Supervisor announced that the Board would hear persons interested in the subject of the hearing.

Dr. Victor Reinstein was granted the floor and requested that a provision be made for persons mailing letters.

The Chairman ordered the hearing closed and decision was reserved.

40

This being the time and the place advertised for a public hearing concerning the adoption of a Fire Prevention Code for the Town of Cheektowaga, new York.

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

The Supervisor announced that the Board would hear all persons interested in the subject of the hearing, and no person appearing in opposition thereof,

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board at a meeting held July 30, 1956, adopted a resolution that the Town Board meet at the Town Hall corner of Broadway and Union Road, Cheektowaga, New York, on the 20th day of August, 1956, at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of rescinding the previously adopted Fire Prevention Code, and adopting a new Fire Prevention Code, and

Item No. 19-Contd' WHEREAS, notice of said public hearing was duly published and posted as required by law, not less than 10 nor more than 20 days prior to the date of the hearing, as is shown by the duly verified affidavits of publication and posting now on file in the Town Clerks Office, and

WHEREAS, pursuant to said resolution the Town Board of the Town of Cheektowaga, New York, did meet on the 20th day of August, 1956, at the Town Hall in the Town of Cheektowaga, New York, for the purpose of considering the advisability of rescinding the previously adopted Fire Prevention Code and adopting a new Fire Prevention Code, 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 rescind the previously adopted Fire Prevention Code and adopt a new Fire Prevention Code to provide as follows:

LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in the said Town of Cheektowaga, New York, on the 20th day of August, 1956, at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT:

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

ABSENT:—0—

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a meeting held July 30th, 1956, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 20th day of August, 1956, at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of rescinding the previously adopted Fire Prevention Code, and adopting a new Fire Prevention Code, and

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

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York, did meet on the 20th day of August, 1956, at the Town Hall in the Town of Cheektowaga, New York, for the purpose of considering the advisability of rescinding the previously adopted Fire Prevention Code and adopting a new Fire Prevention Code, 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 rescind the previously adopted Fire Prevention Code and adopt a new Fire Prevention Code to provide as follows:

FIRE PREVENTION CODE ARTICLE 1 GENERAL PROVISIONS

Section 101. Application to New and Existing Conditions.

The provisions of this code shall apply equally to new and existing conditions except that existing conditions not in strict compliance with the terms of this code shall be permitted to continue where the exceptions do not constitute a distinct hazard to life or adjoining property.

Section 102. Authority to Enter Premises.

The Board of Fire Commissioners of each established Fire District shall have the power to authorize the Fire Chief or their duly authorized inspectors to enter any building or premises within their jurisdiction except private dwellings, at all reasonable hours, for the purpose of making any inspection or investigation which under the provisions of this code, he or they, may deem necessary to be made.

Section 103. Inspections of Buildings and Premises.

The Board of Fire Commissioners of each established Fire District shall have the power to inspect or cause to be inspected by the Fire Chief, or their inspectors, all buildings and premises, excluding the interior of private dwellings, as often as may be necessary for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violations of the provisions or intent of this code and of any other ordinances affecting fire hazards and to insure compliance in all places of assembly with all laws, regulations, and orders dealing with overcrowding, use of decorative materials, maintenance of exit ways, and maintenance of fire detecting systems and appliances.

Section 104. Orders to Eliminate Fire Hazards.

Whenever any Fire Chief or authorized inspector of the Fire Department as mentioned in Section 103, shall find any building or premises in a dangerous or hazardous condition as follows, the Chief or authorized inspector shall order such dangerous conditions to be remedied in such manner as may be specified by the Chief of the Fire Company or authorized inspector:

- a. Dangerous or unlawful amounts of combustible or explosive matter.
- b. Hazardous conditions arising from defective or improperly installed equipment for handling or using combustible or explosive matter;
- c. Dangerous accumulations of rubbish, waste paper, boxes, shavings or other highly flammable materials;
- d. Accumulations of dust or waste material in air conditioning systems or of grease in kitchen exhaust ducts;
- e. Obstructions to or on fire escapes, stairs, passageways, doors or windows, liable to interfere with the operations of the Fire Department or egress of occupants in case of fire;
- f. Any building or other structure which, for want of repairs, lack of sufficient fire escapes or other exit facilities, automatic or other fire alarm apparatus or fire extinguishing equipment, or by reason of age or dilapidated conditions, or from any other cause, creates a fire hazard.

Section 105. Service of Orders.

The service of such orders as mentioned in Section 104 may be

made upon the owner, occupant or other person responsible for the conditions, either by delivering a copy of same personally or by delivering the same to and leaving it with any person in charge of the premises, or in case no such person is found upon the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of the said premises. Whenever it may be necessary to serve such an order upon the owner of premises such order may be served either by delivering to and leaving with the said person a copy of the said order, or, if such owner is absent from the jurisdiction of the officer making the order, by mailing such copy to the owner's last known post office address.

Section 106. Permits.

- a. Permits required by the provisions of this code shall be obtained in writing from the Chief of the Fire Department. Permits shall be for such period as the Chief of the Fire Department may specify but not exceeding one (1) year. They shall be kept on the premises designated therein and shall be subject to inspection by any officer of the fire or police departments.
- b. Before permits are issued, the Chief of the Fire Department shall make or cause to be made such inspections or tests as are necessary to assure that the provisions of this code are complied with.

Section 107. Definitions.

- a. "Approved" shall mean accepted by the Chief or duly authorized inspectors of the Fire Department as a result of investigation and experience, or by reason of test, listing or approval by Underwriters' Laboratories Inc. the National Bureau of Standards, the American Gas Association Laboratories or other nationally recognized testing authorities.
- b. "Person" shall mean and include person, persons, firm, corporation or co-partnership.
- c. "Town Board" shall mean the Cheektowaga Town Board.
- d. "Board of Appeals" shall mean and include Chiefs of the Fire Departments of the eight fire Districts in the Town of Cheektowaga, New York.
- e. For the purposes of this Code the Town Board will perform the duties of the fire commissioners for property that is located outside of a fire district.

Section 108. Conformity to Nationally Recognized Standard Practice.

The storage, handling and use of flammable or explosive substances and the use or occupancy of buildings or premises shall be in conformity with nationally recognized standard practice for the safeguarding, to a reasonable degree, of life and property from the hazards of fire or explosion. Compliance with the provisions of the Fire Prevention Code as adopted and amended and amendments

Item No. 19-Contd' WHEREAS, notice of said public hearing was duly published and posted as required by law, not less than 10 nor more than 20 days prior to the date of the hearing, as is shown by the duly verified affidavits of publication and posting now on file in the Town Clerks Office, and

WHEREAS, pursuant to said resolution the Town Board of the Town of Cheektowaga, New York, did meet on the 20th day of August, 1956, at the Town Hall in the Town of Cheektowaga, New York, for the purpose of considering the advisability of rescinding the previously adopted Fire Prevention Code and adopting a new Fire Prevention Code, 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 rescind the previously adopted Fire Prevention Code and adopt a new Fire Prevention Code to provide as follows:

thereto as recommended by the National Board of Fire Underwriters shall be deemed to be prima facie evidence of compliance with such nationally recognized standard practice for all matters not covered by this code.

Section 109. Enforcement.

The Code hereby adopted shall be enforced by the Board of Fire Commissioners in their established districts.

Section 110. Modifications.

The Board of Fire Commissioners in their established districts shall have power to modify any of the provisions of the code hereby adopted upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Board of Fire Commissioners thereon shall be entered upon the records of the department and a signed copy shall be furnished to the applicant.

Section 111. Appeals.

A Board of Appeals is hereby created to consist of the Fire Chiefs of the Fire Districts of the Town of Cheektowaga, New York, exclusive of the Fire Chiefs in the Villages within the Town of Cheektowaga.

When an appeal is taken from the decision of the Board of Fire Commissioners, the Chief of that particular fire department shall be disqualified and shall not participate in the determination of the appeal.

Any applicant may appeal from the decision of the Board of Fire Commissioners to the Board of Appeals within thirty (30) days after the Board of Fire Commissioners have disapproved an application or refused to grant a license or permit or where it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted. The appeal must be in writing and must be served on any member of the Board of Appeals.

Whenever a matter is appealed to the Board of Appeals, it shall set down a date for a hearing and at least ten (10) days written notice must be given to the applicant and the Board of Fire Commissioners, whose action is being appealed from.

The Board of Appeals shall render a decision within twenty (20) days after the matter has been finally submitted to it and the decision of a majority of the members of the Board of Appeals in attendance at the hearing shall be binding and conclusive upon the parties, subject to a review by the court under Article 78 of the Civil Practice Act.

This code shall take effect and be in force from and after its approval by the Town Board as required by law.

**ARTICLE 2
BOWLING ALLEYS**

Section 201. General.

Bowling alleys shall conform to all other applicable requirements of this code, as well as the following provisions.

Section 202. Alley Resurfacing Operations.

Resurfacing operations shall not be carried on while the establishment is open for business. The Chief of the Fire Department shall be notified when alleys are to be resurfaced. Proper ventilation shall be provided. Heating, ventilating, or cooling systems employing recirculation of air shall not be operated during resurfacing operations or within one hour following the application of flammable finishes. All electric motors or other equipment in the area which might be a source of ignition shall be shut down, and all smoking and use of open flames prohibited during the application of flammable finishes and for one hour thereafter.

Section 203. Pin Refinishing.

Pin Refinishing involving the application of flammable finishes shall not be done in a room located below grade, nor shall it have communication with any pits, wells, pockets or basements; the room wherein such pin refinishing is carried on must be equipped with an approved automatic sprinkler system unless the room is enclosed by walls and ceiling of construction having a fire-resistance rating of not less than one hour with openings therein protected by approved fire doors or fire windows, and with no opening from such room to any upper story.

Storage of flammable liquids shall not exceed a combined aggregate of 60 gallons in original metal containers, or approved safety containers not exceeding 5 gallons individual capacity. A metal waste can with self-closing cover shall be removed daily. Smoking shall be prohibited at all times in refinishing rooms.

**ARTICLE 3
FIRE PROTECTION
EQUIPMENT**

Section 201. Chief to Survey Premises and Specify Equipment to be Provided.

The Chief of the Fire Department or the duly authorized inspector of the Board of Fire Commissioners shall survey each mercantile and manufacturing establishment, school, place of assembly, hospital, place of detention, hotel and multi-family house, and shall specify suitable fire detecting devices or extinguishing appliances which shall be provided, in or near boiler rooms, kitchens of restaurants, clubs and like establishments, storage rooms involving considerable combustible material, rooms in which hazardous manufacturing processes are involved, garage sections and other places of a generally hazardous nature. Such devices or appliances may consist of automatic fire alarm systems, automatic sprinkler or water spray systems, standpipe and hose, fixed or portable fire ex-

tinguishers of a type suitable for the probable class of fire, or suitable asbestos blankets, manual or automatic covers, or carbon dioxide or other inert gas extinguishing systems. In specially hazardous processes or storages, appliances of more than one type or special systems may be required.

Section 302. Maintenance of Equipment.

Sprinkler systems, standpipe systems, fire alarm systems, and other fire protective or extinguishing systems or appliances which have been installed in compliance with any permit or order, or because of any law or ordinance, shall be maintained in operative condition at all times, and it shall be unlawful for any owner or occupant to reduce the effectiveness of the protection so required; except this shall not prohibit the owner or occupant from temporarily reducing or discontinuing the protection where necessary to make tests, repairs, alterations or additions. The Chief of the Fire Department shall be notified before such tests, repairs, alterations or additions are started unless the work is to be continuous until completion.

**ARTICLE 4
GARAGES**

Section 401. General.

Garages shall conform to all other applicable requirements of this code, as well as the following provisions.

Section 402. Repair Work.

Welding and cutting and other processes involving direct application of flame shall not be carried on in any garage unless such garage is equipped with an approved automatic sprinkler system, or such processes are carried on in a room enclosed by walls and ceiling of construction having a fire-resistance rating of not less than one hour with openings therein protected by approved fire doors or fire windows, and with no opening from any such room to any upper story. No repairs of any kind shall be made in any garage the floor of which is more than two feet below the drive-in entrance level.

Section 403. Cleaning with Flammable Liquids.

No flammable liquid with a flash point below 100°F. shall be used in any garage for washing parts or removing grease or dirt, unless in a special closed machine approved for the purpose or in a separate well-ventilated room enclosed by walls having a fire resistance rating of not less than two hours with openings therein protected by approved fire doors or fire windows, with no opening from such room to any upper or lower story.

Section 404. Handling of Gasoline and Oils.

- a. The fuel tanks of motor vehicles shall be filled directly through hose from approved pumps attached to approved portable tanks or drawing from underground storage tanks. No transfer of gasoline in any garage shall be made in any open container.

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

WHEREAS, pursuant to said resolution the Town Board of the Town of Cheektowaga, New York, did meet on the 20th day of August, 1956, at the Town Hall in the Town of Cheektowaga, New York, for the purpose of considering the advisability of rescinding the previously adopted Fire Prevention Code and adopting a new Fire Prevention Code, 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 rescind the previously adopted Fire Prevention Code and adopt a new Fire Prevention Code to provide as follows:

- b. No garage floor drain shall connect to any sewer unless provided with an oil separator or trap.

**ARTICLE 5
GAS PIPING AND APPLIANCES**
Section 501. Installations to Conform to Standard Safe Practice.

- a. Gas Piping and gas appliances in buildings shall be installed in accordance with standard safe practice.
- b. Installation of gas piping and appliances for domestic and commercial uses, in accordance with the standards of the National Board of Fire Underwriters for the installation of Gas Piping and Gas Appliances in Buildings, shall be deemed prima facie evidence of installation in accordance with standard safe practice.

Section 502. Pressure Regulation.

- a. Where the pressure of gas supplied to domestic, commercial or other low pressure gas piping systems in buildings is in excess of one pound per square inch, an approved gas pressure regulator of sufficient size shall be installed in the service pipe of each such system to prevent pressure in excess of one pound per square inch from being introduced into such building piping.
- b. If located inside a building the above required regulator shall be equipped with a vent pipe leading to the outer air. Means shall be employed to prevent water from entering this pipe and also to prevent stoppage of it by insects or foreign matter.

Section 503. Pipe Entrance to Buildings.

Where gas piping enters a building through a wall or floor of masonry or concrete any gas pipe or other nearby pipes entering the same wall or floor shall be suitably sealed against the entrance of water or gas.

Section 504. Outside Valves.

Approved means for shutting off the flow of gas from outside the building shall be provided on every gas service pipe 2 inches or larger in diameter or which supplies gas at a pressure in excess of one pound per square inch. Outside gas shut-off cocks or valves shall be located so as to be readily accessible and, when underground shall be placed in suitable valve boxes, manholes or vaults, the covers of which shall be clearly marked "Gas".

**ARTICLE 6
LIQUEFIED PETROLEUM GASES**

Section 601. Definition.

"Liquefied petroleum gas" shall mean any material which is composed predominantly of any of the following hydrocarbons, or mixtures of them: propane, propylene, butane (normal butane or isobutane) and butylenes.

Section 602. Permits and Reports of Installations.

- a. A permit shall be obtained from the Fire Chief of said

district, or if outside of a Fire District from the Town Board, for each installation of liquefied petroleum gas employing a container or an aggregate of interconnected containers of over 2,000 gallons water capacity, and for each permanent installation irrespective of size of containers, made at buildings in which people congregate for civic, political, educational, religious, social or recreational purposes. Such buildings shall include schools, churches, hospitals, institutions, hotels, and restaurants, each having a capacity of 20 or more persons. Prior to making such an installation, an installer shall submit plans to the Chief of the Fire Department or the Town Board if outside a Fire District, and if compliance with the requirements of this code is shown by said plans, a permit shall be issued.

- b. Installers shall maintain a record of all installations for which a permit is not required by paragraph (a) above (but not including installation of gas burning appliances and replacing of portable cylinders) and have it available for inspection by the Chief of the Fire Department or the Town Board if outside a Fire District.

Section 603. Standards for Liquefied Petroleum Gas Equipment and its installation.

All installations of liquefied petroleum gas equipment including such equipment installed at utility gas plants, shall be in conformity with generally recognized standards for safety to persons and property. Except as otherwise provided in this article or in other laws or regulations legally in effect, conformity with the Standards of the National Board of Fire Underwriters for the Storage and Handling of Liquefied Petroleum Gases and in the case of liquefied petroleum gases at utility gas plants, conformity with the Standards of the National Board of Fire Underwriters for the Storage and Handling of Liquefied Petroleum Gases at Utility Gas Plants shall be prima facie evidence of conformity with generally recognized standards for safety to persons and property.

