

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 7th day of July, 1958, at 2:30 o'clock P.M., Eastern Daylight Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Alancin M. Fath	Councilman
Felix T. Wroblewski	Councilman
Joseph Kornecki	Councilman
Joseph M. Trojanoski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

ABSENT: -0-

Also present were: Town Clerk Hanley; Town Attorney Delahunt; Town Engineer Kasz; Building & Plumbing Inspector Trafalski; Chief of Police Mersmann; Receiver of Taxes and Assessments Pfohl, and the Chairman of the Zoning Board of Appeals Leo Kurnick.

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

Item No. 3 Referred to the Board the recommendation of the Recreational Director names of Play Supervisors for Special Activities. 16

Item No. 4 Ordered received and filed the statement of the Receiver of Taxes and Assessments, relating to the 1958 County Tax Collection. 38

Item No. 5 Communication read from the Forks Hose Co. No. 2 inviting the Board to lead their Field Day Parade on July 20, 1958. Ordered received, filed, and to attend. 42

Item No. 6 Referred to the Chief of Police the request of the U-Crest Hose Company to close Evergreen Street and Clover Place in connection with their Annual Field Days. 42

Item No. 7 Referred to Councilman Wroblewski the following recommendation of the Chief of Police:

1. No Parking On This Side at Anytime
 - (a) Meadowbrook Parkway from Clinton Street to Dingen Street on the east side of the street.
 - (b) Pleasant Parkway from Clinton Street to Dingen Street on the east side of the street.
 - (c) Griswold Avenue from Rossler Street to Cochrane Avenue on the south side of the street.
2. No Parking From Here to Corner
 - (a) Meadowbrook Parkway from a point fifty (50) feet south of Clinton Street to Clinton Street. 41

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

WHEREAS, U-Crest Fire District No. 4, has made application for a refund in the amount of \$128.46 which amount is due and owing them, payment of which is to be effected by reimbursement in the amount of \$23.98 from the Water Hydrant Tax Fund and \$104.48 from the Consolidated Garbage Districts, and

Item No. 8-Cont'd. WHEREAS, the Town Auditors, Holloway & Company have approved the refund, be it

RESOLVED, that \$128.46 be refunded U-Crest Fire District No. 4.

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

Supervisor Holtz	Voting AYE
Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

22

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

BE IT RESOLVED, that refunds due taxpayers in the Lena-Vincent Paving District be made to correct overpayment, in accordance with recommendations of Holloway & Company attached hereto, in the total amount of \$560.28.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

2

Item No. 10 Moved by Councilman Neibert, seconded by Councilman Kornecki, WHEREAS, the Town Superintendent of Highways has recommended that the following named highways meet with the specifications set forth by the Town and that the same highways are shown on maps filed in the Erie County Clerk's Office under Map Covers 1917, 1970, and 2038,

BE IT RESOLVED, that the said highways be accepted and maintained by the Highway Department of the Town of Cheektowaga, New York:

Dawn Street beginning at Crescent Court and ending at Melcourt Drive West;

Camel Road beginning at Crescent Court and ending at Melcourt Drive East;

Melcourt Drive West beginning at Camel Road and ending at Sharon Court;

Melcourt Drive East beginning at U-Crest Ditch and ending at Sharon Court;

Sharon Court beginning at Melcourt West and ending at Melcourt Drive East.

AYES: -7-

NOES: -0-

ABSENT: -0-

13

Item No. 11 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, it has been indicated that the United States Post Office, presently located on Union Road near Genesee Street in the Town of Cheektowaga, New York, must be relocated, due to expressway construction, and

WHEREAS, the population of the Town of Cheektowaga has increased tremendously in recent years, the population now being in excess of 75,000 and there being every indication of continued growth in the near future, and

Item No. 11-Cont'd. WHEREAS, the present post office facilities of the Town of Cheektowaga are grossly inadequate and unsatisfactory, there being deliveries from many Buffalo sub-stations, Williamsville station and others.

BE IT RESOLVED, that the Cheektowaga Town Board go on record as advocating the construction of a new United States Post Office to serve the Town of Cheektowaga only, instead of a relocation of the present facilities, and be it further

RESOLVED, that the Town Clerk be and he hereby is directed to submit certified copies of this resolution to Congressman Pillion, Senator Ives and Senator Javits, in an effort to obtain their cooperation in securing the appropriations and approvals necessary to accomplish the construction of a New United States Post Office in the Town of Cheektowaga, New York.

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

Supervisor Holts	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7- NOES: -0- ABSENT: -0-

3

Item No. 12 The following resolution was offered by Councilman Wroblewski, who moved its adoption, seconded by Councilman Trojanoski, to wit:

CAPITAL NOTE RESOLUTION, DATED JULY 7, 1958, AUTHORIZING THE ISSUANCE OF \$8,799.20 CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE ACQUISITION OF LAND FOR PLAYGROUND.

- - - - -

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 Capital Notes of the aggregate principal amount of \$8,799.20 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") to be financed by the issuance of such capital notes is the acquisition of a parcel of land for a playground, which land is described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Farm Lots 77 and 78, Township 11, Range 7 of the BuffaloCreek Reservation Survey, more particularly described as follows:

BEGINNING at a point in the southerly line of Dingens Street as a sixty-six (66) foot highway, distant westerly two hundred (200) feet from its intersection with the west line of Harlem Road, as a sixty-six (66) foot highway; running thence southerly on a line parallel to the said westerly line of Harlem Road one hundred ninety-one and twenty-three one-hundredths (191.23) feet to its intersection with the northerly boundary line of the New York State Thruway; running thence westerly along the said northerly line of the New York State Thruway, one thousand six hundred seventy-one and forty-six one-hundredths (1671.46) feet to its intersection with the easterly line of premises conveyed by the County of Erie to the Niagara Mohawk Power Corporation by deed recorded in the Office of the Clerk of the County of Erie, in Liber 5508 of Deeds at Page 540; running thence northerly along the said easterly line of the lands of the said Niagara Mohawk Power Corporation, three hundred forty-seven and seventeen one-hundredths (347.17) feet to the said southerly line of Dingens Street; running thence easterly along said southerly line of Dingens Street, one thousand six hundred sixty-three and nine one-hundredths (1663.09) feet to the point or place of beginning.

Item No. 12-Cont'd.

EXCEPTING AND RESERVING by the County of Erie, for Highway purposes, the northerly fourteen (14) feet of premises above described.

The above described premises contain 10.352 acres.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board, is \$8,799.20, and (b) no money has heretofore been authorized to be applied to the payment of the cost of such purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Capital Notes.

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 21 (a) of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

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

Section 6. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the DEPEW HERALD AND CHEEKTOWAGA NEWS, a newspaper published and having a general circulation in said Town. The validity of said Capital Notes may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this resolution were 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 were authorized in violation of the provisions of the Constitution of New York.

Section 7. This resolution shall take effect immediately upon its adoption.

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

Supervisor Holts	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Weibert	Voting AYE
AYES: -7-	NOES: -0- ABSENT: -0-

12
16

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Capital Note Resolution hereinafter referred to has taken effect in accordance with law and the Town Board desires to make provisions for the issuance of the notes authorized by said Capital Note Resolution; NOW, THEREFORE,

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

(1) Capital Notes of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$8,799.20 shall be issued pursuant to the Capital Note Resolution entitled "Capital Note Resolution, dated July 7, 1958, Authorizing the Issuance of \$8,799.20 Capital Notes of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance the Acquisition of Land for Playground." Said Capital Notes shall be designated "Playground Acquisition Capital Notes, Series A of 1958". Said Capital Notes shall consist of two notes of the denomination of \$4,399.60 each, numbered 1 & 2, in the order of their maturity and shall constitute an issue of Capital Notes payable in annual installments on July 1 in each of the years 1959 and 1960.

(2) All of said Capital Notes shall be dated as of a date subsequent to July 7, 1958, and shall bear interest from their date at the rate of 2½% per annum. The interest on the Capital Notes shall be payable on July 1, 1959, and thereafter on July 1 and January 1.

Item No. 12-Cont'd.

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

(4) Each of said Capital Notes shall be payable to bearer and shall be convertible into a registered Capital Note. Each of said Capital Notes shall be executed by the Town Supervisor of said Town and shall be attested by the Town Clerk of said Town. Each of said Capital Notes shall be sealed with the seal of said Town.

(5) The power to prescribe the terms, form and contents of said Capital Notes, subject to the provisions of this resolution are hereby delegated to the Town Supervisor. Said Capital Notes shall be sold to the Manufacturers and Traders Trust Company of Buffalo, New York, at private sale, and shall bear an interest rate of $2\frac{1}{2}\%$ per annum.

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

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Neibert	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

12
16

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

Item No. 12-Cont'd.

(Affidavit)

STATE OF NEW YORK
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheek-
towaga, Erie County, New York, that notice of which the
annexed printed slip taken from said newspaper, is a copy,
was inserted and published therein once a week for
..... *one* week, the first insertion being on the
..... *10th* day of *July*....., 19*58* and
the last insertion being on the day of
....., 19....., and that not
more than six days intervened between any two publi-
cations thereof

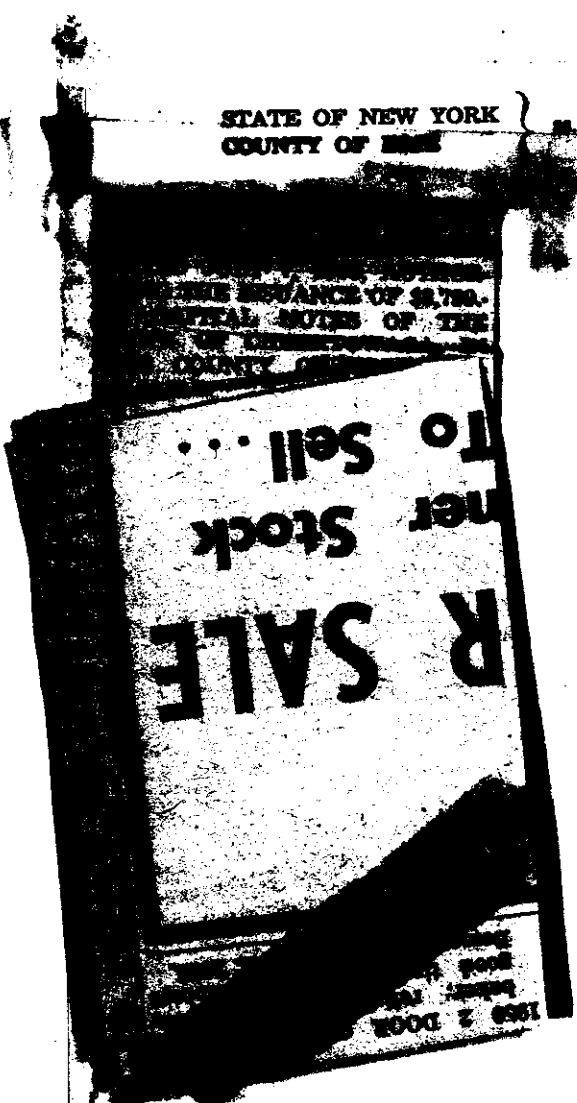
Richard G. Bennett

Sworn to before me this day of

29
September....., 19*58*
James J. Hanley

Notary Public in and for Erie County

In 1086



STATE OF NEW YORK
COUNTY OF ERLE

EDWARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowag
Herald and News

a public newspaper published at Depew, Town of Cheek-

to-wag, Erie County, New York, that notice of which the

THE ISSUANCE OF \$2,700.
CAPITAL NOTES OF THE
TOWN OF CHEEK-
TOWAG, ERLE COUNTY,
NEW YORK, FOR THE
PUR-
CHASE OF LAND FOR
ACQUI-
SITION OF LAND FOR
PLAY-

WHEREAS the Town Board of the Town of Cheektowag, Erie County, New York, has resolved to issue Capital Notes for the purpose of financing the purchase of land for the acquisition of a playground for the children of the Town of Cheektowag, Erie County, New York, and has authorized the Town Clerk to execute and file for record a certain instrument in and to the effect hereinafter set forth, to-wit:

That the Town Board of the Town of Cheektowag, Erie County, New York, has resolved to issue Capital Notes for the purpose of financing the purchase of land for the acquisition of a playground for the children of the Town of Cheektowag, Erie County, New York, and has authorized the Town Clerk to execute and file for record a certain instrument in and to the effect hereinafter set forth, to-wit:

That the Town Board of the Town of Cheektowag, Erie County, New York, has resolved to issue Capital Notes for the purpose of financing the purchase of land for the acquisition of a playground for the children of the Town of Cheektowag, Erie County, New York, and has authorized the Town Clerk to execute and file for record a certain instrument in and to the effect hereinafter set forth, to-wit:

That the Town Board of the Town of Cheektowag, Erie County, New York, has resolved to issue Capital Notes for the purpose of financing the purchase of land for the acquisition of a playground for the children of the Town of Cheektowag, Erie County, New York, and has authorized the Town Clerk to execute and file for record a certain instrument in and to the effect hereinafter set forth, to-wit:

That the Town Board of the Town of Cheektowag, Erie County, New York, has resolved to issue Capital Notes for the purpose of financing the purchase of land for the acquisition of a playground for the children of the Town of Cheektowag, Erie County, New York, and has authorized the Town Clerk to execute and file for record a certain instrument in and to the effect hereinafter set forth, to-wit:

That the Town Board of the Town of Cheektowag, Erie County, New York, has resolved to issue Capital Notes for the purpose of financing the purchase of land for the acquisition of a playground for the children of the Town of Cheektowag, Erie County, New York, and has authorized the Town Clerk to execute and file for record a certain instrument in and to the effect hereinafter set forth, to-wit:

That the Town Board of the Town of Cheektowag, Erie County, New York, has resolved to issue Capital Notes for the purpose of financing the purchase of land for the acquisition of a playground for the children of the Town of Cheektowag, Erie County, New York, and has authorized the Town Clerk to execute and file for record a certain instrument in and to the effect hereinafter set forth, to-wit:

That the Town Board of the Town of Cheektowag, Erie County, New York, has resolved to issue Capital Notes for the purpose of financing the purchase of land for the acquisition of a playground for the children of the Town of Cheektowag, Erie County, New York, and has authorized the Town Clerk to execute and file for record a certain instrument in and to the effect hereinafter set forth, to-wit:

That the Town Board of the Town of Cheektowag, Erie County, New York, has resolved to issue Capital Notes for the purpose of financing the purchase of land for the acquisition of a playground for the children of the Town of Cheektowag, Erie County, New York, and has authorized the Town Clerk to execute and file for record a certain instrument in and to the effect hereinafter set forth, to-wit:

That the Town Board of the Town of Cheektowag, Erie County, New York, has resolved to issue Capital Notes for the purpose of financing the purchase of land for the acquisition of a playground for the children of the Town of Cheektowag, Erie County, New York, and has authorized the Town Clerk to execute and file for record a certain instrument in and to the effect hereinafter set forth, to-wit:

That the Town Board of the Town of Cheektowag, Erie County, New York, has resolved to issue Capital Notes for the purpose of financing the purchase of land for the acquisition of a playground for the children of the Town of Cheektowag, Erie County, New York, and has authorized the Town Clerk to execute and file for record a certain instrument in and to the effect hereinafter set forth, to-wit:

That the Town Board of the Town of Cheektowag, Erie County, New York, has resolved to issue Capital Notes for the purpose of financing the purchase of land for the acquisition of a playground for the children of the Town of Cheektowag, Erie County, New York, and has authorized the Town Clerk to execute and file for record a certain instrument in and to the effect hereinafter set forth, to-wit:

That the Town Board of the Town of Cheektowag, Erie County, New York, has resolved to issue Capital Notes for the purpose of financing the purchase of land for the acquisition of a playground for the children of the Town of Cheektowag, Erie County, New York, and has authorized the Town Clerk to execute and file for record a certain instrument in and to the effect hereinafter set forth, to-wit:

That the Town Board of the Town of Cheektowag, Erie County, New York, has resolved to issue Capital Notes for the purpose of financing the purchase of land for the acquisition of a playground for the children of the Town of Cheektowag, Erie County, New York, and has authorized the Town Clerk to execute and file for record a certain instrument in and to the effect hereinafter set forth, to-wit:

That the Town Board of the Town of Cheektowag, Erie County, New York, has resolved to issue Capital Notes for the purpose of financing the purchase of land for the acquisition of a playground for the children of the Town of Cheektowag, Erie County, New York, and has authorized the Town Clerk to execute and file for record a certain instrument in and to the effect hereinafter set forth, to-wit:

RECEPTING AND RESERVING
the County of Erie, for Highway
purposes, the northerly fourteen
feet of premises above de-

scribed above described premises
containing 10.322 acres.

Section 3. It is hereby stated that
the maximum cost of said pur-
pose as estimated by the Town
Board, is \$8,799.20, and (b) no
money has heretofore been author-
ized to be applied to the payment
of the cost of such purpose, and
(c) the Town Board plans to finance
the cost of said purpose entirely
from funds raised by the issuance
of said Capital Notes.

Section 4. It is hereby deter-
mined that said purpose is an ob-
ject or purpose described in Sub-
division 21 (a) of Paragraph a of
Section 11.00 of the Local Finance
Law, and that the period of prob-
able usefulness of said purpose is
thirty years.

Section 5. It is hereby deter-
mined that the proposed maturity
of the obligations authorized by
this resolution will not be in ex-
cess of five years.

Section 6. It is hereby deter-

Item No. 12-Cont'd.

(Affidavit)

Section 3. It is hereby determined that said purpose is an object or purpose described in Sub-section 21 (a) of Paragraph 2 of Section 11.00 of the Local Finance Law, and that the period of probable continuance of said purpose is ten years.

Section 4. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 5. This resolution shall be published in full by the Town of Cheektowaga, together with the form of substantially the same as required by Section 21.07 of said Local Finance Law, and such publication shall be in the DEPEW HERALD AND NEWS, a newspaper published and printed in Cheektowaga, New York, the validity of said Capital Notes may be contested only if an action, suit or proceeding for such purpose or purposes is commenced within twenty days after the date of publication of this notice; or such obligations were authorized in violation of the provisions of the Constitution of New York.

Section 7. This resolution shall take effect immediately upon its adoption by the Town of Cheektowaga.

Section 8. This resolution shall be published in full by the Town of Cheektowaga, together with the form of substantially the same as required by Section 21.07 of said Local Finance Law, and such publication shall be in the DEPEW HERALD AND NEWS, a newspaper published and printed in Cheektowaga, New York, the validity of said Capital Notes may be contested only if an action, suit or proceeding for such purpose or purposes is commenced within twenty days after the date of publication of this notice; or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

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

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

BE IT RESOLVED, that Holloway and Company be and they hereby are authorized to prepare the Budget for the year 1959, being the same services that have been rendered by Holloway and Company in previous years.

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

Supervisor Holts	Voting AYE
Councilman Helbert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanski	Voting AYE
Councilman Kordecki	Voting AYE
Councilman Patch	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

2

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

WHEREAS, it has been the practice of the Town of Cheektowaga to pay the entire contribution to the New York State Retirement fund out of the General Fund, and

WHEREAS, all Social Security payments have been made from the General Fund, and

WHEREAS, it has been recommended that contributions to the New York State Retirement Fund and Social Security payments covering employees engaged in special district work should be paid with special district funds.

BE IT RESOLVED, that Holloway and Company, in preparing the Budget for 1959, be instructed to estimate the total salaries for 1959 for all employees engaged in special district work and to appropriate an amount equal to 9% of said estimated salaries for reimbursement by the special districts to the general fund to cover payments to the New York State Retirement Fund, and be it further

RESOLVED, that Holloway and Company be further instructed to appropriate sufficient monies in the special district budgets to cover Social Security payments of all special district employees for reimbursement to the general fund, of all Social Security payments made by the general fund covering town employees.

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

Supervisor Holts	Voting AYE
Councilman Helbert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanski	Voting AYE
Councilman Kordecki	Voting AYE
Councilman Patch	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

24
31

Item No. 15 Posted as follows on the 17th day of July, 1958:

1 - Town Hall Bulletin Board.

**AIR POLLUTION RULES
AND REGULATIONS AND FEES
SCHEDULE**

JULY 7, 1958

TOWN of CHEEKTOWAGA

AIR POLLUTION ORDINANCE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 7th day of July, 1968 at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were

PRESENT:
Mayor: T. Eddie Szwarcfusz
Deputy Mayor: Robert C. Tompkins
Councilman: J. W. Winkler
Councilman: Stanley H. Spivack
Councilman: Joseph T. Jovanicki
Councilman: Joseph K. Karczewski
Councilman: Thomas F. Kelly
Councilman: Albert J. Palko

ABSENT:—
Councilman: Byrtek
Councilman: Byrtek

presented the following resolution and moved for its adoption.

WHEREAS, the Town Board at a meeting held May 19th, 1968, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 16th day of June, 1968 at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of adopting Local Ordinance No. 26, and

WHEREAS, notice of said public hearing was duly published and posted as required by law, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing as is shown by the duly verified 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, did meet on the 16th day of June, 1968, at the Town Hall in the said Town of Cheektowaga, for the purpose of considering the advisability of adopting the Air Pollution Ordinance to be known as Local Ordinance No. 26, 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 an Air Pollution Ordinance to be known as Local Ordinance No. 26 and provide as follows:

TOWN OF CHEEKTOWAGA NEW YORK

AIR POLLUTION RULES AND REGULATIONS

INCLUDING FIRE SCHEDULE

Section 1. Declaration of Policy. The Town of Cheektowaga to maintain the atmosphere reasonably free of gas, fumes, vapors, odors, dust, smoke, soot and fly ash, which shall be consistent with the public health and welfare and the public enjoyment thereof, the industrial and residential develop-

ment of the Town, the propagation of animals and plants and the preservation of physical property and other resources. For the purpose of controlling and reducing air pollution the Town will establish and maintain active and continuing surveillance of combustion and other processes and to that end will require the use of all available practical and reasonable methods to prevent and control air pollution.

Section 2. Division of Air Pollution Control: organization.

2.1. There shall be a Division of Air Pollution Control, the head of which shall be the Town Health Officer.

2.2. The Health Officer may appoint one deputy, with the approval of the Town Board, who shall have recognized professional education, training and experience in the fields of public health, sanitation, industrial hygiene and air pollution control or the equivalent of all of the aforementioned or he shall be either a professional, mechanical or industrial engineer.

Section 3. Powers and duties. The Air Pollution Control Board, except as otherwise provided by law, shall have jurisdiction to regulate and control the emission into the open air of harmful or objectionable substances, including but not limited to smoke, soot, fly ash, dust, fumes, vapors, odors and any products of combustion or incomplete combustion resulting from the use of fuel burning equipment or from the heating of fuels or refuse. They shall enforce all laws, rules and regulations with respect to such emissions. They shall make such investigations and studies as may be desirable for the purpose of such enforcement and of controlling and eliminating air pollution, and for such purpose shall have power to compel the attendance of witnesses and to take their testimony under oath. The Health Officer shall recommend to the Board of Air Pollution Control the adoption of such rules and amendments thereto as may be necessary or proper for the elimination or control of air pollution.

Section 4. Board of Air Pollution Control. There shall be in the Town of Cheektowaga a Board of Air Pollution Control consisting of five members. The Health Officer, the Town Engineer and the Town Legal Officer, or their respective duly authorized representatives, shall be ex-officio members of the Board. They shall serve without additional compensation. The two other members shall be appointed by the Town Board. They shall have recognized professional education, training and experience in the fields of

public health, sanitation, industrial hygiene and air pollution control or the equivalent of the aforementioned or they shall either be professional, mechanical or industrial engineers. One such member shall be appointed for a two-year term, one for a four-year term. Their successors shall be appointed for four-year terms. Such two members shall be paid at the rate of availability of the regular meeting. The total compensation for each Board shall in no event exceed the hundred dollars per year. The Town Board may remove any of such members for cause.

Section 5. Chairman of Board: meetings. The Health Officer shall be the Chairman of the Board. Regular meetings of the Board shall be held at least once every month. Special meetings may be held at the call of the Chairman. The Board shall adopt its own by-laws and rules of procedure.

Section 6. Powers and duties of the Board.

6.1. The Board of Air Pollution Control shall have jurisdiction to adopt and amend rules regulating or prohibiting the emission into the open air from any source, whether fixed or movable, and whether on land or water, of any harmful or objectionable substance, including but not limited to, smoke, soot, fly ash, dust, fumes, vapors and odors, and the by-product of combustion or incomplete combustion of equipment gisting forth such emissions into the open air in so far as such emissions are affected thereby. The Board shall have power to compel the attendance of witnesses and to take their testimony under oath. The Board may fix fees for the filing of any document, for the issuance of permits and for the examination of plans.

6.2. The Town Board may provide suitable quarters for the Board of Air Pollution Control and shall advise to the Board adequate stenographic and clerical assistance to enable it to perform its duties.

6.3. No rule of the Board shall be adopted, amended or repealed except after a public hearing and held in a local newspaper.

6.4. The Town Clerk shall maintain and keep a record of all proceedings of the Board.

6.5. Any person convicted of violating any of the provisions of this chapter or any rule of the Board or any other mode or decision rendered by the Board or the Health Officer pursuant to this chapter and the rules adopted pursuant thereto shall be punished by a fine of not less than twenty-five dollars

nor more than one hundred dollars or by imprisonment for not more than three months or both, for the first offense, and by a fine of not less than fifty dollars nor more than five hundred dollars or by imprisonment for not more than six months or both, for a second or subsequent offense.

Section 7. Definitions

The following definitions cover the intended use of these words in the following Rules and Regulations:

Alteration: Any work which involves change in either the capacity of fuel burning equipment, the design of the furnace or the method of combustion, affecting the emission of smoke, dust or fumes.

Board: The Board of Air Pollution Control as provided in Section 4.

Cold boiler or furnace: Shall be considered a boiler or furnace in which fuel has not been consumed for a period of twenty-four hours or more.

Department: The Department of Health.

Dust: Air-borne solid particles. Fly ash, cinders, soot and all other solid particles are included in this definition.

Dust separating equipment: Any device for separating the solids, i.e., dust, particulate matter, fly ash or any combination thereof, from the gases in which they are carried.

Fly ash: Solid particles resulting from combustion or incomplete combustion of coal, wood or other fuels.

Fuel Burning Equipment: Any furnace, boiler, water heater, device, mechanism, stoker, burner, stack, structure, oven, stove, kiln, still or other apparatus, or a group or collection of such units used in the process of fuel burning for the generation of heat. Refuse burning equipment and smoke ovens are not fuel burning equipment under this definition.

Fuel burning equipment, hand fired: Any fuel burning equipment in which fresh fuel is manually thrown directly on the hot fuel bed.

Fuel burning equipment, mechanically fired: Any device by means of which fresh fuel is mechanically fired from outside the furnace into the zone of combustion, the same being actuated by automatic control.

Fumes: Air-borne colloidal systems which are formed by chemical reactions, or by such processes as combustion, distillation, sublimation, calcination or condensation.

Furnace: A chamber or enclosure in which any combustion process takes place.

Gas: A formless fluid which occupies space and which can be changed to a liquid or solid state

only by increased pressure with decreased or controlled temperature or by decreased temperature with increased or controlled pressure.

Horse Power: Shall be considered to mean boiler horse power and shall be figured as equivalent to the evaporation of thirty-four and one-half (34½) pounds of water per hour from and at 212 degrees F.

Incineration: The burning of waste materials in furnaces.

Internal combustion engine: An engine in which combustion of a gaseous or liquid fuel takes place within one or more cylinders.

Licensed professional engineer: A person qualified to practice professional engineering in the State of New York under Section 7202 of the Education Law.

Minor alteration: Minor alteration to an existing installation shall be work which involves no change as to the furnace design, capacity of the plant, type of fuel burned or the method of combustion.

Motor Vehicle: A highway conveyance propelled by an internal combustion engine.

Net rating of heating boiler: That net rating specified by the Institute of Boiler & Radiator Manufacturers for cast iron boilers and, by the Steel Boiler Institute for steel boilers.

Nuisance: A discharge into the air of any smoke, fumes odors, dusts, materials or other emissions, which causes injury, detriment or annoyance or which endangers the comfort, repose, health or safety of any person or the public, or which causes or is likely to cause injury or damage to business or property.

Odor: A substance which affects the sense of smell.

Open air: All space outside of buildings, stacks or exterior ducts.

Open fire: Any fire wherein the products of combustion are emitted into the open air and are not directed thereto through a stack, chimney or flue.

Owner: The term "owner" shall mean and include the owner or owners of the freehold of the premises or lesser estate therein, a vendee in possession, a mortgagee or receiver in possession, an assignee of rents, a lessee or joint lessees of the whole thereof, an agent or any other person, firm or corporation directly in control of such building.