**ARTICLE 7
GENERAL PRECAUTIONS AGAINST FIRE**

Section 701. Bonfires and Outdoor Rubbish Fires.

- a. PERMIT REQUIRED. No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained on or in any public street, alley, road, or other public ground without a permit or other proper authorization.
- b. LOCATION RESTRICTED. No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained on any private

land unless (1) the location is not less than 50 feet from any structure and adequate provision is made to prevent fire from spreading to within 50 feet of any structure, or (2) the fire is contained in an approved waste burner with closed top, located safely not less than 15 feet from any structure. An adult person must be in attendance at the fire until the same is extinguished.

- c. CHIEF MAY PROHIBIT. The Chief of the Fire Department may prohibit any or all bonfires and outdoor rubbish fires when atmospheric conditions or local circumstances make such fires hazardous.
- d. The burning of buildings, barns, or hazardous structures is prohibited unless a permit is obtained from the Chief of the Fire Department or the Town Board if in areas outside of Fire Districts, which burning must take place under the supervision of the Fire Department, or a Town Board representative if outside of a fire district.

Section 702. Kindling of Fire on Land of Others Restricted.

No person shall kindle a fire upon the land of another without permission of the owner thereof or his agent.

Section 703. Hot Ashes and Other Dangerous Materials.

No person shall deposit hot ashes or cinders, or smouldering coals, or greasy or oily substances liable to spontaneous ignition, into any wooden receptacle, or place the same within ten feet of any combustible materials, except in metal or other noncombustible receptacles. Such receptacles, unless resting on a noncombustible floor or on the ground outside the building, shall be placed on non-combustible stands, and in every case must be kept at least two feet away from any combustible wall or partition.

Section 704. Accumulations of Waste Materials.

Accumulations of waste paper, hay, grass, straw, weeds, litter or combustible or flammable waste or rubbish of any kind shall not be permitted to remain upon any roof or in any court, yard, vacant lot or open space. All weeds, grass, vines or other growth, when same endangers property, or is liable to be fired, shall be cut down and removed by the owner or occupant of the property it is on.

Section 705. Handling Readily Combustible Materials.

No person making, using, storing or having in charge, or under his control any shavings, excelsior, rubbish, sacks, bags, litter, hay, straw or combustible waste materials shall fail or neglect at the close of each day to cause all such material which is not compactly baled and stacked in an orderly manner to be removed from the building or stored in suitable vaults or in metal or metal lined, covered, receptacles or bins. The Chief of the Fire Department shall require suitable baling presses to

Item No. 19-Contd'

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

WHEREAS, pursuant to said resolution the Town Board of the Town of Cheektowaga, New York, did meet on the 20th day of August, 1956, at the Town Hall in the Town of Cheektowaga, New York, for the purpose of considering the advisability of rescinding the previously adopted Fire Prevention Code and adopting a new Fire Prevention Code, 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 rescind the previously adopted Fire Prevention Code and adopt a new Fire Prevention Code to provide as follows:

be installed in stores, apartment buildings, factories and similar places where accumulations of paper and waste materials are not removed at least every second day. Section 706. Storage of Readily Combustible Materials.

a. PERMIT REQUIRED. No person shall store in excess of 2,500 cubic feet gross volume of combustible empty packing cases, boxes, barrels or similar containers, or rubber tires, or baled cotton, rubber or cork, or other similarly combustible material.

b. STORAGE REQUIREMENTS. Storage in buildings shall be orderly, shall not be within two feet of the ceiling, and not so located as to endanger exit from the building. Storage in the open shall not be more than twenty feet in height, shall be so located, with respect to adjacent buildings, as not to constitute a hazard, and shall be compact and orderly.

Section 707. Flammable Decorative Materials in Stores and Public Buildings.

Cotton batting, straw, dry vines, leaves, trees, or other highly flammable materials shall not be used for decorative purposes in show windows or other parts of stores, schools, churches, public buildings, or other public gathering places unless flame-proofed and unless approved by the District Fire Chief; provided, however, that nothing in this section shall be held to prohibit the display of saleable goods permitted and offered for sale.

Section 708. Chimneys and Heating Appliances to be Maintained in Safe Condition.

All chimneys, smokestacks or similar devices for conveying smoke or hot gases to the outer air, and the stoves, furnaces, fire boxes or boilers to which they are connected shall be constructed and maintained in such a manner as not to create a fire hazard.

Section 709. Use of Torches or Flame-producing Devices for Removing Paint.

Any person using a torch or other flame-producing device for removing paint from any building or structure shall provide one approved fire extinguisher or water hose connected to the water supply on the premises where such burning is done. In all cases, the person doing the burning shall remain on the premises one (1) hour after the torch or flame-producing device has been used.

ARTICLE 8 SMOKING PROHIBITED UNDER CERTAIN CONDITIONS

Section 801. Definition.

"Smoking" shall mean and include the carrying of lighted pipe, cigar or cigarette.

Section 802. Chief to Designate Areas Where Smoking Shall be Prohibited.

Where conditions are such as to make smoking a hazard in any areas of warehouses, stores, industrial plants, institutions, places of assembly, and in open spaces where combustible materials are stored or handled, the Chief of the Fire

Department is empowered and authorized to order the owner or occupant in writing to post "No Smoking" signs in each building, structure, room or place in which smoking shall be prohibited. The Chief of the Fire Department shall designate specific safe locations, if necessary, in any building structure or place in which smoking may be permitted.

Section 803. No Smoking Signs.

"No Smoking" signs required in accordance with Section 802 shall read "BY ORDER OF THE CHIEF OF THE FIRE DEPARTMENT", and shall be in "red" lettering on a "white background."

Section 804. Smoking and Removal of No Smoking Signs Prohibited.

It shall be unlawful for any person to remove any legally required "No Smoking" sign or to smoke in any place, where such signs are posted.

ARTICLE 9 SEPARABILITY CLAUSE

If any clause, sentence, paragraph, section or part of this article as adopted, or as amended or supplemented, shall be adjudged by any court of competent jurisdiction, to be invalid or unconstitutional, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which judgment shall have been rendered.

ARTICLE 10 PENALTIES

- a. Any person who shall violate any of the provisions of the code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder and from which no appeal has been taken or who shall fail to comply with such an order as affirmed or modified by the Appeal Board or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor punishable by a fine of not more than \$50.00 or by imprisonment for not more than six (6) months, or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.
- b. The application of the above penalty shall not be held to

prevent the enforced removal of prohibited conditions. and be it further

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

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 Fire Prevention Code 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 Trojanoski and duly put to a vote which resulted as follows:

Supervisor Holtz, voting Aye
Councilman Nelbert, voting Aye
Councilman Nagel, voting Aye
Councilman Wroblewski, voting Aye
Councilman Bystrak, voting Aye
Councilman Kordecki, voting Aye
Councilman Trojanoski, voting Aye
AYES: 7; NOES: 0; ABSENT: 0.

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

This is to certify that I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 20th day of August, 1956, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand (seal) and affixed the seal of said Town this 20th day of August, 1956.

KENNETH T. HANLEY,
Clerk of the Town Board, Town of
au23 Cheektowaga, N. Y.

and be it further

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

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 affidavit of the publication and posting thereof shall be filed with the Town Clerk.

This Fire Prevention Code 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 Trojanoski and duly put to a vote which resulted as follows:

Supervisor Holtz	Voting	AYE
Councilman Neibert	"	"
Councilman Nagel	"	"
Councilman Wroblewski	"	"
Councilman Bystrak	"	"
Councilman Kornecki	"	"
Councilman Trojanoski	"	"

CARRIED: AYES: -7-

The above was posted on the Town Hall Bulletin Board on the 24th day of August, 1956.

(Affidavits of publication are in the FIRE PREVENTION ORDINANCE file)

40

Item No. 20 POLICE ARM EMBLEMS

Councilman Kornecki moved, seconded by Councilman Neibert, WHEREAS the Police Club of Cheektowaga purchased Cheektowaga Police Arm Emblems and

WHEREAS, some police wear them and some do not, be it RESOLVED, that the Town of Cheektowaga reimburse the Police Club for said purchase and direct the Chief of Police to enforce the wearing of these emblems by all uniformed police while on duty.

18

CARRIED: AYES: -7-

Item No. 21 PURCHASE OF ADDRESSOGRAPH PLATES

Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS, the Board of Assessors require addressograph plates for all veterans exempt property in the Town of Cheektowaga, New York, and

WHEREAS, it will be more economical to purchase these plates than to have additional help hired to do the work manually,

BE IT RESOLVED, that Edward Jerzewski Chairman of the Board of Assessors be and he hereby is authorized to purchase the necessary plates from the Addressograph Company at a cost not to exceed the sum of \$500.00.

Seconded by Councilman Trojanoski.

32

CARRIED: AYES: -7-

Item No. 22 DUMPING OF SLUDGE

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, several complaints have been received concerning the dumping of sludge into the sewer manhole on Harlem Road near the Delaware Railroad Crossing in the Town of Cheektowaga, New York,

BE IT RESOLVED, that the Chief of Police of the Town of Cheektowaga be directed to investigate this matter immediately and report his findings to the Town Board for further action.

Seconded by Councilman Neibert.

18 CARRIED-AYES: -7-

Item No. 23 STREET LIGHTING NANDALE ROAD

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the New York State Electric and Gas Corporation be authorized to install one (1) 2500 lumen light with glass on each of poles 2 4 6 and 8 situate in Nandale Road in the Town of Cheektowaga, New York, same to be charged against the General Lighting District.

Seconded by Councilman Wroblewski.

27 CARRIED-AYES: -7-

Item No. 24 STREET LIGHTING - LENA AND VINCENT STREET

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the New York State Electric and Gas Corporation be authorized to install one (1) 2500 lumen light on Pole No. 4 situate in Lena Street and to also install one (1) 2500 lumen light on Pole No. 5 situate in Vincent Street both streets within the bounds of the Town of Cheektowaga.

Seconded by Councilman Neibert.

27 CARRIED-AYES: -7-

Item No. 25 WAYNE TERRACE LIGHTING STANDARD REPLACEMENT

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Niagara Mohawk Power Corporation be authorized to replace a 1348 lighting standard damaged beyond repair by a person or persons unknown and situate at 66 Wayne Terrace, Cheektowaga New York, and that the cost of such repairs be charged against the General Lighting District of the Town of Cheektowaga.

Seconded by Councilman Kornecki.

27 CARRIED: AYES: -7-

Item No. 26 DALE ROAD-NEW WALDEN AVENUE TRAFFIC SIGNAL

Councilman Trojanowski presented the following resolution and moved its adoption:

WHEREAS, automobile traffic has increased tremendously on New Walden Avenue in the vicinity of Dale Road, in the Town of Cheektowaga, New York, and

WHEREAS, it has become increasingly difficult to gain access to New Walden Avenue and increasingly difficult to make a left turn off of New Walden Avenue,

BE IT RESOLVED, that the Town Clerk be and he hereby is authorized and directed to request the Erie County Highway Department to authorize the installation of a traffic signal at the intersection of New Walden Avenue and Dale Road in the Town of Cheektowaga, New York.

Seconded by Councilman Neibert.

9
41 CARRIED: AYES: -7-

who moved [redacted] Wroblewski

LEGAL NOTICE
BOND RESOLUTION DATED
AUGUST 20, 1956, AUTHORIZING
THE ISSUANCE OF \$55,000
SERIAL BONDS OF THE TOWN
OF CHEEKTOWAGA, IN THE
COUNTY OF ERIE, PURSUANT
TO THE LOCAL FINANCE
LAW, TO FINANCE THE AC-
QUISITION OF VEHICLES FOR
USE OF THE CONSOLIDATED
REFUSE AND GARBAGE DIS-
TRICT OF THE TOWN.

WHEREAS, Consolidated Refuse and Garbage District of the Town of Cheektowaga, hereinafter referred to, is a refuse and garbage 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 Chapter 577 of the Laws of 1952 of New York and Section 206 of the Town Law of New York, and said Refuse and Garbage District requires additional equipment consisting of vehicles for the collection and disposition of garbage, ashes, rubbish and other waste matter in such 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 \$55,000, pursuant to the Local Finance Law of New York.

Section 2. The specific object or

purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the acquisition of additional apparatus and equipment consisting of four vehicles having enclosed truck bodies for the collection and disposition of garbage, ashes, rubbish and other waste matter in and by The Consolidated Refuse and Garbage District of the Town of Cheektowaga.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board is \$55,000 (the estimated maximum cost of each of the four truck chassis is \$6,121.50 and the estimated maximum cost of each of the four truck bodies is \$7,628.50), 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 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 29 of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years.

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

Section 6. This resolution shall be published in full by the Town Clerk of said Town together with a notice in substantially the form prescribed by Section 81.60 of said Local Finance Law, and such publication shall be in The Cheektowaga

Sun and in the Depew Herald and Cheektowaga News, newspapers published and having a general circulation in said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit, or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the Constitution of New York.

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

The bond resolution published herewith has been adopted on August 20, 1956, 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

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	" "
Councilman Kornecki	" "
Councilman Trojanoski	" "
Councilman Neibert	" "
Councilman Bystrak	" "
Supervisor Holtz	" "

The resolution was duly adopted. AYES: -7-

12
23

Item No. 27-Contd Hereto attached is a copy of the Notice published in the Cheektowaga Sun:

...and hav-
ing in 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 by law or
purpose for which money
is not authorized to be expended
money or the provisions of law
which should be complied with
at the date of the publication
of this resolution are not sub-
stantially complied with, and
an action, suit, or proceeding
contesting such validity is
commenced within twenty days
after the date of such publica-
tion; or if said obligations are
authorized in violation of the
Constitution of New York.

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

The bond resolution published herewith has been adopted on August 20, 1956, 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 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.

Notary Public in and for Erie County

ss:

ROBERT A. FURMAN

being duly sworn, deposes and says that he is the
PUBLISHER of

The Cheektowaga Sun

a public newspaper published in the 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_____.

Robert C. Neumann

Sworn to before me this _____ day of _____, 19_____.

Walter T. Hanley
Notary Public in and for Erie County

STATE OF NEW YORK
COUNTY OF ERIE

RESOLUTION AUTHORIZED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA IN THE COUNTY OF ERIE PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE ACQUISITION OF THE CONSOLIDATED REFUSE AND GARBAGE DISTRICT OF CHEEKTOWAGA.

WHEREAS, the Town Board of the Town of Cheektowaga, Erie County, New York, has resolved to acquire the Consolidated Refuse and Garbage District of Cheektowaga, Erie County, New York, and to finance the acquisition of said district by the issuance of Serial Bonds of the aggregate principal amount of \$55,000, pursuant to the Local Finance Law of New York;

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the acquisition of additional apparatus and equipment consisting of four vehicles having enclosed truck bodies for the collection and disposition of garbage, ashes, rubbish and other waste material as provided for in the Consolidated Refuse and Garbage District of the Town of Cheektowaga.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board is \$55,000 (the estimated maximum cost of each of the four truck chassis is \$12,125.00 and the estimated maximum cost of each of the four truck bodies is \$7,625.00), 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 such cost to be paid by assessment on benefited real property in the Town of Cheektowaga.

Section 4. It is hereby determined that said purpose is the object or purpose described in subdivision 2 of paragraph 1 of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years.

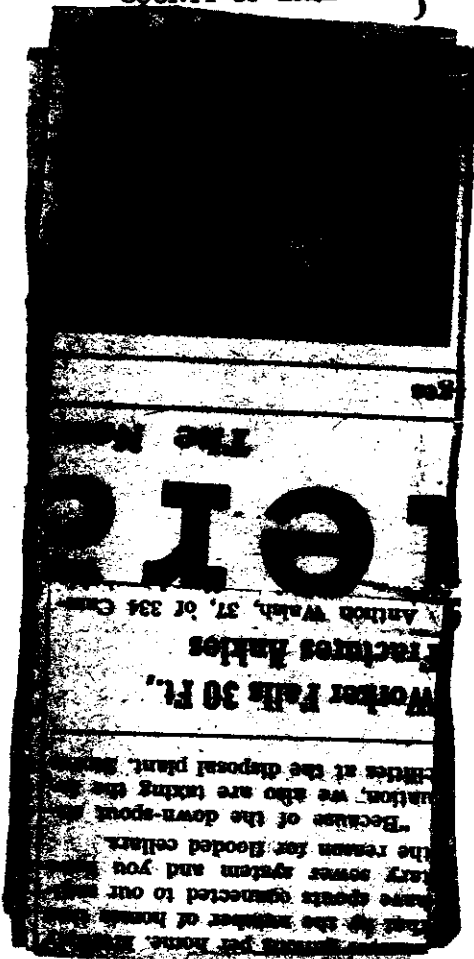
Section 5. It is hereby determined that the proposed obligations of the obligations authorized by this resolution shall not be in excess of five percent of the assessed value of the real property in the Town of Cheektowaga.

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 11.00 of said Local Finance Law, and such publication shall be in The Cheektowaga Sun and in the Depew Herald and Cheektowaga News, newspapers 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 contest is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the Constitution of New York.

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

The bond resolution published herewith has been adopted on August 20, 1956, 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 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.

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 23rd day of August, 1956 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 24 day of

August, 1956

Kenneth Shanley
Notary Public in and for Erie County

AUGUST 20, 1956, RESOLVING THE ISSUANCE OF \$25,000 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE ACQUISITION OF VEHICLES FOR USE OF THE CONSOLIDATED REFUSE AND GARBAGE DISTRICT OF THE TOWN.

WHEREAS, Consolidated Refuse and Garbage District of the Town of Cheektowaga, hereinafter referred to, is a refuse and garbage 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 Chapter 577 of the Laws of 1952 of New York and Section 206 of the Town Law of New York, and said Refuse and Garbage District requires additional equipment consisting of vehicles for the collection and disposition of garbage, ashes, rubbish and other waste matter in 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 \$25,000, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose hereinafter referred to as the object or purpose of this resolution is the acquisition of additional apparatus and equipment consisting of four vehicles and enclosed truck bodies for the collection and disposition of garbage, ashes, rubbish and other waste matter in and by the Consolidated Refuse and Garbage District of the Town of Cheektowaga.

Section 3. It is hereby stated that (a) the maximum cost of said purchase is estimated by the Town Board to be \$25,000 (the estimated maximum cost of each of the four vehicles is \$5,125.00 and the maximum cost of each of the four truck bodies is \$7,500.00) and (b) no money has been authorized to be expended for the payment of the cost of said purchase, and (c) the Town Board plans to finance the cost of said purchase entirely from funds derived from the issuance of said Serial Bonds, and (d) all such cost is to be paid by assessments upon the real property in an area within the area of said Town.

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 20 of Paragraph a of Section 11.60 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years.

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

Section 6. This resolution shall be published in full by the Town Clerk of said Town together with a notice in substantially the form prescribed by Section 11.60 of said Local Finance Law, and the publication shall be in The Cheektowaga Sun and in the Depew Herald-Cheektowaga News, newspapers published and having a general circulation in said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit, or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the Constitution of New York.

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

The bond resolution published herewith has been adopted on August 20, 1956, 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,

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

BOND ANTICIPATION NOTE RESOLUTION DATED AUGUST 20, 1956, AUTHORIZING THE ISSUANCE OF \$55,000.00 BOND ANTICIPATION NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, IN ANTICIPATION OF THE SALE OF SERIAL BONDS AUTHORIZED TO FINANCE THE ACQUISITION OF VEHICLES FOR USE OF THE CONSOLIDATED REFUSE AND GARBAGE DISTRICT OF THE TOWN.

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 Bond Anticipation Notes of the aggregate principal amount of \$55,000, pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described, in anticipation of the issuance of \$55,000 Serial Bonds, authorized by the bond resolution entitled "Bond Resolution dated August 20, 1956, authorizing the issuance of \$55,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the acquisition of vehicles for use of the Consolidated Refuse and Garbage District of the Town," adopted by the Town Board on August 20, 1956.

Section 2. The specific purpose (Hereinafter referred to as "purpose") to be financed by the issuance of said notes is the acquisition of additional apparatus and equipment consisting of four vehicles having enclosed truck bodies for the collection and disposition of garbage, ashes, rubbish and other waste matter in and by the Consolidated Refuse and Garbage District of the Town of Cheektowaga.

Section 3. As required by said Local Finance Law, it is hereby stated that (a) there are no outstanding Bond Anticipation Notes 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 Note, subject to the provisions of this resolution, and to sell and deliver said Bond Anticipation Notes, is hereby delegated to the Town Supervisor. The Town 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 and to attest such seal.

Section 5. This resolution shall take effect immediately upon its adoption.

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

Councilman Nagel	Voting AYE
Councilman Wroblewski	" "
Councilman Kornecki	" "
Councilman Trojanoski	" "
Councilman Neibert	" "
Councilman Bystrak	" "
Supervisor Holtz	" "

CARRIES: AYES: -7- The resolution was duly adopted.

Item No. 29 RECEIVING OF SEALED BIDS FOR ROAD GRADER

This being the time and the place advertised for the receiving of sealed bids for the purchase of one (1) Road Grader to be used in the Highway Department.

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

Councilman Nagel moved, seconded by Councilman Neibert that the sealed bids be opened.

The Town Clerk advised the Board that no sealed bids have been received.

The matter was referred to the Highway Committee.

12
23

13

RECEIVING OF SEALED BIDS FOR THE PURCHASE OF ONE
(1) AUTOMOBILE FOR USE IN THE HIGHWAY DEPARTMENT

This being the time and the place advertised for the receiving of sealed bids for the purchase of one (1) automobile for use in the Highway Department.

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

On a motion by Councilman Nagel, seconded by Councilman Neibert, the Town Clerk was authorized and directed to open the sealed bids on hand.

Hereto are a summary of the bids received:

Zynda Pontiac, Alden N.Y.....\$2,188.00
Weigel-Manz Pontiac, Depew N.Y..... 2,529.00

At the request of the Chairman the bids were ordered referred to the Highway Superintendent for analysis and tabulation.

1
/3

REQUESTING COUNTY FOR PERMISSION TO ERECT TRAFFIC LIGHT AT HARLEM ROAD AND PARKER AVENUE.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, to request Erie County Highway Superintendent Harry C. Crafts to permit the Town of Cheektowaga to install a stop and go traffic light at the intersection of Harlem Road and Parker Avenue.

Seconded by Councilman Kornecki. CARRIED: AYES: -7-

9
41

TRAFFIC SIGNAL WALDEN AVENUE AND DICK ROAD

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Erie County Highway Department has authorized the installation of a traffic signal at Walden Avenue and Dick Road in the Town of Cheektowaga, New York,

BE IT RESOLVED, that the Supervisor be and he hereby is authorized and directed to order the installation of a traffic signal at the intersection of Walden Avenue and Dick Road by the Reynders Electric Company.

Seconded by Councilman Trojanoski. CARRIED: AYES: -7-

9
41

REQUEST TO ERIE COUNTY HIGHWAY SUPT. FOR PERMISSION TO ERECT TRAFFIC SIGNAL LIGHT AT HARLEM ROAD AND STRALEY AVENUE.

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, vehicle traffic on Harlem Road at Straley Avenue in the Town of Cheektowaga, New York, has increased tremendously as a result of building in the vicinity, and

WHEREAS, it has become increasingly difficult to gain access to Harlem Road from Straley Avenue especially during the peak traffic hours, and

WHEREAS, a serious traffic fatality occurred in this immediate vicinity recently,

BE IT RESOLVED, that the Town Clerk be and he hereby is authorized and directed to request the Erie County Highway Department to authorize the installation of a traffic signal at the intersection of Harlem Road and Straley Avenue.

Seconded by Councilman Trojanoski. CARRIED: AYES: -7-

9
41

ACCEPTANCE OF CHARLOTTE ROAD AS TOWN HIGHWAY

Councilman Wroblewski moved, seconded by Councilman Neibert, WHEREAS, the Town Highway Superintendent has recommended to the Town Board that the highway known as Charlotte Road running easterly from Beach Road meets the specifications set forth by his department and the Town of Cheektowaga, be it

RESOLVED, that this Town Board does hereby accept Charlotte Road as a Town Highway to be maintained by the Highway Department of the Town of Cheektowaga.

CARRIED: AYES: -7-

13

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, the Town of Cheektowaga and R.J. Perfetto Corporation a Corporation organized and existing under the Laws of the State of New York, have entered into an Agreement wherein and whereby the said R.J. Perfetto Corporation has agreed to construct a highway within the bounds of Medina Street, beginning at the intersection of Medina Street with the northerly line of Subdivision Lots Numbers Forty Two (42) and Thirty (30) and extending in a northerly direction a distance of Nine Hundred Sixty (960) feet to the point of intersection of the said Medina Street with the southerly line of Hurd Street as shown on a Map filed in the Office of the Clerk of the County of Erie under Cover No. 1861, and

WHEREAS, the Town of Cheektowaga is now holding the sum of Three Thousand Seventy Five (\$3,075.00) dollars, previously deposited by the said R.J. Perfetto Corporation for purposely assuring the acceptable and successful completion of approximately Six Hundred Ninety (690) feet of roadway now partially constructed in Medina Street between the point of intersection of the said Medina Street with the northerly line of Dingens Street and extending in a northerly direction to the point of beginning of the roadway to be constructed under the Agreement hereinabove referred to, and

WHEREAS, by the said Agreement the said sum is to be held by the Town of Cheektowaga for the acceptable and successful completion of the portion of Medina Street to be constructed under the Agreement hereinabove referred to, and

WHEREAS, this said deposit together with Escrow deposits to be held by the Western Savings Bank of Buffalo at the rate of Two Hundred Fifty (\$250.00) dollars per house as referred to in the said Agreement, shall constitute a fund to assure compliance in all respects with the Agreement to construct a highway within the bounds of Medina Street, as aforesaid,

NOW, THEREFORE BE IT RESOLVED, that the Supervisor be authorized to execute the annexed Agreement, between the said Town of Cheektowaga and the said R.J. Perfetto Corporation on behalf of the said Town of Cheektowaga, and be it further

RESOLVED, that Medina Street commencing at its point of intersection with the northerly line of Subdivision Lots Numbers Forty Two (42) and Thirty (30) and extending northerly a distance of Nine Hundred Sixty (960) feet to the point of intersection of the said Medina Street with the southerly line of Hurd Street as shown under a map filed in the Erie County Clerks Office under Cover No. 1861 be and hereby is accepted as a Town Highway under the jurisdiction of the Town Highway Superintendent and be it further,

RESOLVED, that the Town Attorney be and he hereby is authorized and directed to record a deed to said highway, properly executed and acknowledged by the said R.J. Perfetto Corporation, in the Office of the Clerk of the County of Erie, and be it further

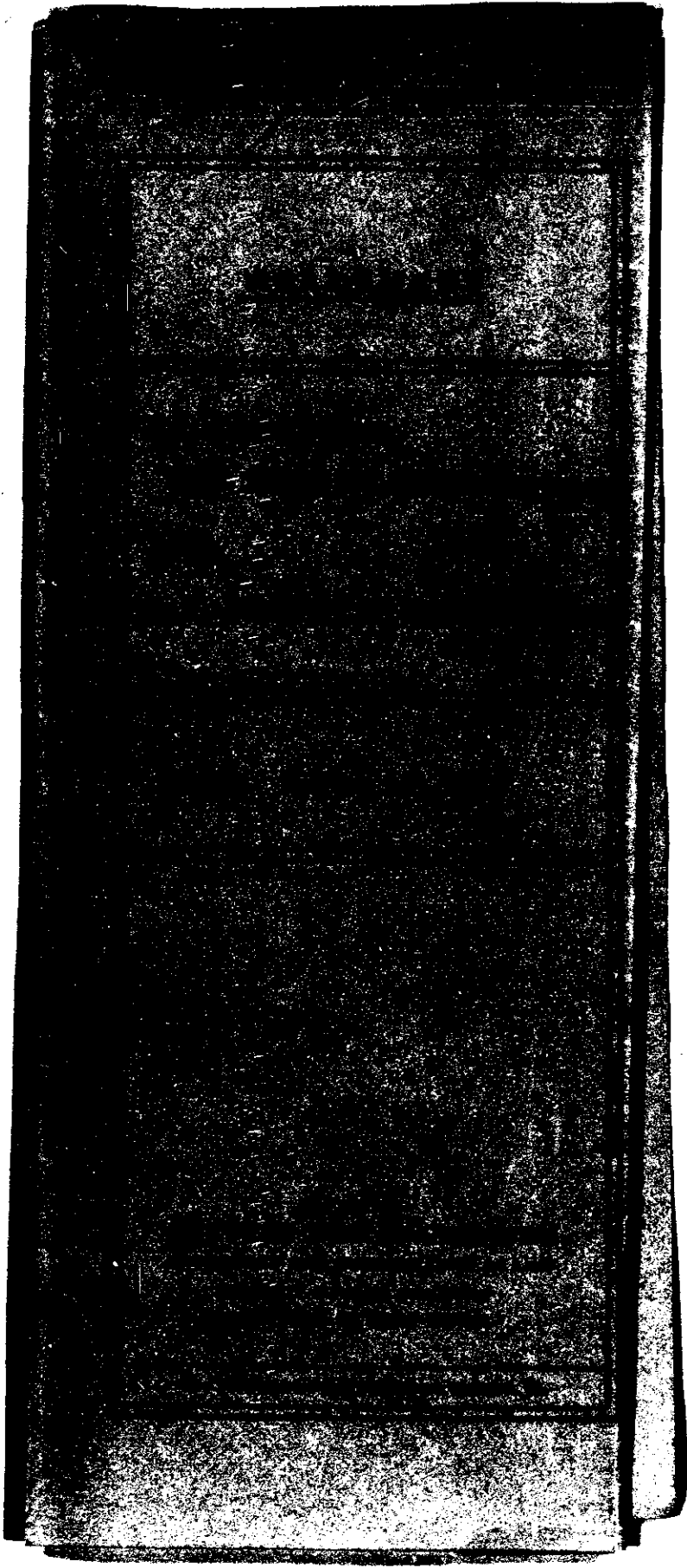
RESOLVED, that the sum of Three Thousand Seventy Five (\$3,075.00) dollars now held by the Town of Cheektowaga for the successful completion of Six Hundred Ninety (690) feet of Medina Street laying between the northerly line of Dingens Street and the point of beginning of the roadway herein accepted by the Town of Cheektowaga be held as a fund for the acceptable completion of that portion of Medina Street being accepted herein, together with the moneys to be held in escrow by the said Western Savings Bank of Buffalo as provided in the annexed agreement.

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

Supervisor Benedict T. Holtz	Voting AYE
Councilman Stanley R. Bystrak	" "
Councilman Henry J. Nagel	" "
Councilman Joseph A. Neibert	" "
Councilman Felix T. Wroblewski	" "
Councilman Joseph Trojanoski	" "
Councilman Joseph Kornecki	" "

33
13
CARRIED: AYES: -7-

Item No. 35-Contd' Hereto attached is a copy of said agreement.



55

AGREEMENT

This Agreement made this 15th day of August, 1956

BY & BETWEEN: The Town of Cheektowaga, a Municipal corporation, organized and existing under the Laws of the State of New York, with its office and principal place of business, in the County of Erie and State of New York, hereinafter referred to as the party of the first part,

AND: R. J. PERFETTO CORPORATION, a Corporation organized and existing under the Laws of the State of New York, with its office and principal place of business, at 795 Prospect Avenue, in the City of Buffalo, County of Erie and State of New York, hereinafter referred to as the party of the second part:

WITNESSETH:

WHEREAS, THE party of the Second Part, is the owner, in Fee Simple, of certain real property abutting both sides of Medina Street, in the Town of Cheektowaga, which said property is shown on a certain Map filed in the Office of the Clerk of the County of Erie under Cover No. 1861, and

WHEREAS, the party of the Second Part, is presently engaged in the construction of dwelling houses on the premises owned by him as aforesaid and is presently engaged in completion of the construction of a roadway in Medina Street commencing at the intersection of the said Medina Street with the North line of Dingens Street and extending in a Northerly direction at a distance of Six Hundred Ninety (690) feet in Medina Street as shown under the said Map filed under Cover No. 1861, which said highway has been accepted by the party of the First Part as a Town highway under the jurisdiction of the Town Highway Superintendent, and

WHEREAS, that said portion of Medina Street has been completed with the exception of applying the finished paving, and

STEVENS AND BAUMEISTER
ATTORNEYS AT LAW
733 ELLICOTT SQ. BLDG.
BUFFALO 3, N. Y.