Particulate matter: Finely divided liquid or solid material which is often but not always suspended in air or other gases at atmospheric temperature or pressure.

Person: An individual, corporation, partnership, association, or any other organized group of individuals or the legal successor or representative, agent or servant of any of the foregoing, any department, bureau or agency of the Town of Cheektowaga, and any

other public body or agency.

Portable equipment: Equipment which is designed for the purpose of being readily transferred from one location to another.

Power boiler: A boiler carrying more than fifteen (15) pounds per square inch (gauge) steam pressure and of more than ten (10) boiler horsepower.

Process furnace: Any furnace, kiln, still or combination device in an industrial plant, other than a boiler furnace used for the generation of heat or power.

Refuse burning equipment: Any destructor, incinerator, furnace, oven or other apparatus used primarily for the purpose of destroying, reducing or consuming refuse, garbage, or other material by combustion.

Repair: Any work which requires the equipment to be wholly or partially dismantled and which results in the restoration of the equipment to its original state.

Smoke: Emission from a chimney, stack or open fire, or from heating of fuel or refuse.

Solid fuel: Any fuel that is not liquid or gaseous.

Soot: A dark substance, essentially carbon, resulting from the burning or heating of coal, wood, oil or other fuels.

Soot blowing: The use of any device using steam, air or liquids to clean the fireside of heating surfaces.

Space heating: The heating of the space within an enclosed structure.

Stack: A smokestack, chimney, flue, duct or other conveyor for carrying into the open air smoke, dusts, gases, fumes, mists, vapors, odors or any product of combustion, incomplete combustion or heating of any fuel or refuse.

Standard Smoke Device of the Department: The density indications of the Ringelmann Chart as published by the United States Bureau of Mines, the Micro-Ringelmann Chart as illustrated in Power Magazine, Volume 98, Number 3, March 1954, page 90, or equivalent device, constitute the Standard Smoke Chart of the Department.

Stationary engineer: A person licensed as a stationary engineer.

Vapor: Any material in a gaseous state which is formed from a substance, usually a liquid, by increase in temperature.

Section 8. Emissions Prohibited.

8.1. Smoke

Except as otherwise herein provided, no person shall cause, suffer or allow smoke to be emitted into the open air from any fuel or refuse burning equipment, including but not limited to, internal combustion engine, locomotive, open fire, incinerator, premises or vessel for a period aggregating more than three minutes in any one hour which is as dark or darker in shade as that designated

No. 2 on the Ringelmann Chart as published by the United States Bureau of Mines, or an equivalent device.

8.1.1. When a fire box, boiler, locomotive or other fuel consuming device is being cleaned or a new fire is being built in a cold boiler or furnace, smoke of a density as great or greater than No. 2 of the Ringelmann Chart may be emitted for a period not to exceed six continuous minutes in any single period of 60 minutes.

8.2. Dust.

8.2.1. No person shall cause, suffer or allow to be emitted into the open air from the stack of any boiler plant or to pass a convenient measuring point adjacent to the stack outlet, within the Town of Cheektowaga, dust in the gases to exceed the concentrations set forth in the following table except as noted in paragraph (b) of this subsection:

Steam Generated Lbs. per Hour	Lbs. Dust per 1,000 Lbs. Steam
100,000 or less	2.2
150,000	1.9
200,000	1.7
300,000	1.4
400,000	1.2
500,000	1.1
600,000	1.0
800,000	0.9
1,000,000 or more	0.8

Note—For values of steam generated between those tabulated, the corresponding values of pounds dust per 1,000 pounds steam may be found by linear interpolation.

(a) Steam generated in the above table shall be the average hourly output of all units connected to the chimney for that continuous four hour period during which the average output is the greatest, expressed as the equivalent of steam containing 1,000 British thermal units per pound.

(b) Dust emission concentration figures shown in the above table may be exceeded during the cleaning periods, provided the methods used and the period of time are approved by the Health Officer.

8.2.2. No person shall cause, suffer or allow to be emitted into the open air from any fuel burning or refuse burning equipment not used for steam generation or to pass a convenient measuring point adjacent to the stack outlet, within the Town of Cheektowaga, dust in the gases to exceed 0.85 pound per thousand pounds of gases, of which amount not to exceed 0.40 pound per thousand pounds of gases shall be of such size as to be retained on the 325-mesh U. S. standard sieve, adjusted to 50 per cent excess air for products of combustion.

8.2.3. The amount of solids in the gases shall be determined according to the test code for dust separating apparatus of the American Society of Mechanical Engineers, revised and amended to date, which is

hereby made a part of these rules and regulations by reference, or by other method approved by the Health Officer.

8.3. Particulate and Other Matter

8.3.1. No person shall cause, suffer or allow to be emitted into the open air from any fuel or refuse burning equipment, internal combustion engine, locomotive, vehicle, incinerator, open fire, floating equipment, premises, industrial process or from any other source, within the Town of Cheektowaga, any air contaminant, harmful or objectionable substance, including but not limited to smoke, soot, fly ash, dust, fumes, gases, vapors, nuisance odors that may be a detriment to the property of others or that may be a nuisance to any person not being therein or thereupon engaged. When the Health Officer shall declare a nuisance as above defined to exist, it shall be deemed to have been created and may be summarily abated by the Health Officer or his duly authorized agent.

8.3.2. Except as otherwise provided in Section 8.2, no person shall cause, suffer or allow to be discharged or emitted into the open air, from any source, particulate matter in excess of 0.85 pound per thousand pounds of gases, adjusted to 50 per cent excess air for products of combustion.

8.4. Excess Emission

8.4.1. When an emission in violation of these rules is found, the Health Officer may refrain from legal action upon receipt, from the owner or operator, or a stipulation that immediate adjustments, additions or alterations will be made, which in the opinion of the Health Officer will be effective in abating the violation. The time period provided for such adjustments, additions or alterations shall meet with the approval of the Health Officer.

8.4.2. Registration of Points of Emission

8.4.2.1. The Health Officer may require the written registration of points of emission of air pollution, whether by stack, duct, flue or by any other means, when, in his opinion, such information is necessary for the conduct of the work of the Department. A period of sixty (60) days shall be allowed for the filing of such registration. However, in cases of emergency, the Health Officer may designate any lesser time which he feels to be justified. The Health Officer is also empowered to Notify the owner or agent, when in his opinion, such registration is no longer required.

8.4.2.2. The written registration of points of emission shall include the following information: location of point or points of emission; size of outlets; height of outlets; rate of emission; composition of effluent or emission; temperature of effluent or emission; and such other

data as may be requested by the Health Officer.

8.5. Sealing of Equipment

8.5.1. When any person owning or controlling any premises, motor vehicle or portable equipment, including locomotives, has been previously notified of three or more violations of this section (Section 8) within any consecutive twelve-month period, in respect to the emission of smoke, soot, dust, fumes or other contaminant, such person may be notified by the Health Officer to show cause, on a specified day not less than ten (10) days from the date of the notice, why the equipment causing such violations should not be sealed. The notice herein provided for shall be addressed to the owner or owners, lessees or occupant of the premises or portable equipment affected thereby. It shall be unnecessary to designate such owner or owners, lessees or occupant by name in any such order, but the premises shall be designated in the address so that such premises may be identified readily. Service of any such notice may be made by delivery of a copy thereof to the owner or any one of several owners, to the lessee or to any one of the several lessees, or to any person of suitable age and discretion in charge or apparently in charge of the premises, or if no person be found in charge of the premises, then by affixing a copy of such order prominently upon or near the premises on which the violation has occurred. Upon such hearing, if the Health Officer finds that adequate corrective means and methods have not been employed to correct the cause of such condition, then the Health Officer shall order such equipment to be sealed until such person submits a statement of the intended changes in equipment with a definite plan for their accomplishment and the approximate date of compliance which meets the approval of the Health Officer.

8.5.2. The Health Officer may seal any equipment violating the provisions of Section 9.1 or Section 13.1.

8.5.3. No person shall tamper with or remove the seal on any fuel or refuse burning equipment that has been sealed at the direction of the Health Officer, unless authorized by the Health Officer in writing to do so.

Section 9. Permits for Construction, Installation or Alteration.

9.1. No person shall construct, reconstruct, install or alter any equipment capable of emitting into the open air smoke, soot, fly ash, dust, fumes, gas, vapor or odors or equipment intended for eliminating, reducing or controlling such emissions, until an application including plans and specifications has been filed in the office of the Department and a permit issued by the Health Officer has been filed

in the office of the Department and a permit issued by the Health Officer, except as hereinafter enumerated; and, subject to the same exceptions, no person shall construct, reconstruct, install or alter such equipment in such manner that it does not conform with the application, plans and specifications so filed.

EXCEPTION

9.1.1. Fuel burning equipment and space heaters servicing only a one family dwelling or a two family dwelling and other installations below 150,000 BTU input per hour are exempted from this filing requirement.

9.1.2. Fuel burning equipment wherein the maximum fuel input per hour is in excess of 150,000 BTU and does not exceed 350,000 BTU is exempted from this filing requirement, provided however, the owner or agent furnish complete data as to size, make and model of fuel burning equipment to be installed, on a certificate form provided by the Department.

9.1.3. Internal combustion engines, portable equipment, vents, from sanitary or storm drainage systems, exhaust fans used solely for ventilation or air conditioning in other than industrial processes, steam or air safety valve vents, storage tank vents, other equipment which does not emit into the open air smoke, soot, fly ash, dust, fumes, gas, vapors or odors, as determined by the Health Officer, are exempted from this filing requirement.

9.1.4. Repairs of previously approved furnace and fuel burning equipment.

9.1.5. Minor alterations.

9.1.6. The Health Officer in his discretion may grant permission to proceed with the construction, installation or alteration of such fuel and refuse burning equipment in cases where prior approval and a permit are required by Section 9.1 in order to permit the work of construction, installation or alteration to proceed pending examination and final approval of plans and issuance of the permit. Such permission shall not be granted until the applicant has filed with the Department a complete set of plans and specifications as provided for in Section 9.1 and has filed with the Health Officer his personal bond with at least two sureties, approved by the Health Officer, or a corporate surety bond in a solvent and responsible company authorized to do business in this state in the sum of twenty-five hundred dollars conditioned for the payment of any loss, damage or injury resulting to persons or property by reason of failure to install such fuel and refuse burning equipment in accordance with such plans as approved and all laws of the State of New York and all local laws and ordinances of the Town of Cheek-

towaga and the Rules and Regulations of the Department relative to the installation of fuel and refuse burning equipment.

9.2. If the installation covered by a work permit is not started within one year from the date of issue, or if the work is suspended for more than one year, the permit shall automatically be cancelled and all fees paid shall be forfeited, unless a written application for an extension giving the reasons therefor shall be filed with the Department and approved by the Health Officer.

Section 10. Application for Permit.

10.1. Application for a permit shall be made on forms furnished by the Department and shall be properly and completely filled out and filed at the office of the Department by the owner or his authorized agent. Applications shall be verified and sworn to before a person authorized by law to administer oaths.

10.2. Each application for a permit shall be accompanied by two sets of plans and specifications, constituting a part of such application.

10.3. Each such application shall include a statement certified by a licensed professional engineer or registered architect as to the size, capacity and load of the equipment to be used.

Section 11. Plans and Specifications. Plans and specifications submitted as part of an application shall conform to the following requirements and shall be deemed to render an application incomplete unless they do conform:

11.1. Plans shall be of professional quality and clearly shown in adequate detail, the proposed arrangement, location and size of equipment including air supply ducts, breeching, stacks, exhaust vents or other conveyors attached thereto, and shall show plan and elevation cross sections and the construction details thereof. The location of the premises shall be adequately identified by street address, block and lot number.

11.2. Separate specifications shall be filed with each set of plans.

11.3. Specifications shall be in sufficient detail so that when read in conjunction with the plans, they shall clearly reveal the proposed means for the control of the emission of smoke, soot, fly ash and products of combustion to the open air, and shall show the extent of such control anticipated in the design of said control equipment, together with such confirming or supporting data as the Health Officer may require to prove to his satisfaction that the control anticipated may reasonably be expected to be achieved. The specifications shall include a statement showing the calculated heating, power, process or other loads on and the capacity

of the fuel burning equipment, and the type and quality of fuel to be used.

Section 12. Action on Applications.

12.1. If an application for a permit or a certificate of operation is disapproved the applicant shall be notified in writing, which communication shall set forth the reasons for the disapproval.

12.1.1. If the objections set forth in the disapproval of an application remain unanswered for sixty calendar days after being mailed, the application shall automatically be cancelled. Reinstatement, at the discretion of the Health Officer may be obtained only by written request. The reasons for the request shall be set forth and shall be accompanied by satisfactory answers to the objections.

12.2. If an application has not been acted on within thirty days, the applicant may at his discretion appeal to the Health Officer.

Section 13. Operating Certificate.

13.1. No person shall use or cause to be used any new or remodeled or reconstructed equipment set forth in sub-section 9.1 unless he shall have proper authority in the form of an operating certificate from the Department for operating such equipment, except as hereinafter enumerated:

EXCEPTIONS

13.1.1. Fuel burning equipment and space heaters in all one (1) or two (2) family dwellings and other installations below 150,000 BTU per hour input to not require an operating certificate.

13.1.2. Equipment wherein the maximum fuel input is in excess of 150,000 BTU per hour and does not exceed 350,000 BTU per hour does not require an operating certificate, provided however, the certificate specified in Section 9.1.2 has been submitted to the Department.

13.1.3. Internal combustion engines and locomotives.

13.1.4. Repairs to previously approved equipment.

13.1.5. Minor alterations.

13.2. A certificate of operation shall be issued when the work, for which the certificate of operation is applied for, has been inspected and is approved by the Health Officer. Operating certificate shall be displayed in the boiler or furnace room on the premises in a conspicuous location.

13.3. The issuance of a certificate of operation shall not exempt the person, equipment or process to whom or for which the certificate is issued, from full compliance with the requirements of Section 8.

Section 14. Tests of Installations.

14.1. The Health Officer may, at his discretion, require a test to be made as one of the conditions of approval of any new or altered installation. Such test shall be made at the expense of the person receiving the certificate or approval. No

tice of the time and place of the test shall be given to the Health officer at least fifteen (15) days in advance. Reasonable facilities shall be made available to the Health Officer or his representative to witness the tests.

14.2. The Health Officer may require that samples be taken and analyses made of any fuel used in installations covered by these Rules and Regulations to determine whether they are of the grade and character called for by the specifications or permits, or suitable for the equipment installed. Such analyses shall be made at the expense of the owner.

14.3. The Health Officer may require the owner or operator of any equipment or device to submit to him an analysis of the discharge of his stack, exhaust or vent. This analysis shall include the type and quantity of gases being discharged, as well as the quantity, quality and character of the solid matter. These tests shall be conducted by or under the supervision of a licensed Professional Engineer.

Section 15. Equipment.

15.1. The Health Officer reserves the right to approve or reject for a reasonable cause any type of fuel burning or refuse burning equipment or device, except as otherwise approved pursuant to governing law.

Section 16. Open Fires and Dumps

16.1. No person shall burn any garbage, refuse, rubbish or other combustible material, in an open fire within the limits of the Town of Cheektowaga except under definite restrictions prescribed by the Department and under Fire Department permit.

Section 17. Incineration and Refuse Disposal.

17.1. Crematories are hereby included in this section.

17.2. No incinerator used for the disposal of industrial or commercial scrap or waste material, or refuse, rubbish, garbage or waste, or any combination thereof and no crematory shall be constructed, installed or altered until an application, including plans and specifications, has been filed in the office of the Department and a permit issued by the Health Officer. The Health Officer shall not issue a permit for any such incinerator or crematory unless it has been proven to his satisfaction that no fly ash, unburned refuse, odor or smoke nuisance will thereby be created in violation of Section 8.

17.3. Incinerator furnaces shall be of adequate size to permit combustion of all volatile combustible matter distilled from the material on the grates during the period of maximum feeding.

17.4. Incinerators shall be so designed that when operating there is no free flow of objectionable gases; i.e., smoke, odors, fumes, or fly ash, to the open air. To prevent

the escape of such gases, means may be employed, subject to the approval of the Health Officer, such as baffles, settling chambers, secondary combustion chambers, screens, bags if made of non-inflammable materials, etc. If deemed adequate by the Health Officer, mechanical or chemical devices may be used.

Section 18. Alterations

18.1. Repairs or replacements, adjustments, or maintenance work may be performed without a permit if the character of the work conforms with the definition of minor alterations.

Section 19. Interference with the Health Officer or Personnel of the Department.

19.1. A person who shall refuse to comply with or who shall assist in the violation of any of the provisions of these Rules and Regulations, or who in any manner hinders, obstructs, delays, resists, prevents or in any way interferes or attempts to interfere with the Health Officer or the personnel of the Department in the performance of any duty herein enjoined, or shall refuse to permit such personnel to perform their duty by refusing them or any of them, after proper identification, entrance at reasonable hours to any premises in which the provisions of these Rules and Regulations are being violated or have been violated, or refused to permit the inspection or examination of such premises for the purpose of the enforcement of these Rules and Regulations, shall be subject to the fines and penalties provided herein.

Section 20. Persons Liable.

20.1. All persons owning, operating, in charge of, or in control of, any equipment, who shall cause or permit or participate in any violation of these Rules and Regulations, shall be individually and collectively liable for any penalties imposed herein.

20.2. Any person violating any of the provisions of these Rules and Regulations or making any false statement or false report in connection therewith, shall be subject to fines and penalties as provided herein.

23.5. Air Jets or Steam-Air Jets.

In any size boiler or furnace, for each boiler or furnace \$ 5.00

HEATING BOILERS

Fee is based on net rating in square feet of direct radiation as follows:

Steam		Square Feet of Direct Radiation	
		Hot Water	
Up to 500	_____	Up to 800	\$ 5.00
501 to 1,000	_____	801 to 1,600	10.00
1,001 to 2,500	_____	1,601 to 4,000	15.00
2,501 to 5,000	_____	4,001 to 8,000	25.00
5,001 to 10,000	_____	8,001 to 16,000	35.00
10,001 to 20,000	_____	16,001 to 32,000	50.00
20,001 to 40,000	_____	32,001 to 64,000	75.00
Over 40,000	_____	Over 64,000	100.00

Note—For heating boiler with integral gas burner, oil burner or stoker, the fee will be 1½ times the above fee for boilers.

Section 21. Interpretations.

21.1. The Board may issue, from time to time, interpretations of these rules, not inconsistent therewith, setting forth the technical standards used for determination of the approval or disapproval of plans and specifications and applications for permits.

Section 22. Separability

22.1. If any provision of these Rules and Regulations or the application of such provisions to any persons or circumstances shall be held invalid, the validity of the remainder of these Rules and Regulations and the applicability of such provisions to other persons or circumstances shall not be affected thereby.

Section 23. Fees for Issuance of Permits.

23.1. Only one work permit and/or certificate of operation shall be required for the fuel or refuse burning equipment for any building specified on one application filed with the Department.

23.2. All fees covering permits and certificates for each installation are due and payable with application for permit.

23.2.1. Upon application to the Health Officer and in his discretion, payment of the fee for a permit for an experimental installation may be deferred for not more than twelve months while the experiments are being conducted. The fee shall be paid based on the permanent installation and at the time the application is amended to cover this.

23.3. No fee shall be payable hereunder if the owner of the premises affected be a corporation or association organized and operated exclusively for religious, charitable or educational purposes, or for one or more such purposes, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and provided that the premises affected are to be used exclusively by such corporation or association for one or more such purposes.

23.4. The following is the schedule of fees charged for installation permits. No fees shall be charged for operating certificates.

23.6. Power Boilers.

10.1 to 25 h. p. _____	\$ 15.00
25.1 to 50 h. p. _____	25.00
50.1 to 100 h. p. _____	35.00
100.1 to 200 h. p. _____	50.00
200.1 to 400 h. p. _____	75.00
400.1 to 600 h. p. _____	100.00
600.1 to 1,000 h. p. _____	150.00
Over 1,000 h. p. _____	200.00

Note—For boilers with integral gas burner, oil burner or stoker, the fee will be 1½ times the boiler fee.

BOILER FURNACES

Rebuilding or changing boiler furnace, involving any change in capacity, combustion space, furnace volume, or in furnace design—any size boiler, each _____ \$ 10.00

23.7. Warm Air Furnaces.

Up to 100,000 BTU per hour output _____	\$ 5.00
100,001 to 200,000 BTU per hour output _____	10.00
200,001 to 500,000 BTU per hour output _____	15.00
500,001 to 1,000,000 BTU per hour output _____	25.00
1,000,001 to 2,000,000 BTU per hour output _____	35.00
2,000,001 to 4,000,000 BTU per hour output _____	50.00
4,000,001 to 8,000,000 BTU per hour output _____	75.00
Over 8,000,000 BTU per hour output _____	100.00

Note—For warm air furnaces with integral gas burner, oil burner, or stoker, the fee will be 1½ times the above fee for a warm air furnace.

23.8. Furnaces (other than boiler furnaces).

Fee according to size or hourly fuel consumption (see table).

Grate Surface	Pounds of Coal	Gallons of Oil
Up to 2 sq. ft. _____	30 _____	3 _____
2.1 to 5 sq. ft. _____	31 to 75 _____	3.1 to 7.5 _____
5.1 to 10 sq. ft. _____	76 to 150 _____	7.6 to 15 _____
10.1 to 20 sq. ft. _____	151 to 300 _____	15.1 to 30 _____
20.1 to 40 sq. ft. _____	301 to 600 _____	30.1 to 60 _____
40.1 to 80 sq. ft. _____	601 to 1,200 _____	60.1 to 120 _____
80.1 to 140 sq. ft. _____	1,201 to 2,000 _____	121 to 210 _____
140.1 to 200 sq. ft. _____	2,001 to 3,000 _____	211 to 300 _____
Over 200 sq. ft. _____	Over 3,000 _____	Over 300 _____

Note—For furnaces with integral gas burners, oil burners and stokers, the fee is 1½ times the furnace fee.

23.9. Smoke Ovens, Tar Kettles, Asphalt Kettles, Bake Ovens, Coffee Roasters, Varnish Kettles.

According to grate surface or fuel consumption. For charges, see "Furnaces (Other than Boiler Furnaces)".

WATER HEATERS

65 to 155 gallons capacity, each _____	\$ 2.00
156 to 999 gallons capacity, inclusive, each _____	3.00
1,000 to 2,000 gallons capacity, inclusive, each _____	5.00
Over 2,000 gallons capacity, inclusive, each _____	10.00
85 to 155 gallons capacity, inclusive, with integral gas burner, oil burner or stoker, each _____	4.00
156 to 99 gallons capacity, inclusive, with integral gas burner, oil burner or stoker, each _____	6.00
1,000 to 2,000 gallons capacity, inclusive with integral gas burner, oil burner or stoker, each _____	10.00
Over 2,000 gallons capacity, with integral gas burner, oil burner or stoker, each _____	18.00

CUBIC FEET OF GAS

Manufactured	Natural	
900 _____	450 _____	\$ 10.00
901 to 2,250 _____	451 to 1,125 _____	15.00
2,251 to 4,500 _____	1,126 to 2,250 _____	25.00
4,501 to 9,000 _____	2,251 to 4,500 _____	35.00
9,001 to 18,000 _____	4,501 to 9,000 _____	50.00
18,001 to 36,000 _____	9,001 to 18,000 _____	75.00
36,001 to 63,000 _____	18,001 to 31,500 _____	100.00
63,001 to 90,000 _____	31,501 to 45,000 _____	150.00
Over 90,000 _____	Over 45,000 _____	200.00

23.10. Dust Collectors, Washers, Cinder Traps, Bag Filters. Catalytic Oxidation Units or Similar Equipment.

Up to 5,000 cubic feet per minute, maximum _____	\$ 10.00
5,001 to 10,000 cubic feet per minute, maximum _____	25.00
10,001 to 25,000 cubic feet per minute, maximum _____	50.00
25,001 to 50,000 cubic feet per minute, maximum _____	75.00

50,001 to 100,000 cubic feet per minute, maximum	100.00
Over 100,000 cubic feet per minute, maximum	150.00

INCINERATORS

(Fee according to cross sectional area of primary combustion chamber)

Up to 5 square feet area	\$ 15.00
5.1 to 8 square feet area	25.00
8.1 to 12 square feet area	35.00
12.1 to 16 square feet area	50.00
16.1 to 20 square feet area	75.00
Over 20 square feet area	100.00

EXCEPTION

The fee for the alteration of an existing incinerator by the addition of a secondary combustion chamber or auxiliary fuel burning equipment or a settling chamber shall be \$15.00. For any two of these alterations in one incinerator the fee shall be \$18.00 and for all three \$20.00, provided they are covered by the same application.

23.11. Gas Burner, Mechanical Stokers, Oil Burners, Pulverized Coal Burners.

Fee is based on type and size of the oven, boiler or furnace in which installed and is 1/2 of the fee for such equipment. For charges see appropriate schedule.

Section 24. Variances.

24.1. The provisions of these Rules and Regulations do not prohibit the discharge of air contaminants to a greater extent or for a longer time, or both, than permitted by Section 8 of this chapter or by rules, regulations, or orders of the Board of Air Pollution Control if not of a greater extent or longer time than the Board or a court after a hearing before the Board finds necessary pursuant to the provisions of this article.

24.2. The Board on its own motion or at the request of any person may hold a hearing to determine under what conditions and to what extent a variance from the requirements established by Section 8 of this chapter or by rules, regulations, or orders of the Board of the Air Pollution Control is necessary and will be permitted.

24.3. The Board shall serve a notice of the time and place of a hearing to grant a variance, if any, not less than ten (10) days prior to such hearing.

24.4. If the Board finds that because of conditions beyond control compliance with Section 8 of this chapter or with any rules, regulations or order of the Air Pollution Control Board will result in an arbitrary and unreasonable taking of property or in the practical closing and elimination of any lawful business, occupation or activity, in either case without a sufficient corresponding benefit or advantage to the people in the reduction of air contamination, it shall prescribe other and different requirements not more onerous applicable to plants and equipment operated either by named classes of industries or persons, or to the opera-

tion of separate persons; provided, however, that no variance may permit or authorize the maintenance of a nuisance.

24.5. In determining under what conditions and to what extent a variance from said requirements is necessary and will be permitted, the Board shall exercise a wide discretion in weighing the equities involved and the advantages and disadvantages to the residents of the district and to any lawful business, occupation or activity involved, resulting from granting a variance.

24.6. The Board may revoke or modify by written order, after a public hearing held upon, not less than 10 days notice any order permitting a variance.

The Board shall serve, by personal or registered mail, notice of the time and place of the hearing to revoke or modify any order permitting a variance of not less than ten (10) days prior to such hearing upon the Health Officer, upon all persons who will be subjected to greater restrictions if such order is revoked or modified as proposed, and upon all other persons interested or likely to be affected who have filed with the Board or Health Officer a written request for such notification.

24.7. If either the identity or address of any person entitled to such notice is unknown, the Board shall serve such person by publication of notice once in a newspaper of general circulation published within the Town if such newspaper is published therein, otherwise by posting at a public place at the Town Hall.

24.8. The Board in making any order permitting a variance may specify the time during which such order will be effective, in no event to exceed one year, but such variance may be continued from year to year without another hearing on the approval of the Health Officer.

Section 25. Procedure.

25.1. Any person, being a party of record at a hearing provided by these rules and regulations, deeming himself aggrieved, may maintain a special proceeding in the Supreme Court, to determine the reasonableness and legality of any action of the Board.

25.2. Any person filing such a special proceeding after any decision of the Board shall be entitled to a trial de novo and an indepen-

dent determination of the reasonableness and legality of such action in such court on all issues of law, facts, and mixed questions of law and facts and opinions therein involved. Jurisdiction is hereby given such Court to determine all questions and issues properly brought before it on such appeal.

BE IT 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, a newspaper 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 Clerk's Office, a certified copy of this resolution and affidavit of the publication and posting thereof shall be filed with the Town Clerk.

This ordinance shall take effect ten (10) days after such publication and posting, but such ordinance shall take effect from the date of its service as against a person served 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 Wroblewski and duly put to a vote, which resulted as follows:

- Supervisor Holtz, Voting Aye
 - Councilman Neibert, Voting Aye
 - Councilman Wroblewski, Voting Aye
 - Councilman Bystrak, Voting Aye
 - Councilman Trojanoski, Voting Aye
 - Councilman Kornecki, Voting Aye
 - Councilman Fath, 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 7th 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 7th day of July, 1956.

(Seal)

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

Item No. 15-Cont'd. Hereto attached is a copy of the Notice published in the Depew Herald-Cheektowaga News:

No person shall tamper with or remove the seal on any fuel or refuse burning equipment if the seal has been sealed at the direction of the Health Officer, unless authorized by the Health Officer in writing to do so.

Section 9. Permits for Construction, Installation or Alteration.

9.1. No person shall construct, reconstruct, install or alter any equipment capable of emitting into the open air smoke, soot, fly ash, dust, fumes, gas, vapor or odors from equipment intended for eliminating, reducing or controlling such emissions, until an application including plans and specifications has been filed in the office of the Department and a permit issued by the Health Officer has been filed in the office of the Department and permit issued by the Health Officer, except as hereinafter enumerated; and, subject to the same exceptions, no person shall construct, reconstruct, install or alter such equipment in such manner that it does not conform with the application, plans and specifications so filed.

EXCEPTION

9.1.1. Fuel burning equipment and space heaters servicing only a one family dwelling or a two family dwelling and other installations below 100,000 BTU input per hour are exempted from this filing requirement.

9.1.2. Fuel burning equipment exceeds the maximum heat input per hour is in excess of 100,000 BTU and does not exceed 100,000 BTU is exempted from this filing requirement, provided approved the owner or agent thereof completes form as to size, make and model of fuel burning equipment to be installed, on a certificate form provided by the Department.

9.1.3. Internal combustion engines, portable equipment, vents, down draft or storm drainage systems, exhaust fans used solely for ventilation or air conditioning other than industrial processes, steam or air safety valve vents, storage tank vents, other equipment which does not emit into the open air smoke, soot, fly ash, dust, fumes, gas, vapors or odors, as determined by the Health Officer, are exempted from this filing requirement.

9.1.4. Repairs of previously approved furnace and fuel burning equipment.

9.1.5. Minor alterations.

9.1.6. The Health Officer in his discretion may grant permission to proceed with the construction, installation or alteration of such fuel and refuse burning equipment in those cases where prior approval and a permit are required by Section 9.1 in order to permit the work of construction, installation or alteration to proceed pending examination and final approval of plans and issuance of the permit. Such permission shall not be granted until the applicant has filed with the Department a complete set of plans and specifications as provided for in Section 9.1 and has filed with the Health Officer his personal head

of such plans and all local laws and ordinances of the Town of Cheektowaga and the Rules and Regulations of the Department relative to the installation of fuel and refuse burning equipment.

9.2. If the installation covered by a work permit is not started within one year from the date of issue, or if the work is suspended for more than one year, the permit shall automatically be cancelled and all fees paid shall be forfeited, unless a written application for an extension giving the reasons therefor shall be filed with the Department and approved by the Health Officer.

Section 10. Application for Permit.

10.1 Application for a permit shall be made on forms furnished by the Department and shall be properly and completely filled out and filed at the office of the Department by the owner or his authorized agent. Applications shall be verified and sworn to before a person authorized by law to administer oaths.

10.2 Each application for a permit shall be accompanied by two sets of plans and specifications, constituting a part of such application.

10.3 Each such application shall include a statement certified by a licensed professional engineer or registered architect as to the size, capacity and load of the equipment to be used.

Section 11. Plans and Specifications. Plans and specifications submitted as part of an application shall conform to the following requirements and shall be deemed to render an application incomplete unless they do conform:

11.1. Plans shall be of professional quality and clearly shown in adequate detail, the proposed arrangement, location and size of equipment including air supply ducts, breeching, stacks, exhaust vents or other conveyors attached thereto, and shall show plan and elevation cross sections and the construction details thereof. The location of the premises shall be adequately identified by street address, block and lot number.

11.2. Separate specifications shall be filed with each set of plans.

11.3. Specifications shall be in sufficient detail so that when read in conjunction with the plans, they shall clearly reveal the proposed means for the control of the emission of smoke, soot, fly ash and products of combustion to the open air, and shall show the extent of such control anticipated in the design of said control equipment, together with such confirming or supporting data as the Health Officer may require to prove to his satisfaction that the control anticipated may reasonably be expected to be achieved. The specifications shall include a statement showing the calculated heating, power, process or other loads on and the capacity of the fuel burning equipment, and the type and quality of fuel to be used.

Section 12. Action on Applications.

12.1. If an application for a new

BENNETT
and says that he is the
KLESHNER of the

Cheektowaga
and News

at Depew, Town of Cheektowaga, that notice of which the
in said newspaper, is a copy,
therein once a week for
first insertion being on the
July 1958, and
copy of
1958, and that not
ed between any two publi

L. Bennett

JUL 7 1958
JUL 17 1958
JUL 17 1958
JUL 27 1958

Item No. 15-Cont'd. Hereto attached is a copy of the Notice published in the Depew Herald-Cheektowaga News:

The reason for the...
 Health Officer...
 Section 14. Open Fires and De...
 Section 15. Equipment...
 Section 16. No person shall burn...
 Section 17. Incineration and...
 Section 18. Crematories are hereby...
 Section 19. No incinerator used for...
 Section 20. Incinerator furnaces shall...

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for One week, the first insertion being on the 17th day of July, 1958, and the last insertion being on the _____ day of _____, 19____, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

Sworn to before me this _____ day of

JUL 19 1958

Kurt [Signature]
Notary Public in and for Erie County

Joseph M. Plumery

INC.
ELY
Compensation
Depew, N. Y.

STORE

Adopted: JUL 7 1958
 Posted: JUL 17 1958
 Published: JUL 17 1958
 Effective: JUL 27 1958

the making of plans or rules. They shall advise all laws, rules and regulations with respect to such matters. They shall make such investigations and studies as may be deemed necessary for the purpose of such enforcement and of compelling and maintaining air pollution, and for such purposes shall have power to compel the attendance of witnesses and to take their testimony under oath. The Health Officer shall recommend to the Board of Air Pollution Control the adoption of such rules and amendments thereto as may be necessary or proper for the attainment or control of air pollution.

Section 4. Board of Air Pollution Control. There shall be in the Health Department a Board of Air Pollution Control consisting of five members. The Health Officer, the Town Engineer and the Town Legal Officer, or their respective duly authorized representatives, shall be ex-officio members of the Board. They shall serve without additional compensation. The two other members shall be appointed by the Town Board. They shall have recognized professional education, training and experience in the fields of public health, sanitation, industrial hygiene and air pollution control or the equivalent of the aforementioned or they shall either be professional, mechanical or stationary engineers. One such member shall be appointed for a two-year term, and one for a four-year term. Their successors shall be appointed for four-year terms. Such two members shall be paid at the rate of twenty-five dollars per regular meeting. The total compensation for each person attending all meetings of the Board shall in no event exceed five hundred dollars per year. The Town Board may remove any of such members for cause.

in which there is no machinery thereon directly on the hot fire side.

Hot burning equipment, machinery or apparatus. Any device by means of which fuel gas is so combustible that the same is so being ignited by automatic control.

Paints: Alcohols, colloidal systems which are formed by chemical reactions, or by such processes as reprecipitation, distillation, solution, calcination or condensation.

Furnace: A chamber or enclosure in which any combustion process takes place.

Gas: A fusible fluid which occupies space and which can be changed to a liquid or solid state only by increased pressure or decreased or controlled temperature or by increased or controlled pressure.

Hot steam: Shall be considered to mean boiler steam power and shall be figured as equivalent to the evaporation of thirty-two and one-half (32½) pounds of water per hour from a tank at 212 degrees Fahrenheit. The burning of waste materials in furnaces.

Internal combustion engine: An engine in which combustion of a gas or liquid fuel takes place within one or more cylinders.

Licensed professional engineer: A person qualified to practice professional engineering in the State of New York under Section 7262 of the Education Law.

Minor alteration: Minor alteration to an existing installation shall be work which involves no change as to the frame design, capacity of the plant, type of fuel burned or the method of combustion.

Motor Vehicle: A highway con-

struction building equipment, in which the hot fire side is directly on the hot fire side. Inoperative, Incomplete, open fire, incandescent, pressure or vacuum for a period aggregating more than three minutes in any one hour which is as dirt or debris in stable as first designated No. 2 on the Binghamton Chart as published by the United States Bureau of Mines, or an equivalent device.

§ 11. When a fire box, boiler, locomotive or other fuel consuming device is being cleaned or a new fire is being built in a cold boiler or furnace, smokes at a density as great or greater than No. 2 of the Binghamton Chart may be emitted for a period not to exceed six continuous minutes in any single period of 60 minutes.

§ 2.1. No person shall cause, suffer or allow to be emitted into the open air from the stack of any boiler plant or to pass a consent-measuring point adjacent to the stack outlet, within the Town of Cheektowaga, dust in the gases to exceed the concentrations set forth in the following table except as noted in paragraph (b) of this subsection:

Steam generated per hour	24. Dust per 1,000 steam
100,000 or less	22
150,000	1.9
200,000	1.7
300,000	1.4
400,000	1.3
500,000	1.1
600,000	1.0
800,000	0.9
1,000,000 or more	0.8

Note—For values of steam generated between those tabulated, the corresponding values of pounds of dust per 1,000 pounds steam may be found by linear interpolation.

existing laws, has been previously notified of three or more violations of the section designated within any consecutive twelve-month period. It is required to the emission of smoke, soot, ash, fumes or other contaminants, such person may be notified by the Health Officer to show cause, on a specified day not less than ten (10) days from the date of the notice, why the equipment causing such violations should not be sealed.

The notice herein provided for shall be addressed to the owner or operator, lessee or occupant of the premises or portable equipment affected thereby. It shall be unnecessary to designate such owner or operator, lessee or occupant by name in any such order, but the premises shall be designated in the address so that such premises may be identified readily. Service of any such notice may be made by delivery of a copy thereof to the owner or any one of several owners, to the lessee or to any one of the several lessees, or to any person of suitable age and discretion in charge or apparently in charge of the premises, or if no person be found in charge of the premises, then by affixing a copy of such order prominently upon or near the premises on which the violation has occurred. Upon such hearing, if the Health Officer finds that adequate corrective means and methods have not been employed to correct the cause of such condition, then the Health Officer shall order such equipment to be sealed until such person submits a statement of the intended changes in equipment with a definite plan for their accomplishment and the approximate date of compliance which meets the approval of the Health Officer.

§ 3.2. The Health Officer may seal any equipment violating the

TOWN of CHEEKTOWAGA AIR POLLUTION ORDINANCE

(Continued from page 3)

of all volatile combustible matter distilled from the material on the grates during the period of maximum feeding.

17.4. Incinerators shall be so designed that when operating there is no free flow of objectionable gases; i.e., smoke, odors, fumes, or fly ash, to the open air. To prevent the escape of such gases, means may be employed, subject to the approval of the Health Officer, such as baffles, settling chambers, secondary combustion chambers, screens, bags if made of non-inflammable materials, etc. If deemed adequate by the Health Officer, mechanical or chemical devices may be used.

Section 18. Alterations

18.1. Repairs or replacements, adjustments, or maintenance work may be performed without a permit if the character of the work conforms with the definition of minor alterations.

Section 19. Interference with the Health Officer or Personnel of the Department.

19.1. A person who shall refuse to comply with or who shall assist in the violation of any of the provisions of these Rules and Regulations, or who in any manner hinders, obstructs, delays, resists, prevents or in any way interferes or attempts to interfere with the Health Officer or the personnel of the Department in the performance of any duty herein enjoined, or shall refuse to permit such personnel to perform their duty by refusing them or any of them, after proper identification, entrance at reasonable hours to any premises in which the provisions of these Rules and Regulations are being violated or have been violated, or refused to permit the inspection or examination of such premises for the purpose of the enforcement of these Rules and Regulations, shall be subject to the fines and penalties provided herein.

Section 20. Persons Liable

20.1. All persons owning, operating, in charge of, or in control of, any equipment, who shall cause or permit or participate in any violation of these Rules and Regulations, shall be individually and collectively liable for any penalties imposed herein.

20.2. Any person violating any of the provisions of these Rules

and Regulations or making any false statement or false report in connection therewith, shall be subject to fines and penalties as provided herein.

Section 21. Interpretations.

21.1. The Board may issue, from time to time, interpretations of these rules, not inconsistent therewith, setting forth the technical standards used for determination of the approval or disapproval of plans and specifications and applications for permits.

Section 22. Separability

22.1. If any provision of these Rules and Regulations or the application of such provisions to any persons or circumstances shall be held invalid, the validity of the remainder of these Rules and Regulations and the applicability of such provisions to other persons or circumstances shall not be affected thereby.

Section 23. Fees for Issuance of Permits.

23.1. Only one work permit and/or certificate of operation shall be required for the fuel or refuse burning equipment for any building specified on one application filed with the Department.

23.2. All fees covering permits and certificates for each installation are due and payable with application for permit.

23.2.1. Upon application to the Health Officer and in his discretion, payment of the fee for a permit for an experimental installation may be deferred for not more than twelve months while the experiments are being conducted. The fee shall be paid based on the permanent installation and at the time the application is amended to cover this.

23.3. No fee shall be payable hereunder if the owner of the premises affected is a corporation or association organized and operated exclusively for religious, charitable or educational purposes, or for one or more such purposes, no part of the net-earnings of which inures to the benefit of any private shareholder or individual, and provided that the premises affected are to be used exclusively by such corporation or association for one or more such purposes.

23.4. The following is the schedule of fees charged for installation permits. No fee shall be charged for operating certificates.

23.5. Air Jets or Steam-Air Jets. In any size boiler or furnace, for each boiler or furnace \$ 5.00

HEATING BOILERS

Fee is based on net rating in square feet of direct radiation as follows:

Steam	Square Feet of Direct Radiation Hot Water	
Up to 500	Up to 500	\$ 5.00
501 to 1,000	501 to 1,000	10.00
1,001 to 2,500	1,001 to 2,500	15.00
2,501 to 5,000	2,501 to 5,000	25.00
5,001 to 10,000	5,001 to 10,000	35.00
10,001 to 20,000	10,001 to 20,000	50.00
20,001 to 40,000	20,001 to 40,000	75.00
Over 40,000	Over 40,000	100.00

Note—For heating boiler with integral gas burner, oil burner or stoker, the fee will be 1½ times the above fee for boilers.

23.6. Power Boilers.

10.1 to 25 h. p.	\$ 15.00
25.1 to 50 h. p.	25.00
50.1 to 100 h. p.	35.00
100.1 to 200 h. p.	50.00
200.1 to 400 h. p.	75.00
400.1 to 800 h. p.	100.00
800.1 to 1,000 h. p.	150.00
Over 1,000 h. p.	200.00

Note—For boilers with integral gas burner, oil burner or stoker, the fee will be 1½ times the boiler fee.

BOILER FURNACES

Rebuilding or changing boiler furnace, involving any change in capacity, combustion space, furnace volume, or in furnace design—any size boiler, each \$ 10.00

23.7. Warm Air Furnaces.

Up to 100,000 BTU per hour output	\$ 5.00
100,001 to 200,000 BTU per hour output	10.00
200,001 to 500,000 BTU per hour output	15.00
500,001 to 1,000,000 BTU per hour output	25.00
1,000,001 to 2,000,000 BTU per hour output	35.00
2,000,001 to 4,000,000 BTU per hour output	50.00
4,000,001 to 8,000,000 BTU per hour output	75.00
Over 8,000,000 BTU per hour output	100.00

Note—For warm air furnaces with integral gas burner, oil burner, or stoker, the fee will be 1½ times the above fee for a warm air furnace.

23.8. Furnaces (other than boiler furnaces).

Fee according to size or hourly fuel consumption (see table).

Grate Surface	Pounds of Coal	Gallons of Oil
Up to 2 sq. ft.	30	3
2.1 to 5 sq. ft.	31 to 75	3.1 to 7.5
5.1 to 10 sq. ft.	76 to 150	7.6 to 15
10.1 to 20 sq. ft.	151 to 300	15.1 to 30
20.1 to 40 sq. ft.	301 to 600	30.1 to 60
40.1 to 80 sq. ft.	601 to 1,200	60.1 to 120
80.1 to 140 sq. ft.	1,201 to 2,000	121 to 210
140.1 to 200 sq. ft.	2,001 to 3,000	211 to 300
Over 200 sq. ft.	Over 3,000	Over 300

Note—For furnaces with integral gas burners, oil burners and stokers, the fee is 1½ times the furnace fee.

23.9. Smoke Ovens, Tar Kettles, Asphalt Kettles, Bake Ovens, Coffee Roasters, Varnish Kettles.

According to grate surface or fuel consumption. For charges, see "Furnaces (Other than Boiler Furnaces)".

WATER HEATERS

65 to 155 gallons capacity, each	\$ 2.00
156 to 900 gallons capacity, inclusive, each	3.00
1,000 to 2,000 gallons capacity, inclusive, each	5.00
Over 2,000 gallons capacity, inclusive, each	10.00
65 to 155 gallons capacity, inclusive, with integral gas burner, oil burner or stoker, each	4.00
156 to 90 gallons capacity, inclusive, with integral gas burner, oil burner or stoker, each	6.00
1,000 to 2,000 gallons capacity, inclusive with integral gas burner, oil burner or stoker, each	10.00
Over 2,000 gallons capacity, with integral gas burner, oil burner or stoker, each	18.00

CUBIC FEET OF GAS

Manufactured	Natural	
900	450	\$ 10.00
901 to 2,250	451 to 1,125	15.00
2,251 to 4,500	1,126 to 2,250	25.00
4,501 to 9,000	2,251 to 4,500	35.00
9,001 to 16,000	4,501 to 9,000	50.00
16,001 to 36,000	9,001 to 18,000	75.00
36,001 to 63,000	18,001 to 31,500	100.00
63,001 to 90,000	31,501 to 45,000	150.00
Over 90,000	Over 45,000	200.00

23.10. Dust Collectors, Washers, Cinder Traps, Bag Filters, Catalytic Oxidation Units or Similar Equipment.

Up to 5,000 cubic feet per minute, maximum	\$ 10.00
5,001 to 10,000 cubic feet per minute, maximum	25.00
10,001 to 25,000 cubic feet per minute, maximum	50.00
25,001 to 50,000 cubic feet per minute, maximum	75.00
50,001 to 100,000 cubic feet per minute, maximum	100.00
Over 100,000 cubic feet per minute, maximum	150.00

INCINERATORS

(Fee according to cross sectional area of primary combustion chamber)

Up to 5 square feet area	\$ 15.00
5.1 to 8 square feet area	25.00
8.1 to 12 square feet area	35.00
12.1 to 16 square feet area	50.00
16.1 to 20 square feet area	75.00
Over 20 square feet area	100.00

EXCEPTION

The fee for the alteration of an existing incinerator by the addition of a secondary combustion chamber or auxiliary fuel burning equipment or a settling chamber shall be \$15.00. For any two of these alterations in one incinerator the fee shall be \$18.00 and for all three \$20.00, provided they are covered by the same application.

23.11. Gas Burner, Mechanical Stokers, Oil Burners, Pulverized Coal Burners.

Fee is based on type and size of the oven, boiler or furnace in which installed and is ½ of the fee for such equipment. For charges see appropriate schedule.

Section 24. Variances.

24.1. The provisions of these Rules and Regulations do not prohibit the discharge of air contaminants to a greater extent or for a longer time, or both, than permitted by Section 5 of this chapter or by rules, regulations, or orders of the Board of Air Pollution Control if not of a greater extent or longer time than the Board or a court after a hearing before the Board finds necessary pursuant to the provisions of this article.

24.2. The Board on its own motion or at the request of any person may hold a hearing to determine under what conditions and to what extent a variance from the requirements established by Section 5 of this chapter or by rules, regulations, or orders of the Board of Air Pollution Control is necessary and will be permitted.

24.3. The Board shall serve a notice of the time and place of a hearing to grant a variance, if any, not less than ten (10) days prior to such hearing.

24.4. If the Board finds that because of conditions beyond control compliance with Section 5 of this chapter or with any rules, regulations or order of the Air Pollution Control Board will result in an arbitrary and unreasonable taking of property or in the practical closing and elimination of any lawful business, occupation or activity, in either case without a sufficient corresponding benefit or advantage to the people in the reduction of air contamination, it shall prescribe other and different requirements not more onerous applicable to plants and equipment operated either by named classes of industries or persons, or to the operation of separate persons; provided, however, that no variance may permit or authorize the maintenance of a nuisance.

24.5. In determining under what conditions and to what extent a variance from said requirements is necessary and will be permitted, the Board shall exercise a wide discretion in weighing the equities involved and the advantages and disadvantages to the residents of the district and to any lawful business, occupation or activity involved, resulting from granting a variance.

24.6. The Board may revoke or modify by written order, after a public hearing held upon, not less than 10 days notice any order permitting a variance.

The Board shall serve, by personal or registered mail, notice of the time and place of the hearing to revoke or modify any order permitting a variance of not less than ten (10) days prior to such hearing upon the Health Officer, upon all persons who will be subjected to greater restrictions if such order is revoked or modified as proposed, and upon all other persons interested or likely to be affected who have filed with the Board or Health Officer a written request for such notification.

24.7. If either the identity or address of any person entitled to such notice is unknown, the Board shall serve such person by pub-

reasonableness and legality of any action of the Board.

25.2. Any person filing such a special proceeding after any decision of the Board shall be entitled to a trial de novo and an independent determination of the reasonableness and legality of such action in such court on all issues of law, facts, and mixed questions of law and facts and opinions therein involved. Jurisdiction is hereby given such Court to determine all questions and issues properly brought before it on such appeal.

BE IT 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, a newspaper 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 Clerk's Office, a certified copy of this resolution and affidavit of the publication and posting thereof shall be filed with the Town Clerk.

This ordinance shall take effect ten (10) days after such publication and posting, but such ordinance shall take effect from the date of its service as against a person served with a copy thereof certified by the Town Clerk, unless the person so served shall file a writ of habeas corpus and entry into the minutes.

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

Supervisor Holtz, Voting Aye
Councilman Neibert, Voting Aye
Councilman Wroblewski, Voting Aye
Councilman Bystrak, Voting Aye
Councilman Trojanoski, Voting Aye
Councilman Kornecki, Voting Aye
Councilman Fath, Voting Aye.
Ayes 7, Noes 0, Absent 0.

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 7th day of July, 1958, and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 7th day of July, 1958.

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

Gas meters in use in Albany and Westerlo, 1927-1928.

Grade of Gas	Quantity of Coal	Quantity of Oil
Up to 4 sq. ft.	30	3
4.1 to 8 sq. ft.	31 to 75	3.1 to 7.5
8.1 to 12 sq. ft.	76 to 150	7.6 to 15
12.1 to 16 sq. ft.	151 to 300	15.1 to 30
16.1 to 20 sq. ft.	301 to 600	30.1 to 60
20.1 to 24 sq. ft.	601 to 1,200	60.1 to 120
24.1 to 28 sq. ft.	1,201 to 2,400	121 to 240
28.1 to 32 sq. ft.	2,401 to 4,800	241 to 480
Over 32 sq. ft.	Over 4,800	Over 480

Note—The above are integral gas meters, all burners and stokers, the size is 1/2 times the burner size.

21.9. Grates, Grates, Kettles, Asphalt Kettles, Bake Ovens, Cold Kettles, Yarn Kettles.

According to grade system of fuel consumption. For charges, see "Furnaces (Other than Boiler Furnaces)".

...the hearing and to any lawful business, occupation or activity involved, resulting from granting a variance.

21.6. The Board may revoke or modify its order upon, after a public hearing held upon, not less than 10 days notice by order permitting a hearing.

The Board shall serve, by personal or registered mail, notice of the time and place of the hearing to revoke or modify any order permitting a variance of not less than ten (10) days prior to such hearing upon the Health Officer, upon all persons who will be subjected to such restrictions if such order is granted as proposed. ...

21.7. If either the identity or address of any person entitled to such notice is unknown, the Board shall serve such person by publication of notice once in a newspaper of general circulation published within the Town if such newspaper is published therein, otherwise by posting at a public place of the Town Hall.

21.8. The Board in making any order permitting a variance may specify the time during which such order will be effective, in no event to exceed one year, but such variance may be continued from year to year without another hearing on the approval of the Health Officer.

Section 25. Procedure. 4

25.1. Any person, being a party of record at a hearing provided by these rules and regulations, deeming himself aggrieved, may maintain a special proceeding in the Supreme Court, to determine the

...of July 1928.
(Seal)

WENDELL T. HANLEY

Chief of the Town Board
Town of Westerlo, N.Y.

Item No. 16 Moved by Councilman Bystrak, seconded by Councilman Trojanoski, that the following recommendations of the Chief of Police be granted:

That STOP SIGNS be erected at the following locations:

- 1 - N.W. corner of Farmingdale and Fairhaven
- 2 - S.E. corner of Farmingdale and Fairhaven
- 3 - N.W. corner of Yorktown and Fairhaven
- 4 - S.E. corner of Greenway and Fairhaven
- 5 - S.W. corner of Greenway and Glendale
- 6 - S.W. corner of Farmingdale and Greenway (REMOVE N.W. CORNER SIGN)
- 7 - N.W. corner of Greenway and Princeton
- 8 - N.W. corner of Princeton and Marilyn
- 9 - N.W. corner of Glendale and Farmingdale
- 10 - N.E. corner of Yorktown and Farmingdale
- 11 - "NO PARKING HERE TO CORNER" north side of Southern Parkway from a point 100 feet east of Harlem Road to Harlem Road.

AYES: -7-

NOES: -0-

ABSENT: -0- 41

Item No. 17 Moved by Councilman Wroblewski, seconded by Councilman Kornecki, that the Erie County Highway Superintendent be requested to erect BOULEVARD STOP AND GO SIGNS at the following locations:

Claude Drive and Dingsen Street
 Alaska Street and Dingsen Street
 Medina Street and Dingsen Street
 Glidden Street and Dingsen Street
 South Colby Street and Dingsen Street
 South Hedley Street and Dingsen Street

AYES: -7-

NOES: -0-

ABSENT: -0- 41

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

WHEREAS, the Police Department has requested the purchase of items listed on the attached sheet.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to contract for same and make payment accordingly.

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

Supervisor Holts	Voting AYE
Councilman Weibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0- 152

June 12, 1958

THE TOWN BOARD AND MR. DELAHUNT:
 TOWN OF CHEEKTOWAGA, NEW YORK:

GENTLEMEN:

I have had a request from Chief Marzmann to purchase a new battery charger at an approximate cost of \$23.00. This is needed due to the fact that our present charger is only 6-Volt and with the latest cars, our batteries are all 12-Volt.

Item No. 18-Cont'd.

The Chief has also advised that after a recent inspection of our Police Radio System, that the antenna, erected in 1947 is badly rusted and should be replaced. Inquiries from the Standard Electronics Company resulted in a quotation of \$450.00 for a new commercial type tower to be 24 feet in length and an antenna to cost \$196.00 which will give us the largest area coverage (all of Cheektowaga and part of the City of Buffalo) has been recommended. The Tower and Antenna can be erected by Mr. Seyse with the aid of a couple of employees, without additional expense to the Town. There might, however, be slightly additional costs for guy wire, turnbuckles, clamps, etc.

Please give this your immediate attention.

Very truly yours,

s/s Benedict T. Holts
Supervisor

BTH:VS
CC: Chief Meramann

10

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

WHEREAS, an account receivable, in the amount of \$168.35, chargeable to E.H. Pfohl, has been carried in the General Fund ledger since prior to 1940, and

WHEREAS, this account was erroneously assessed.

BE IT RESOLVED, that this account receivable in the amount of \$168.35, against E.H. Pfohl, be and the same is hereby charged off and discontinued.

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

Supervisor Holts	Voting AYE
Councilman Weibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

2

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 20 Moved by Councilman Kornecki, seconded by Councilman Fath, that the following recommendations of the Chief of Police be granted:

That the parking restriction on the west side of Oakman Blvd. be rescinded and the following parking restrictions be instituted:

"NO PARKING FROM HERE TO CORNER" on the west side of Lamarck Drive from a point 100 feet north of Cleveland Drive south to Cleveland Drive.

AYES: -7-

NOES: -0-

ABSENT: -0-

41

Item No. 21 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski that the Town of Cheektowaga pay the amount of \$113.00 for one year insurance coverage for the Bowmansville Volunteer Firemens Assn. Inc. Workmens Compensation Insurance, for Fire Protection District No. 1 in the Town of Cheektowaga, same amount to be reimbursed to the Town by the Bowmansville Volunteer Fire Assn., Inc.

AYES: -7-

NOES: -0-

ABSENT: -0-

14
22

Item No. 22 Councilman Weibert presented the following resolution and moved its adoption: Seconded by Councilman Fath;

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 Supt. to four years.

Item No. 22-Cont'd.