WHEREAS, by agreement entered into by and between the parties hereto, on or about the 7th day of March, 1956, the said party of the First Part is holding the sum of Three Thousand Seventy Five (\$3,075.00) Dollars, which said sum together with Escrow deposits being held by the Western Savings Bank of Buffalo at the rate of Two Hundred Fifty (\$250.00) Dollars per house for each of the Twenty Four (24) houses, constructed or in the process of construction on either side of the said portion of Medina Street hereinabove referred to, constitute a fund to assure compliance in all respects with the said Agreement to construct the said highway according to the specifications, ordinances and regulations of the said party of the First Part, and

WHEREAS, the party of the Second Part is now desirous to complete the improvement of the balance of the said Medina Street by the erection of dwelling houses on either side of the said highway now unimproved and by the construction of the balance of the said highway and

WHEREAS, sanitary sewers have already been installed in the balance of said highway now sought to be improved, and

WHEREAS, the party of the Second Part is about to enter into a Contract with the ERIE COUNTY WATER AUTHORITY, for the construction of a water line in the portion of said highway now sought to be improved and is about to commence construction of the highway itself and has requested the Town of Cheektowaga to accept as a Town highway the remaining portion of Medina Street as shown under Map Cover No. 1861, commencing at the point of intersection of the Northerly line of Subdivision Lot Number Forty Two (42) and the Northerly line of Subdivision Lot Number Thirty (30) with the Easterly and Westerly lines of said Medina Street and extending in a Northerly direction a distance of Nine Hundred Sixty (960) feet to the point of intersection of Medina Street with the Southerly line of Hurd Street as shown on said Map, and

STEVENS AND BAUMEISTER
ATTORNEYS AT LAW
733 ELLICOTT 90. BLDG.
BUFFALO 3, N. Y.

WHEREAS, the party of the Second Part has agreed to contract with the Town of Cheektowaga to construct the said street so that the same will comply with the specifications of the Town Highway Department and all of the ordinances, rules and regulations of the said Town of Cheektowaga, and

WHEREAS, the Western Savings Bank of Buffalo having committed itself to finance Twenty Eight (28) dwelling houses to be constructed on either side of the highway now sought to be improved by the party of the Second Part, has agreed to withhold the sum of Two Hundred Fifty (\$250.00) Dollars from the permanent mortgage on each of the said houses as additional security to the said Town of Cheektowaga for the assurance of the acceptable completion of the paving of that portion of Medina Street now sought to be improved.

NOW THEREFORE, in consideration of the premises and the mutual covenants and promises hereinafter contained,

IT IS COVENANTED AND AGREED, as follows:

FIRST: That, the party of the second part agrees to construct the said Highway in Medina Street commencing at its intersection with the Northerly line of Subdivision Lot Number Forty Two (42) and the Northerly line of Subdivision Lot Number Thirty (30), as shown under Map Cover No. 1861, and extending in a Northerly direction a distance of Nine Hundred Sixty (960) feet to the point of intersection of the said Medina Street with the Southerly line of Hurd Street; and it further agrees where necessary to reconstruct the foundation of said highway and complete the same so that the Highway will conform in every respect with the specifications of the Town Highway Department and the regulations of the Town of Cheektowaga.

SECOND: That, the sum of Three Thousand Seventy Five (\$3,075.00) Dollars, now held by the party of the first part, as an Escrow deposit to assure the successful completion of the Six Hundred Ninety (690) feet of Medina Street commencing at the point of intersection with the

STEVENS AND BAUMEISTER
ATTORNEYS AT LAW
733 ELLICOTT SQ. BLDG.
BUFFALO 3, N. Y.

Northerly line of Dingens Street, hereinabove referred to, shall be held as a continuing Escrow under this agreement to assure the successful completion of that portion of Medina Street now sought to be improved.

THIRD: That, the deposit provided for in the Second paragraph hereof, together with Escrow deposits to be held by the Western Savings Bank of Buffalo, at the rate of Two Hundred Fifty (\$250.00) Dollars, per house to be constructed upon the portion of Medina Street now sought to be improved, shall constitute a fund out of which the party of the first part may draw such sums as are necessary to complete the said Highway so that the same complies in every respect with the minimum specifications of the Town Highway Department and the rules and regulations of the said party of the first part, the Town of Cheektowaga, in the event that the party of the second part defaults in this agreement.

FOURTH: That, in the event that the fund as provided for in the last paragraph hereof is insufficient to pay all of the costs and expenses incurred by the party of the first part, in completing the said Highway, upon the breach of this Contract by the party of the second part, that then and in that event the party of the second part hereby agrees to pay any and all sums required in excess of the amount held in said fund, as aforesaid.

FIFTH: Upon filing with the Town Board of the said Town of Cheektowaga, the party of the first part, an executed copy of this Agreement, together with proof duly executed by a qualified officer of the Western Savings Bank of Buffalo, as to the facts pertaining to the said Bank withholding a Two Hundred Fifty (\$250.00) Dollar Escrow per constructed house, and upon delivery to it of a Deed to that portion of Medina Street covered by this Agreement, it is agreed that the party of the first part does hereby accept the said highway as a Town Highway, subject to the jurisdiction of the Town Highway Superintendent.

SIXTH: Nothing herein contained shall be considered as an abrogation of the agreement entered into by and between the parties relating

STEVENS AND BAUMEISTER
ATTORNEYS AT LAW
733 ELLICOTT SQ. BLDG.
BUFFALO 3, N. Y.

to the construction of a Highway in Medina Street between the Northerly line of Dingens Street and the Northerly line of Subdivision Lots Number Forty Two (42) and Thirty (30).

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals this 15 day of August, 1956.

TOWN OF CHEEKTOWAGA

By: Benedict T. Holt
Supervisor

R. J. PERFETTO CORPORATION

By: Ralph J. Perfetto
President

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

On this 15 day of August, Nineteen Hundred and Fifty Six
before me personally came, BENEDICT HOLTZ, to me known, who, being
by me duly sworn, did depose and say that he resides in the Town of
Cheektowaga, New York, and 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 it was so
affixed by order of the Board of Directors of said corporation, and that he
signed his name thereto by like order.

Kent D. Hanley

Notary Public for the State of New York
Qualified in Erie County
My Commission Expires Mar. 30, 1957

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

On this 15th day of August, Nineteen Hundred and Fifty Six
before me personally came RALPH J. PERFETTO, to me known, who
being by me duly sworn, did depose and say that he resides at 795 Prospect
Avenue, Buffalo, New York, and that he is the President of the R. J.
PERFETTO CORPORATION, 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 Board of Directors of said corporation, and that he
signed his name thereto by like order.

Ralph J. Perfetto

Notary Public for the State of New York
Qualified in Erie County
My Commission Expires Mar. 30, 1957

STEVENS AND BAUMEISTER
ATTORNEYS AT LAW
733 ELLICOTT SQ. BLDG.
BUFFALO 3, N. Y.

Item No. 36 HIRING OF SEWAGE PLANT OPERATORS

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, John F. Martin, ,
 Sloan N.Y.; Robert K. Reger , Cheektowaga N.Y.;
 Lewis C. Habermehl , Cheektowaga N.Y.;
 A.S. Trzepkowski , Cheektowaga N.Y.;
 Stanley Bogdan , Sloan N.Y.;
 Jos. W. Ejnik , Cheektowaga N.Y.;
 Richard O. Boothby , Cheektowaga N.Y.,

have successfully passed a Civil Service examination for the position of Sewage Plant Operator in the Town of Cheektowaga, and WHEREAS, said applicants have been provisionally

appointed to this position, be it

RESOLVED, that the said John F. Martin, Robert K. Reger, Lewis C. Habermehl, A.S. Trzepkowski, Stanley Bogdan, Joseph Ejnik be permanently appointed Sewage Plant Operators in the Town of Cheektowaga at an annual salary of \$4,200.00 and Richard O. Boothby be appointed at an annual salary of \$4,000.00 to be paid to them in semi-monthly installments effective August 15, 1956 and that their provisional appointments be terminated herewith.

Seconded by Councilman Kornecki. CARRIED: AYES: -7-

Item No. 37 BUILDING PERMIT APPLICATIONS

Councilman Wroblewski moved, seconded by Councilman Trojanoski, that the Town Clerk be authorized and directed to issue building permits on applications processed by the Petitions Committee on August 11, 1956 and August 18, 1956, after same have been approved by the Building Inspector. CARRIED: AYES: -7-

Item No. 38 Mr. Beam representing the Buffalo Transit Corporation explained to the Board that his company is planning on improving the service on the Harlem Road and Sloan Line.

Item No. 39 Mr. Vincent Lepene of No. , Depew, was granted the floor and complained about the Depew Creek causing flooding in that part of the Town. Ordered referred to the Highway Superintendent.

Item No. 40 Town Historian Julia Reinstein presented to the Board preliminary drawings of a town key and seal for the Boards consideration and study.

Item No. 41 The request of Mrs. Joseph Nicholason of No. , for the construction of a town swimming pool was referred to the Town Board.

Item No. 42 Councilman Kornecki 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. 2072 to 2170 inclusive, drawn on the Supervisor.

Item No. 43 Councilman Nagel moved, seconded by Councilman Neibert, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk

Kenneth T. Hanley

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 4th day of September, 1956, 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	"
Joseph Kornecki	"
Joseph Trojanoski	"
Joseph A. Neibert	"
ABSENT: Stanley R. Bystrak	"

Also present were: Town Clerk Kenneth T. Hanley; Assistant Town Attorney Thomas Delahunt; General Foreman John Eberl; Town Engineer A.J. Kamm; Town Planning Consultant A. Russel Tryon and Chief of Police Mersmann.

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

Item No. 3 The request of Dolores Koscinski, typist in the Town Engineers Office for a six months leave of absence was granted.

Item No. 4 Without any objections the resignation of Patricia A. Buechi was accepted. 31

Item No. 5 Councilman Wroblewski moved, seconded by Councilman Trojanoski that the Town Clerk be authorized and directed to issue Building Permits on applications processed by the Petitions Committee on August 25, 1956 and September 4, 1956, after same have been approved by the Building Inspector. 15
35

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

WHEREAS, the U.S. Rubber Reclaiming Company Inc., instituted certiorari proceedings against the Assessors of the Town of Cheektowaga, New York, in relation to the assessment of its property in the Town of Cheektowaga, New York, for the years 1951 thru 1956 inclusive, and

WHEREAS, said proceedings were brought to trial before the Honorable Robert E. Noonan, Justice of the Supreme Court on the 11th day of April 1956, and

WHEREAS, the parties to the proceedings presented some of their proof in the issues involved, particularly as to the actual cost and replacement value of the permanent buildings and real property subject to taxation and the fair and equitable assessment of the petitioners property compared with the other taxable property in the Town of Cheektowaga, New York, and

WHEREAS, by mutual agreement the parties have agreed that the sum of \$319,000.00 represents the value of the petitioners' property for the purpose of taxation, and

WHEREAS, it is necessary for the Town Attorney to enter into a stipulation setting forth the terms and conditions reached by the parties, and

WHEREAS, said compromise has been carefully considered by the Town Board and its members have decided that it is in the public interest to compromise said certiorari proceedings upon the terms and conditions contained in said stipulation, and

BE IT RESOLVED, that said stipulation be and the same is hereby approved and that George B. Doyle Town Attorney be and he hereby is authorized to execute the same for and in behalf of Edward B. Jerzewski, Bronislaus Orlikowski (now deceased), Eugene Rudzinski and Andrew H. Schwenk, as Assessors of the Town of Cheektowaga, New York, and the Town of Cheektowaga.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	" "
" Nagel	" "
" Wroblewski	" "
" Kornecki	" "
" Trojanoski	" "

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

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

WHEREAS, the Erie County Water Authority has entered into an agreement with the Town of Cheektowaga, whereas the Erie County Water Authority is desirous of obtaining a right-of-way over certain lands acquired by the Town of Cheektowaga in connection with a 20 inch pipe line to be located on George Urban Boulevard between Harlem Road and Union Road, in the Town of Cheektowaga, New York,

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

Seconded by Councilman Trojanoski.

CARRIED: AYES: -6-

ABSENT: -1-

33
9

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

WHEREAS, this Town Board at a meeting held August 6, 1956 adopted a resolution that the Town Board meet at the Town Hall corner of Broadway and Union Road, Cheektowaga, New York, on the 20th day of August, 1956, at 7:30 o'clock P.M., E.D.S.T., for the purpose of considering the advisability of adopting a PARKING ORDINANCE and,

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

WHEREAS, pursuant to said resolution the Town Board of the Town of Cheektowaga, New York, did meet on the 20th day of August 1956, at the Town Hall in the Town of Cheektowaga, New York, for the purpose of considering the advisability of adopting a PARKING ORDINANCE, and

WHEREAS, an opportunity was afforded all persons interested in the subject matter to be heard and at the conclusion of said public hearing, the Town Board decided that it was in the public interest to adopt said Parking Ordinance to provide as follows:

LEGAL NOTICE
PARKING ORDINANCE
PARKING ON AIRPORTS
AND AIRFIELDS

Pursuant to the authority of Section 194, Subdivision 2 of the Town Law of the State of New York, (Laws of 1939, Chapter 684), parking, standing, leaving or leaving a motor vehicle unattended upon any publicly or privately owned airport, airport premises, or airfield, or any roads, driveway, traffic circle or pavement thereof, and in other than duty designated and maintained commercial parking areas without the consent and permission of the owner or lessee of such airport or airfield is hereby prohibited.

To effectuate the prohibition on the premises, as herein described, a sign shall be posted on the premises at each entrance to the airport, airfield, or airfield as herein described, and such sign shall be deemed substantial compliance with this section.

NO PARKING OR STANDING
EXCEPT IN AUTHORIZED
PARKING AREAS
POLICE ENFORCEMENT
UNDER AUTHORITY OF LAW
ORDINANCE OF TOWN OF
CHEEKTOWAGA

but any other words or phraseology prohibiting the parking, standing, leaving, or leaving of motor vehicles shall suffice.

The words "police enforcement" and "under authority of law" on such sign shall be deemed to mean the police, special policemen, or any law enforcement officers shall enforce the provisions of this ordinance against persons parking, standing, leaving or leaving a motor vehicle on such premises without the consent of the owner or lessee, and that the police and other law enforcement officers are authorized to enter upon such premises to enforce the provisions of this ordinance.

This ordinance may be enforced by the police or by special policemen or other law enforcement officers and they may use such procedure as is authorized by law, including tags, summonses, and towing to effectuate the enforcement of this ordinance.

Proof of ownership of a vehicle

shall be constructive evidence of an actual violation of the provisions of this ordinance, and any person who is found to be in violation of such provisions shall be liable for such penalty.

This ordinance shall prevent the standing, parking, leaving or leaving of a motor vehicle, or other motor vehicle, in any area designated for the parking of taxicabs and shall not be construed to prevent the standing, parking, or leaving of taxicabs in any area designated for the parking of taxicabs. Taxicabs only may stand or leave in this area.

Any person who shall violate any provision of this ordinance shall, upon conviction, be subject to a fine or penalty of not more than Twenty-five Dollars (\$25.00).

KENNETH T. HANLEY
Town Clerk

Dated 9-4-56. Sept. 6, 1956

Item No. 8-Contd' and be it further,
RESOLVED, that a copy of this resolution certified by
the Town Clerk shall be entered in the minutes and published at least
once in the Depew Herald & Cheektowaga News and the Cheektowaga Sun,
newspapers having a general circulation in said town, and

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

This Parking 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 Trojanoski and duly put to a
vote which resulted as follows:

Supervisor Holtz	Voting AYE
Councilman Neibert	" "
Councilman Nagel	" "
Councilman Wroblewski	" "
Councilman Kornecki	" "
Councilman Trojanoski	" "

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

The above notice was posted and published as according
to law. (See Airport Parking Ordinance File)

40

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

RESOLVED, that the request of John Szydowski,
Secretary to the Board of Fire Commissioners of Doyle Fire District
No. 1 for the installation of fire hydrants at the following named
locations be granted:

1 on Aris Street 500 feet south of Parker Street;
1 on Crisfield Street 500 feet south of Parker Street;
1 on the corner of Parker Street and Crisfield Street;

Seconded by Councilman Kornecki. CARRIED: AYES: -6-
ABSENT: -1-

22
28

Item No. 10 Councilman Wroblewski moved, seconded by Councilman
Neibert, that the Sub Division Map of Hastings Heights Part of Lots
24 and 25 T 11 R 7 prepared by Herthe and Sonnenberger, Engineers,
dated August 10, 1956, be approved and ordered filed in the Assessors
Office.

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

30

Item No. 11 Councilman Wroblewski moved, seconded by Councilman
Neibert that the Sub Division Map of McNaughton Park Part 3 Part of
Lot 24 T 11 R 7 prepared by Herthe and Sonnenberger, Engineers, dated
July 6, 1956 be approved and ordered filed in the Assessors Office.

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

30

Item No. 12 Councilman Wroblewski moved, seconded by Councilman
Neibert that the Sub Division Map of Barbara White Sub Division
Section 5 part of Lot 14 T 11 R 7 prepared by Herthe and Sonnenberger,
Engineers, dated March 1, 1956, be approved and ordered filed in the
Assessors Office.