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 4th day of November, 1958, for the purpose of approving or rejecting the proposition hereinafter described.

The polls in said election will be kept open between the hours of 6:00 o'clock A.M. and 7:00 o'clock 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 SUPT. BE INCREASED TO FOUR YEARS?

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 Times, newspapers having a general circulation in the Town, the first publication to be 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 OF SPECIAL ELECTION

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 4th, 1958, at which the polls will be kept open to receive ballots between the hours of 6:00 A.M. and 7:00 P.M., on the question of approving or rejecting the following proposition:

PROPOSITION

Shall the term of office of the Town Highway Supt. 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
7-7-1958

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:

Supervisor Holts	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Fath	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Weibert	Voting AYE
Councilman Bystrak	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

33

11

Posted as follows on the 24th day of October 1958

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

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

Item No. 22-Cont'd.

STATE OF NEW YORK }
COUNTY OF ERIE }

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for two weeks: first publication October 23, 1958; last publication October 30, 1959; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 30th

day of October, 1958

Eve J. Allis

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

EVE J. ALLIS
NOTARY PUBLIC, STATE OF NEW YORK
Qualified in Erie County
My Commission Expires March 30, 1959
Registered No. 5029

Item No. 22-Cont'd.

STATE OF NEW YORK
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for two week's, the first insertion being on the 23 day of October, 1958 and the last insertion being on the 30th day of October, 1958, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

Sworn to before me this 8 day of

Nov, 1957

John J. Honley

Notary Public in and for Erie County

hn 1085

Item No. 22-Cont'd.

STATE OF NEW YORK
COUNTY OF ERIE

Cheektowaga, County of Erie, State of New York, has called a special election of qualified electors to be held at the regular polling places in each of the election districts in said Town on November 4th, 1958, at which the polls will be kept open to receive ballots between the hours of 6:00 a.m. and 7:00 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 7, 1958.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF
CHEEKTOWAGA, COUNTY OF ERIE, STATE OF NEW YORK
BY: Kenneth T. Hanley, Town Clerk

**NOTICE OF SPECIAL
ELECTION**

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 4th, 1958, at which the polls will be kept open to receive ballots between the hours of 6:00 A.M. and 7:00 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 7, 1958

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

BY: Kenneth T. Hanley,
Town Clerk.

(Pub: Oct. 23, 30, 1958)

Item No. 23 Councilman Weibert presented the following resolution and moved its adoption: Seconded by Councilman Fath:

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 Clerk 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 4th day of November, 1958, for the purpose of approving or rejecting the proposition hereinafter described.

The polls in said election will be kept open between the hours of 6:00 o'clock A.M. and 7:00 o'clock 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 CLERK BE INCREASED TO FOUR YEARS?

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 Times, 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 OF SPECIAL ELECTION

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 4th, 1958, at which the polls will be kept open to receive ballots between the hours of 6:00 A.M. and 7:00 P.M., on the question of approving or rejecting the following proposition:

PROPOSITION

Shall the term of office of the Town Clerk 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
7-7-58

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:

Supervisor Holts	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Fath	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Weibert	Voting AYE
Councilman Bystrak	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

33
11

Posted as follows on the 24th day of October 1958:

- 1- Town Hall Bulletin Board;
- 2- U-Crest Fire Hall-Clover Place and Evergreen Street;
- 3- Pine Hill Fire Hall-Genesee Street and Normandy Avenue;
- 4- Village Hall, Halstead Avenue, Sloan N. Y.
- 5- Doyle Fire Hall No. 1-William and Alaska Street.

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

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for *two* weeks: first publication *October 23, 1958*; last publication *October 30, 1958*; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this *30^d*

day of *October*, 19*58*.

Eve J. Allis

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

EVE J. ALLIS
NOTARY PUBLIC, STATE OF NEW YORK
Qualified in Erie County
My Commission Expires March 30, 19*59*
Registered No. 5029

**NOTICE OF SPECIAL
ELECTION**

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 4th, 1958, at which the polls will be kept open to receive ballots between the hours of 6:00 A.M. and 7:00 P.M., on the question of approving or rejecting the following proposition:

PROPOSITION

Shall the term of office of the Town Clerk 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 7, 1958

**BY ORDER OF THE TOWN
BOARD OF TOWN OF CHEEK-
TOWAGA, COUNTY OF ERIE,
STATE OF NEW YORK**

**BY: Kenneth T. Hanley,
Town Clerk.**

(Pub: Oct. 23, 30, 1958)

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

G. BENNETT

The Town Board of the Town of Cheektowaga, Erie County, New York, has caused a resolution to be passed directing qualified electors of said Town to be present at the regular polling place in each of the election districts in said Town on November 4th, 1958, at which the polls will be kept open between the hours of 6:00 a.m. and 7:00 p.m., on the subject of approving or rejecting the following proposition:

PROPOSITION

Shall the term of office of the Town Clerk 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 7, 1958.

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

BY: Kenneth T. Hanley, Town Clerk

622.50

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for two week^s, the first insertion being on the 23 day of October, 1958, and the last insertion being on the 30th day of October, 1958, and that not more than six days intervened between any two publications thereof.

Richard J. Brunson

Sworn to before me this 8 day of

Nov, 1958

John P. Morley
Notary Public in and for Erie County

Item No. 24 Moved by Councilman Weibert, seconded by Councilman Trojanoski, that Kenneth T. Hanley, Town Clerk of the Town of Cheektowaga, Erie County, New York, be authorized and directed to sign the Permit Application from the New York State Traffic Commission for an erection of a 15 MPH legend on Genesee Street, Route 33, in the vicinity of the Most Holy Redeemer School. dl

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 25 Councilman Weibert presented the following resolution and moved its adoption:

WHEREAS, the Sanitation Department has requested the Town Board to purchase two (2) truck chassis and cabs, fully enclosed, for use in the Sanitation Department and for one (1) panel truck for use in the Sanitary Sewer Districts, to meet the specifications referred to in the Notice to Bidders, and

BE IT RESOLVED, that the Town of Cheektowaga purchase for the Sanitation Department two (2) truck chassis and cabs, fully enclosed, and one (1) panel truck, 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, a newspaper 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 21, 1958, 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 two (2) truck chassis and cabs, fully enclosed, for use in the Sanitation Department and for one (1) panel truck for use in the Sanitary Sewer Districts.

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. Eastern Daylight Saving Time on July 21, 1958, at which time they will be publicly opened by the Town Board at a public hearing 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 to be published by direction of the Town Board of the Town of Cheektowaga, New York.

Dated: July 7, 1958

Kenneth T. Hanley
Town Clerk

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

Supervisor Holtz	Voting AYE
Councilman Weibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0- 24

Item No. 25-Cont'd.

SPECIFICATIONS FOR PANEL TRUCK
ONE (1) REQUIRED
SANITARY SEWER DISTRICTS

One (1) New 1958 1-Ton Panel Truck in accordance with the following specifications:

1. Engine: 6 cylinder, 235.5 cu.in. 145 H.P. or equal
2. Clutch: 11" minimum
3. Transmission: 4 speed
4. Floor: 128 3/4" long
5. Windshield Wipers: Dual type
6. Tires: Front - 8-17.5-6 ply
Rear - 8-17.5-8 ply
Spare - 8-17.5-8 ply
7. Battery: Heavy Duty-12 volt
8. Generator: 35 ampere
9. Equipment: 2 tail lights and directional signals
Shocks, front and rear
Deluxe heater and Defroster
Oil filter
Left and Right side mirrors
10. Truck to be Traded: One (1) 1953 Studebaker with utility body

SPECIFICATIONS FOR 2 TON TRUCK CHASSIS
WITH CAB
TWO (2) REQUIRED
SANITATION DEPARTMENT

Two (2) New 1958 2-Ton Conventional Chassis and Cab in accordance with the following specifications:

1. Gross Vehicle Weight: 19,000 lbs. minimum
2. Cab to Axle Dimension: 84"
3. Frame side rails: 9-1/8" x 3-1/4"
4. Springs: Front - 2500 lbs. each
Rear, including helpers - 7600 lbs. each
5. Front axle: 4500 lbs.
6. Rear axle: 15000 lbs.
7. Transmission: 5 speed Synchro Mesh
8. Clutch: 11" minimum
9. Engine: 6 cylinder, 261 cu.in. engine, 150 H.P. or equal
10. Brakes: 9 1/2" Hydrovac with 1 1/2" master cylinder
Total Lining Area 380 sq. in. minimum
11. Battery: Heavy Duty - 12 volt
12. Generator: 35 Ampere
13. Windshield Wipers: 2 Reg'd-electric
14. Equipment: Directional signal lights
Fresh air heater and defroster
Grab handles on side of cab
Special low reinforced running boards
Four (4) tow hooks
Std. outside type mirror left side
Long bracket type mirror on right side
15. Tires: Six (6) 8.25 - 20 - 10 ply tube tires on 6 1/2" rims
4 mud grip tires on rear wheels
16. Trucks to be traded: None

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

Item No. 25-Cont'd.

(Affidavit)

STATE OF NEW YORK }
COUNTY OF ERIE }

NOTICE TO BIDDERS

The Town of Cheektowaga here-
by requires separate sealed bids
for two (2) truck chassis and cabs,
fully enclosed, for use in the Sani-
tation Department and for one (1)
small truck for use in the Sanitary
Dweller Districts.

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 re-
ceived not later than 7:30 P.M.
Eastern Daylight Saving Time on
July 21, 1958, 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 Broad-
way and Union Road, Cheektowaga,
New York.

The Town of Cheektowaga re-
serves the right to reject any, and
all bids or to waive technical de-
fects in bids if it be in the public
interest of the Town of Cheektow-
aga to do so.

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

Dated: July 7, 1958
KENNETH T. HANLEY
Town Clerk

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheek-
towaga, Erie County, New York, that notice of which the
annexed printed slip taken from said newspaper, is a copy,
was inserted and published therein once a week for
..... *one* week, the first insertion being on the
..... *10th* day of *July* 19*58*, 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 *11th* day of
July, 19*58*
Kenneth T. Hanley
Notary Public in and for Erie County

Item No. 26 Moved by Councilman Weibert, seconded by Councilman Wroblewski, that Jacquilin Vite of No. be appointed an Assistant Supervisor in the Recreation Department effective June 30, 1958, at the rate of \$1.60 per hour.

AYES: -7- NOES: -0- ABSENT: -0-

31
20
16

Item No. 27 Moved by Councilman Fath, seconded by Councilman Weibert, that the request of the U-Grest Hose Company to operate a sound car on August 2 and 3, 1958, in connection with their Annual Field Days, be granted.

AYES: -7- NOES: -0- ABSENT: -0-

✓

Item No. 28 Moved by Councilman Trojanoski, seconded by Councilman Weibert, that the request of the Forks Hose Company No. 2 to block off Ellicott Road from Broadway to Shores Alley in connection with their Annual Picnic on July 18, 19, 20, 1958, be granted, and be it further RESOLVED, that the Chief of Police furnish adequate police to help direct their parade.

AYES: -7- NOES: -0- ABSENT: -0-

42

Item No. 29 Moved by Councilman Wroblewski, seconded by Councilman Fath that the Sub Division of Walter Junior Part Lot 15 T 11 R 7 Map be approved by this Town Board, said map was prepared by Howard W. Henry, dated as of April 3, 1957.

AYES: -7- NOES: -0- ABSENT: -0-

36

Item No. 30 Mr. Byntrak 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 7th day of July, 1958.

PUBLIC HIGHWAYS
TO BE IMPROVED
NAMES OF HIGHWAYS
Meadford Road
FROM

Highview Road
South Century Road

TYPE OF STREET LIGHTING INSTALLATION
Y 20 Standards-Under Ground Conduit

WHEREAS, Edward B. Jerzewski, 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 21st day of July, 1958, 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

Item No. 30-Cont'd.

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Cheektowaga Times, 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 Wroblewski and duly put to a vote, which resulted as follows:

Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Weibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

17
27

Posted as follows on the 11th day of July, 1958:

- 1 - Post at the corner of Meaford Road and Highview Road;
- 2 - Tree in front of No. 77 Meaford Road;
- 3 - Post at the corner of Meaford Road and Furlong Road;
- 4 - Post at the corner of Meaford Road and South Century Road;
- 5 - Tree in front of No. 86 Meaford Road

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

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

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

in said paper once a week for one weeks;

first publication JUL 10 1958;

last publication JUL 10 1958;

and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of JUL 21 1958, 19.....

Eve J. Allis

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

EVE J. ALLIS
NOTARY PUBLIC, STATE OF NEW YORK
Qualified in Erie County
My Commission Expires March 30, 1957
Registered No. 5029

At a meeting of the Board of the Town of Cheektowaga, New York, held at the Town Hall, in said Town of Cheektowaga, on the 7th day of July, 1954, at 7:30 o'clock P.M. Eastern Day-
light Saving Time, there were:

PRESIDENT: Joseph T. Holt, Supervisor
VICE PRESIDENT: Albert M. York, Councilman
CLERK: Felix T. Wroblewski, Councilman
SENIOR COUNCILMAN: Joseph K. Trojanski, Councilman
COUNCILMAN: Stanley R. Bryant, Councilman

ABSENT: None (0)
Mr. Bryant, closed the public hearing resolution and moved its adoption.
WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Legislative District of the Town of Cheektowaga, hereinafter pertinently set forth, by the special interests and individuals herein named, has been duly presented to the Town Board on the 30th day of July,

EMERITUS HIGHWAYS TO BE IMPROVED:
NAMES OF HIGHWAYS:
FROM Highway Road
TO
North County Road
FROM
SOUTH COUNTY ROAD
TO
SOUTH COUNTY ROAD
SOUTH COUNTY ROAD
SOUTH COUNTY ROAD

RESOLUTION:
Resolved, That the Board of the Town of Cheektowaga do hereby grant a public hearing on the petition of the said petitioner and move its adoption.
RESOLUTION:
Resolved, That the Board of the Town of Cheektowaga do hereby grant a public hearing on the petition of the said petitioner and move its adoption.

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RESOLUTION: Resolved, That the Board of the Town of Cheektowaga do hereby grant a public hearing on the petition of the said petitioner and move its adoption.

Item No. 31 Mr. Bystrak offered the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described, was presented to this Town Board on the 7th day of April, 1958:

PUBLIC HIGHWAYS TO BE IMPROVED
NAMES OF HIGHWAYS
Heather Road
FROM
Hillside Ave.
TO
Huth Road

TYPE OF STREET LIGHTING INSTALLATION
6 Y 20 Standards - Under Ground Conduit - 2500 Lumen.

WHEREAS, Edward B. Jerzewski, 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 21st day of July, 1958, 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 paper 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 Wroblewski and duly put to a vote which resulted as follows:

Councilman Fath	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Meibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Wroblewski	Voting AYE
Supervisor Holtz	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

Posted as follows on the 11th day of July, 1958:

- 1 - Telephone Pole at the corner of Heather Road and Huth Road;
- 2 - Pole at the corner of Heather Road and Huth Road;
- 3 - Telephone Pole No. 334 on Heather Road;
- 4 - Telephone Pole No. 384 R on Heather Road;
- 5 - Post at the corner of Heather Road and Hillside Avenue.

Hereto attached is a copy of the Notice published in the Cheektowaga Times.

17
27

Item No. 31-Cont'd.

(Affidavit)

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication July 10, 1958; last publication July 10, 1958; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 21st

day of July, 1958

Eve J. Allis

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

EVE J. ALLIS
NOTARY PUBLIC, STATE OF NEW YORK
Qualified in Erie County
My Commission Expires March 30, 1967
Registered No. 5029

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 7th day of July, 1958, at 2:30 o'clock P. M., Eastern Daylight Saving Time, there were:

PRESENT:
 Benedict T. Holtz, Supervisor
 Alvin M. Faith, Councilman
 Joseph Kornecki, Councilman
 Joseph M. Trojanoski, Councilman
 Joseph A. Neibert, Councilman
 Stanley R. Bystrak, Councilman
 Felix T. Wroblewski, Councilman

ABSENT: 0

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

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 7th day of April, 1958.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS

Becker Road

FROM

Hillside Ave.

TO

Bank Road

TYPE OF STREET LIGHTING

INSTALLATION

12 Standards - Under

Standard Circuit - 3500 Lumen

RESOLVED, Edward H. Jer-

sey, Assessor of said

Town of Cheektowaga have con-

ferred in writing to this board

that the above petition is duly

approved and acknowledged in the

proper manner as a deed to be

recorded by the owners of more

than one-half of the entire

length of the roads on both sides

of said highways to be

improved in the manner

and to be improved

entirely in and

entirely outside of any incorporated

village or city therein.

WHEREFORE, it is

ORDERED that the

petition at the Town of

Cheektowaga filed at the Town

Board of the Town of Cheektowaga

on the 7th day of July,

1958, at 2:30 P. M., Eastern Day-

light Saving Time, to consider

the petition and to hear all

persons interested in the sub-

ject thereof concerning the

same.

FURTHER ORDERED

that a copy of this order, cer-

tified by the Town Clerk, be

deposited at least once in the

month showing a general cir-

culation in the Town, not less

than ten (10) nor more than

thirty (30) days before the date

designated for the hearing afore-

said, that copies of this or-

der be conspicuously in-

serted in places on each of

the highways to be im-

proved, not less than ten (10)

nor more than twenty (20) days

before the day designated for

the hearing as aforesaid.

Witness my hand and seal as

required by Councilman Wro-

blewski and duly put to a vote

and resulted as follows:

Councilman Faith voting Aye

Councilman Kornecki voting

Aye

Councilman Trojanoski voting

Aye

Councilman Neibert voting

Aye

Councilman Bystrak voting

Aye

Councilman Wroblewski vot-

ing Aye

Supervisor Holtz voting Aye.

CARRIED.

CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 7th day of July, 1958, and that the same is a correct and true transcript of such original resolution and the whole thereof.

(S E A L)

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 7th day of July, 1958.

KENNETH T. HANLEY

Clerk of the Town Board, Town of Cheektowaga, N. Y.

(Publish: July 12, 1958)

Item No. 32 This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof was duly filed.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Freda Avenue	Harlem Road	Tillotson Avenue

TYPE OF STREET LIGHTING INSTALLATION

5 Y 19 Standards-Under Ground Conduit-2500 Lumens

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
Freda Avenue	Harlem Road	Tillotson Avenue

TYPE OF STREET LIGHTING INSTALLATION

5 Y 19 Standards-Under Ground Conduit-2500 Lumens

and heard all persons interested in the subject thereof.

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

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

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

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

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

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

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

Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holts	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

17
27

Item No. 33 Moved by Councilman Bystrak, seconded by Councilman Weibert, that the Supervisor be authorized and directed to purchase from the Westinghouse Manufacturing Corporation 5 Y 19 standards to be used in the Freda Avenue Special Street Light District.

AYES: -7- NOES: -0- ABSENT: -0-

27

Item No. 34 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the New York State Electric and Gas Corporation be authorized to REMOVE 12 - 1000 lumen open lamps from Poles 17, 20-1, 22-2, 25-1, 25-1/2, 30-1/2, 34, 37, 40, 43, 46 and 48 and to REMOVE 2 - 4000 lumen lamps (with glass) from Poles 8 and 12 and to install 7 - 4000 lumen lamps with glass on Poles 38, 40, 42, 44, 46, 48 and 50 and to INSTALL 20 - 2500 lumen open lamps on Poles 1, 2, 6, 8, 10, 12, 14, 16-1/2, 17-1/2, 18-1, 20-1, 22-1, 25-1, 27-1/2, 28-1/2, 30-1/2, 32, 34, 36 and 37, ALL SITUATE IN LUDWIG AVENUE and be it further RESOLVED, that a 2500 lumen light be installed on existing Pole No. 12-1 situate in Dingen Street

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

Supervisor Holtz	Voting AYE
Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Weibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -7- NOES: -0- ABSENT: -0-

27

Item No. 35 This being the time and the place advertised for the receiving of sealed proposals for the construction of a Town Highway Garage.

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

Moved by Councilman Wroblewski, seconded by Councilman Weibert, that the Town Clerk be authorized and directed to open the bids on hand.

Hereto is a summary of the bids received:

Arrigo and Cartonis.....	\$152,502.00
Pary Construction Corp.....	174,145.00
Mobile Construction Co.....	174,208.00
Michael A. Wagner & Sons.....	179,980.00
Crons Construction Co.....	189,775.00
King Building Corp.....	191,000.00
Luraschi Construction.....	216,500.00

Moved by Councilman Wroblewski, seconded by Councilman Weibert, that the bids be referred to the Town Engineer for analysis and tabulation.

1
3

Item No. 36 This being the time and the place advertised for the receiving of sealed proposals for furnishing all materials, tools, equipment, and together with all labor for the construction of concrete curbs in Warsaw Street from William Street northerly a distance of about 1,030 feet; in Mansion Street, running north from William Street to Stradtman Street about 1,365 feet; in Peoria Street running north from William Street to Stradtman Street about 1,365 feet, including receivers and other appurtenant work.

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

Moved by Councilman Weibert, seconded by Councilman Fath that the Town Clerk be authorized and directed to open and read the sealed bids on hand.

Hereto attached is a summary of the bids received:

BID TABULATION - CONCRETE CURBS FOR WARSAW STREET, MANSION AVENUE & PEORIA AVENUE - TOWN OF CHEEKTOW

LOCAL ITEM	ITEM NO.	DESCRIPTION	AMOUNT	UNIT	VINJAMES-BUILDERS		CASTRICONE-CONCRETE		ERIE PAVING CO.		M.C. MORGAN INC.		GEO. ROETZER		GRIECO CONST.		UNIT	TOTAL	UNIT	TOTAL
					UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL				
SECTION - A -																				
WARSAW ST.	1	CURB-CONSTRUCTION	2060	LIN.FT.	3.25	\$6,695.00	3.40	\$7,004.00	3.50	\$7,210.00	3.40	\$7,004.00	3.50	\$7,210.00	3.80	\$7,828.00				
	2	RELOCATING EXISTING RECEIVERS	3	EACH	90.00	\$270.00	100.00	\$300.00	100.00	\$300.00	100.00	\$300.00	200.00	\$600.00	250.00	\$750.00				
	3	CONCRETE DRIVEWAY REPLACEMENT	60	SQ.YD.	10.00	\$600.00	15.40	\$324.00	6.30	\$378.00	6.00	\$360.00	5.00	\$300.00	7.75	\$465.00				
	4	BIT. MACADAM DRIVE. REPLACEMENT	40	SQ.YD.	3.00	\$120.00	4.50	\$180.00	3.50	\$140.00	5.00	\$200.00	2.70	\$108.00	7.00	\$280.00				
	5	GRAVEL-OR-DIRT-DRIVE-REPLACEMENT	15	SQ.YD.	2.00	\$30.00	2.70	\$40.50	2.50	\$37.50	5.00	\$75.00	2.50	\$37.50	3.00	\$45.00				
	6	CONCRETE-SIDEWALK-REPLACEMENT	50	SQ.FT.	1.00	\$50.00	.55	\$27.50	.55	\$27.50	.60	\$30.00	.60	\$30.00	.65	\$32.50				
	7	SELECT BACKFILL MATERIAL	25	CU.YD.	5.00	\$125.00	3.00	\$75.00	4.00	\$100.00	4.00	\$100.00	5.00	\$125.00	6.00	\$150.00				
	8	GRADING AND SEEDING	LUMP	SUM		\$300.00		\$515.00		\$750.00		\$900.00		\$1,230.00		\$515.00				
TOTAL-BID-ITEMS-1 TO 8 INCL.						\$8,190.00		\$8,466.00		\$8,940.00		\$9,239.00		\$9,646.00		\$10,065.00				

SECTION - B -																				
MANSION AVE.	1	CURB CONSTRUCTION	2715	LIN.FT.	3.25	\$8,823.75	3.40	\$9,231.00	3.50	\$9,502.50	3.40	\$9,231.00	3.50	\$9,502.50	3.80	\$10,317.00				
	2	RELOCATING EXISTING RECEIVERS	8	EACH	90.00	\$720.00	100.00	\$800.00	100.00	\$800.00	100.00	\$800.00	200.00	\$1,600.00	250.00	\$2,000.00				
	3	CONCRETE DRIVE. REPLACEMENT	60	SQ.YD.	10.00	\$600.00	5.40	\$324.00	6.30	\$378.00	5.90	\$324.00	5.00	\$300.00	7.75	\$465.00				
	4	BIT. MACADAM DRIVE. REPLACEMENT	10	SQ.YD.	3.00	\$30.00	4.50	\$45.00	3.50	\$35.00	5.00	\$50.00	2.70	\$27.00	7.50	\$75.00				
	5	GRAVEL-OR-DIRT-DRIVE-REPLACEMENT	150	SQ.YD.	2.00	\$300.00	2.70	\$405.00	2.50	\$375.00	4.00	\$600.00	2.50	\$375.00	3.00	\$450.00				
	6	CONCRETE-SIDEWALK-REPLACEMENT	50	SQ.FT.	1.00	\$50.00	.55	\$27.50	.55	\$27.50	.60	\$30.00	.60	\$30.00	.65	\$32.50				
	7	SELECT BACKFILL MATERIAL	120	CU.YD.	5.00	\$600.00	3.00	\$360.00	4.00	\$480.00	4.00	\$480.00	5.00	\$600.00	6.00	\$720.00				
	8	GRADING AND SEEDING	LUMP	SUM		\$300.00		\$678.00		\$950.00		\$1,350.00		\$1,629.00		\$690.00				
TOTAL BID ITEMS 1 TO 8 INCL.						\$11,423.75		\$11,870.00		\$12,548.00		\$12,865.00		\$14,063.00		\$14,749.00				

SECTION - C -																				
PEORIA AVENUE	1	CURB CONSTRUCTION	2700	LIN.FT.	3.25	\$8,775.00	3.40	\$9,180.00	3.50	\$9,450.00	3.40	\$9,180.00	3.50	\$9,450.00	3.80	\$10,260.00				
	2	RELOCATING EXISTING RECEIVERS	4	EACH	90.00	\$360.00	100.00	\$400.00	100.00	\$400.00	100.00	\$400.00	200.00	\$800.00	250.00	\$1,000.00				
	3	CONCRETE DRIVEWAY-REPLACEMENT	85	SQ.YD.	10.00	\$850.00	5.40	\$459.00	6.30	\$535.50	5.40	\$459.00	5.00	\$425.00	7.75	\$658.75				
	4	BIT. MACADAM DRIVE. REPLACEMENT	40	SQ.YD.	3.00	\$120.00	4.50	\$180.00	3.50	\$140.00	5.00	\$200.00	2.70	\$108.00	7.00	\$280.00				
	5	GRAVEL OR DIRT DRIVE. REPLACEMENT	50	SQ.YD.	2.00	\$100.00	2.70	\$405.00	2.50	\$375.00	5.00	\$750.00	2.50	\$375.00	3.00	\$450.00				
	6	CONCRETE SIDEWALK REPLACEMENT	40	SQ.FT.	1.00	\$40.00	.55	\$22.00	.55	\$22.00	.60	\$24.00	.60	\$24.00	.65	\$26.00				
	7	SELECT BACKFILL MATERIAL	50	CU.YD.	5.00	\$250.00	3.00	\$150.00	4.00	\$200.00	4.00	\$200.00	5.00	\$250.00	6.00	\$300.00				
	8	NEW RECEIVER	1	EACH	175.00	\$175.00	200.00	\$200.00	350.00	\$350.00	190.00	\$190.00	300.00	\$300.00	250.00	\$250.00				
	9	GRADING AND SEEDING	LUMP	SUM		\$300.00		\$675.00		\$950.00		\$1,350.00		\$1,620.00		\$675.00				
TOTAL BID ITEM 1 TO 9 INCL.						\$10,970.00		\$11,401.00		\$12,172.00		\$12,253.00		\$13,102.00		\$13,599.75				

TOTAL BID AMOUNT- SECTIONS A,B,C	\$30,583.75	\$31,737.50	\$33,663.50	\$34,087.00	\$34,897.00	\$36,812.00	\$40,914.75
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BID SECURITY	AETNA CASUALTY & SURETY COMPANY \$3000.00	AMERICAN SURETY CO. \$8000.00	NEW AMSTERDAM CASUALTY CO. 5% TOTAL BID	AETNA CASUALTY AND SURETY CO. \$4000.00	NEW AMSTERDAM CASUALTY CO. \$3000.00	TRAVELERS INDEMNITY CO. \$2,100.00
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* INDICATES CORRECTED FIGURE

BIDS RECEIVED: JULY 7,

NUSSBAUMER, CLARKE & VELZY - CONSULTING ENGINEERS

BID TABULATION - TOWN OF CHEEKTOWAGA, NEW YORK

LOCATION	ITEM NO.	DESCRIPTION	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
WALSLOW ST.	SECTION - A -									
	1	CURB CONSTRUCTION								
	2	RELOCATING EXISTING RECEIVERS								
	3	CONCRETE DRIVEWAY REPLACEMENT								
	4	BIT. MACADAM DRIVE REPLACEMENT								
	5	GRAVEL OR DIRT DRIVE REPLACEMENT								
	6	CONCRETE SIDEWALK REPLACEMENT								
	7	SELECT BACKFILL MATERIAL								
	8	GRADING AND SEEDING								
	TOTAL BID ITEMS 1 TO 8 INCL.									
MANSION AVE.	SECTION - B -									
	1	CURB CONSTRUCTION								
	2	RELOCATING EXISTING RECEIVERS								
	3	CONCRETE DRIVE REPLACEMENT								
	4	BIT. MACADAM DRIVE REPLACEMENT								
	5	GRAVEL OR DIRT DRIVE REPLACEMENT								
	6	CONCRETE SIDEWALK REPLACEMENT								
	7	SELECT BACKFILL MATERIAL								
	8	GRADING AND SEEDING								
	TOTAL BID ITEMS 1 TO 8 INCL.									
PROBIA AVENUE	SECTION - C -									
	1	CURB CONSTRUCTION								
	2	RELOCATING EXISTING RECEIVERS								
	3	CONCRETE DRIVEWAY REPLACEMENT								
	4	BIT. MACADAM DRIVE REPLACEMENT								
	5	GRAVEL OR DIRT DRIVE REPLACEMENT								
	6	CONCRETE SIDEWALK REPLACEMENT								
	7	SELECT BACKFILL MATERIAL								
	8	NEW RECEIVERS								
9	GRADING AND SEEDING									
	TOTAL BID ITEM 1 TO 9 INCL.									
TOTAL BID AMOUNT: SECTIONS A, B & C										
BID SECURITY										

* INDICA

BIDS RECEIVED: JULY 7, 1958 2:30 P.M. E.D.S.T.