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

30

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

WHEREAS, the State of New York recently completed the
re-paving of Genesee Street in the Town of Cheektowaga, Erie County, New
York, and

WHEREAS, a substantial portion of the curbing has been
eliminated by the raising of the surface of the street, and

WHEREAS, many complaints have been received from
property owners concerning drainage problems, and

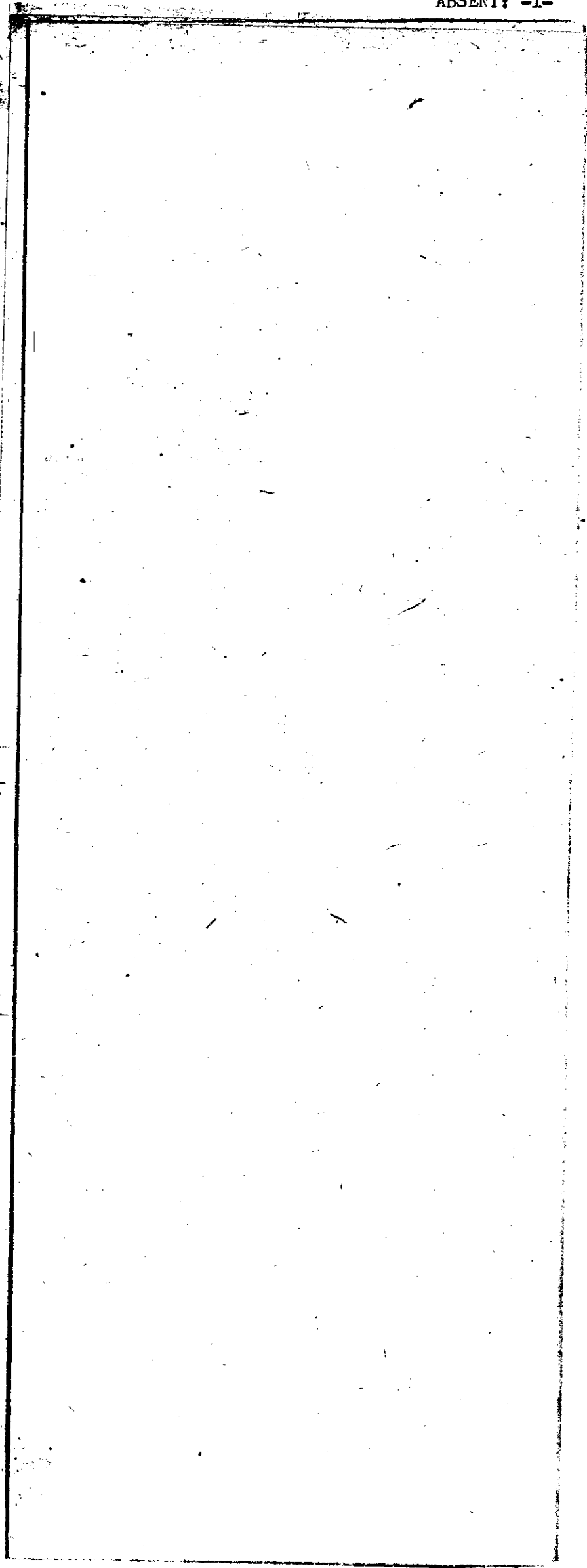
Item No. 13-Contd' WHEREAS, complaints have been received from the Police Department concerning safety and traffic problems, be it

RESOLVED, that the Town Clerk be and he hereby is authorized to contact the New York State Highway Department and request that the situation as it now exists be corrected and remedied.

Seconded by Councilman Nagel. CARRIED: AYES: -6-
ABSENT: -1-

83

Item No. 14



RESOLVED, that the Town Clerk be and he hereby is authorized to contact the New York State Highway Department and request that the situation as it now exists be corrected and remedied.

CARRIED: AYES: 6- ABSENT: -1-

Item No. 11

LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 4th day of September, 1956, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were PRESENT:

- Benedict T. Holtz, Supervisor
Joseph A. Neibert, Councilman
Henry J. Nagel, Councilman
Eulis T. Wroblewski, Councilman
Joseph Kornecki, Councilman
Joseph Trojanoski, Councilman

ABSENT: Stanley R. Bystrak, Councilman
Councilman Trojanoski presented the following resolution and moved its adoption:

WHEREAS, the Town Board of the Town of Cheektowaga, New York, on the 6th day of June, 1955, adopted an ordinance pursuant to the provisions of Article 9 of the Town Law describing how sidewalks shall be constructed in such town and said ordinance is in full force and effect; and

WHEREAS, after a careful survey the Town Board has decided that sidewalks be constructed in front of the property and at intersections along the sides thereof, to conform with said sidewalk ordinance at the following locations on or before October 15th, 1956:

Table with columns: Map Cover, Sub Lot, Bk., House No., Street, Name, Address. Lists numerous property owners and their addresses across various streets like Crisfield Avenue, Pelvion Land, and others.

Table with columns: Map Cover, Sub Lot, Bk., House No., Street, Name, Address. Continues the list of property owners and addresses from the previous table.

Table with columns: Map Cover, Sub Lot, Bk., House No., Street, Name, Address. Continues the list of property owners and addresses.

Table with columns: Map Cover, Sub Lot, Bk., House No., Street, Name, Address. Continues the list of property owners and addresses.

BE IT RESOLVED, that the Town Clerk be and he hereby is authorized and directed to publish certified copies of this resolution and order in the Depew Herald and Cheektowaga News and the Cheektowaga Sun, newspapers having a general circulation in said town, at least twice the first publication of which shall be at least fifteen (15) days before the completion of the completion of said work.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 4th day of September, 1956. KENNETH T. HANLEY, Town Clerk of Cheektowaga, N.Y.

Item No. 14-Contd The foregoing resolution was published as according to Law. (See Sidewalk Ordinance File).

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

WHEREAS, Pelvion Land Company Inc., has entered into an agreement with the Town of Cheektowaga, New York, wherein the said Pelvion Land Company Inc., has agreed to place topping on Milson Avenue for its entire length commencing at Flaczek Avenue and extending in a southerly direction to Columbus Avenue a total distance of approximately 1000 feet and had filed as security for the faithful performance of said agreement a surety bond in the sum of \$10,000.00 conditioned that it will comply in all respects with the forementioned agreement,

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to execute the annexed agreement between Pelvion Land Company Inc., and the Town of Cheektowaga, New York, on behalf of the Town of Cheektowaga , New York, and be it further

RESOLVED, that Milson Avenue for its entire length commencing at Flaczek Avenue and extending in a southerly direction to Columbus Avenue, be accepted as a town highway under the jurisdiction of the Town Highway Superintendent.

That said agreement is hereby approved as to its form and sufficiency as is the amount of the bond and the Town Attorney is hereby authorized to record in the Erie County Clerks' Office a deed to said highway.

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

Supervisor Holtz	Voting	AYE
Councilman Neibert	"	"
Councilman Nagel	"	"
Councilman Wroblewski	"	"
Councilman Kornecki	"	"
Councilman Trojanoski	"	"

CARRIED: AYES: -6-

NOES: -0-

ABSENT: -1-

AGREEMENT

This Agreement made this 4th day of September, 1956 by and between the Town of Cheektowaga, a municipal corporation of the State of New York, with its office and principal place of business in the County of Erie, State of New York, party of the first part and Pelvion Land Company Inc., a domestic corporation, organized and existing under the laws of the State of New York, with its office and principal place of business located at 4845 Union Road, Cheektowaga, New York, party of the second part:

WITNESSETH:

WHEREAS, the party of the second part is the owner of the abutting property on Milson Avenue, for its entire length commencing at Flaczek Avenue and extending in a southerly direction to Columbus Avenue, a total distance of approximately 1,000 feet, and

WHEREAS, the party of the second part has constructed the foundation for the highway and has also constructed in said highway sanitary sewers and has entered into a contract with the Erie County Water Authority for the construction of a water line in said highway and has paid the Erie County Water Authority the cost thereof, and

WHEREAS, the party of the second part has requested the Town of Cheektowaga to accept as a town highway Milson Avenue for its entire length commencing at Flaczek Avenue and extending in a southerly direction to Columbus Avenue, a total distance of approximately 1,000 feet and has agreed to enter into a contract with the Town of Cheektowaga, New York, to place topping on said street and complete the same so that the same will comply with the specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, it is hereby

AGREED, that the party of the second part agrees to place topping on Milson Avenue for its entire length, commencing at Flaczek Avenue and extending in a southerly direction to Columbus Avenue, a total distance of approximately 1,000 feet on or before October 1, 1957. It further agrees where necessary to reconstruct the foundation of said highway

Item No. 15-Contd'

and complete the same so that said highway will conform in every respect with the specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, it is further

UNDERSTOOD AND AGREED that the party of the second part will furnish the party of the first part a Surety Bond executed by a Bonding Company authorized to do business in the State of New York, in the sum of \$10,000.00 said bond to provide that the party of the second part will in all respects, conform with the terms and conditions of this agreement and the accompanying resolution of the Town Board on or before October 1, 1957. In the event the party of the second part fails to live up to the terms of this agreement, the party of the first part is authorized to complete said highway so that the same shall comply in every respect with the minimum specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, and all expenses incurred by it in completing said highway shall be paid by the party of the second part and its surety, and in the event said sum of \$10,000.00 is insufficient to pay such cost, then the party of the second part hereby agrees to pay the sum required in excess of that amount, it is however,

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

Upon filing with the Town Clerk an executed copy of this Agreement and the Surety Company Bond, it is agreed that the party of the first part does hereby accept said highway as a town highway, subject to the jurisdiction of the Town Highway Superintendent.

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

TOWN OF CHEEKTOWAGA, NEW YORK

BY: Benedict T. Holtz, Supervisor

Pelvion Land Company Inc.

BY: Myron A Yeager, Vice President.

Item No. 16

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, this Town Board has heretofore determined it to be in the public interest to make improvements of highways known as Yvonne Avenue, Crestview Avenue and Kuhn Road, to wit: the construction of a lateral sewer in accordance with the plans and specifications prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers, on file in the Town Clerk's Office, and

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

NOW THEREFORE,

BE IT RESOLVED, that sealed proposals be invited for the furnishing of labor and materials necessary for the doing of the work for the construction of said improvements in Yvonne Avenue, Crestview Avenue and Kuhn Road in accordance with said plans, specifications, estimate and proposed contract heretofore approved, by the publication of a notice thereof at least once in the DEPEW HERALD AND CHEEKTOWAGA NEWS and the CHEEKTOWAGA SUN, newspapers having a general circulation in the Township, requiring each person who shall offer to do said work to file a sealed proposal or offer to do the work with a certified check or bid bond in the amount of 5% of the amount of the bid 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, and be it further

33
13

Item No. 16-Contd' 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 corner of Broadway and Union Road, in the said Town of Cheektowaga, on the 17th day of September, 1956 at 7:30 o'clock P.M. Eastern Daylight Saving Time, and be it further

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

NOTICE TO CONTRACTORS

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

- Yvonne Avenue
- Crestview Avenue
- Kuhn Road

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga, and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where the same may be examined during the usual business hours. Copies of the proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may also be examined at the office of Nussbaumer, Clarke, & Velzy, Consulting Engineers of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$20.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contracts or the rejection of bid of such bidder, will be refunded \$20.00 and any non-bidder upon return of such copy will be refunded \$10.00.

Each proposal shall be accompanied by a certified check payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney, in the sum of 5% of total amount of bid. If a bond is submitted, the same shall be conditioned, that if the bidder's proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract. The Town Board reserves the right to reject any and all bids and proposals and to advertise anew and to award one contract for the entire work or separate contract for portions thereof, if in its judgment it shall deem it to be for the best interests of the Town to do so.

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

KENNETH T. HANLEY
Town Clerk

Published: September 6th, 1956

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

Supervisor Holtz,	Voting—Aye
Councilman Neibert	Aye
Councilman Nagel	Aye
Councilman Wroblewski	Aye
Councilman Kornecki	Aye
Councilman Trojanosky	Aye
AYES: 6	NOES: 0
	ABSENT: 1

33
13

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

WHEREAS, a light standard is needed on Roycroft Boulevard, near its intersection with Wehrle Drive, and there is already established a lighting district on Roycroft Boulevard, and all standards for said highway have been paid for by the taxpayers:

BE IT RESOLVED, that a light standard, No. 1348, be placed in front of premises known as No. 495 Roycroft Boulevard. The location of this light has been approved by the Lighting Committee, Stanley Bystrak, Chairman and the cost thereof charged to the general lighting district, and be it further

Item No. 17-Contd¹ RESOLVED, that a certified copy of this resolution be forwarded to the Niagara Mohawk Power Corporation, with the request that it make the installation.

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

Supervisor Holtz,	Voting—Aye
Councilman Neibert,	Aye
Councilman Nagel,	Aye
Councilman Wroblewski,	Aye
Councilman Kornecki,	Aye
Councilman Trojanosky,	Aye

27
AYES 6

NOES 0

ABSENT 1

Item No. 18

LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 4th day of September, 1956, 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 Kornecki, Councilman
Joseph Trojanoski, Councilman
Joseph A. Neibert, Councilman

ABSENT:

Stanley R. Bystrak, Councilman
Mr. Kornecki offered the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 16th day of July, 1956.

PUBLIC HIGHWAYS TO BE IMPROVED

Dania Drive from Hillside Avenue to Delray Road

TYPE OF STREET

LIGHTING INSTALLATION

8 Y-20 Standards—Under Ground Conduit

WHEREAS, Edward B. Jerzowski, Eugene A. Rudzynski and An-

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

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 17th day of September, 1956, at 7:30 P.M., Eastern Daylight Saving Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

than twenty (20) days before the day designated for the hearing as aforesaid.

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

Councilman Nagel, voting Aye
Councilman Wroblewski,

Councilman Kornecki, voting Aye
Councilman Trojanoski,

Councilman Neibert, voting Aye
Supervisor Holtz, voting Aye
Councilman Bystrak, absent

AYES: 6; NOES: 0. ABSENT: 1.

State of New York)
Erie County)

Office of the Clerk of the) ss.
Town of Cheektowaga)

This is to certify that I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 4th day of September, 1956, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 4th day of September, 1956.

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

Posted as follows on the 7th day of September 1956:

- 1-Post at the corner of Dania Drive and Hillside Avenue;
- 2- Tree in front of No. 54 Dania Drive;
- 3- Tree in front of No. 50 Dania Drive;
- 4- Post in front of No. 28 Dania Drive;
- 5- Post at the corner of Dania Drive and Delray Drive.

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

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

day of _____, 1956, as
afore said.

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

Councilman Nagel, voting Aye
Councilman Wroblewski,

_____ voting Aye
Councilman Kornecki, voting Aye
Councilman Trojanoski,

_____ voting Aye
Councilman Nelbert, voting Aye
Supervisor Holtz, voting Aye

Councilman Bystrak, absent
AYES: 6; NOES: 0. ABSENT: 1.

State of New York)
Erie County)

Office of the Clerk of the) ss.
Town of Cheektowaga)

This is to certify that I, Ken-
neth T. Hanley, Clerk of the Town
of Cheektowaga, in the said County
of Erie, have compared the fore-
going copy of resolution with the
original resolution now on file at
this office, and which was passed
by the Town Board of the Town
of Cheektowaga in said County of
Erie, on the 4th day of September,
1956, and that the same is a correct
and true transcript of such original
resolution and the whole thereof.

In Witness Whereof, I
have hereunto set my hand
(seal) and affixed the seal of said
Town this 4th day of Sep-
tember, 1956.

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 September 1956 and
the last insertion being on the _____ day of

_____, 19_____, and that not
more than six days intervened between any two publi-
cations thereof

Richard G. Bennett

Sworn to before me this _____ day of

19_____

Kenneth T. Hanley SEP 17 1956
Notary Public in and for Erie County

STATE OF NEW YORK
COUNTY OF ERIE

A regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 4th day of September, 1956, 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 Kornecki, Councilman
Joseph Trojanoski, Councilman
Joseph A. Neibert, Councilman

ABSENT:
Stanley R. Bystrak, Councilman
Mr. Kornecki 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 16th day of July, 1956.

PUBLIC HIGHWAYS TO BE IMPROVED
Santa Drive from Hillside Avenue to Delray Road
TYPE OF STREET LIGHTING INSTALLATION
Type "A" Standards—Under Ground Conduit

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

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 17th day of September, 1956, at 7:30 P.M., Eastern Daylight Saving Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

Councilman Nagel, voting Aye
Councilman Wroblewski, voting Aye
Councilman Kornecki, voting Aye
Councilman Trojanoski, voting Aye
Councilman Neibert, voting Aye
Supervisor Holtz, voting Aye
Councilman Bystrak, absent

AYES: 6; NOES: 0. ABSENT: 1.
State of New York)
Erie County)

Office of the Clerk of the) ss.
Town of Cheektowaga)

This is to certify that I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 4th day of September, 1956, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 4th day of September, 1956.

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

Item No. 18-A This being the time and the place advertised for the receiving of sealed bids for the purchase of a road grader for use by the Highway Department.

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

Councilman Nagel moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to open the sealed bids on hand.

Hereinafter are the list of bidders and the amount of same:

1- P-D Service Inc., Pavilion, New York.....\$22,784.58

Councilman Nagel moved, seconded by Councilman Neibert, that the bid be referred to the Highway Superintendent for analysis and tabulation.

(Please note that only one bid was received and opened).

1
13

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

RESOLVED, that the request of Harold J. Kuehlewind to attend the meeting of the New York State Police Conference Organization Committee held September 12th, 1956 at Albany, New York, be granted.
Seconded by Councilman Neibert.

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

185

31

42

Item No. 20 Councilman Neibert moved, seconded by Councilman Kornecki, that the request of the Town Clerk to attend the Town Clerks school at Albany, New York, on September 12th, 1956 to September 14th, 1956, inclusive, be granted and that his reasonable expenses be a proper town charge.

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

Dated: 9-11-56

35

42

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

WHEREAS, the Superintendent of Highways has requested the Town Board to purchase a Tractor Shovel for use by the Highway Department, this purchase being necessary to efficiently conduct the duties of the said department.

BE IT RESOLVED, THAT the request of the Superintendent of Highways be granted and that the Town of Cheektowaga purchase for said Highway Department a Tractor Shovel to meet the specifications referred to in the notice to Bidders, and be it further,

RESOLVED, that the Town Clerk publish the annexed Notice to Bidders in the Depew Herald and Cheektowaga News and the Cheektowaga Sun newspapers having a general circulation in the township, at least five (5) days before the receipt of bids. That sealed bids be received not later than 2:30 o'clock P.M., on October 1st, 1956, at which time they will be publicly opened by the Town Board at a meeting called for that purpose, to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York.

That the notice to bidders shall be in substantially the following form:

NOTICE TO BIDDERS

THE Town of Cheektowaga hereby requests separate sealed bids for the purchase of a Tractor Shovel to meet the specifications on file in the Town Clerk's Office, for use by the Highway Department.

The detailed specifications may be examined at the office of the Town Clerk, where the same are on file.

Copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 2:30 o'clock P.M., Eastern Standard Time, on October 1st, 1956, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York.

The Town of Cheektowaga reserves the right to reject any and all bids and to waive technical defects in bids if it be in the public interest of the Town of Cheektowaga to do so.

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

Dated: September 4th, 1956

KENNETH T. HANLEY,
Town Clerk.

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

Supervisor Holtz,	AYE
Councilman Neibert,	"
Councilman Nagel,	"
Councilman Wroblewski,	"
Councilman Kornecki,	"
Councilman Trojanosky,	"

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

TRACTOR SHOVEL SPECIFICATIONS

Capacity- (struck measure) - 1 3/4 cu. yd.
 Capacity - (heaped) - 2 1/4 cu. yd. plus
 Maximum clearance under Bucket hinge with closed Bucket fully raised 11ft. 8 in.
 Maximum dumping clearance 8 ft. 10 in. Maximum reach from front tires at 7 ft.
 Dump Height - 3 ft. 5 in.
 Diesel Engine -GMC 3 - 71, with 12 volt starting system, 102 HP, 213 cu. in. displacement. GM Allison Torque Converter, Multiplication 2.5 to 1, oil cooled. Speedmatic Power Shift Transmission, 4 speeds forward and 4 speeds reverse.
 Full power steering (rear) and full Hydraulic control. 4 wheel planetary driving axels, (17 to 1 1/2).
 Automatic Bucket Leveler. Hydraulic Accumulator for lift cylinders.
 Brakes— 4 wheel hydraulic with hydrovac booster assist. Mechanical parking brakes. 4— 14.00 X 24 —12 ply tractor Grader tread tires.
 30 gallon fuel tank. Weight approximately —20,300 lbs.
 1-1953 Trojan Loadster, model LC -100B— 1 1/4 cu. yd. to be applied as part payment.

The foregoing Notice to Bidders was published as according to law. (See Highway File).

13

Item No. 23 Councilman Wroblewski presented the following resolution requesting the New York State Thruway Authority to repair and resurface Crisfield Avenue between Parker Avenue and Dingens Street, and WHEREAS, THE town has received a communication from the New York State Thruway Authority, in which it claimed that ie did not use Crisfield Avenue as a detour, but provided a detour of its own and properly maintained said detoue and left it in good repair and at no time directed traffice over Crisfield Avenue, and

WHEREAS, this Town Board is convinced that the state will no repair said highway unless ordered to do so by the court, and

WHEREAS, the condition of said highway is such that it requires immediate repair and resurfacing.

BE IT RESOLVED, that the Town Highway Superintendent immediately repair said highway and that he keep record of the time material involved, so that the matter can be referred to the Town Attorney for such legal action as he may advise.

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

Supervisor Holtz,	Voting---AYE
Councilman Neibert,	"
Councilman Nagel,	"
Councilman Wroblewski,	"
Councilman Kornecki,	"
Councilman Trojanosky,	"

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

4
13

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

WHEREAS, the Zoning Board of Appeals has recommended to this Town Board that the application of Donald A. Lischer to rezone from residential district to business district the following described property, be denied,

DESCRIPTION

Property located on the west side of Union Road, north of New Walden Avenue Extention 218.12 feet frontage by 1370.16 feet in depth.

BE IT RESOLVED, that this Town Board does hereby uphold the decision of the Zoning Board of Appeals and that the application to rezone the aforementioned premises from that of residential district to business district, be denied.

Seconded by Councilman Trojanosky.

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

19

Item No. 25 John McGuire of Rogers Drive was granted the floor and complained about smoke and a rat problem emanating from the Airport Greenhouse. Ordered referred to Councilman Wroblewski and the Town Attorney for investigation.

183

42

Item No. 26 Councilman Kornecki moved, seconded by Councilman Nagel, 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. 2171 to 2263 inclusive, drawn on the Supervisor).

6

Item No. 27 Councilman Nagel moved, seconded by Councilman Neibert to adjourn until 7:30 P.M. on September 10, 1956.

Kenneth T. Hanley, Town Clerk.

SEAL

Kenneth T. Hanley

Item No. 1 At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 10th day of September, 1956, at 7:30 o'clock P.M., E.D.S.T., there were:

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

Also present were: Town Clerk Kenneth T. Hanley; Assistant Town Attorney Thomas E. Delahunt and Chief of Police John F. Mersmann.

Item No. 2 The Town Board then took under review the Budget Estimates for Special Districts spreading cost on Benefit Basis as presented by Supervisor Holtz.

Following is a true and correct copy of said Budget as presented by the Supervisor.

BUDGET ESTIMATES FOR SPECIAL DISTRICTS

SPREADING COSTS ON BENEFIT BASIS

September 10, 1956

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 cost of which are levied against property on a benefit basis, for the year 1957.

SEWER DISTRICTS

District No. 1

Rent to City of Buffalo	\$ 586.08	
Installment on old balance	150.00	
Interest on old balance	15.39	
To be raised by assessment		\$ 751.47

District No. 2

Rent payable to District No. 5	5,000.00	
Maintenance	1,000.00	
To be raised by assessment		6,000.00

District No. 3

Bond principal and interest due in 1957	28,561.71	
Operation of Disposal Plant	38,220.00	
Real Estate Taxes-1957	6,300.00	
Maintenance of sewers	9,000.00	
Service of Superintendent	1,800.00	
Services of Engineer and Engineering Aid	1,500.00	
Services of Town Attorney	500.00	
Erie County Chargebacks	166.09	
TOTAL EXPENSE FOR 1957	86,047.80	
Less: Rentals:		
William Street tie-in	\$ 300.00	
Franklin Street Tie-in	1,250.00	
New York Central Railroad	800.00	
	2,350.00	
To be raised by assessment		83,697.80

SEWER DISTRICTS-Contd¹District No. 4

Rent payable to District No. 5	\$ 6,000.00	
Operation of pump station	1,700.00	
Maintenance	<u>1,000.00</u>	
To be raised by assessment		\$ 8,700.00

District No. 5

Bond principal and interest due in 1957	153,093.36	
Operation of Disposal Plant	113,790.00	
Maintenance of sewers	22,000.00	
Services of Superintendent	3,300.00	
Services of Engineer and Engineering Aid	4,000.00	
Service of Town Attorney	1,000.00	
Erie County Charge Backs	<u>140.86</u>	
TOTAL EXPENSE FOR 1957	<u>297,324.22</u>	
Less: Revenue from charges to:		
Josephine Asmondus	\$ 75.00	
City of Buffalo	12,000.00	
Sewer Dist. No. 2	5,000.00	
Sewer Dist. No. 4	6,000.00	
Sewer Dist. No. 6	<u>23,700.00</u>	
To be raised by assessment	<u>46,775.00</u>	250,549.22

District No. 5-Walden Extension

Bond principal and interest due in 1957	<u>5,405.00</u>	
To be raised by assessment		5,405.00

District No. 5-Peinkofer Extension

Bond principal and interest due in 1957	<u>1,600.00</u>	
To be raised by assessment		1,600.00

District No. 6

Bond principal and interest due in 1957	2,210.00	
Rent payable to District No. 5	22,500.00	
Maintenance payable to District No. 5	<u>1,200.00</u>	
TOTAL EXPENSE FOR 1957	<u>25,910.00</u>	
Less: Amount payable from Districts' Reserve Fund	<u>296.38</u>	
To be raised by assessment		<u>25,613.62</u>

TOTAL FOR ALL EIGHT SEWER DISTRICTS

382,317.11

STORM SEWER DISTRICTSDistrict No. 1

Maintenance	<u>1,000.00</u>	
To be raised by assessment		1,000.00

District No. 2

Maintenance	1,100.00	
Erie County Charge Backs	<u>92.22</u>	
TOTAL EXPENSE FOR 1957	<u>1,192.22</u>	
To be raised by assessment		1,192.22

District No. 3

Bond principal and interest due in 1957	6,792.00	
Maintenance	<u>1,500.00</u>	
TOTAL EXPENSE FOR 1957	<u>8,292.00</u>	
Less: Amount payable from Districts' Reserve Fund	<u>400.00</u>	
To be raised by assessment		7,892.00

District No. 4

Bond principal and interest due in 1957	8,780.00	
Maintenance	<u>1,000.00</u>	
TOTAL EXPENSE FOR 1957	<u>9,780.00</u>	
Less: Amount payable from Districts Reserve Fund	<u>600.00</u>	
To be raised by assessment		<u>9,180.00</u>

TOTAL FOR ALL FOUR STORM SEWER DISTRICTS

\$19,264.22

	PRINCIPAL AND INTEREST DUE IN 1957	LESS AMOUNT PAYABLE OUT OF DISTRICTS' RESERVE FUND	
LATERAL SANITARY SEWER DISTRICTS			
Arthur	\$ 302.63	\$ -0-	\$ 302.63
Roycroft	219.64	-0-	219.64
Cresthaven	1,540.50	-0-	1,540.50
Sugnet	2,054.00	160.12	1,893.88
Walton	2,054.00	324.58	1,729.42
Abels, Vincent and Lena	1,562.50	604.86	957.64
Floral	1,562.50	157.45	1,405.05
Mapleview	1,585.25	194.02	1,391.23
Peter	1,055.01	200.00	855.01
Genesee- from Midland N	750.87	75.00	675.87
Raymond	2,192.50	125.00	2,067.50
Grunner, Kennedy, etc.	11,976.25	2,800.00	9,176.25
Genesee-Awood to Beechwood	1,096.25	275.00	821.25
Yorktown	1,068.75	125.00	943.75
Wallace	2,270.00	-0-	2,270.00
Ludwig	1,710.00	-0-	1,710.00
Oriole	560.00	-0-	560.00
	33,560.65	5,041.03	28,519.62
To be raised by assessment			\$ 28,519.62
SIDEWALK DISTRICTS			
Woodridge	1,062.50	159.73	902.77
Peinkofer	1,050.00	449.94	600.06
	2,112.50	609.67	1,502.83
To be raised by assessment			1,502.83
CURBING DISTRICTS			
Olcott	2,050.00	-0-	2,050.00
Chesterfield	2,740.63	571.25	2,169.38
To be raised by assessment			4,219.38
PAVING DISTRICTS			
Darwin	4,156.00	787.07	3,368.93
Walton	1,558.50	326.56	1,231.94
Cresthaven	1,558.50	308.65	1,249.85
Sugnet	2,065.00	354.97	1,710.03
Homesgarth	1,585.25	101.09	1,484.16
Aurora	1,068.75	250.00	818.75
Abeles	2,220.00	700.00	1,520.00
Lena	2,165.00	600.00	1,565.00
Mapleview	1,630.63	400.00	1,230.63
Yorktown	1,644.38	300.00	1,344.38
	19,652.01	4,128.34	15,523.67
To be raised by assessment			15,523.67

	PRINCIPAL AND INTEREST <u>DUE IN 1957</u>	LESS AMOUNT PAYABLE OUT OF DISTRICTS <u>RESERVE FUND</u>	
<u>STREET LIGHTING IMPROVEMENT</u>			
<u>GROUP 13</u>			
Vegola	\$ 568.13	\$ 440.07	\$ 524.06
Oehman	409.05	6.57	415.62
Woodland	409.05	6.57	415.62
McNaughton	272.70	15.50	288.20
Cedar	136.35	10.31	146.66
Kendale	477.22	38.90	438.32
	<u>\$2,272.50</u>	<u>\$ 44.02</u>	<u>\$ 2228.48</u>
To be raised by assessemnt			\$2,228.48
<u>Group 14</u>			
Furlong	\$ 210.08	\$ 5.45	\$ 215.53
Lamarck	603.98	115.31	488.67
Farmingdale	603.98	118.41	485.57
Birkdale	551.46	68.74	482.72
Fontaine	656.50	63.37	593.13
	<u>\$2,626.00</u>	<u>\$ 360.38</u>	<u>\$2,265.62</u>
To be raised by assessment			\$2,265.62
<u>GROUP 15</u>			
Loretta - Parish	\$ 0	\$ 780.91	\$ 780.91
St. Lucian	272.70	34.39	307.09
St. Paul	190.89	24.07	214.96
Lucille	327.24	41.27	368.51
Robert	190.89	24.07	214.96
Petan	190.89	24.07	214.96
Miami	545.40	68.78	614.18
George Urban	736.29	331.00	1,067.29
Carloyn	272.70	34.39	307.09
	<u>\$2,727.00</u>	<u>\$1362.95</u>	<u>\$4,089.95</u>
To be raised by assessment			\$4089.95
<u>GROUP 16</u>			
Princess	\$ 193.92	\$ 17.13	\$ 176.79
Park	387.84	34.27	353.57
Queens	129.28	11.42	117.86
Daniel	323.20	28.56	294.64
Danbury	1842.24	162.76	1679.48
Homesgarth	355.52	98.59	454.11
	<u>\$3,232.00</u>	<u>\$ 155.55</u>	<u>\$3,076.45</u>
To be raised by assessment			\$3,076.45
<u>GROUP 17</u>			
Principal and interest due in 1957:			
Delray	\$ 475.86		
North Pleasant	497.49		
Kilbourne	173.04		
Ontario	584.01		
Kemp	432.60		
To be raised by assessement			\$2,163.00
<u>GROUP 18</u>			
Principal and interest due in 1957:			
Meparlin	\$ 395.52		
Farihaven	618.00		
Melcourt	469.68		
Westchester	618.00		
Alpine	370.80		
To be raised by assessment			\$2,472.00

TOTAL TO BE ASSESSED FOR ALL SIX GROUPS

\$16,295.50

ASSESSMENTS OMITTED FROM 1956 ROLLS

SANITARY SEWER DISTRICT NO. 5

Book No. 1 - Tax No. 2088 - Map Cover 1243
 Sublot 56, Genesee Street
 Owner: Niagara Mohwak Power Corp. \$10.77

LATERAL SEWER DISTRICTS

Book No. 8 - Tax No. 14542 - Map Cover 539
 Sublot 47-48 - Block D, Arthur Street
 Owner: Charles Stotz & Wife \$15.86
 Book No. 13 - Tax No. 29316 - Map Cover 342
 1185
 Sublot 18 - Kennedy Road
 Owner: Felix Mosakowski & Wife \$23.11

PAVING DISTRICTS

Mapleview
 Book No. 6 - Tax No. 10161 - Map Cover 1239
 Sublot 48-49, 90 Briarcliff (Birkdale)
 Owner: Charles S. Gorzynski & Wife \$105.18
Aurora Street
 Book No. 6 - Tax No. 10605 - Map Cover 1404
 Sublot 15, Aurora Street
 Owner: Irma M. Weller \$28.55

TOTAL OF OMITTED TAXES \$183.47

In accordance with the Town Law, it is the duty of the Town Board to estimate the 1957 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

10-25-56

Mr. Hanley:

After the Benefit Basis Budget for 1957 had been prepared, it was discovered that:

YORKTOWN PAVING DISTRICT AND
 YORKTOWN LATERAL SEWER DISTRICT

budgets should be reduced because a payment from Pelvion Land Co. had not been credited to these districts.