ENGINEERS BUFFALO, N.Y. A-780

Item No. 36-Cont'd.

Moved by Councilman Neibert, seconded by Councilman Fath, that the bids be referred to the Town Engineer for analysis and tabulation.

13
36Item No. 37 Councilman Trojanoski presented the following resolution and moved its adoption:

WHEREAS, Change Order No. 1 has been submitted, pursuant to the contract for the construction of a sanitary sewer in Union Road and Goering Avenue in Sanitary Sewer District No. 7, as follows:

Change Order No. 1
For a deduction in the amount of \$474.50 for constructing a drop manhole and due to a revision in the depth of the sewer.

and

WHEREAS, the same has been approved by Nussbaumer, Clarke & Velsy, Consulting Engineers for the Town of Cheektowaga, the Town Engineer and the Town Attorney.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to approve the Change Order as submitted.

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

Supervisor Holts	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

24

Item No. 38 Councilman Trojanoski presented the following resolution and moved its adoption:

BE IT RESOLVED, that the Supervisor be and he hereby is authorized and directed to petition the Erie County Board of Supervisors to establish a County Sanitary Sewer District for the treatment and disposal of sanitary sewage in the territory designated on the map attached hereto and made a part of this resolution, which premises are located in the Town of Cheektowaga, Erie County, New York, and such areas of the Towns of West Seneca, Lancaster and Elma and the Village of Lancaster as said municipalities desire to have placed in a County Sanitary Sewer District, and wholly within the County of Erie.

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

Supervisor Holts	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

9
24
31Item No. 39 Councilman Wroblewski presented the following resolution and moved its adoption:

BE IT RESOLVED, that Nussbaumer, Clarke and Velsy, Consulting Engineers for the Town of Cheektowaga, New York, be and they hereby are authorized and directed to prepare the necessary plans and specifications and submit an estimate of the cost to clean Soajaquada Creek in the Town of Cheektowaga, New York.

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

Supervisor Holts	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

12

Item No. 40 Councilman Wroblewski presented the following resolution and moved its adoption:

BE IT RESOLVED, that Nussbaumer, Clarke and Velsy, Consulting Engineers for the Town of Cheektowaga, New York, be and they hereby are authorized and directed to prepare the necessary plans and specifications and submit an estimate of the cost for the construction of the proposed Storm Drainage District No. 6, a description of which is attached hereto, at the earliest date possible.

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

Supervisor Holtz	Voting AYE
Councilman Weibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

TOWN OF CHEEKTOWAGA

Description of Proposed Storm Drainage District No. 6

All that Tract or Parcel of Land, situate in the Town of Cheektowaga, County of Erie and State of New York, bounded and described as follows:

Beginning at a point formed by the intersection of the northerly line of the New York Central Railroad and the easterly line of the lands now or formerly owned by the American Radiator and Standard Sanitary Corporation, said point being approximately 900 feet westerly of the center line of Dick Road; thence westerly along the northerly line of the New York Central Railroad to the west property line of the lands now or formerly owned by the F.N. Burt Company Incorporated; thence northerly along the westerly line of the F.N. Burt Company property and along the westerly line of the lands now or formerly owned by the Transeastern Realty Corporation to the north line of Transeastern Realty Corporation; thence easterly along the northerly line of the Transeastern Realty Corporation property a distance of 277.20 feet to a point, such point being on the westerly line of the lands now or formerly owned by H. Edgar; thence northerly along the westerly line of H. Edgar property and along the westerly line of the lands or formerly owned by Victor Reinstein a distance of about 1580 feet to a point, said point being about 400 feet south of the southeast corner of the lands now or formerly owned by the Aaro Drive-In Incorporated and said point also being in the southerly line of the proposed easement for Scajaquada Creek; thence easterly along the southerly line of the said proposed easement about 4950 feet to a point, said point being the intersection of the southerly line of the said proposed easement and the westerly line of the Village of Depew which is about 2310 feet southeasterly of the intersection of the centerline of George Urban Boulevard and the Village line; thence southeasterly along the Village line to a point, said point being the intersection of the Village of Depew line and the easterly line extended of the lands now or formerly owned by the American Radiator and Standard Sanitary Corporation. Thence southerly along the afore-mentioned line being and extension of the American Radiator and Standard Sanitary Corporation easterly line and along the easterly line a distance of about 1660 feet to the point of beginning.

Item No. 41 Councilman Wroblewski presented the following resolution and moved its adoption:

BE IT RESOLVED, that Nussbaumer, Clarke and Velsy, Consulting Engineers for the Town of Cheektowaga, New York, be and they are hereby authorized and directed to prepare the necessary plans and specifications and submit an estimate for the cost of the proposed Sewer District No. 7 Extension in the Transit Road and Genesee Street area, at the earliest possible date.

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

Supervisor Holtz	Voting AYE
Councilman Weibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 42 At the request of the Supervisor, an unofficial public hearing for the construction of Sewer District No. 8 was scheduled for July 22, 1958, at 7:30 p.m., and that the Assessors and Engineers office be authorized and directed to mail out post cards to the interested parties and also advise the Town Planning Consultant and Nussbaumer, Clarke and Vely to be present at said hearing. (Referred to BTH 7-8-58) 53

Item No. 43 Referred to Committee the request of Frank Stahl for a three-week vacation for Town Employees. 31

Item No. 44 Moved by Councilman Bystrak, seconded by Councilman Trojanoski that the hereinafter decision be upheld by this Town Board:

DECISION OF
ZONING BOARD OF APPEALS

In the Matter of the Application of
SUZANNE B. STRAUSS, ET AL.

For a variance of the Zoning Ordinance to construct a building 11 feet from the Beach Road lot line instead of the required 25 feet and to rezone from a Residential District to a Business District the north east corner of Genesee Street and Beach Road.

The Zoning Board of Appeals conducted a public hearing on June 18, 1958, after proper notice to all parties concerned.

The owner of premises immediately to the east of the above mentioned property appeared and objected to the granting of a variance and the rezoning. The owners of the above described premises appeared through their attorney and contended that it would be an unnecessary hardship to deny the variance, since the premises are very narrow and if a variance were not granted, no use could be made of the property. The owners presented a contract to sell the premises dependent upon the granting of the variance and the rezoning. The objecting property owner to the east offered to purchase the premises from the applicant for the same amount of money prescribed in the contract to sell.

The members of the Zoning Board of Appeals subsequently inspected the premises and other premises in the vicinity and feel that no hardship would result to the present owners, who have an opportunity to sell to another party, not dependent upon a variance and a rezoning, therefore, we recommend that the application to rezone the aforementioned premises from a Residential District to a Business District be denied and also do deny the granting of the variance without prejudice to the present owners to renew their application in the event that the sale of the premises to the adjacent owners does not materialize.

Dated: July 7th, 1958

s/s Leo Kirnick
Chairman 19

Item No. 45

REZONING GRANTED-VICTOR REINSTEIN
LEGAL NOTICE

WHEREAS, the Zoning Board of Appeals of the Town of Cheektowaga, New York, held a public hearing for the purpose of considering the application of Victor Reinstein for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, the Zoning Board of Appeals having rendered its decision granting the application of the petitioner to rezone from Residential District to Business District the property hereinafter described, be it

RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petitioner to rezone premises from Residential District to Business District be and the same is hereby confirmed, be it

Item No. 45-Cont'd.

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

DESCRIPTION

Sub Lots No. 42 and 43 - East side of Harlem Avenue-n/c
1210.
Dated: July 7, 1958

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

Posted as follows on the 19th day of July, 1958:

1 - Town Hall Bulletin Board.

19
40

Item No. 46

REZONING GRANTED-C.W. Hasselback

LEGAL NOTICE

WHEREAS, the Zoning Board of Appeals of the Town of Cheektowaga, New York, held a public hearing for the purpose of considering the application of Carlton W. Hasselback for the rezoning of premises from Residential District to First Industrial District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, the Zoning Board of Appeals having rendered its decision granting the application of the petitioner to rezone from Residential District to First Industrial District the property hereinafter described, be it

RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petitioner to rezone premises from Residential District to First Industrial District be and the same is hereby confirmed, be it

RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended be and the same hereby is amended by changing the Zoning Map so as to change the following described property from that of Residential District to First Industrial District.

DESCRIPTION

Being part of Lot Number sixteen, Township eleven, range seven of the Holland Land Company's survey - beginning on Walden Ave., Cheektowaga, N.Y. at a point 942 Feet West of Union Road and continuing along the South side of Walden Ave. in a Northwesterly direction for a distance of 331.8 ft. Thence West for a distance of 166.4 feet, thence South for a distance of 143.06 feet, thence East for a distance of 467.3 feet to the point of beginning.

Dated: July 7, 1958

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

Posted as follows on the 19th day of July, 1958:

1 - Town Hall Bulletin Board.

19
40

Item No. 47

REZONING GRANTED-TRANS EASTERN REALTY CORP.

LEGAL NOTICE

WHEREAS, the Zoning Board of Appeals of the Town of Cheektowaga, New York, held a public hearing for the purpose of considering the application of Trans Eastern Realty Corp., for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, the Zoning Board of Appeals having rendered its decision granting the application of the petitioner to rezone from Residential District to Business District the property hereinafter described, be it

RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petitioner to rezone premises from Residential District to Business District be and the same is hereby confirmed, be it

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

DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York briefly described as follows: being part of P.L. 11, T 11, R 7, commencing at a point in the westerly line of lands conveyed to John M. Groell and Joseph J. Mossarett by deed dated May 29, 1941, recorded in L 3113 of Deeds, P 327, June 9, 1941, in Erie County Clerk's Office, at a point distance 442.0 feet southerly from the N W corner of said lands so conveyed; thence southerly along the westerly line of lands so conveyed 145.72 feet; thence easterly parallel to the northerly line of lands so conveyed, approximately 957.66 feet to the easterly line of lands so conveyed; thence northerly along

Item No. 47-Cont'd.

said easterly line of lands so conveyed 145.72 feet; thence westerly parallel to the northerly line of lands so conveyed approximately 957.66 feet, more or less, to the place of beginning.
Dated: July 7, 19528

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

Posted as follows on the 19th day of July, 1958:

1 - Town Hall Bulletin Board.

19
40

Item No. 48REZONING GRANTED-PATRICK SOLMAINE

LEGAL NOTICE

WHEREAS, the Zoning Board of Appeals of the Town of Cheektowaga, New York, held a public hearing for the purpose of considering the application of Patrick Solmaine for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, the Zoning Board of Appeals having rendered its decision granting the application of the petitioner to rezone from Residential District to Business District the property hereinafter described, be it

RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petitioner to rezone premises from Residential District to Business District be and the same is hereby confirmed, be it

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

DESCRIPTION

Northeast corner of Richard Drive and Shanley Street,
Lots No. 17-18-19-20-21 (Shanley Street).

Dated: July 7, 1958.

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

Posted as follows on the 19th day of July, 1958:

1 - Town Hall Bulletin Board.

19
40

Item No. 49REZONING GRANTED-ROMULUS SAVIOLA

LEGAL NOTICE

WHEREAS, the Zoning Board of Appeals of the Town of Cheektowaga, New York, held a public hearing for the purpose of considering the application of Romulus Saviola for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, the Zoning Board of Appeals having rendered its decision granting the application of the petitioner to rezone from Residential District to Business District the property hereinafter described, be it

RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petitioner to rezone premises from Residential District to Business District be and the same hereby is confirmed, be it

Item No. 49-Cont'd.

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

DESCRIPTION

Part of Lot No. 147 T 10 R 7, William Street, south side at Richard Drive, approximately 432 feet frontage, 600 feet rear and 379 feet side.

Dated: July 7, 1958

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

Posted as follows on the 21st day of July, 1958:

1 - Town Hall Bulletin Board

Item No. 50 Moved by Councilman Wroblewski, seconded by Councilman Trojanski, that the Town Clerk be authorized and directed to issue all building permits on applications processed by the Petitions Committee on June 16, 1958, June 28, 1958, and July 5, 1958, after same have been approved by the Building Inspector.

Dated: 7-7-58

AYES: -7-

NOES: -0-

ABSENT: -0-

15
35

Item No. 51 Referred to the Town Attorney recommendation of the Supervisor to draw a resolution relating to aid of railroads.

33

Item No. 52 Councilman Kornecki moved, seconded by Councilman Bustrak, 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. 1503 to Warrant No. 1696, inclusive, drawn on the Supervisor.

AYES: -7-

NOES: -0-

ABSENT: -0-

6

Item No. 53 Moved by Councilman Neibert, seconded by Councilman Kornecki, 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 19th day of July, 1958, at 10:30 o'clock a.m., Eastern Daylight Saving Time, there were:

PRESENT: Benedict T. Holts	Supervisor
Alancin M. Fath	Councilman
Felix T. Wroblewski	"
Joseph A. Weibert	"
Joseph M. Trojanowski	"
ABSENT: Joseph Kornecki	"
Stanley R. Bystrak	"

Also present were Town Clerk Hanley and Highway Superintendent Zablotny.

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

WHEREAS bids were received on June 16, 1958, for the construction of a Town Highway Garage, and
WHEREAS the lowest bid submitted for the construction of said highway garage was that of Arrigo and Cartonia,
WHEREAS the Town Engineer has recommended that the bid be awarded to Pary Construction Corporation in the amount of \$174,145.00, due to the fact that Arrigo and Cartonia do not meet the specifications in-as-much as their bid read "cold rolled steel".

Seconded by Councilman Trojanowski.

CARRIED: AYES: -5-
ABSENT: -2-

1
3

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

WHEREAS bids were received on July 7th, 1958, for the construction of curbs, together with the installation of receivers and necessary underground drains on Warsaw Street, Mansion Street and Peoria Avenue, and

WHEREAS, the lowest bid submitted for the construction of said curbs on Warsaw Street, Mansion Street and Peoria Avenue was the bid of Vinjames Builders Inc., in the amount of \$30,583.75, be it

RESOLVED, that the Town of Cheektowaga, New York accept the bid of Vinjames Builders Inc., in the amount of \$30,583.75; that Nussbaumer Clarke and Velsy, Consulting Engineers for the Town of Cheektowaga, New York, and the Town Attorney prepare the necessary contract documents to be signed by the Contractor and the Town of Cheektowaga, New York, for the work to be done in accordance with the plans and specifications prepared by the Consulting Engineers.

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

Supervisor Holts	Voting AYE
Councilman Weibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Trojanowski	Voting AYE
Councilman Fath	Voting AYE

AYES: -5- NOES: -0-
ABSENT: -2-

1
3

Item No. 4 Moved by Councilman Fath, seconded by Councilman Weibert to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk.

Kenneth T. Hanley

MEETING NO. 20Cheektowaga, New York
July 21, 1958

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 21st day of July, 1958, at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

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

ABSENT: Joseph Kornecki Councilman

Also present were: Town Clerk Hanley; Town Attorney Delahunt; Assistant Engineer Myron Shisler, and Lieut. Graham.

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

Item No. 3 Moved by Councilman Neibert, seconded by Councilman Fath, that the Town Clerk be authorized and directed to request the Erie County Highway Superintendent for permission to erect a traffic signal light at the intersection of Walden Avenue and Dale Road, Town of Cheektowaga, New York.

AYES: -6- **NOES:** -0- **ABSENT:** -1-

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

RESOLVED, that the Town Clerk request the Erie County Highway Department to erect a **BOULEVARD STOP AND GO SIGN** at the intersection of Pine Ridge Road and Maryvale Drive, Town of Cheektowaga, New York.

AYES: -6- **NOES:** -0- **ABSENT:** -1- 9
41

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

WHEREAS, the Town of Cheektowaga deems it necessary to erect 610 lineal feet of Stockade Fence along the rear lot line of the east subdivision lots of Patton Lane, to meet the specifications referred to in the Notice to Bidders,

BE IT RESOLVED, that the Town Clerk publish the annexed Notice to Bidders in the Depew Herald and Cheektowaga News, a newspaper 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 1'clock P.M., on August 4th, 1958, 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 furnishing and erecting 610 lineal feet of Stockade Fence along the rear lot line of the east subdivision lots of Patton Lane.

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

Item No. 5-Cont'd.

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 Daylight Saving Time on August 4th, 1958, 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 21, 1958.

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

Supervisor Holtz	Voting AYE
Councilman Weibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

SPECIFICATIONS
for
FURNISHING AND ERECTING STOCKADE FENCE

The Contractor is to furnish and erect approximately 610 lineal feet of 5 foot high Rustic Stockade Fencing in accordance with the following specifications:

1. LOCATION

The fence is to be erected along the rear lot line of the subdivision lots on the east side of Patton Lane. The fence will extend from the south right-of-way line of George Urban Boulevard directly south a total distance of 610 lineal feet. The property east of the line along which the fence is to be erected is owned by the Town of Cheektowaga and may be used by the Contractor for ingress and egress at his own risk.

2. MATERIAL

The material to be used shall be Michigan White Cedar, green or dry, sapling wood with natural edges. The component parts to conform to the following specifications:

(A) Pickets

Pickets are to be half round, peeled, Gothic pointed, measuring 1-3/4" to 2-1/4" top diameter. Tight construction in 7 foot or 8 foot standard length sections. Pickets are to be nailed to three horizontal rails using six galvanized cement coated nails in each picket.

(B) Rails

Rails are to be full round of average 3 inch center diameter, faced one side for even picket nailing surface, with ends tenoned to fit post drillings or dadoed to fit around post when nailed.

(C) Posts

Posts are to be full round, Gothic pointed, ready drilled for line, corner, or end positions to receive tenoned nailer rails, or solid round posts to receive the dadoed ends of the nailer rails. ALL POSTS ARE TO BE PRESSURE TREATED.

3. PRESSURE TREATMENT

All treated lumber or timber specified herein shall be impregnated with Osmosalts in a closed cylinder by vacuum-pressure process, full cell method, in strict accordance with the current Federal Specifications and recommended practices of the American Wood Preservers Association. Retention of dry salts shall be .55 pounds per cubic foot of wood for severe service conditions (in constant contact with ground or water). Post treatment to conform with Federal Specification TT-W-571 for application.

Item No. 5-Cont'd.4. ERECTION

Posts are to be set by backfilling the hole with excavated material and tamping until firm. The backfill shall extend from the bottom of the hole to within six (6) inches of the ground line. A minimum of 6 inches of bank run or fine gravel shall be placed at the top of each hole and tamped until firm.

The price for erection shall also include straightening and retamping the fence line 30 days after erection.

In the event that an obstruction should occur which is at least 2½ inches below the ground line, the post shall be cut and cemented to within 6 inches of the ground line and gravel placed on top of the cement. In the event such an obstruction should occur at more than two consecutive posts, any obstruction must be removed from the third hole to allow full depth of the post. Any obstructions that are less than 2½ inches below the ground line must be completely removed.

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

Item No. 5-Cont'd.

(Affidavit)

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

NOTICE TO BIDDERS

The Town of Cheektowaga hereby requests proposals sealed and for furnishing and erecting 610 linear feet of Stockade Fence along the rear lot line of the east subdivision lots of Patton Lane.

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. on Monday, August 11, 1958, at which time they will be publicly opened by the Town Board at a public meeting held for that purpose to be held at the Town Hall, corner of Union 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 21, 1958.

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 24th day of July, 1958, 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 28 day of July, 1958

Kenneth T. Hanley
Notary Public in and for Erie County

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

WHEREAS, the Town of Cheektowaga has adopted an Air Pollution Ordinance and pursuant to the provisions thereof,
 BE IT RESOLVED, that a Board of Air Pollution Control be formed consisting of five members; the Town Health Officer, Dr. Louis A. Vendetti, to be Chairman of the Board; the Town Engineer, Albert J. Kamm, and the Town Attorney, Thomas E. Delahunt, or their respective duly authorized representatives, shall be ex-officio members of the Board, who shall serve without compensation, and be it further

RESOLVED, that William F. Millerschoen be appointed to the Board as Industrial Engineer for a term of four (4) years, whose rate of pay shall be twenty-five (\$25.00) dollars per meeting and shall not exceed Five Hundred (\$500.00) Dollars per annum, effective July 21, 1958, and be it further

RESOLVED, that Daniel Taberski be appointed to the Board as Resident Engineer for a term of two (2) years, whose rate of pay shall be twenty-five (\$25.00) dollars per meeting and shall not exceed Five Hundred (\$500.00) Dollars per annum, effective July 21, 1958, and be it further

RESOLVED, that the Town Health Officer be and he hereby is authorized and directed to appoint Dr. Raymond W. Hess Deputy Director of the Air Pollution Control Board for an indefinite term, effective July 21, 1958.

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

Supervisor Holtz	Voting AYE
Councilman Heibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

40
31
20

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

WHEREAS, Holloway and Company have made certain recommendations for machine operation for the listing of vouchers and warrants, and

WHEREAS, the Town of Cheektowaga has already acquired the equipment necessary for the procedure as recommended.

BE IT RESOLVED, that Holloway and Company be requested to install the system, in accordance with communication of Holloway and Company dated April 25, 1958, which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that Holloway and Company be instructed to devise an encumbrance ledger and to submit the same for approval and to further instruct town employees concerning the same and to accomplish a revision of the purchasing procedure, and be it further

RESOLVED, that Holloway and Company inspect the present Town system for Water Billing and collections and recommend and install a new system for the same, and be it further

RESOLVED, that Holloway and Company be instructed to install a system for the preparation and maintenance of records for short term borrowings and to instruct town employees in the use of the same.

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

Supervisor Holtz	Voting AYE
Councilman Heibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Fath	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

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Item No. 7-Cont'd.

(COPY)

HOLLOWAY & COMPANY
Certified Public Accounts

Rand Building-Lafayette Square
Buffalo 3, New York

April 25, 1958

Mr. Benedict T. Holts, Supervisor
Town of Cheektowaga
Broadway and Union Road
Cheektowaga 25, New York

Dear Mr. Holts:

During the course of our audit of the vouchers paid by the Town of Cheektowaga in the year 1957, we encountered various discrepancies between the amount of the invoice, warrant, check and cash disbursements journal.

As you know, under your present system the Town Clerk collects the various claims as presented by your suppliers, enters them on the warrant and then the claims are presented to the Town Board for audit. It appears from our examination that the footing and extensions on the claims presented are not checked until after the Town Board approves them. After the Town Board approves the claim and you prepare to pay same pursuant to the Town Clerk's warrant many errors in addition and extension are found by the staff in your office. The amount then on the invoice is changed to reflect the correct total. The amount on the warrant is not changed. The result, therefore, is that you are paying claims pursuant to a Town Clerk's warrant which does not agree with the total of the claim as finally paid. It necessarily follows that where the latter happens the amount paid also differs from the amount as approved by the Town Board and that the warrant will not agree with the check and cash disbursements record.

We also found during our examination that certain claims were paid after audit, although they never appeared on the Town Clerk's warrant. Section 103 of the Town Law permits claims for fixed salary principle of or interest on indebtedness or amounts becoming due upon the lawful contracts for periods exceeding one year to be paid without voucher. However, all other claims must be paid on voucher and only upon the warrant of the Town Clerk specifying the number of the claim, the name of the claimant, the amount allowed, and the fund and appropriation account chargeable.

You can readily see that under the present system no method is provided to enable your office to reconcile the amount of the various claims paid to the warrant. Every accounting operation, especially those involving cash transactions, must be designed to permit control over the total expenditures. It is our opinion that the total of the warrant must agree with the total of all claims paid, the total of all checks written, and the total payments as recorded in the cash disbursements journal.

We have discussed this operation with the staff of your office and they fully realize the necessity for good controls over cash and have indicated to us that they are completely in accord with our proposal to perform most of the present cash operations on the Burroughs bookkeeping machine which you recently have acquired.

The Town law provides that the Town Clerk shall maintain a consecutively-numbered register of claims. This is not done at the present time, although we have brought this to the attention of the Town Board previously under separate writings. We therefore suggest that the Town Board direct the Town Clerk to maintain this consecutively-numbered register of claims which we will be pleased to supply for him upon your authorization.

We suggest that after all claims received by the Town Clerk have been entered in the consecutively-numbered register of claims that the claims then be brought up to your office where your staff will check the totals and extensions to determine that the amount of the claim is correctly computed. Your staff will then, by use of the Burroughs bookkeeping machine, prepare an accounting of these claims in duplicate, setting forth on the journal the number of the claim, the name of the claimant, the amount of the claim and the fund or appropriate account chargeable. The check will be written simultaneously with the journal sheet and must, therefore, agree with the two copies of the journal sheet prepared. Both copies of the journal sheets thus prepared, together with the claims, will then be returned to the Town Clerk who will submit same to the Town Board for audit. If the Town Board approves all of the claims as submitted (and we find that they usually do) the claims will then be returned to the Town Clerk who will sign one copy of the journal sheet which has already been prepared. The Town Clerk's signature on this journal sheet, under the appropriate wording, will then transform this journal sheet

Item No. 7-Cont'd.

into a warrant directing the Supervisor to pay the claims set forth thereon. The other copy of this journal sheet will be conformed to the original and will remain on file in the Town Clerk's office as a duplicate warrant. A column will be provided on the extreme right of the journal sheet headed "Date Paid." As your staff then mails the checks which were prepared at the same time as the journal sheets they will stamp in this last column the date the checks were mailed. This journal sheet will then become a cash disbursements journal and will be entered into an appropriate book provided therefor.

You can readily foresee that the proposed method of handling cash transactions will avoid many of the problems we have found during our present examination as the check warrant and cash disbursements journal are all printed simultaneously after your staff has correctly computed the amount of the voucher. We know positively that there can be no variances among them. This system will also permit your staff to reconcile the total amount paid to the total amount of claims as presented to them.

In our opinion, it will no longer be necessary for the Town Board members to sign every claim presented to them as long as they sign the copy of the journal sheet accompanying them, which copy later will become the warrant and then the cash disbursements journal.

We sincerely feel that the aforementioned proposal will be the answer to the present problems relating to cash transactions and also that it will result in a saving of time and the training of an additional girl in the operation of the Burroughs bookkeeping machine. No additional help should be needed and all of the members of the Supervisor's staff have indicated a desire to become familiar with the operation of this Burroughs bookkeeping machine so that in the event of sickness, vacation, or any other emergency which prevents your present operator from being in attendance, others qualified may step in and continue the preparation of payrolls as well as the above-suggested method of handling cash transactions. The old Burroughs machine (which was traded in on the new machine) did not contain the necessary features to handle the payrolls and the procedure outlined above on the one machine. The new machine has the extra features needed and the one machine will be sufficient to perform all the operations.

Will you please consider the above at your earliest convenience and advise with appropriate resolution if you desire that the system be placed into operation.

Very truly yours,

HOLLOWAY & COMPANY

/s/ G. E. Holloway

G. E. Holloway

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

WHEREAS, Chapter 968 of the Laws of 1958 authorizes the extension of Sewer District No. 7 of the Town of Cheektowaga to include the northwest area of the Village of Depew, as more particularly described in said law, and

WHEREAS, the Village Board of the Village of Depew has indicated a desire that proceedings in accordance with said laws be initiated in order to effect the extension of Sewer District No. 7, NOW, THEREFORE,

BE IT RESOLVED, that the Consulting Engineers of this Town, Nussbaumer, Clarke & Velsy, be and hereby are engaged to prepare the necessary general plan and map of trunk line sewers proposed to be constructed in the aforementioned extension of Sewer District No. 7, together with an estimate of the maximum cost of such construction.

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

Item No. 9 Moved by Councilman Neibert, seconded by Councilman Wroblewski, that the request of the Pine Hill Hose Company No. 5 to close Normandy Street at Genesee Street on August 9 and 10, 1958, in connection with their annual Field Day, be granted.

AYES: -6- NOES: -0- ABSENT: -1- 42

Item No. 10 Moved by Councilman Wroblewski, seconded by Councilman Fath, that the request of Walter (Mulleavy) Marchewka, for a sick leave absence of ten days from July 11, 1958 to July 25, 1958, be granted.

AYES: -6- NOES: -0- ABSENT: -1- 31

Item No. 11 Moved by Councilman Neibert, seconded by Councilman Trojanoski, that Leo H. Kurnick be re-appointed as a member of the Zoning Board of Appeals for a period of 5 years, same term to expire on July 21, 1963.

AYES: -6- NOES: -0- ABSENT: -1- 31

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

RESOLVED, that due to the fact that the street lighting standard situate at the southwest corner of Cleveland Drive and Harlem Road has been hit and damaged several times and has had to be replaced or repaired and returned to service, that the Niagara Mohawk Power Corporation be authorized to install one (1) 6000 lumen light on existing wood pole located 5 feet east of the present damaged standard.

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

Supervisor Molts	Voting AYE
Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE

AYES: -6- NOES: -0- ABSENT: -1- 27

Item No. 13 This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof was duly filed.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Heather Road	Hillside Avenue	Huth Road

TYPE OF STREET LIGHTING INSTALLATION

Six (6) 20 standards-underground conduit-2500 lumen 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

Item No. 13-Cont'd.

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

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

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

Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Mornecki	-
Supervisor Holts	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

27

STATE OF NEW YORK) SS.
COUNTY OF ERIE)

I, KENNETH T. HANLEY, Town Clerk of the Town of Cheektowaga, Erie County, New York, do hereby certify that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town held on the 21st day of July, 1958, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof; and that the resolutions and orders duly adopted by the said Town Board are on file in my office.

I further certify that all members of said Town Board had due notice of said meeting.

I further certify that a certified copy of such resolution and order was caused by me to be recorded in the office of the Clerk of Erie County, New York, on the 31st day of July, 1958.

In witness whereof, I have hereunto set my hand and the seal of the said Town of Cheektowaga this 31st day of July, 1958.

SEAL

KENNETH T. HANLEY
Town Clerk

Item No. 14 Moved by Councilman Bystrak, seconded by Councilman Neibert that the Supervisor be authorized and directed to purchase from the Westinghouse Manufacturing Company 6 Y 20 Street Lighting Standards to be used in Heather Road Special Street Lighting District.

AYES: -6-

NOES: -0-

ABSENT: -1-

27

Item No. 15 This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof of the publication and posting of such notice, and upon the order of the Supervisor, such proof was duly filed.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Meaford Road	Highview Road	South Century Road

TYPE OF STREET LIGHTING INSTALLATION
Six Y 20 standards - Underground Conduit - 2500 Lumens

Item No. 15-Cont'd

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

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

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

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Meaford Road	Highview Road	South Century Road

TYPE OF STREET LIGHTING INSTALLATION

6 Y 20 Standards - 2500 lumen - 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

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

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

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

Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holts	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

27

STATE OF NEW YORK) SS.
 COUNTY OF ERIE)

I, KENNETH T. HANLEY, Town Clerk of the Town of Cheektowaga, Erie County, New York, do hereby certify that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town held on the 21st day of July, 1958, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof; and that the resolutions and orders duly adopted by the said Town Board are on file in my office.

I further certify that all members of said Town Board had due notice of said meeting.

I further certify that a certified copy of such resolution and order was caused by me to be recorded in the Office of the Clerk of Erie County, New York on the 31st day of July, 1958.

In witness whereof, I have hereunto set my hand and the seal of the said Town of Cheektowaga this 31st day of July, 1958.

SEAL

KENNETH T. HANLEY
 Town Clerk

Item No. 16 Councilman Bystrak moved, seconded by Councilman Weibert, that the Supervisor be authorized and directed to purchase from the Westinghouse Manufacturing Company Six Y 20 Street Lighting Standards to be used in Meaford Road Special Street Lighting District.

AYES: -6-

NOES: -0-

ABSENT: -1-

27

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

BOND RESOLUTION, DATED JULY 21, 1958, AUTHORIZING THE ISSUANCE OF \$12,200 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE CONSTRUCTION OF CURBS ON WARSAW STREET.

* * * * *

WHEREAS, this Town Board has undertaken the construction of curbs and the installation of necessary underground drains, for the improvement of both sides of Warsaw Street, from William Street north approximately 1030 feet to the south property line of the Forest Materials Inc. property, and such purpose is a special improvement authorized by Article 12 of the Town Law of New York; NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$12,200, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution, is the construction of curbs and the installation of necessary underground drains, for the improvement of both sides of Warsaw Street, from William Street north approximately 1030 feet to the south property line of the Forest Materials, Inc. property, in accordance with the resolution adopted by the Town Board of said Town on May 5, 1958.

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

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$12,200, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

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

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

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Item No. 17-Cont'd.

Section 8. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the DEPEW HERALD AND CHEEKTOWAGA NEWS, a newspaper published and having a general circulation in said Town.

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

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

Supervisor Holts	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE

AYES: -6- NOES: -0- ABSENT: -0-

12
13

Councilman Wroblewski presented the following resolution and moved its adoption:

BOND ANTICIPATION NOTE RESOLUTION, DATED JULY 21, 1958, AUTHORIZING THE ISSUANCE OF \$12,200 BOND ANTICIPATION NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

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

Section 1. The Town of Cheektowaga, in the County of Erie, New York, shall issue its Bond Anticipation Notes of the aggregate principal amount of Twelve Thousand Two Hundred Dollars (\$12,200), pursuant to the Local Finance Law of New York, in order to finance the specific object or purpose hereinafter described, in anticipation of the issuance of Twelve Thousand Two Hundred Dollars (\$12,200) Serial Bonds authorized by the bond resolution entitled "Bond Resolution, Dated July 21, 1958, Authorizing the Issuance of \$12,200 Serial Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance Constructions of Curbs on Warsaw Street."

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution, is the construction of curbs and the installation of necessary underground drains, for the improvement of both sides of Warsaw Street, from William Street north approximately 1030 feet to the south property line of the Forest Materials, Inc. property, in accordance with the resolution adopted by the Town Board of said Town on May 5, 1958.

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.

Section 4. The power to prescribe the terms, form and contents of said Bond Anticipation Notes, subject to the provisions of this resolution, and to sell and deliver said Bond Anticipation Notes, is hereby delegated to the Supervisor. The Supervisor is hereby directed to sign any bond anticipation notes issued pursuant to this resolution and the Town Clerk is hereby directed to affix to such notes the corporate seal of the Town of Cheektowaga, New York.

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

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

Supervisor Holts	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Fath	Voting AYE
Councilman Fath	Voting AYE
Councilman Neibert	Voting AYE
Councilman Trojanoski	Voting AYE

AYES: -6- NOES: -0- ABSENT: -1-

12
13

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

CHESTER M. KRAWCZYK
~~INCORPORATED BY BENNETT~~

being duly sworn, deposes and says that he is the

ASSOCIATE 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 ~~31st~~ day of July, 1958 and the last insertion being on the _____ day of _____, 19____, and that not more than six days intervened between any two publications thereof.

Chester M. Krawczyk

NOTICE OF THE ISSUANCE OF \$12,200 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW OF FINANCE CONSTRUCTION OF CURBS ON WARSAW STREET.

WHEREAS, this Town Board has undertaken the construction of curbs and the installation of necessary underground drains for the improvement of both sides of Warsaw Street, from William Street north approximately 1030 feet to the south property line of the Forest Materials, Inc. property, and such purpose is a special improvement authorized by Article 12 of the Town Law of New York; NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$12,200, pursuant to the Local Finance Law of New York:

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution, is the construction of curbs and the installation of necessary underground drains, for the improvement of both sides of Warsaw Street, from

Sworn to before me this 2 day of

August 1958

Walter J. Wandy
Notary Public in and for Erie County

STATE OF NEW YORK }
COUNTY OF ERIE }

CHESTER M. KRAWCZYK
PUBLISHER

being duly sworn, deposes and says that he is the

ASSOCIATE 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 31st. day of July....., 19. 58 and the last insertion being on the day of, 19....., and that not more than six days intervened between any two publications thereof.

Chester M. Krawczyk

day of
19
only
in and for Erie County

WHEREAS, this Town Board has undertaken the construction of curbs and the installation of necessary underground drains, for the improvement of both sides of Warsaw Street from William Street north approximately 1030 feet to the south property line of the Forest Materials, Inc. property, and such purpose is a special improvement authorized by Article 12 of the Town Law of New York; NOW, THEREFORE,

WHEREAS, this Town Board has undertaken the construction of curbs and the installation of necessary underground drains, for the improvement of both sides of Warsaw Street, from William Street north approximately 1030 feet to the south property line of the Forest Materials, Inc. property, and such purpose is a special improvement authorized by Article 12 of the Town Law of New York; NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose herein after described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$12,200, pursuant to the Local Finance Law of New York:

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution, is the construction of curbs and the installation of necessary underground drains, for the improvement of both sides of Warsaw Street, from William Street north approximately 1030 feet to the south property line of the Forest Materials, Inc. property, in accordance with the resolution adopted by the Town Board of said Town on May 5, 1958.

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

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$12,200, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 24 of Paragraph (a) of Section 1100 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years.

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

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the provision of the Constitution of New York.

Section 8. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 8100 of said Local Finance Law, and such pub-

of said purpose described in subdivision 24 of Paragraph (a) of Section 1100 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years.

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

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 1100 of said Local Finance Law, and such publication shall be in the DEPEW HERALD AND CHEEKTOWAGA NEWS, a newspaper published and having a general circulation in said Town.

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

The bond resolution published herewith has been adopted on the 15th day of July, 1958, and the 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 said obligations were authorized in violation of the provisions of the Constitution of New York.

KENNETH T. HANLEY,
Town Clerk, of the Town of
1958 Cheektowaga, New York

CHESTER M. KRAWCZYK

being duly sworn, deposes and says that he is the

ASSOCIATE 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 31st. day of July....., 1958 and the last insertion being on the day of 19....., and that not more than six days intervened between any two publications thereof.

Chester M. Krawczyk

..... day of
1958

.....
public in and for Erie County

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

BOND RESOLUTION, DATED JULY 21, 1958, AUTHORIZING THE ISSUANCE OF \$14,000 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE CONSTRUCTION OF CURBS ON MANSION STREET.

WHEREAS, this Town Board has undertaken the construction of curbs and the installation of receivers and necessary underground drains, for the improvement of both sides of Mansion Street for its entire length, commencing at William to Stradtman Street, a distance of approximately 2443 feet, and such purpose is a special improvement authorized by Article 12 of the Town Law of New York; NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$14,000 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution, is the construction of curbs and the installation of receivers and necessary underground drains, for the improvement of both sides of Mansion Street for its entire length, commencing at William Street to Stradtman Street, a distance of approximately 2443 feet, in accordance with the resolution adopted by the Town Board of said Town on June 2, 1958.

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

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$14,000, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

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

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

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the DEPUW HERALD AND CHEEKTOWAGA NEWS, a newspaper published and having a general circulation in said Town.

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

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

Supervisor Holtz	Voting AYE
Councilman Weibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

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Item No. 18-Cont'd. Councilman Wroblewski presented the following resolution and moved its adoption:

BOND ANTICIPATION NOTE RESOLUTION, DATED JULY 21, 1958, AUTHORIZING THE ISSUANCE OF \$14,000 BOND ANTICIPATION NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

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

Section 1. The Town of Cheektowaga, in the County of Erie, New York, shall issue its Bond Anticipation Notes of the aggregate principal amount of Fourteen Thousand Dollars (\$14,000), pursuant to the Local Finance Law of New York, in order to finance the specific object or purpose hereinafter described, in anticipation of the issuance of Fourteen Thousand Dollars (\$14,000) Serial Bonds authorized by the bond resolution entitled "Bond Resolution" dated July 21, 1958, Authorizing the Issuance of \$14,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance Construction of Curbs on Mansion Street".

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution, is the construction of curbs and the installation of receivers and necessary underground drains, for the improvement of both sides of Mansion Street for its entire length, commencing at William Street to Stradtman Street, a distance of approximately 2443 feet, in accordance with the resolution adopted by the Town Board of said Town on June 2, 1958.

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.

Section 4. The power to prescribe the terms, form and contents of said Bond Anticipation Notes, subject to the provisions of this resolution, and to sell and deliver said Bond Anticipation Notes, is hereby delegated to the Supervisor. The Supervisor is hereby directed to sign any bond anticipation notes issued pursuant to this resolution and the Town Clerk is hereby directed to affix to such notes the corporate seal of the Town of Cheektowaga, New York.

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

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

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

BOND RESOLUTION, DATED JULY 21, 1958, AUTHORIZING THE ISSUANCE OF \$14,000 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE CONSTRUCTION OF CURBS ON PEORIA STREET.

WHEREAS, this Town Board has undertaken the construction of curbs and the installation of receivers and necessary underground drains, for the improvement of both sides of Peoria Street for its entire length, commencing at William Street to Stradtman Street, a distance of approximately 2620 feet, and such purpose is a special improvement authorized by Article 12 of the Town Law of New York; NOW, THEREFORE,

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

Item No. 19-cont'd.

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 \$14,000, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution, is the construction of curbs and the installation of receivers and necessary underground drains, for the improvement of both sides of Peoria Street for its entire length, commencing at William Street to Stradtman Street, a distance of approximately 2620 feet, in accordance with the resolution adopted by the Town Board of said Town on June 2, 1958.

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

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$14,000, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

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

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

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the DEPEW HERALD AND CHEEKTOWAGA NEWS, a newspaper published and having a general circulation in said Town.

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

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

Supervisor Holtz	Voting AYE
Councilman Weibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Rystrak	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

12
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Councilman Wroblewski presented the following resolution and moved its adoption:

BOND ANTICIPATION NOTE RESOLUTION, DATED JULY 21, 1958, AUTHORIZING THE ISSUANCE OF \$14,000 BOND ANTICIPATION NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

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STATE OF NEW YORK
COUNTY OF ERIE

ss:

CHESTER M. KRAWCZYK
MEMBER OF PARLIAMENT

being duly sworn, deposes and says that he is the

ASSOCIATE 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 31st day of July 1958, and the last insertion being on the day of 19....., and that not more than six days intervened between any two publications thereof.

Chester M. Krawczyk

Sworn to before me this day of

2

August

19.....

58

Victor J. Wankel

Notary Public in and for Erie County

hn 1086

V. Wankel

Notary Public in and for Erie County

hn 1086

Building activity in the
Lancaster have shown a 2
six months of 1958. This in
hand, indications are that
quite as poor as present figures
The poorest showing is in the
Town of Cheektowaga where the
amount total for 1958 of \$1,000,000
is only two-thirds of last year's
\$3,178,266. Even with the loss

Build

CHESTER M. KRAWCZYK
MAYOR OF CHEEKTOWAGA

being duly sworn, deposes and says that he is the

ASSOCIATE 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 31st day of July, 1958, and

RESOLUTION FOR THE ISSUANCE OF \$14,000 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE CONSTRUCTION OF CURBS ON PEORIA STREET.

WHEREAS, this Town Board has authorized the construction of curbs and the installation of necessary underground drains for the improvement of both sides of Peoria Street for its entire length, commencing at William Street to Stradman Street, a distance of approximately 2620 feet, and such purpose is a special improvement authorized by Article 12 of the Town Law of New York;

AND, THEREFORE, IT IS RESOLVED by the Town Board of the Town of Cheektowaga, New York, as follows:

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds for the aggregate principal amount of \$14,000, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution, is the construction of curbs and the installation of necessary underground drains for the improvement of both sides of Peoria Street for its entire length, commencing at William Street to Stradman Street, a distance of approximately 2620 feet, and such purpose is a special improvement authorized by Article 12 of the Town Law of New York.

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

Section 4. It is hereby stated that the estimated cost of said improvement is \$14,000, and (b) the Town Board is authorized to issue Serial Bonds in the amount of \$14,000, to be used for the purpose of financing the improvement described in Section 2 of this resolution.

Section 5. The period of probable use of said purpose is five years.

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

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations were authorized for an object or purpose for which said Town is authorized to expend money, and 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 shown in violation of the Constitution of New York.

Section 8. This resolution shall be published in full by the Town Clerk of said Town, together with a copy of the same in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the DEPEW HERALD AND CHEEKTOWAGA NEWS, a newspaper published and having a general circulation in said Town.

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

The bond resolution published herewith has been adopted on the 21st day of July, 1958, 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 such validity is commenced within twenty days after the date of publication of this notice; or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

ss.:

CHESTER M. KRAWCZYK
~~PROCLAIMER OF RESOLUTION~~

being duly sworn, deposes and says that he is the

ASSOCIATE 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 31st day of July, 1958, and the last insertion being on the _____ day of _____, 19____, and that not more than six days intervened between any two publications thereof.

Chester M. Krawczyk

2 day of _____

1958

T. W. W...

Public in and for Erie County

RESOLUTIONS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, CONCERNING THE CONSTRUCTION OF CURBS ON MANSION STREET

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

Section 2. The specific object or purpose (hereinafter referred to as "the improvement") to be financed pursuant to this resolution, is the construction of curbs and the installation of _____ and necessary underground drains for the improvement of both sides of Mansion Street for its entire length, commencing at _____ and terminating at _____.

Section 3. The expense of such improvement described in Section 2 of this resolution shall be paid by local assessment upon the lots and parcels of land abutting upon the improvement. The Town Board shall determine the amount of such assessment to be especially levied by such improvement. An amount sufficient to pay the principal and interest on said Serial Bonds or the same shall become a lien against the several lots and parcels of land especially benefited by such improvement, in proportion to the amount of benefit derived from such improvement shall compare the same.

Section 4. It is hereby stated that the maximum cost of said improvement as estimated by the Town Board is \$14,000, and (b) no money has heretofore been authorized for the payment of the principal and interest on said Serial Bonds, and (c) the Town Board plans to finance the said purpose entirely from the proceeds of the issuance of said Serial Bonds, and (d) all of such principal and interest to be paid by assessments levied on real property in an area less than the area of said improvement.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 1 of Paragraph (a) of Section 1 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years.

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

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the Constitution of New York.

Section 8. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 61.00 of said Local Finance Law, and such publication shall be in the DEPEW HERALD AND CHEEKTOWAGA NEWS, a newspaper published and having a general circulation in said Town.

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

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the Constitution of New York.

Section 8. This resolution shall be published in full by the Town Clerk of said Town, together with a copy substantially in the form provided by Section 2100 of said Finance Law, and such publication shall be in the DEPUEW AND CHEEKTOWAGA NEWS, a newspaper published and having a general circulation in said

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

The bond resolution published herein has been adopted on the 1st day of July, 1958, and the validity of the obligations authorized by such bond resolution may be contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, 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 such as is commenced within twenty days after the date of publication of this notice; or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

ss.:

CHESTER M. KRAWCZYK
~~MEMBER OF PARLIAMENT~~

being duly sworn, deposes and says that he is the

ASSOCIATE 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 31st day of July, 1958, and the last insertion being on the day of , 1958, and that not more than six days intervened between any two publications thereof.

Chester M. Krawczyk

Sworn to before me this 2 day of

August, 1958
Kenneth T. Hanley

Notary Public in and for Erie County

Item No. 19-Cont'd.

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

Section 1. The Town of Cheektowaga, in the County of Erie, New York, shall issue its Bond Anticipation Notes of the aggregate principal amount of Fourteen Thousand Dollars (\$14,000), pursuant to the Local Finance Law of New York, in order to finance the specific object or purpose hereinafter described, in anticipation of the issuance of Fourteen Thousand Dollars (\$14,000) Serial Bonds authorized by the bond resolution entitled "Bond Resolution, Dated July 21, 1958, Authorizing the Issuance of \$14,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance the Construction of Curbs on Peoria Street".

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution, is the construction of curbs and the installation of receivers and necessary underground drains, for the improvement of both sides of Peoria Street for its entire length, commencing at William Street to Stradtman Street, a distance of approximately 2620 feet, in accordance with the resolution adopted by the Town Board of said Town on June 2, 1958.

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.

Section 4. The power to prescribe the terms, form and contents of said Bond Anticipation Notes, subject to the provisions of this resolution, and to sell and deliver said Bond Anticipation Notes, is hereby delegated to the Supervisor. The Supervisor is hereby directed to sign any bond anticipation notes issued pursuant to this resolution and the Town Clerk is hereby directed to affix to such notes the corporate seal of the Town of Cheektowaga, New York.

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

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

12
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Item No. 20 This being the time and the place advertised for the receiving of sealed proposals for the purchase of two (2) truck chassis and cabs, fully enclosed, for use in the Sanitation Department and for one (1) panel truck for use in the Sanitary Sewer Districts.

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

Moved by Councilman Wroblewski, seconded by Councilman Fath that the Town Clerk be authorized and directed to open the sealed bids on hand.

Hereto is a summary of the bids received and opened:

1 - Mernan Chevrolet Inc., Chassis and cab, each	\$2830.00
Mernan Chevrolet Inc., Panel Truck	1955.00
2 - Richard Ford Inc., Chassis and Cab, each	2860.59
Richard Ford Inc. (Did not bid Panel Truck)	
3 - Maier-Schule GMC Inc., Chass and Cab (2 units)	5,481.70
Maier-Schule GMC Inc., Panel Truck	1,989.89

Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the bids be referred to the Town Engineer for analysis and tabulation.

23

Item No. 21 Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, the Superintendent of Highways has advised this Town Board that he has inspected 1670 feet of McNaughton Avenue running from Creek to Pelvion Land Company Inc and the entire length of St. Boniface Road and that the same have met with the specifications set forth by the Town, be it

RESOLVED, that 1670 feet of McNaughton Avenue running from Creek to Pelvion Land Company Inc., and the entire length of St. Boniface Road be accepted and maintained as a Town Highway.

Seconded by Councilman Wroblewski.

AYES: -6-

NOES: -0-

ABSENT: -1-

13

Item No. 22 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, Bern-Stan-Zyg Development Corporation has entered into an agreement with the Town of Cheektowaga, New York, wherein the said Bern-Stan-Zyg Development Corporation has agreed to construct the following described highway:

CONSTANCE LANE - Commencing at Vern Lane and extending in a northeasterly direction a distance of 1000 feet.

and

WHEREAS, the Bern-Stan-Zyg Development Corporation has agreed to construct the said highway and complete the same so that said highway will conform in every respect with the specifications of the Town Highway Department, subject to inspection by the Town Highway Superintendent as the work progresses, a total distance of approximately one thousand (1000) feet, and has filed as security for the faithful performance of said agreement a surety bond in the sum of Five Thousand (\$5,000.00) Dollars, conditioned that it will comply, in all respects, with the aforementioned agreement.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to execute the annexed agreement between the Town of Cheektowaga, New York and Bern-Stan-Zyg Development Corporation, on behalf of the Town of Cheektowaga, New York, and be it further

RESOLVED, that said agreement having been approved as to form and the bond as to sufficiency by the Town Attorney and the Town Highway Superintendent, that the Town Attorney be and he hereby is authorized to accept a deed to the Town of Cheektowaga for said highway and that the Town Clerk be and he hereby is authorized to record same.

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

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

AYES: -6-

NOES: -0-

ABSENT: -1-

13

AGREEMENT

This Agreement made this 21st day of July, 1958, 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 BERN-STAN-ZYG DEVELOPMENT CORPORATION, a domestic corporation duly organized and existing under the laws of the State of New York and having its office and principal place of business located at 590 Cayuga Creek 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 Constance Lane, commencing at Vern Lane and extending in a northeasterly direction a distance of One thousand (1,000) feet, and

Item No. 22-Cont'd.

WHEREAS, the party of the second part has agreed to construct the entire highway and has also constructed in said highway sanitary sewers and will enter into a contract with the Erie County Water Authority for the construction of water lines in said highway and will pay 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 Constance Lane, commencing at Vern Lane and extending in a northeasterly direction a distance of One Thousand (1,000) feet, and has agreed to enter into a contract with the Town of Cheektowaga, to construct said highway under the supervision of the Town Highway Superintendent 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 construct a town highway to be known as Constance Lane, commencing at Vern Lane and extending in a northeasterly direction a distance of One Thousand (1,000) feet, on or before July 21st, 1959. It further agrees to construct said highway and complete the same, under the supervision of the Town Highway Superintendent, 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 Five Thousand (\$5,000.00) Dollars, said Bond is 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 July 21st, 1959, or upon such date as designated by the Highway Superintendent of the Town of Cheektowaga, New York. 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, in the event the said sum of Five Thousand (\$5,000.00) 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 further

AGREED, that said bond is to continue in effect for one (1) year after the completion of the construction and acceptance of the highway by the Town Highway Superintendent, it is however,

AGREED, that the maximum liability of the Surety Company is limited to the sum of Five Thousand (\$5,000.00) Dollars.

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 and subject to the above mentioned provisions for one year after approval of the completed proposal by 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 /s/ Benedict T. Holts
Supervisor

BERN-STAN-ZYG DEVELOPMENT
CORPORATION

By /s/ Zygfield Pieczynski, Pres.

Item No. 22-Cont'd.

STATE OF NEW YORK) ss.
COUNTY OF ERIE)

On this 24 day of July, 1958, before me personally appeared BENEDICT T. HOLTZ, to me known, who, being by me duly sworn, did depose and say that he resides in the Town of Cheektowaga, New York, that he is the Supervisor of said Town, the municipal corporation described in, and which executed the within instrument; that he knows the seal of said Town; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Town Board of said Town; and that he signed his name thereto by like order.

/s/ Kenneth T. Hanley

Notary Public, Erie County, New York.

STATE OF NEW YORK) ss.
COUNTY OF ERIE)

On this 23 day of July, 1958, before me personally appeared Zygfried Piegynski, to me known, who, being by me duly sworn, did depose and say that he resides at 2481 William Street; that he is the President of BERN-STAN-ZYG DEVELOPMENT CORPORATION, the corporation described in and which executed the foregoing 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.

/s/ Kenneth T. Hanley

Notary Public, Erie County, New York

Item No. 23 Moved by Councilman Wroblewski, seconded by Councilman Weibert, that the Town Clerk be authorized and directed to issue all building permits on application processed by the Petitions Committee on 7/12/58 and 7/19/58, after same have been approved by the Building Inspector.

AYES: -6-

NOES: -0-

ABSENT: -1-

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Item No. 24 At the request of the Town Attorney, the Chief of Police was ordered to "crack down" on violators of the Gasoline Sign Ordinance.

Item No. 25 Referred to Councilman Trojanoski the request of Mrs. Gertrude Marshall that a receiver in Concord Drive be repaired, and that Harlem Road between Maryvale Drive and the Town Line be ordered repaired by the County of Erie.

Item No. 26 Communication read from the Cleveland/Hose Co. No. 6 inviting the Board to lead their parade on July 27, 1958. Ordered received, filed and to attend.

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

Warrant No. 1697 to No. 1809, inclusive, drawn on the Supervisor.

AYES: -6-

NOES: -0-

ABSENT: -1-

Item No. 28 Moved by Councilman Bystrak, seconded by Councilman Wroblewski, to adjourn.

SEAL

Kenneth T. Hanley
Town Clerk

Kenneth T. Hanley

MEETING NO. 21

Cheektowaga, New York
August 4, 1958

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 August, 1958, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were

PRESENT: Benedict T. Holts	Supervisor
Alancin M. Fath	Councilman
Felix T. Wroblewski	Councilman
Joseph Kornecki	Councilman
Joseph M. Trojanoski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

ABSENT: -0-

Also present were: Town Clerk Hanley; Town Attorney Delahunt; Building & Plumbing Inspector Trafalski, and Chief of Police Mersmann.