Accordingly the 1957 Benefit Basis Budget should be reduced as follows:

	WAS	CORRECT	REDUCTION
YORKTOWN LATERAL SEWER	\$943.75	\$280.50	\$663.25
YORKTOWN PAVING	1334.48	148.50	1185.98
	<u>\$2278.23</u>	<u>\$429.00</u>	<u>\$1849.23</u>

HOLLOWAY AND COMPANY

Item No. 2-Contd' Councilman Kornecki moved the following resolution and it was seconded by Councilman Wroblewski.

WHEREAS, this Town Board has prepared a detailed estimate of the anticipated 1957 revenue and expenditures for every district in which the expense of the improvement is to be assessed on a benefit basis, and

WHEREAS, this Town Board has assessed the Special Districts on a benefit basis, against the lots and parcels of land, which is chargeable, and

WHEREAS, this Town Board has prepared an assessment roll describing each lot or parcel of land, the owner thereof, and the assessment levied against it, and

WHEREAS, this Town Board has filed such estimates and assessment roll with the Town Clerk,

NOW THEREFORE, BE IT

RESOLVED, that the detailed estimates of the anticipated revenues and expenditures for every special district and the assessment roll for every special district be and the same is hereby approved, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and he hereby is, authorized and directed to publish a Notice of Public Hearing for same in the Cheektowaga Sun and the Depew Herald-Cheektowaga News, newspapers having a general circulation in the Town, said notice to be in the following form and to be published the weeks of September 13, 1956 and September 20, 1956, respectively, said Public Hearing to be held at the Town Hall on the 24th day of September, 1956, at 7:30 P.M., and shall be in the following form to wit:

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the Town Board of Cheektowaga, Erie County, New York, at a regular adjourned meeting held on September 10th, 1956, 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 No. 1, 2, 3, 4; 5, No. 5 Walden Extension, No. 5 Peinkofer Extension and 6;

Storm Sewer Districts No. 1, 2, 3, 4.

All Lateral Sanitary Sewer Districts:

All Sidewalk Districts:

All Curbing Districts:

All Paving Districts:

All Lighting Improvements Districts:

Notice is also given that a public hearing on such Estimates and Assessment Roll will be held September 24th, 1956 at 7:30 P.M., E.D.S.T., in the Council Chambers of the Cheektowaga town Hall, corner of Broadway and Union Road, at which time the Town Board will meet to hear and consider any objection which shall be made to such Estimates and Assessment Roll.

Dated: September 10, 1956

By Order of the Town Board of the Town of Cheektowaga,
New York.

KENNETH T. HANLEY

Town Clerk

sl3-20

Item No. 3 Councilman Wroblewski moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to reimburse Election Inspectors \$3.00 extra salary for extra hours to be performed on Election Day.

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

Dated: 9-10-56

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

RESOLVED that the request of the Board of Fire Commissioners of the Cleveland Hill ~~Fire~~ District No. 6 to install fire hydrants at the following locations be granted:

1 hydrant on Yvonne Avenue at house # 60 S L 6

1 hydrant on Yvonne Avenue corner of Kuhn Road house # 7 S L 42

1 hydrant on Crestview Avenue at house #74 S L 52

FURTHER RESOLVED that the Town Clerk be authorized and directed to mail a certified copy of this resolution to the Erie County Water Authority.

Seconded by Councilman Wroblewski.

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

Dated: 9-10-56

Item No. 5 At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, County of Erie, State of New York, held at the Town Hall in the said Town of Cheektowaga on the 10th day of September, 1956 at 7:30 o'clock P. M., E. D. S. T., THERE WERE:

PRESENT: Benedict T. Holtz Supervisor
Felix T. Wroblewski Councilman
Joseph Kornecki "
Joseph Trojanosky "
Joseph A. Neibert "
Stanley R. Bysrak "

ABSENT: Henry J. Nagel "

Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS Section 5-2.0 of the Erie County Tax Act provides that the Town Board waive the fee of one per centum otherwise collectable on school taxes paid on or before the fifteenth day of October, next ensuing, the levying of such taxes, and

WHEREAS this Town Board has in the past years waived this fee,

NOW, THEREFORE, BE IT RESOLVED that the fee of one per centum to be collected on all school taxes paid on or before the fifteenth day of October, 1956, be and same hereby is waived and the Receiver of Taxes and Assessments is hereby directed to refrain from collecting the said fee.

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

CARRIED: AYES: -6- NOES: -0- ABSENT: -1-
DATED: 9-10-56

32
38

Item No. 6 The following Resolution was moved by Councilman Wroblewski and seconded by Councilman Neibert:

RESOLVED, that Town Attorney is hereby authorized and directed to take such steps as may be necessary to substantiate the equalization rates of the County of Erie for the years 1955 and 1956, and that Holloway & Company be authorized to assist.

ROLL CALL: AYES: -6- NOES: -0- ABSENT: -1-
Dated: 9-10-56

33
1

Item No. 7 The following Resolution was moved by Councilman Wroblewski and seconded by Councilman Neibert:

RESOLVED, that Holloway and Company review the present method used to determine the spread of maintenance expense for sewer districts and further prepare a new formula which will more equitably distribute this cost according to use or benefit derived.

ROLL CALL: AYES -6- NOES: -0- ABSENT: -1-
Dated: 9-10-56

1

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

WHEREAS, a school crossing guard is needed at the corner of East Delavan Avenue and Andrews Street, in the Town of Cheektowaga, New York.

BE IT RESOLVED, that Alice Paradowski, residing at , Cheektowaga, New York, be hired as a school crossing guard at East Delavan Avenue and Andrews Street, Cheektowaga, New York, at the rate of \$1.15 per hour, starting September 10th, 1956. Dated: September 10th, 1956 Seconded by Councilman Wroblewski

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

31
20

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

WHEREAS, this Town Board did on the 20th day of August, 1956, by resolution, advertise for the receiving of sealed bids for the purchase of one Road Grader as recommended by the Highway Superintendent,

WHEREAS, sealed bids were received and publicly opened on the 4th day of September, 1956, at 2:30 P. M., at a meeting of the Town Board,

WHEREAS, P-D Service Inc., Pavillon New York, were the lowest and only bidder,

BE IT RESOLVED, that the bid of P-D Service Inc., in the amount of \$22,784.58, be and hereby is accepted, and that payment for same be made as follows:

.....

Item No. 9 Contd' DOWN PAYMENT OF.....\$6,500 from Item No.
3 of the Highway Fund

Two Capital Notes in the amount of...\$8,142.29 each
Seconded by Councilman Trojanosky.

CARRIED: AYES: -6- NOES: -0- ABSENT: -1-
Dated: 9-10-56

12
xy
Item No. 10 Mrs. Gierling of Olcott Place was granted the
floor and requested that sidewalks be exempted from her property due
to the fact that the property was bought as a lot and not a street.
Ordered referred to Councilman Wroblewski and the Chief of Police.

6
Item No. 11 Councilman Kornecki moved, seconded by Councilman
Bystrak, that all claims presented at this meeting for audit be approved
and that the Town Clerk be authorized and directed to draw a warrant on
the Supervisor for payment of same. (Warrant No. 2264 to No. 2293,
inclusive, drawn on the Supervisor.)

Councilman Niebert moved, seconded by Councilman

Bystrak to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk

Kenneth T. Hanley

Item No. 1 At a regular Town Board meeting of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 17th day of September, 1956 at 7:30 P.M., E.D.S.T., there were:

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

Also present were: Town Clerk Kenneth T. Hanley; Town Attorney George B. Doyle; Assistant Town Attorney Thomas E. Delahunt and Town Engineer Albert J. Kamm.

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

Item No. 3 Councilman Wroblewski moved, Seconded by Councilman Trojanoski that the Town Clerk be authorized and directed to issue Building Permits on Applications processed by the Petitions Committee on September 8th, 1956 & September 15th, 1956, after same have been approved by the Building Inspector.
CARRIED: AYES: 6 ABSENT: 1
DATED: September 17th, 1956

15
35

Item No. 4 Councilman Trojanoski moved, seconded by Councilman Kornecki that the Town Clerk be authorized and directed to request the Erie County Highway Superintendent for permission to change the traffic signal light located at the intersection of Kensington Avenue and Kenview Boulevard from its present push button control to a stop and go signal in the interest of the safety of school children using that intersection.
CARRIED: AYES: -6- ABSENT: -1-
Dated: September 17th, 1956.

9
41

Item No. 5 Mr. Bystrak presented the following resolution and moved its adoption:
WHEREAS, the light standard in front of 483 Lamarck Drive has been damaged and must either be repaired or replaced;
BE IT RESOLVED, That the Niagara Mohawk Power Corporation be authorized to repair or replace the standard in front of said premises with a 1348 lighting standard, the cost thereof to be charged against the general lighting district.
The repair or replacement of said lighting standard has been approved by Stanley R. Bystrak, Chairman of the Lighting Committee.
Seconded by Mr. Joseph Kornecki and duly put to a vote which resulted as follows:
AYES: -6- NOES: -0- ABSENT: -1-
Dated: September 17th, 1956

27

Item No. 6 Councilman Bystrak presents the following resolution and moves its adoption:
Resolved that the New York State Electric & Gas Corporation be authorized and directed to make the following street lighting installations:
1. Install in front of the Town Hall #6-21,400 lumen fluorescent luminaires mounted on ornamental standards @ \$106. per luminaire per year. The New York State Electric & Gas Corporation shall furnish both the luminaries and the standards.

Item No. 6 Contd. 2. Install in the rear of the Town Hall #6-21,400 lumen fluorescent luminaries mounted on wood poles @ \$95. per luminaire per year. The New York State Electric & Gas Corporation shall furnish both the luminaries and wood poles.

* Fluorescent Luminaries (21,400 nominal rating) which utilize 4-100 watt rapid-start fluorescent lamps which generate approximately 21,400 lumens.

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

21
AYES: -6- NOES: -0- ABSENT: -1-
Dated: September 17th, 1956.

Item No. 7 Councilman Bystrak moved, seconded by Councilman Trojan- jansky, that the New York State Gas & Electric Corporation be authorized and directed to install 2500 lumens lights on the fol- lowing poles: No. 8-10-12 and 14 on Raymond Street.

21
CARRIED: AYES: -6- ABSENT: -1-
Dated: September 17th, 1956.

Item No. 8 This being the time and the place advertised for a public hearing on the proposed improvement of both sides of the public highways situated in the Consolidated lighting District of the Town of Cheek- towaga 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 a 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
Dania Drive	Hillside Avenue	Delray Road

TYPE OF STREET LIGHTING INSTALLATION

8 Y 20 Standards- under ground conduit.

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

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

WHEREAS, this Town Board had 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 HIGHWAY	FROM	TO
Dania Drive	Hillside Avenue	Delray Road

TYPE OF STREET LIGHTING INSTALLATION

8 Y 20 standards-under ground conduit

and heard all persons interested in the subject thereof.

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

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

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

by the installation of street lighting equipment hereinabove parti- cularly 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

Item No. 8 Contd' BEIT 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 10 days after the adoption hereof, in conformity with section 195 of the Town Law.

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

Supervisor Holtz	Voting—	Aye
Councilman Wroblewski		Aye
Councilman Kornecki		Aye
Councilman Trojanosky		Aye
Councilman Neibert		Aye
Councilman Bystrak		Aye

AYES: -6-

NOES: -0-

ABSENT: -1-

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

This is to certify that I Kenneth T. Hanley, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie on the 17th day of September, 1956, and that the same is a correct and true transcript of such original resolution and the whole thereof. IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said town this 17th day of September 1956.

KENNETH T. HANLEY
 Clerk of the Town Board,
 Town of Cheektowaga, New York 17
 27

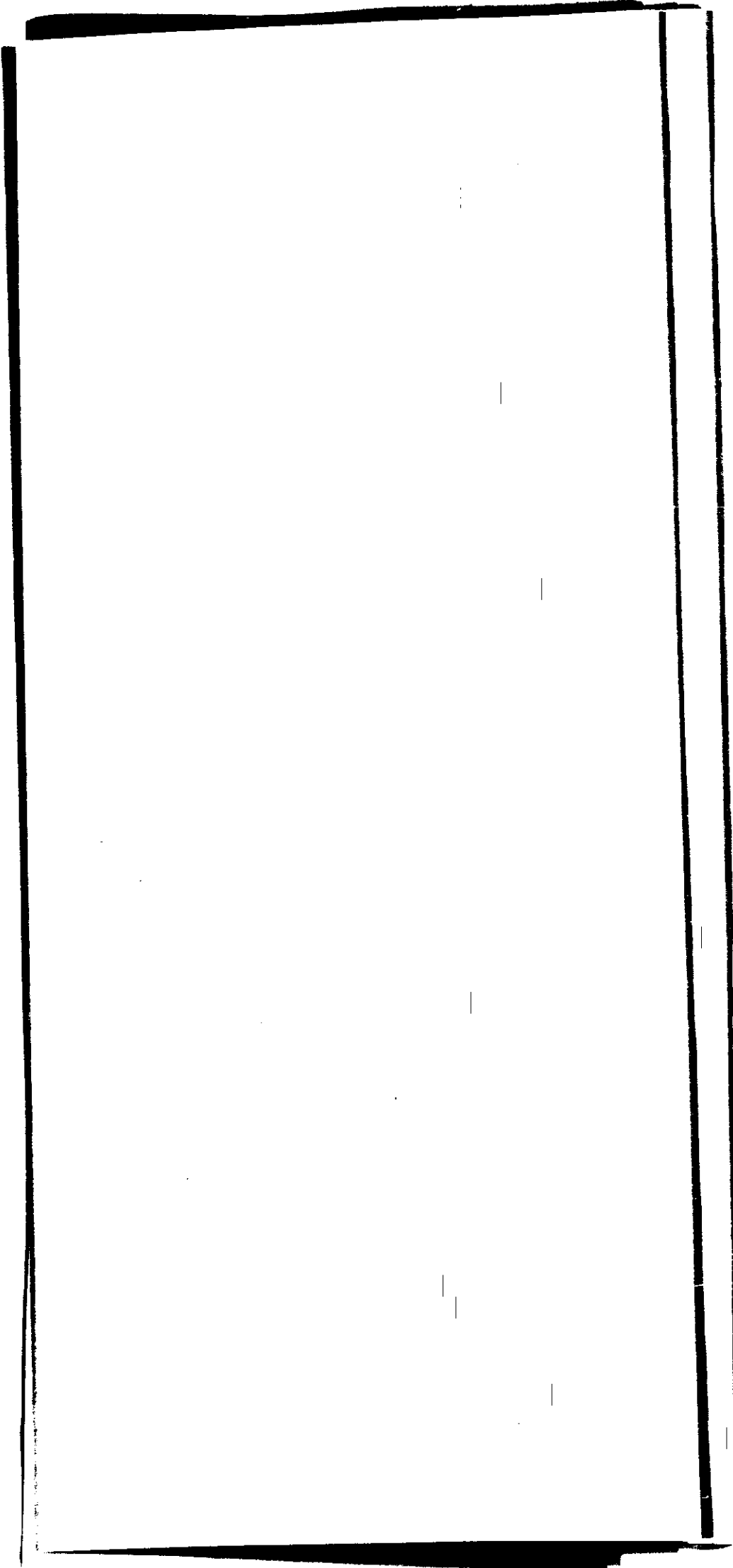
Item No. 9 This being the time and the place ~~advertised~~ for the receiving of sealed bids for the improvement of highways known as IVONNE AVENUE, CRESTVIEW AVENUE and Kuhn Road by the construction of a lateral sewer in said highways.