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

Item No. 3 Referred to the Assessors for a property check the petition for the improvement of North Willowlawn Parkway by the installation of street lighting equipment.

Item No. 4 Referred to the Chief of Police the communication from the Board of Fire Commissioners of Pine Hill Fire District No. 5 for various requests for no parking on certain highways in their Fire District.

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

WHEREAS, Arthur F. Musarra and Marian Land Co., Inc., have entered into an agreement with the Town of Cheektowaga, New York, wherein the said Arthur F. Musarra and Marian Land Co., Inc. have agreed to construct the following described highway:

DIANE DRIVE, commencing at the east line of Homeworth Parkway and proceeding easterly eight hundred seventy (870) feet to the intersection of the westerly line of Butternut Road and Diane Drive, as shown on a Map of Homeworth Park, filed in the Erie County Clerk's Office, under Cover No. 2082.

and

WHEREAS, Arthur F. Musarra and the Marian Land Co., Inc. have agreed, to construct the said highway and complete the same so that said highway will conform in every respect with the specifications of the Town Highway Department, subject to inspection by the Town Highway Superintendent as the work progresses, a total distance of approximately Eight Hundred Seventy (870) feet, and have agreed to install curbing for the entire distance, and have filed as security for the faithful performance of said agreement a surety bond in the sum of Ten Thousand Four Hundred Forty (\$10,440.00) Dollars, conditioned that they will comply in all respects, with the aforementioned agreement.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to execute the annexed agreement between the Town of Cheektowaga, New York, Arthur F. Musarra and the Marian Land Co., Inc., on behalf of the Town of Cheektowaga, New York, and be it further

RESOLVED, that said agreement having been approved as to form and the bond as to sufficiency by the Town Attorney and the Town Highway Superintendent, that the Town Attorney be and he hereby is authorized to accept a deed to the Town of Cheektowaga for said highway and that the Town Clerk be and he hereby is authorized to record same.

Item No. 5-Cont'd.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

AGREEMENT

This Agreement made this 4th day of August, 1958, 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 ARTHUR F. MUSARRA of 335 Ellicott Square, Buffalo 3, New York and the MARIAN LAND CO., INC., a corporation organized under the laws of the State of New York, with its office and principal place of business located at 335 Ellicott Square Building, Buffalo, New York, parties of the second part:

WITNESSETH:

WHEREAS, the parties of the second part are the owners of the abutting property on Diane Drive, commencing at the east line of Homeworth Parkway and proceeding easterly eight hundred seventy (870) feet to the intersection of the westerly line of Butternut Road and Diane Drive, as shown on a Map of Homeworth Park, filed in the Erie County Clerk's Office, under Cover No. 2082, and

WHEREAS, the parties of the second part have agreed to construct the entire highway and have also constructed in said highway sanitary sewers and will enter into a contract with the Erie County Water Authority for the construction of water lines in said highway and will pay the Erie County Water Authority the cost thereof, and have further agreed to construct curbing for the entire distance of said highway, and

WHEREAS, the parties of the second part have requested the Town of Cheektowaga to accept as a town highway Diane Drive, commencing at the east line of Homeworth Parkway and proceeding easterly eight hundred seventy (870) feet to the intersection of the westerly line of Butternut Road and Diane Drive, as shown on a Map of Homeworth Park filed in the Erie County Clerk's Office, under Cover No. 2082, and have agreed to enter into a contract with the Town of Cheektowaga, to construct said highway under the supervision of the Town Highway Superintendent 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 parties of the second part agree to construct a highway to be known as Diane Drive, as above described, on or before August 4th, 1959. They further agree to construct said highway and complete the same, under the supervision of the Town Highway Superintendent 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 parties 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 is to provide that the parties 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 4th, 1958, or upon such date as designated by the Highway Superintendent of the Town of Cheektowaga, New York. In the event the parties of the second part fail 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 parties of the second part and their surety; in the event the said sum of \$10,000.00 is insufficient to pay such cost, then the parties of the second part agree to pay the sum required in excess of that amount, it is further

Item No. 5-Cont'd.

AGREED, that said bond is to continue in effect for one (1) year after the completion of the construction and acceptance of the highway by the Town Highway Superintendent, it is however,

AGREED, that the maximum liability of the surety Company is limited to the sum of Ten Thousand Four Hundred Forty (\$10,440.00) Dollars.

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 and subject to the above mentioned provisions for one year after approval of the completed proposal by 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 /s/ Benedict T. Holts
Supervisor

/s/ Arthur F. Musarra
Arthur F. Musarra

MARIAN LAND CO., INC.

By: /s/ Arthur F. Musarra, Pres.

State of New York)
County of Erie) ss.

On this 14 day of August, 1958, before me personally appeared BENEDICT T. HOLTZ, to me known, who, being by me duly sworn, did depose and say that he resides in the Town of Cheektowaga, New York; that he is the Supervisor of said Town, the municipal corporation described in, and which executed the within instrument; that he knows the seal of said Town; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Town Board of said Town; and that he signed his name thereto by like order.

/s/ Kenneth T. Hanley
Notary Public, Erie County, New York.

Kenneth T. Hanley
Notary Public State of New York
Qualified in Erie County
My Commission expires Mar.30,1959

State of New York)
County of Erie) ss.

On this 14 day of August, 1958, before me, the subscriber, personally appeared ARTHUR F. MUSARRA, to me known and known to me to be the same person described in and who executed the within Instrument, and he duly acknowledged to me that he executed the same.

/s/ Kenneth T. Hanley
Notary Public, Erie County, New York

State of New York)
County of Erie) ss.

On this 14 day of August, 1958, before me personally appeared ARTHUR F. MUSARRA, to me known, who, being by me duly sworn, did depose and say that he is the President of MARIAN LAND CO., INC., the corporation described in and which executed the foregoing 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 thereto by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.

/s/ Kenneth T. Hanley
Notary Public, Erie County

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Item No. 6 Moved by Councilman Kornecki, seconded by Councilman Wroblewski, that the request of Edward B. Jerzewski, Chairman of the Board of Assessors, to retain Viggo Hansen, to appraise the New York Central Railroad property, be granted, and be it further

RESOLVED, that the said Viggo Hansen be authorized to represent the Town in a court case if said New York Central Railroad should take said assessment issue to the court, at no additional fee to the Town of Cheektowaga, New York.

AYES: -7-

NOES: -0-

ABSENT: -0-

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

WHEREAS, Robert G. Reis and Florence R. Reis, his wife, are the owners of certain real property located on the north and south sides of Holland Avenue running southerly from Beach Road to the intersection of the said Holland Avenue and the Ontario Thruway, and

WHEREAS, the said Robert G. Reis and Florence R. Reis, his wife, have improved and constructed said Holland Avenue highway from the intersection of Beach Road to the intersection of the Ontario Thruway and have completed same so that said highway does conform in every respect with the specifications of the Town of Cheektowaga Highway Department and said highway having been inspected at stages of construction by the Town Highway Superintendent as said work progressed, and

WHEREAS, said Holland Avenue as constructed above by the said Robert G. Reis and Florence R. Reis, his wife, is described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 18, Township 11, Range 7 of the Holland Land Company's survey and lying within the lines of the highway known as Holland Avenue as shown on Map Cover 1362 known as "Victor Estates" filed in the Erie County Clerk's Office, beginning at the intersection of the said Holland Avenue within the southerly line of Beach Road and extending easterly therefrom in and along Holland Avenue as same is shown on said Map Cover 1362 to the westerly extension of the Ontario Thruway.

and

WHEREAS, the said Robert G. Reis and Florence R. Reis have also constructed within the lines of the above-described highway sanitary sewers according to the specifications and under the approval and inspection of the Town of Cheektowaga Engineering Department, and

WHEREAS, the said Robert G. Reis and Florence R. Reis have secured the installation and construction of water lines pursuant to a contract entered into with the Erie County Water Authority.

NOW, THEREFORE, BE IT RESOLVED, that the Town Attorney be and hereby is authorized to accept a deed to the Town of Cheektowaga for said highway above described and that the Town Clerk be and hereby is authorized to record same.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

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Item No. 9 The following resolution was offered by Councilman Bystrak, who moved its adoption, seconded by Councilman Wroblewski, to wit:

CAPITAL NOTE RESOLUTION DATED AUGUST 4, 1958,
AUTHORIZING THE ISSUANCE OF \$7,500 LIGHTING
DISTRICT CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA,
IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL
FINANCE LAW.

- - - - -

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

NOW, THEREFORE,

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

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

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

- a) Dennis Lane from Joanne Lane, 1312 feet north.
- b) Laura Court from William Street to Edmund Street.
- c) Lynncrest Terrace from Manion Terrace to Amherst Town Line.
- d) Yvonne Avenue from Cleveland Drive to Amherst Town Line.
- e) Delmar Avenue from Cleveland Drive to Wilshire Road.
- f) Duchess Court from Beach Road to end of street.
- g) Farmingdale Road from Fairhaven Drive to Yorktown Road.

Section 3. It is hereby stated that:

- a) The maximum cost of said purpose as estimated by the Town Board is \$7,500.
- b) No money has heretofore been applied to the payment of the cost of said purpose.
- c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.
- d) All of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 35 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years.

Section 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be later than August 4, 1960.

Item No. 9-Cont'd.

Section 6. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the DEPEW HERALD AND CHEEKTOWAGA NEWS, A newspaper published and having a general circulation in said Town. The validity of said Capital Notes may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this resolution were 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 were authorized in violation of the provisions of the Constitution of New York.

Section 7. This resolution shall take effect immediately upon its adoption.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Weibert	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, the Capital Note Resolution hereinafter referred to has taken effect in accordance with law and the Town Board desires to make provisions for the issuance of the notes authorized by said Capital Note Resolution; NOW, THEREFORE,

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

(1) Capital Notes of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$7,500 shall be issued pursuant to the Capital Note Resolution entitled "Capital Note Resolution Dated August 4, 1958, Authorizing the Issuance of \$7,500 Lighting District Capital Notes of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law". Said Capital Notes shall be designated "Lighting District Capital Notes, Series B of 1958". Said Capital Notes shall consist of two notes of the denomination of \$3,750 each, numbered 1 and 2, in the order of their maturity, and shall constitute an issue of Capital Notes payable in annual installments on July 1 in each of the years 1959 and 1960.

(2) All of said Capital Notes shall be dated as of a date subsequent to August 4, 1958, and shall bear interest from their date at the rate of 2½% per annum. The interest on the Capital Notes shall be payable July 1, 1959, and thereafter on July 1 and January 1.

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

(4) Each of said Capital Notes shall be payable to bearer and shall be convertible into a registered Capital Note. Each of said Capital Notes shall be executed by the Town Supervisor of said Town and shall be attested by the Town Clerk of said Town. Each of said Capital Notes shall be sealed with the seal of said Town.

(5) The power to prescribe the terms, form and contents of said Capital Notes, subject to the provisions of this resolution, are hereby delegated to the Town Supervisor. Said Capital Notes shall be sold to the Manufacturers and Traders Trust Company of Buffalo, New York, at private sale, and shall bear an interest rate of 2½% per annum.

Item No. 9-Cont'd.

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

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

Supervisor Holts	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Neibert	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

12
27

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

Item No. 9-Cont'd.

(Affidavit)

STATE OF NEW YORK
COUNTY OF ERIE

DATED AUGUST 4, 1958
CONCERNING THE ISSUANCE OF
SEWER LIGHTING DISTRICT CAP-
ITAL NOTES OF THE TOWN OF
CHEEKTOWAGA, IN THE
COUNTY OF ERIE, PURSUANT
TO THE LOCAL FINANCE LAW.

WHEREAS, the expense of mak-
ing the improvements hereinafter
described must be borne by local
assessment upon the several lots
and parcels of land within the dis-
trict in proportion to the amount
of benefit which the improvements
shall confer upon the same, and in
the manner provided in Section
198 of the Town Law for the
assessment of the cost of mainten-
ance in a sewer district as the same
shall be annually determined and
apportioned by the Town Board,
and the Town Board desires to is-
sue capital notes to finance the
cost of said improvements and to
annually apportion and assess upon
the several lots and parcels of land
especially benefited by such im-
provements in proportion to the
amount of benefit which the im-
provements shall confer upon the
same, an amount sufficient to pay
the principal of and the interest
on the capital notes issued for such
improvements as the same shall be-
come due and payable, all of which
shall be done in accordance with
the provisions of Subdivision 6 of
Section 198 of the Town Law,

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

Section 1. In order to finance the
specific object or purpose herein-
after described, the Town of Cheek-

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER of the

Depew Cheektowaga
Herald and News

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

annexed printed slip taken from said newspaper, is a copy,
was inserted and published therein once a week for

One week, the first insertion being on the
7th day of August, 1958, 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 9 day of

August, 1958

Henry J. Henry
Notary Public in and for Erie County

STATE OF NEW YORK
COUNTY OF ERIE

DATED AUGUST 4, 1958.
WHEREAS THE ISSUANCE OF
\$1,000 LIGHTING DISTRICT CAP-
ITAL NOTES OF THE TOWN OF
CHEEKTOWAGA, IN THE
COUNTY OF ERIE, PURSUANT
TO THE LOCAL FINANCE LAW.

WHEREAS, the expense of mak-
ing the improvements hereinafter
described must be borne by local
assessment upon the several lots
and parcels of land within the dis-
trict in proportion to the amount
of benefit which the improvements
shall confer upon the same, and in
the manner provided in Section
1100-a of the Town Law for the
assessment of the cost of mainten-
ance in a sewer district as the same
shall be annually determined and
apportioned by the Town Board,
and the Town Board desires to is-
sue capital notes to finance the
cost of said improvements and to
annually apportion and assess upon
the several lots and parcels of land
especially benefited by such im-
provements in proportion to the
amount of benefit which the im-
provements shall confer upon the
same, an amount sufficient to pay
the principal of and the interest
of the capital notes for such
improvements as the same shall be-
come due and payable, all of which
shall be done in accordance with
the provisions of Subdivision 6 of
Section 1100 of the Town Law,
NOW, THEREFORE,

BE IT RESOLVED by the Town
Board of the Town of Cheektow-
aga, in the County of Erie, as
follows:

Section 1. In order to finance the
specific object or purpose hereinafter
described, the Town of Cheektow-
aga, in the County of Erie, shall
issue its capital notes of the agree-
able principal amount of \$7,500,
pursuant to the Local Finance Law

Section 2. The specific object or
purpose hereinafter referred to as
the object or purpose to be financed pursu-
ant to this resolution is the purchase
and installation of street

- a) Dennis Lane from Joanne Lane, 1312 feet north
- b) Laura Court from William Street to Edmund Street.
- c) Lyncrest Terrace from Man- ton Terrace to Amherst Town Line.
- d) Yvonne Avenue from Cleve- land Drive to Amherst Town Line.
- e) Delmar Avenue from Cleve- land Drive to Wilshire Road.
- f) Duchess Court from Beach Road to end of street.
- g) Farmingdale Road from Fair- haven Drive to Yorktown Road.

Section 3. It is hereby stated that:

- a) The maximum cost of said purpose as estimated by the Town Board is \$7,500.
- b) No money has heretofore been applied to the payment of the cost of said purpose.
- c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.
- d) All of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. It is hereby determin-
ed that said purpose is an object
or purpose described in Subdivision
35 of Paragraph (a) of Section
1100 of the Local Finance Law, and
that the period of probable useful-
ness of said purpose is five years.

Section 5. It is hereby determin-
ed that the proposed maturity of
the obligations authorized by this
resolution will not be later than
August 4, 1960.

Section 6. This resolution shall
be published in full by the Town
Clerk of said Town, together with
a notice in substantially the form
prescribed by Section 81.00 of said
Local Finance Law, and such pub-
lication shall be in the Depew Her-
ald and Cheektowaga News, a
newspaper published and having a
general circulation in said Town.
The validity of said Capital Notes
may be contested only if such ob-
ligations are authorized for an ob-
ject or purpose for which said
Town is not authorized to expend
money, or the provisions of law
which should be complied with at
the date of publication of this res-
olution were not substantially com-
plied with, and an action suit or

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheek-
towaga, Erie County, New York, that notice of which the
annexed printed slip taken from said newspaper, is a copy,
was inserted and published therein once a week for
One week, the first insertion being on the
7th day of August, 1958, 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

9 day of
1958

Henry
Public in and for Erie County

STATE OF NEW YORK
COUNTY OF ERIE

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

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

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 35 of Paragraph (a) of Section 11-00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years.

Section 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be later than August 4, 1960.

Section 6. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81-00 of said Local Finance Law, and such publication shall be in the Depew Herald and Cheektowaga News, a newspaper published and having a general circulation in said Town. The validity of said Capital Notes may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this resolution were 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 were authorized in violation of the provisions of the Constitution of New York.

Section 7. This resolution shall take effect immediately upon its adoption.

The capital note resolution published herewith has been adopted on the 4th day of August, 1958, and the validity of the obligations authorized by such capital note resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice; or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

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

was inserted and published therein once a week for

one week, the first insertion being on the 7th day of August, 1958, 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

9 day of August, 1958

Hanley
Public in and for Erie County

Item No. 10 Moved by Councilman Neibert, seconded by Councilman Fath, WHEREAS, the State Traffic Commission has issued a permit to the Town of Cheektowaga, Erie County, New York, for the use of Portable School Signs on Route 33, S.H. 1212, 300/ feet in advance of each side of the Most Holy Redeemer School, be it

RESOLVED, that the Chief of Police order such signs to be placed as hereinbefore mentioned, and that the said Chief of Police advise the State Traffic Commission, attention Lloyd A. Maeder, 95 Washington Street, Albany 1, N.Y. when said signs are placed in use.

AYES: -7-

NOES: -0-

ABSENT: -0-

8
17
18

Item No. 11 Moved by Councilman Wroblewski, seconded by Councilman Neibert, that the request of the Chief of Police to erect the following "NO STANDING ON THIS SIDE" AT ANY TIME signs, be granted;

The east side of Century Road from Burke Drive to East Treehaven Road;

Harlem Road from the N.Y.C. Tracks to a point about 800 feet south (east side access Road) across from the Hubbs and Howe and Firestone Warehouses.

AYES: -7-

NOES: -0-

ABSENT: -0-

18
17

Item No. 12 Moved by Councilman Bystrak, seconded by Councilman Fath, that the Erie County Highway Superintendent be requested to make a survey to ascertain whether or not a traffic signal light is needed at the intersection of Maryvale Drive and Community Road, Town of Cheektowaga, New York.

AYES: -7-

NOES: -0-

ABSENT: -0-

9
17

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

WHEREAS, bids were received on the 21st day of July, 1958, for a One Ton Panel Truck to replace the 1953 Studebaker pick-up truck, and WHEREAS, the lowest bid submitted was the bid of Mernan Chevrolet, Inc., in the amount of \$1,955.00.

BE IT RESOLVED, that the Town of Cheektowaga, New York, accept the bid of Mernan Chevrolet, Inc., in the amount of \$1,955.00, and that the Supervisor be and he hereby is authorized to enter into a contract with Mernan Chevrolet, Inc., for the purchase of a one ton panel truck at a cost of \$1,955.00.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

1

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

WHEREAS, the Town of Cheektowaga deems it necessary to install a natural gas operated emergency engine-generator set and specified accessories in the Cheektowaga Town Hall, Union Road and Broadway, Cheektowaga 25, New York, to meet the specifications referred to in the Notice to Bidders.

Item No. 14-Cont'd.

BE IT RESOLVED, that the Town Clerk publish the annexed Notice to Bidders in the Depew Herald and Cheektowaga News, a newspaper 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 18, 1958, 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 furnishing and installing a natural gas operated emergency engine-generator set and specified accessories in the Cheektowaga Town Hall, Union Road and Broadway, Cheektowaga, New York.

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

Copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 7:30 o'clock P.M. Eastern Daylight Saving Time on August 18, 1958, 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: August 4, 1958

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

**SPECIFICATIONS FOR EMERGENCY ENGINE GENERATOR
SET FOR CHEEKTOWAGA TOWN HALL
CHEEKTOWAGA, NEW YORK**

The intent of this specification covers the delivery of and the complete installation of a natural gas operated emergency engine generator set, in the Cheektowaga Town Hall, Cheektowaga, New York, with specified accessories and as directed by the Town Engineer as hereinafter specified.

The following is the description of an emergency generator stand-by set, which shall be the product of a manufacturer regularly engaged in the production of such equipment for the past 10 years.

The stand-by set shall be rated 50 KW 62.5 KVA at 80% P.F. 120/208 volts, 3 phase, 4 wire 60 cycle. It shall consist of a natural gas engine directly connected to a single bearing, 4 pole generator, and equipment to automatically start the set upon power failure and transfer the load to the generator.

ENGINE - The engine shall be 4 cycle water-cooled type with 6 cylinder and a displacement of not less than 450 cubic inches. It shall have a rating of 113.5 maximum horse power at its operating speed of 1800 RPM. The valves shall be alloyed steel for the intake stellite faced ROTO type for the exhaust. Valve seats inserts shall be replaceable. Lubrication shall be a gear type oil pump providing full pressure lubrication to crank shaft connecting rod and camshaft bearings. The engine shall be provided with electric oil pressure gauge, water temperature gauge, oil filter (elements replaceable) automatic choke, radiator and fan with water pump. The speed of the engine shall be governed by a gear driven centrifugal governor to maintain generator speed within 3 cycle from no-load to full load generator output. Ignition suppression to minimize radio interference.

Item No. 14-Cont'd.

The engine shall have 12 volt battery ignition and 12 volt battery recharging generator with automatic charge rate regulator. Starting shall be by 12 volt solenoid positive gear-engaging starter, which does not become disengaged until the engine approaches running speed.

GENERATOR - The generator shall be (automatic voltage regulated-plus or minus 2%), four pole, revolving field design directly connected to the engine fly wheel by means of semiflexible steel driving flange to insure permanent alignment. It shall be rated 50 KW 62.5 KVA at 80% P.F. 120/208 volts 3 phase, 4 wire 60 cycle continuous output. The exciter shall be directly connected to the generator. The brush springs shall be of the constant pressure type that need no adjustment.

ENGINE GENERATOR MOUNTING - Generator shall be mounted directly to the engine with the engine feet providing suitable mounting to any level surface with Korfund vibration dampeners.

INSTRUMENTS - The engine shall be provided with instruments consisting of electric water temperature and oil pressure gauges and cutouts, battery charge rate ammeter, stop and start buttons. Mounted on the generator instrument panel containing voltmeter, ammeter with selector switch, manual reset circuit breaker, automatic voltage regulator and running time meter to indicate total hours of actual engine operation.

ADDITIONAL ACCESSORIES TO BE SUPPLIED AND INSTALLED BY THE CONTRACTOR

- 1 - Secondary Gas Pressure Regulator
- 1 - Flexible Exhaust Connector 30" long
- 1 - Burgess STC-3 Exhaust Silencer
- 1 - TR 250 Trojan Battery Rack
- 2 - Gould Kathode Batteries - type 1EG120
- 1 - Flexible Gas Line

Contractor shall make complete installation where directed by the Town Engineer, and shall install a 1 $\frac{1}{4}$ " gas supply line to the engine generator set. In this line a fuel filter secondary pressure regulator and manual shut off valve shall be installed.

Contractor shall install a 3" exhaust line to the outdoors and this pipe must pitch slightly downward, and must have a drip trap for condensation at the lowest point. Install in this line a flexible exhaust connector and the Burgess exhaust silencer. Piping must terminate with a weather-proof cap on the outside of the building. Pipe is to be as short as possible and all sharp bends are to be avoided. The hole through the wall must be filled with concrete.

Contractor shall furnish and install a weather-proof motor operated louvre in the East window, and from this to the engine generator set must install a sheet metal air duct 24" wide 27 $\frac{1}{2}$ " high with flanges to fasten to radiator housing. Louvre shall open automatically when engine generator set operates.

In the South window contractor shall furnish and install a weather-proof motored operated louvre, 42" wide and 52" high, which shall open automatically when engine generator set operates.

The engine generator must be securely fastened to floor and shimmed to be perfectly level. The stand-by generator set referred to is Onan's model 50KALR8.

Contractor shall supply and install with necessary wiring where directed by Town Engineer, one - 200 ampere 3 pole solid neutral full phase protection enclosed transfer switch, as manufactured by the Automatic Switch Company, catalog #905355C, including a 3 second time delay against momentary outages, 4 position selector switch, 12 volt 2 ampere battery charger, a half hour engine exerciser and engine starting contacts.

A factory engineer or their authorized agents' service engineer shall be present with the contractor for the initial starting of this engine generator set, to check the complete installation and the operation of its initial starting. Also to instruct the proper personnel in the operation of this equipment with a copy of the service engineer's report being furnished to the Town Engineer and the contractor.

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

Item No. 14-Cont'd.

(Affidavit)

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

NOTICE TO BIDDERS
The Town of Cheektowaga hereby requires separate sealed bids for furnishing and installing a natural gas operated emergency engine-generator set and specified accessories in the Cheektowaga Town Hall, Union Road and Broadway, Cheektowaga, New York. The detailed specifications may be examined at the office of the Town Clerk, where the same are on file.

Copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 7:30 o'clock P. M., Eastern Daylight Saving Time on August 18th, 1958, 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: August 4, 1958.
KENNETH T. HANLEY,
Town Clerk

au7

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

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

was inserted and published therein once a week for

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

..... *7th* day of *August*, 19*58*., 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

AUG 11 1958

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

[Signature]
Notary Public in and for Erie County

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

WHEREAS, a written petition was duly filed with this Board for the improvement of the highway known as Walden Avenue, by the construction of a lateral sewer in said highway to wit: That portion of Walden Avenue extending from Union Road, west, approximately 2600 feet to the Walden Interchange of the Ontario Thruway, and

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

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of Sixty Thousand (\$60,000.00) Dollars.

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 18th day of August, 1958 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 and 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 Depew Herald and Cheektowaga News, a newspaper published in said Town and 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 highway to be improved.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

17
24

Posted as follows on the 8th day of August, 1958:

- 1 - Telephone pole at the southwest corner of Union Rd. and Walden Avenue;
- 2 - Telephone pole at the southeast corner of Union Rd. and Walden Avenue;
- 3 - Telephone Pole No. 7 on Walden Avenue;
- 4 - Telephone Pole No. 5 on Walden Avenue;
- 5 - Post in front of Zolas Restaurant on Walden Avenue;

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

Item No. 15-Cont'd.

(Affidavit)

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

NOTICE OF MEETING

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 August, 1958 at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were

PRESENT:
Benedict T. Holtz, Supervisor
Joseph A. Neibert, Councilman
Felix T. Wroblewski, Councilman
Stanley R. Bystrak, Councilman
Joseph Trojanoski, Councilman
Joseph Kornecki, Councilman
Alancin Fath, Councilman

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

which resulted as follows:
Supervisor Holtz, voting Aye
Councilman Neibert, voting Aye
Councilman Wroblewski, voting Aye
Councilman Bystrak, voting Aye
Councilman Trojanoski, voting Aye
Councilman Kornecki, voting Aye
Councilman Fath, 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 4th day of August, 1958, 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 August, 1958.

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

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

was inserted and published therein once a week for

one week, the first insertion being on the 7th day of August, 1958, and

the last insertion being on the _____ day of _____, 19____, and that not

more than six days intervened between any two publications thereof.

Richard G. Bennett

_____ day of _____, 19____

Kenneth T. Hanley
Notary Public in and for Erie County

Item No. 15-Cont'd.

(Affidavit)

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

Funeral services were held Saturday from the Wendel & Loecherer Funeral Home. Burial was in Lancaster Rural Cemetery.
grandchildren and three great-grandchildren.
Mrs. Stephan Hebsmann, Mr. and Mrs. George Kovach, Mr. and Mrs. Robert Branton, Mr. and Mrs. Charles Keech and Mr. and Mrs. James Kovach; grandfather of 29

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

A GIFT SUBSCRIPTION to this newspaper is acceptable at any time of the year.

He entered the Army in March of this year and received basic combat training at Fort Knox, Ky. He recently completed the eight-week general supply course at Fort Monin, 828 Fench Rd., Cheektowaga, Ark. Monin received instruction in the fundamentals of army supply procedures and the preparation of supply records and reports.