Councilman ~~Bystrak~~ moved, seconded by Councilman Neibert that the Town Clerk be authorized and directed to open the sealed bids on hand.

Hereto are a list of bids opened:

1
24

(See next page)



Councilman Neibert moved, seconded by Councilman Kornecki,
that the bids be referred to the Town Engineer for analysis and tabulation.

OPENING OF BIDS SEPT. 17, 1956 P.M. D.S.T.

Bid RECEIVED AT 7:43 PM.
As G² Bid WAS BEING OPENED
PROTESTED BY PASO
CONTRACTING CO.

THESE BIDS RECEIVED BY 7:30 P.M. BEFORE ANY BIDS WERE OPENED

DESCRIPTION	DEPTH	QUAN.	DEPLAN CONTRACTING INC.		PASO CONTRACTING CO.		THE R.F.R. CO.		PELVION LAND CO. INC.		GORDON A. ERNST		C.M.H. CO. INC.		STRACO INC.	
			UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
1 8" VITRIFIED TILE PIPE	0-6	720 LF	2.25	1584.00	2.25	1584.00	2.00	1440.00	2.25	1716.00	2.25	1728.00	2.25	1584.00	2.25	1620.00
8" VITRIFIED TILE PIPE	6-8	1675 LF	2.25	3685.00	2.25	3685.00	2.15	3601.35	2.25	3993.75	2.25	4157.50	2.25	4020.00	2.15	4606.00
8" VITRIFIED TILE PIPE	8-10	146 LF	2.25	321.00	2.25	343.50	2.25	321.00	2.25	348.00	2.25	391.00	2.25	401.00	3.00	452.00
2 STANDARD MANHOLES	0-6	1 EA	150.00	150.00	180.00	180.00	190.00	190.00	250.00	250.00	200.00	200.00	196.00	196.00	275.00	275.00
STANDARD MANHOLES	6-8	5 EA	200.00	1000.00	210.00	1050.00	190.00	950.00	250.00	1250.00	210.00	1050.00	210.00	1050.00	275.00	1375.00
STANDARD MANHOLES	8-10	1 EA	250.00	250.00	300.00	300.00	200.00	200.00	250.00	250.00	220.00	220.00	250.00	250.00	310.00	310.00
3 RUN OF BANK GRAVEL SELECT BACKFILL MATERIAL		883 CUYB	2.00	1770.00	2.25	2212.50	3.25	3097.50	2.25	1991.25	2.25	1947.00	3.00	3097.00	3.00	2655.00
4 6" WYE BRANCH CONNECTION		4 CONN.	4.50	184.50	4.50	184.50	3.00	123.00	2.25	122.50	4.00	164.00	4.00	164.00	4.25	174.25
5 6" HOUSE LATERAL		1150 LF	2.00	2357.00	2.25	2300.00	190.00	2185.00	2.00	2426.00	2.25	2645.00	190.00	2185.00	2.25	2530.00
TOTALS FOR ITEMS N ^o 1 TO N ^o 5 INCLUSIVE				\$11,302.00		\$11,839.00		\$12,107.00		\$12,191.00		\$12,348.00		\$12,535.00		\$12,948.00
BID SECURITY																
				THE TRAVELERS INDEMNITY CO.		NEW AMSTERDAM CASUALTY CO.		PROVIDENCE WASHINGTON INDEMNITY CO.		SEABOARD SURETY CO.		THE TRAVELERS INDEMNITY CO.		THE ATHA CASUALTY & SURETY CO.		

* DENOTES CORRECTED FIGURE

NUSSBAUMER CLARKE & VELZY
CONSULTING ENGINEERS
BUFFALO, N.Y. NEW YORK, N.Y.

TABULATION SHEET FOR
CONSTRUCTION OF SEWER LINES
YOUNG STREET, BUFFALO, N.Y.

Item No. 10 Request for a school guard in front of Most Holy Redeemer School was referred to the Chief of Police. 10 193
18

Item No. 11 Request for a Crossroad Sign and Slow School Bus Stop sign at the intersection of Dick Road at Meadowlawn and Buffalo-Depew Boulevard, ordered referred to the Chief of Police. 18
41

Item No. 12 The request of Stanley Walczak, William Street for more than one swimming pool in the town was referred to the Town Board. 10
42

Item No. 13 Stanley Walczak advised the Board that odor is still emanating from the U.S. Rubber Reclaiming Corporation plant. Ordered referred to Supervisor Holtz and Councilman Bystrak. 10
42

Item No. 14 Mrs. Nicholson of Gardenvale Road was granted the floor and requested some information relating to the construction of a swimming pool in the Town. Ordered referred to the Town Board. 42

Item No. 15 Councilman Korneck moved, seconded by Councilman Bystrak, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same.
(Warrant No. 2294 to 2389, inclusive, drawn on the Supervisor). 6

Item No. 16 Councilman Neibert moved, seconded by Councilman Bystrak, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk

Kenneth T. Hanley

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 24th day of September, 1956, 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 Kornecki	"
Joseph Trojanoski	"
Joseph A. Neibert	"
Stanley R. Bystrak	"

Also present were: Town Clerk Kenneth T. Hanley; Town Attorney George B. Doyle and Assistant Town Attorney Thomas E. Delahunt.

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

Item No. 3 Communication read from the Board of Assessors relating to the extension of the existing Water District No. 8. Ordered referred to the Town Attorney.

32
29

Item No. 4 Communication read from the Beverly Hills Association, Inc., relating to a Community Center in the Town. Ordered referred to Councilman Wroblewski.

10
16

Item No. 5 Communication read from Chief of Police Mersmann relating to signal light at the intersection of Kensington Avenue and Kenview Boulevard. Ordered referred to Councilman Trojanoski.

41
18

Item No. 6 Without any objections the Town Clerk was authorized and directed to have placed on the lot where the voting booths are stored as many loads of stone as necessary to secure a firm foundation for storage of booths when not in use for polling places so as to facilitate the moving of booths in rain or snowy weather.

11

Item No. 7 Without any objection the Town Clerk was authorized and directed to publish the new Election District Map and designation of polling places in the following newspapers:

- Cheektowaga Times
- Cheektowaga Sun
- Cheektowaga Observer
- Depew Herald- Cheektowaga News.

on September 27, 1956, and October 4th, 1956 and November 1st, 1956

11

Item No. 8 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 22nd, 1956 after same have been approved by the Building Inspector.

15
35

CARRIED: AYES: -7- NOES: -0- ABSENT: -0-

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

RESOLVED, that the Postmaster of the City of Buffalo, New York, be requested to extend foot mail service to Bink Street in the Town of Cheektowaga, New York, and be it further

RESOLVED, that a copy of this request be mailed to the Postmaster at Buffalo, New York and also to Cheektowaga, New York

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 Trojanoski	"
Councilman Kornecki	"
Councilman Bystrak	"

CARRIED: AYES: -7- NOES: -0- ABSENT: -0-

7
42

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

WHEREAS, it has been found necessary to purchase a No. 220 Model Azo-graph machine and cabinet at a cost of approximately \$255.00 for use in the Engineering Department and other departments of the Town of Cheektowaga.

Be IT RESOLVED, that the Supervisor be authorized to purchase a No. 220 Model, Azo-graph machine and cabinet at a cost not to exceed \$255.00.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -7- NOES: -0- ABSENT: -0-

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

WHEREAS, bids were received on September 17th, 1956 for the construction of sanitary sewers on Yvonne, Crestview and Kuhn Avenues in Sewer District No. 5, Town of Cheektowaga, New York and,

WHEREAS, Paso Contracting Company bid the sum of Eleven Thousand, Eight Hundred Thirty-Nine and 10/100 (11,839.10) which was the lowest valid bid received, be it

RESOLVED, that the bid of Paso Contracting Company be accepted and that the Town Attorney and Consulting Engineers be directed to prepare the necessary contract documents.

Sec onded by Councilman Kornecki and duly put ot a vote, which resulted as follows:

Supervisor Holtz,	Voting---AYE
Councilman Nagel,,	"
Councilman Wroblewski,	"
Councilman Neibert,	"
Councilman Bsytrak,	"
Councilman Kornecki,	"
Councilman Trojanosky,	"

CARRIED: AYES: -7- NOES: -0- ABSENT: -0-

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

WHEREAS, it has been found necessary to install the following signs:

CHILDREN AT PLAY

Long Avenue
Jean Terrace
Matthew Lane
Danbury Drive
Barrymore Road

STOP SIGNS

Delmar Avenue and Wilshire Road
Delmar Vaemue and Cleveland Drive
Danbury Drive at Barrymore Road

DEAD END SIGNS

Jean Terrace
Matthew Lane

BE IT RESOLVED, that the Chief of Police by authorized and directed to installed the above mentioned signs on the aforementioned highways in the Town of Cheektowaga.

Seconded by Councilman Kornecki.

CARRIED: AYES: -7- NOES: -0- ABSENT: -0-

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

RESOLVED, that Andrew Street commencing at William Street and extending to the Thruway be changed to Edmund Street, and be it further,

RESOLVED, that the Town Clerk, within ten days of the adoption of this resolution, notify the Board of Assessors, the Town Highway Superintendent, the County Clerk, and the County Engineer of the County of Erie and also the Post Office Department of the United States of the change of name of said street by mailing each of them a certified copy of this resolution.

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

Supervisor Holtz,	Voting---AYE
Councilman Neibert,	"
Councilman Nagel,	"
Councilman Bystrak,	"
Councilman Wroblewski,	"
Councilman Kornecki,	"
Councilman Trojanosky,	"

Carried: AYES: -7- NOES: -0- ABSENT: -0-

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

RESOLVED, that Peter Rybka of be appointed as a member of the Zoning Board of Appeals to fill the unexpired term of Michael J. Henfling, deceased, which expires on November 24th, 1957.

Seconded by Councilman Bystrak.

CARRIED: AYES: -7- NOES: -0- ABSENT: -0-

31

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

WHEREAS, a school crossing guard has been requested by the Holy Redeemer School at Genesee Street and Alpine Place, in the Town of Cheektowaga, New York.

Be IT RESOLVED, THAT Alice Valentic, Cheektowaga, New York be hired as a school crossing guard at the rate of \$1.15 per hour effective September 24th, 1956.

Seconded by Councilman Nagel.

CARRIED: AYES: -7- NOES: -0- ABSENT: -0-

31
20

Item No. 16 This being the time and the place advertised for a public hearing on the Special District Budget and Assessment Roll for the year 1957.

Supervisor Holtz stated that the hearing was now open on the Special District Budget and Assessment Roll for the year 1956.

The Town Clerk presented proof of publication of the Notice of the Hearing, and followed by reading the Budget and the Notice.

Supervisor Holtz then asked if there was anyone present who wished to speak against the Special District Budget and Assessment Roll as published and read by the Town Clerk.

Mr. Leo D. Sullivan, representing the Niagara Mohawk Power Corporation presented in writing various objections to the budget, same complaint is now on file in Special District Budget for the year 1957.

No one appeared in favor of the budget.

Supervisor Holtz ordered the hearing closed and reserved decision to September 26, 1956, at 6:30 P.M.

2
32

Item No. 17 Without any objections the request of Justice of the Radwan to purchase a Moore Register DL 46 was granted.

Item No. 18 The request of Dr. Louis Vendetti, Town Health Officer, to attend the American Public Health Meeting in Atlantic City on November 11th to 16th, 1956, was granted.

43
42

Item No. 19 Complaint relating to sidewalks badly in the need of repair on Meadowbrook Parkway, between Griswold Avenue and Dingen Street was referred to Supervisor Holtz.

25

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

WHEREAS, the Bellevue Volunteer Fire Company Inc., was duly incorporated under the membership corporation law of the State of New York; a copy of its certificate of incorporation having been duly approved by the Town Board of the Town of Cheektowaga, New York as required by law on the 17th day of May, 1948, was thereafter duly filed in the offices of the Town Clerk and the Clerk of the County of Erie, and the Secretary of State, and

WHEREAS, the said Bellevue Volunteer Fire Company Inc., desires to amend its certificate of incorporation by extending the district to include the real property hereinafter described, and

WHEREAS, in its certificate it has complied with all the requirements of Section 30 of the Membership Corporation Law.

BE IT RESOLVED as follows: The members of the Town Board of the Town of Cheektowaga New York, do hereby consent to amending the certificate of incorporation of Bellevue Volunteer Fire Company Inc., to include the real property mentioned and described herein and do hereby approve the amendment to said certificate

Item No. 20-Contd'

of incorporation and consent that the same be filed in the Offices of the Town Clerk and the Clerk of the County of Erie, and the Secretary of State.

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

	Voting AYE
Supervisor Holtz	" "
Councilman Neibert	" "
Councilman Nagel	" "
Councilman Wroblewski	" "
Councilman Bystrak	" "
Councilman Kornecki	" "
Councilman Trojanoski	" "

AYES: -7-

NOES: -0-

DESCRIPTION OF PROPOSED EXTENSION

BEGINNING at the junction of the southerly line of the Village of Depew with Transit Road; thence southerly along Transit Road to the

north line of the Buffalo Creek Reservation; thence westerly along the northerly line of the Buffalo Creek Reservation to the north-easterly corner of Farm Lot No. 57, Township 10, Range 7; thence southerly along the east line of said Farm Lot No. 57 to the southeasterly corner of said Farm Lot; thence westerly along the southerly lines of Farm Lots 57, 58, 59 and 60, Township 10 Range 7, to the southwesterly corner of Farm Lot No. 60, Township 10, Range 7, said point being the easterly line of the present district of the Bellevue Volunteer Fire Company Inc.; thence northerly along the westerly line of Farm Lot No. 60 to Cayuga Creek; thence easterly along the center line of Cayuga Creek to the center line of Como Park Boulevard; thence easterly along the center line of Como Park Boulevard to the southeasterly corner of the present district; which is the junction of the west line Village of Depew extended southerly to Como Park Boulevard; thence northerly along the above described line to the southwesterly corner of the Village of Depew; thence easterly along the southerly line of the Village of Depew to the point of beginning in Transit Road.

Item No. 20-Contd¹ WE, THE UNDERSIGNED, constituting at least a majority of the duly elected, qualified and acting members of the Town Board of the Town of Cheektowaga, Erie County, New York, DO HEREBY CONSENT to the amendment of the Certificate of Incorporation of BELLEVUE FIRE COMPANY INC., to include, in addition to its other property, the property hereinbefore described, and do consent that the same may be filed.

Dated: 9-24-56

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

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

On this 24th day of September, 1956, before me, personally appeared the following named persons: Benedict T. Holtz, Joseph A. Neibert, Henry J. Nagel, Felix T. Wroblewski, Stanley R. Bystrak, Joseph Kornecki and Joseph Trojanoski, each to me personally known and known to me to be the same persons who executed the foregoing instrument, and they severally duly acknowledged to me that they executed the same and each by me being further duly sworn, did depose and say that he is respectively the duly elected Supervisor and Councilmen of the Town of Cheektowaga, Erie County, New York, as in each case follows the respective name.

Kenneth T. Hanley, Notary Public
Erie County,
New York

22

Item No. 21 Stanley Walczak, William Street businessman, was granted the floor and related to the Board that he is in favor of swimming pools.

42

Item No. 22 At the request of the chairman the matter of a swimming pool referendum was referred to the Town Attorney.

42

Item No. 23 Councilman Korneck, 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. 2391 to 2414 inclusive, drawn on the Supervisor.

6

Item No. 24 Moved by Councilman Nagel, seconded by Councilman Neibert, to adjourn until 6:30 P.M. , on September 26, 1956.

SEAL

Kenneth T. Hanley, Town Clerk,

Kenneth T. Hanley

Item No. 1 At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 26th day of September, 1956, at 6:30 o'clock P.M., E.D.S.T., there were:

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

Also present were: Town Clerk Kenneth T. Hanley and Assistant Town Attorney George B. Doyle.

Item No. 2 WHEREAS, this Town Board did on the 10th day of September, 1956 did approve the Budget Estimates for Special Districts Spreading Costs on a Benefit basis, and

WHEREAS, on the 24th day of September, 1956, this Town Board did hereby hold a public hearing on the Budget Estimates for Special Districts Spreading Costs on a Benefit Basis, and all who were opposed were so recorded,

BE IT RESOLVED, that the Budget Estimates for Special Districts Spreading Costs on a Benefit Basis as adopted on the 10th day of September, 1956, be hereby approved and adopted as of this date..

2

Item No. 3 Councilman Niebert moved, seconded by Councilman Wroblewski, to adjourn.

SEAL

Kenneth T. Hanley
Kenneth T. Hanley, Town Clerk