He said that savings amount to about \$1.50 per tractor tankful or 70 per thousand gallons. aid. any other citizen for gasoline used on public roads. Road

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

printed slip taken from said newspaper, is a copy,

inserted and published therein once a week for

week, the first insertion being on the

day of August, 1958, and

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 11 1958, 19

Kurt T. Hardy
Notary Public in and for Erie County

STATE OF NEW YORK }
COUNTY OF ERIE }

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 4th day of August, 1958 at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were

PRESENT:

- Benedict T. Holtz, Supervisor
- Joseph A. Neibert, Councilman
- Felix T. Wroblewski, Councilman
- Stanley R. Bystrak, Councilman
- Joseph Trojanoski, Councilman
- Joseph Kornecki, Councilman
- Alancin Fath, 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 the highway known as Walden Avenue, by the construction of a lateral sewer in said highway to wit: That portion of Walden Avenue extending from Union Road, west, approximately 2600 feet to the Walden Interchange of the Ontario Thruway, and

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

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition in the sum of Sixty Thousand (\$60,000.00) Dollars.

NOW, THEREFORE, BE IT RESOLVED, pursuant to the provisions of Section 193 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 18th day of August, 1958 at 7:30 o'clock P. M., Eastern Daylight Saving Time, for the purpose of reconsidering the said petition and hearing of persons interested in the subject matter thereof concerning the same, and be it further

RESOLVED AND 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 Depew Herald and Cheektowaga News, a newspaper published in said Town and 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 highway to be improved.

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

- Supervisor Holtz, voting Aye
- Councilman Neibert, voting Aye
- Councilman Wroblewski, voting Aye
- Councilman Bystrak, voting Aye
- Councilman Trojanoski, voting Aye
- Councilman Kornecki, voting Aye
- Councilman Fath, 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 4th day of August, 1958, 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 August, 1958.

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

RICHARD G. BENNETT

Item No. 16 Moved by Councilman Wroblewski, seconded by Councilman Neibert, that George Pawlowski be appointed as an Engineers Aide, subject to a Civil Service Examination.

AYES: -7- NOES: -0- ABSENT: -0-

31

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

RESOLVED, that Norman Conway, Cheektowaga, New York, be appointed Recreation Supervisor to serve as such at the Maryvale Teen Center; his duties to entail planning and general supervision of the Center, and to be compensated at the rate of \$2,000.00 per annum, and be it further

RESOLVED, that William Kornacki, Cheektowaga, New York, be appointed as laborer to serve at the Maryvale Teen Center at an hourly rate of \$1.50.

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

Supervisor Holtz Voting AYE
Councilman Fath Voting AYE
Councilman Wroblewski Voting AYE
Councilman Neibert Voting AYE
Councilman Bystrak Voting AYE
Councilman Trojanoski Voting AYE
Councilman Kornecki Voting AYE

AYES: -7- NOES: -0- ABSENT: -0-

16
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Item No. 18 Councilman Trojanoski presented the following resolution and moved its adoption:

BE IT RESOLVED, that Albert Pijanowski of Cheektowaga 25, New York, and John Nowicki of Cheektowaga 25, New York, be and they hereby are appointed Sewage Plant Trainees at Disposal Plant No. 5, at an annual salary of \$4,200.00, effective immediately.

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

Supervisor Holtz Voting AYE
Councilman Neibert Voting AYE
Councilman Wroblewski Voting AYE
Councilman Bystrak Voting AYE
Councilman Trojanoski Voting AYE
Councilman Kornecki Voting AYE
Councilman Fath Voting AYE

AYES: -7- NOES: -0- ABSENT: -0-

31
20

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

WHEREAS, Change Order No. 2 has been submitted, pursuant to the contract for the cleaning of the Primary Digesters in Sewage Treatment Plant.No. 5 as follows:

Change Order No. 2

In the amount of \$2,003.05, to remove rusted plates and weld in new plates in the Gas Domes and Floating Roof Decks and wire brush and paint steel of Gas Domes and Floating Roof Decks of Digesters No. 3 and No. 4.

and

WHEREAS, the same has been approved by the Town Engineer and the Town Attorney.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to approve the Change Order as submitted.

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

Supervisor Holtz Voting AYE
Councilman Neibert Voting AYE
Councilman Wroblewski Voting AYE
Councilman Bystrak Voting AYE
Councilman Trojanoski Voting AYE
Councilman Kornecki Voting AYE
Councilman Fath Voting AYE

AYES: -7- NOES: -0- ABSENT: -0-

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3

Item No. 20 This being the time and the place advertised for the receiving of sealed proposals for the erection of 610 lineal feet of Stockade Fence along the rear lot line of the east subdivision lots of Patton Lane.

Moved by Councilman Bystrak, seconded by Councilman Neibert, that the Clerk proceed with the opening of the sealed bids on hand.

Hereto is a summary of the bids received:

- 1 - Avenue Nursery and Landscape Service.....\$1,435.00
- 2 - Aluminum Fence Co., Inc..... 1,867.00

Moved by Councilman Bystrak, seconded by Councilman Neibert, that the bids be referred to the Town Engineer for analysis and tabulation.

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36

Item No. 21**LEGAL NOTICE**

WHEREAS, the Zoning Board of Appeals of the Town of Cheektowaga, New York, held a public hearing for the purpose of considering the application of Leonard Post Jr. Post No. 6251 Inc., for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, the Zoning Board of Appeals having rendered its decision granting the application of the petitioner to rezone from Residential District to Business District the property hereinafter described, be it

RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petitioner to rezone premises from Residential District to Business District be and the same is hereby confirmed, be it

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

DESCRIPTION

Town of Cheektowaga, County of Erie and State of New York, being part of Lots No. 16, Township 11, Range 7 of the Holland Land Company's Survey and bounded and described as follows:

BEGINNING at the point of intersection of New Walden Avenue with a line which is 30.21 chains westerly from the easterly line of said Lot No. 16 and parallel thereto; running thence westerly along the northerly line of New Walden Avenue 224.40 feet to a concrete monument; continuing thence westerly along the northerly line of New Walden Avenue, forming an interior angle of 136° 17', a distance of 312 feet; running thence northwesterly along lands of the Ontario Thruway, forming an interior angle of 131° 26', a distance of 108 feet record, 104.1 feet measured to a concrete monument; continuing thence northerly along said Thruway lands, forming an interior angle of 144° 36' a distance of 254.65

feet to the southwest corner of lands awarded to Central School District No. 1 of the Town of Cheektowaga (see lands awarded to Central School District No. 1 of the Town of Cheektowaga in action entitled "Central School District No. 1 of the Town of Cheektowaga, Erie County, New York, Plaintiff, vs 566 Ridge Road West, Inc., 222 New Walden Avenue, Inc. and Adolph Kelemen, Defendants", filed in the Erie County Clerk's Office under Proceeding No. B 85589; see also notice of pendency relating to said action recorded November 27, 1957 in the Erie County Clerk's Office in Liber 253 of Lis Pendens at Page 571); running thence easterly along the southerly line of lands so awarded to the Central School District No. 1 of the Town of Cheektowaga, as aforesaid, 951.79 feet to the southeast corner of lands awarded to the Central School District No. 1 of the Town of Cheektowaga, as aforesaid, which point is 24.73 chains westerly from the easterly line of said Lot No. 16 and 26.15 chains southerly from the north line of said Lot No. 16; running thence southerly along a line which is 24.73 chains westerly from the easterly line of said Lot No. 16 and parallel thereto, 40 links record, 26.42 feet measured, to the north bounds of lands conveyed to John Zola and Valentina, his wife, by deed dated July 29, 1937 and recorded in the Erie County Clerk's Office in Liber 2688 of Deeds at Page 192 on July 29, 1937; running thence westerly along the said north bounds of lands conveyed to John Zola and wife, as aforesaid, 365.25 feet to the northwest corner of lands conveyed to John Zola and wife, as aforesaid, which point of intersection is 30.21 chains west of the easterly line of said Lot No. 16; thence southerly along a line which is 30.21 chains westerly from the easterly line of said Lot No. 16 and parallel thereto, 397.98 feet to the point of place of beginning. Containing 5.16 Acres more or less.

Dated: August 4, 1958.

KENNETH T. HANLEY,

Town Clerk, Town of
Cheektowaga, N. Y.

au7

The above Notice was posted on the Town Hall Bulletin Board on the 9th day of August, 1958:

Item No. 22 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski that the Town Clerk be authorized and directed to issue all building permits on application processed by the Petitions Committee on July 26, 1958 and August 2, 1958, after same have been approved by the Building Inspector.

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 23 At the request of Councilman Wroblewski, a representative from the U.S. Rubber Reclaiming Corporation was invited to this meeting in regard to the dumping of approximately 280 gallons of an oil compound into the sanitary sewer in Walkowiak Street.

Dr. Louis Vendetti, Town Health Officer was granted the floor and submitted to the Board a sample of the substance which had been analyzed by the Erie County Laboratory and their report stated that it contained "oil, resins and a plasticized material." The Town Health Officer also stated that these components are the same as a sample taken a few years ago when U.S. Rubber Reclaiming Corporation admitted responsibility for sewer clogging and air pollution.

U.S. Rubber Reclaiming Corporation Plant Manager William A. Bird was granted the floor and related to the Board that his Corporation made a chemical analysis of the substance and has conclusive proof that it did not come from the plants disposal system.

Councilman Wroblewski requested that a bill in the amount of \$750 be sent to the Rubber Corporation, said amount being for service required by Town Employees who were forced to clean up the substance, said bill to be payable in one week.

Mr. Bird would not take responsibility for the bill.

Item No. 24 Moved by Councilman Wroblewski, 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. 1810 to Warrant 1927, inclusive, drawn on the Supervisor.

Item No. 25 Moved by Councilman Neibert, seconded by Councilman Wroblewski, to adjourn.

SEAL

Kenneth T. Hanley,
Town Clerk.

Kenneth T. Hanley

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MEETING NO. 22

Cheektowaga, New York
August 18, 1958

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 18th day of August, 1958, at 7:30 o'clock P.M., E.D.S.T., there were:

PRESENT: Benedict T. Holts	Supervisor
Alancin M. Fath	Councilman
Felix T. Wroblewski	Councilman
Joseph Kornecki	Councilman
Joseph M. Trojanoski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

Also present were: Town Clerk Hanley; Town Attorney Delahunt; Chief of Police Merzmann, and Town Engineer Kamm.

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

Item No. 3 Referred to Committee communication from Congressman John R. Pillon, relating to a new Post Office in the Town. 8

Item No. 4 Received and filed communication from Margaret Graney terminating her re-installment as Tax Clerk. 10

Item No. 5 Communication read from Helen Weigold complaining about an action by a contractor or contractors rendering certain premises owned by her as useless for building purposes. Ordered referred to the Town Board, Town Engineer, and the Highway Superintendent. 10

Item No. 6 Referred to the County Highway Superintendent communication relating to a dangerous situation on the east side of the New York State Thruway at the foot of Geo. Urban Blvd. 9

Item No. 7 Referred to Councilman Trojanoski a petition from the residents of Cayuga Creek Road requesting to be excluded from the new proposed Sewer District No. 8. 17

Item No. 8 Referred to Councilman Trojanoski a petition from the residents of Broadway area requesting to be excluded from the new proposed Sewer District No. 8. 17

Item No. 9 Referred to the Supervisor the following complaints:
1 - The complaint of Harold Condon, in regard to South Huth Road being only partly paved.
2 - The complaint of Joseph Puchowski, relating to culverts and ditches at the intersection of Harlem Road and McNaughton Avenue.
3 - The complaint of Joseph Hoerner calling to the attention of the Board that the Highway Department promises to cut down weeds on a vacant lot on the west side of The Avenue, between McNaughton Avenue and Kemp Avenue. 13
4 - The complaint of Mrs. Borwocz of relating to a ditch dug by the State in front of her dwelling.

Item No. 10 Referred to the Town Engineer the complaint of the residents of Peoria Street relating to construction of curbs in said highway. 13

Item No. 11 Communication read from the Water Power and Control Commission, approving the establishment of Water District No. 10. Ordered received and filed. 29

Item No. 12 Referred to the Town Attorney and Holloway and Company communication from the Bowmansville Volunteer Fire Assn., relating to the renewal of contract for Fire Protection District No. 1. 33
22

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

BOND RESOLUTION DATED AUGUST 18, 1958, AUTHORIZING THE ISSUANCE OF \$10,300 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF A LATERAL SEWER.

- - - - -

WHEREAS, Sewer District No. 7, hereinafter referred to, is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, pursuant to and in accordance with the provisions of the Town Law of New York, and said Sewer District has constructed and now maintains a trunk system of sewers in said District in accordance with Article 12 of the Town Law of New York, and the lateral sewer hereinafter described is to be connected with said trunk system of sewers and will be entirely within said District, and the purpose hereinafter described is a special improvement authorized by said Article 12;

NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$10,300, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution, is the construction of a lateral sewer in that portion of Goering Avenue extending from Union Road east, approximately 941 feet, and that portion of Union Road extending from Goering Avenue north, approximately 294 feet to Zoerb Avenue, to serve properties on both sides of said portions of said highways to be so improved, in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga on the 3rd day of March, 1958.

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

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$10,300 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessment upon benefited real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 4 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

Item No. 13-Cont'd.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with as of the date of publication of this resolution were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of the said Local Finance Law, and such publication shall be in the DEPEW HERALD AND CHEEKTOWAGA NEWS, a newspaper published and having a general circulation in the Township.

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

Councilman Kornecki presented the following resolution and moved its adoption:

BOND ANTICIPATION NOTE RESOLUTION DATED AUGUST 18, 1958, AUTHORIZING THE ISSUANCE OF \$10,300 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF A LATERAL SEWER.

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

Section 1. The Town Board of the Town of Cheektowaga, in the County of Erie, shall issue its bond anticipation notes of the aggregate principal amount of \$10,300, pursuant to the Local Finance Law of New York, in order to finance in Sewer District No. 7 of the Town of Cheektowaga, the construction of a lateral sewer in that portion of Goering Avenue extending from Union Road east, approximately 941 feet and that portion of Union Road extending from Goering Avenue north, approximately 294 feet to Zoerb Avenue, to serve properties on both sides of said portions of said highways to be so improved, in anticipation of the sale of \$10,300 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the construction of a lateral sewer in accordance with Bond Resolution adopted by the Town Board on the 18th day of August, 1958.

Section 2. As required by the Local Finance Law, it is hereby stated that (a) there are no outstanding Bond Anticipation Notes issued in anticipation of the said Serial Bonds, and (b) the notes authorized by this resolution are not renewal notes, and (c) the notes described in this resolution shall mature within one year from the date of their issue.

Section 3. Notes issued pursuant to this resolution shall be payable not later than one year from the date of said notes, and shall bear interest at a rate which shall not exceed five percent (5%) per annum, payable at maturity. The power to prescribe the terms, form and contents of such notes, subject to the provisions of this resolution, and to sell and deliver said notes, is hereby delegated to the Town Supervisor. The Town Supervisor and the Town Clerk are hereby directed to sign any notes issued pursuant to this resolution and to affix to such notes the corporate seal of the Town of Cheektowaga.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Fath	Voting AYE
Councilman Neibert	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

1 2
2 4

which should be complied with as of the date of publication of this resolution were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the DEPEW HERALD AND CHEEKTOWAGA NEWS, a newspaper published and having a general circulation in the Township.

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

The bond resolution published herewith has been adopted on the 18th day of August, 1958, and the validity of the obligation authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice; or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

public newspaper published at Depew, Town of Cheek-

waga, Erie County, New York, 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, 1958 and

last insertion being on the day of

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

more than six days intervened between any two publi-

cations thereof

Richard G. Bennett

Sworn to before me this day of

August, 1958

Kenneth T. Hanley
Notary Public in and for Erie County

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

BOND RESOLUTION DATED AUGUST 18, 1956, AUTHORIZING THE ISSUANCE OF \$10,300 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF A LATERAL SEWER.

RICHARD G. BENNETT

WHEREAS, Sewer District No. 7, hereinafter referred to, is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, pursuant to and in accordance with the provisions of the Town Law of New York, and said Sewer District has constructed and now maintains a trunk system of sewers in said District in accordance with Article 12 of the Town Law of New York, and the lateral sewer hereinafter described is to be connected with said trunk system of sewers and will be entirely within said District, and the purpose hereinafter described is a special improvement authorized by said Article 12;

NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$10,300, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution, is the construction of a lateral sewer in that portion of Goering Avenue extending from Union Road east, approximately 941 feet, and that portion of Union Road extending from Goering Avenue north, approximately 294 feet to Zoerb Avenue, to serve properties on both sides of said portions of said highways to be so improved, in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga on the 3rd day of March, 1958.

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

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$10,300 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds and (d) all of such cost is to be paid by assessment upon benefited real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 4 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with as of the date of publication of this resolution were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the DEFEW HERALD AND CHEEKTOWAGA NEWS, a newspaper published and having a general circulation in the Township.

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

The bond resolution published herewith has been adopted on the 18th day of August, 1956, and the validity of the obligation authorized by such bond resolution

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

RICHARD G. BENNETT

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 4 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

Section 6. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

Section 7. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with as of the date of publication of this Resolution were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 8. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the DEPEW HERALD AND CHEEKTOWAGA NEWS, a newspaper published and having a general circulation in the Township.

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

The bond resolution published herewith has been adopted on the 18th day of August, 1958, and the validity of the obligation authorized by such bond resolution may be hereafter contested only if such obligations were authorized

for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice; or such obligations were authorized in violation of the provisions of the Constitution of New York.

KENNETH T. HANLEY
Town Clerk of the Town
su21 of Cheektowaga, New York

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

BOND RESOLUTION, DATED AUGUST 18, 1958, AUTHORIZING THE ISSUANCE OF \$15,000 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF A FOOT BRIDGE.

WHEREAS, no bond resolution or bond resolutions authorizing bonds to finance the cost of any highway improvement have been adopted during the current fiscal year by the Town Board of the Town of Cheektowaga, in the County of Erie;

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$15,000 pursuant to the Local Finance Law of New York, in order to finance the specific object or purpose hereinafter described.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed by the issuance of said bonds is the construction of a foot bridge, including retaining walls and approaches thereto, of stone, concrete or steel, or of a combination of two or more of such materials, across Scajaquada Creek at its intersection with the town highway of said Town known as Alexander Avenue.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$20,000 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose and the Town Board plans to finance said purpose entirely from funds raised by the issuance of said Serial Bonds, except the sum of \$5,000 which shall be provided by budgetary appropriation.

Section 4. It is hereby determined that the purpose is one of the class of objects or purposes described in Subdivision 10 of Paragraph (a) of Section 11.00 of the Local Finance Law and that the period of probable usefulness thereof is twenty 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. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 7. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the DEPEW HERALD AND CHEEKTOWAGA NEWS, a newspaper published and having a general circulation in said Town.

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

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Fath	Voting AYE
Councilman Neibert	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

LEGAL NOTICE

Bond resolution, dated August 25, 1958, authorizing the issuance of \$15,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie.

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

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

The bond resolution published herewith has been adopted on the 18th day of August, 1958, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice; or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

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

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

was inserted and published therein once a week for

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

..... 25th day of September, 1958, and

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

more than six days intervened between any two publications thereof

Richard G. Bennett

Sworn to before me this day of

September, 1958

Kenneth T. Hanley

Notary Public in and for Erie County

STATE OF NEW YORK
COUNTY OF ERIE

LEGAL NOTICE

Bond resolution, dated August 18, 1938, authorizing the issuance of \$15,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the local finance law, to finance the construction of a foot bridge.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

WHEREAS, no bond resolution or bond resolutions authorizing bonds to finance the cost of any highway improvement have been adopted during the current fiscal year by the Town Board of the Town of Cheektowaga, in the County of Erie;

NOW, THEREFORE,

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$15,000 pursuant to the Local Finance Law of New York, in order to finance the specific object or purpose hereinafter described.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed by the issuance of said bonds is the construction of a foot bridge, including retaining walls and approaches thereto, of stone, concrete or steel, or of a combination of two or more of such materials, across Scajaquada Creek at its intersection with the town highway of said Town known as Alexander Avenue.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$20,000 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose and the Town Board plans to finance said purpose entirely from funds raised by the issuance of said Serial Bonds, except the sum of \$5,000 which shall be provided by budgetary appropriation.

Section 4. It is hereby determined that the purpose is one of the class of objects or purposes described in Subdivision 10 of Paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness thereof is twenty 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. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 7. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the DEFEW HERALD AND CHEEKTOWAGA NEWS, a newspaper published and having a general circulation in said Town.

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

The bond resolution published herewith has been adopted on the 18th day of August, 1938, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice; or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

Item No. 14-Cont'd.

Councilman Trojanoski presented the following resolution and moved its adoption:

BOND ANTICIPATION NOTE RESOLUTION, DATED AUGUST 18, 1958, AUTHORIZING THE ISSUANCE OF \$15,000 BOND ANTICIPATION NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

- - - - -

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

Section 1. The Town of Cheektowaga, in the County of Erie, New York, shall issue its Bond Anticipation Notes of the aggregate principal amount of Fifteen Thousand Dollars (\$15,000), pursuant to the Local Finance Law of New York, in order to finance the specific object or purpose hereinafter described, in anticipation of the issuance of Fifteen Thousand Dollars (\$15,000) Serial Bonds authorized by the bond resolution entitled "Bond Resolution, Dated August 18, 1958, Authorizing the Issuance of \$15,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance the Construction of a Foot Bridge."

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a foot bridge, including retaining walls and approaches thereto, of stone, concrete or steel, or of a combination of two or more of such materials, across Scajaquada Creek at its intersection with the town highway of said Town known as Alexander Avenue.

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.

Section 4. The power to prescribe the terms, form and contents of said Bond Anticipation Notes, subject to the provisions of this resolution, and to sell and deliver said Bond Anticipation Notes, is hereby delegated to the Supervisor. The Supervisor is hereby directed to sign any bond anticipation notes issued pursuant to this resolution and the Town Clerk is hereby directed to affix to such notes the corporate seal of the Town of Cheektowaga, New York.

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

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Fath	Voting AYE
Councilman Neibert	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 15

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, the Town of Cheektowaga has acquired certain property in accordance with letter attached hereto from the Erie County Treasurer, and

WHEREAS, the Assessor of the Town of Cheektowaga, New York, has checked the County Tax Bills for 1958 covering these properties, as per letter attached.

Item No. 15-Cont'd.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to make payment accordingly in the amount of \$713.78.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

6
9
32

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

WHEREAS, bids were received at the August 4th, 1958 meeting of the Cheektowaga Town Board for the purchase of 610 feet of 5 foot high rustic stockade fence, and

WHEREAS, the bids were referred to the finance committee for tabulation, and

WHEREAS, the bid of Avenue Nursery and Landscape Service, in the amount of \$1,435.00, was the lowest bid submitted.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to enter into a contract with Avenue Nursery & Landscape Service for the purchase of 610 feet of 5 foot high rustic stockade fence at a cost of \$1,435.00.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

42

Item No. 17 Moved by Councilman Wroblewski, seconded by Councilman Neibert, that the amended sub division map of Walter Junior sub division Part Lot 15 T 11 R 7, be approved and filed in the Assessor's Office.

AYES: -7-

NOES: -0-

ABSENT: -0-

26

Item No. 18 Moved by Councilman Neibert, seconded by Councilman Trojanoski, that the State Traffic Commission be requested to install a traffic signal light at the intersection of Union Road and Geo. Urban Blvd., Town of Cheektowaga, Erie County, New York.

8

Item No. 19 Moved by Councilman Neibert, seconded by Councilman Wroblewski, that the request of the Chief of Police to post Long Avenue on the west side from Genesee Street to a point 200 feet north of Genesee Street as follows:

(2 hour parking - 7 a.m. to 7 p.m.) be granted.

AYES: -8-

NOES: -0-

ABSENT: -0-

18

Item No. 20 Moved by Councilman Neibert, seconded by Councilman Wroblewski,

WHEREAS, the Chief of Police has recommended the following request of the Board of Fire Commissioners of the Pine Hill Fire District No. 5, be granted:

That the following streets be posted for one-way parking:

- NORMANDY AVENUE --- NO PARKING ON WEST SIDE
- WINKLER ROAD --- NO PARKING ON WEST SIDE
- LOXLEY ROAD --- NO PARKING ON WEST SIDE
- PENDENNIS ROAD --- NO PARKING ON WEST SIDE
- GEO. URBAN BLDG. --- NO PARKING ON WEST SIDE FROM GENESEE TO KAUFMANN ROAD
- ST. JAMES ROAD --- NO PARKING ON WEST SIDE
- DAVID AVENUE --- NO PARKING ON NORTH SIDE
- PARK EDGE N --- NO PARKING ON NORTH SIDE
- MARKUS DRIVE --- NO PARKING ON NORTH SIDE
- VICTORIA BLVD. --- NO PARKING ON SOUTH SIDE
- PARK VIEW TERR. --- NO PARKING ON NORTH SIDE
- PINEWOOD TERR. --- NO PARKING ON NORTH SIDE
- STRALEY AVENUE --- NO PARKING ON NORTH SIDE FROM GUALBERT TO HARLEM ROAD
- VERA AVENUE --- NO PARKING ON NORTH SIDE FROM PINERIDGE RD. TO OLCOTT PLACE
- BELL STREET --- NO PARKING ON SOUTH SIDE FROM PINE RIDGE TER. TO OLCOTT PLACE
- ADLON PLACE --- NO PARKING ON SOUTH SIDE FROM PINE RIDGE TER. TO OLCOTT PLACE
- AVERY PLACE --- NO PARKING ON WEST SIDE FROM HERBERT TO PENNOCK (EXTENSION)
- ALPINE PLACE --- NO PARKING ON WEST SIDE FROM HERBERT TO PENNOCK (EXTENSION)
- PINE PARK --- NO PARKING ON SOUTH SIDE FROM PENNOCK TO AVERY
- ROLLAND ROAD --- NO PARKING ON WEST SIDE
- WESTCHESTER DRIVE --- NO PARKING ON SOUTH SIDE
- GREEN LEAF LANE --- NO PARKING ON SOUTH SIDE
- CAROL DRIVE --- NO PARKING ON EAST SIDE
- BOWAN ROAD --- NO PARKING ON NORTH SIDE

Changes to be made on the following streets:

- OLD AVERY --- (BETWEEN GENESEE AND HERBERT) NO PARKING ON EAST SIDE
- OLD ALPINE --- (BETWEEN GENESEE AND HERBERT) NO PARKING ON EAST SIDE

AYES: -7- NOES: -0- ABSENT: -0-

41

Item No. 21 Moved by Councilman Neibert, seconded by Councilman Fath that the Erie County Water Authority install a hydrant on Bell Street, Town of Cheektowaga, New York, as per request from the Board of Fire Commissioners, Pine Hill Fire District No. 5.

22
28

Item No. 22 This being the time and the place advertised for the receiving of sealed proposals for the furnishing and installing a natural gas operated emergency engine-generator set and specified accessories in the Cheektowaga Town Hall,

Councilman Kornecki moved, seconded by Councilman Neibert that the Clerk be authorized and directed to open and read aloud the sealed proposals on hand.

Hereto is a summary of the bids opened and read:

- 1 - Hobert Welder Sales and Service.....\$6,051.75
- 2 - Zablotny Electric Inc..... 9,885.00
- 3 - Fire Equipment Sales Inc..... 7,342.50

The bids were referred to the Town Engineer for analysis and tabulation.

1
36

Item No. 23 This being the time and the place advertised for a public hearing for the improvement of the highway known as Walden Avenue by the construction of a lateral sewer in said highway to wit: That portion of Walden Avenue extending from Union Road, west, approximately 2600 feet to the Walden Interchange of the Ontario Thruway.

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, the hearing was closed and the matter was referred to the Town Attorney to draw a resolution establishing the above mentioned Special District.

33
24

Item No. 24 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, Walter Piotrowski and Son Builders, Inc., has entered into an agreement with the Town of Cheektowaga, New York, wherein the said Walter Piotrowski and Son Builders, Inc., has agreed to construct the following described highway:

RAYMOND AVENUE - Commencing at Downer Place and extending north a total distance of approximately four hundred seven (407) feet, as shown on Map filed in the Erie County Clerk's Office under Cover No. 2083.

and

WHEREAS, Walter Piotrowski and Son Builders, Inc., has agreed to construct the said highway and complete the same so that said highway will conform in every respect with the specifications of the Town Highway Department, subject to inspection by the Town Highway Superintendent as the work progresses, a total distance of approximately Four Hundred Seven (407) feet, and have filed as security for the faithful performance of said agreement a surety bond in the sum of Six Thousand Two Hundred (\$6,200.00) Dollars, conditioned that it will comply in all respects with the aforementioned agreement.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to execute the annexed agreement between the Town of Cheektowaga, New York and Walter Piotrowski and Son Builders, Inc., on behalf of the Town of Cheektowaga, New York, and be it further

RESOLVED, that said agreement having been approved as to form and the bond as to sufficiency by the Town Attorney and the Town Highway Superintendent, that the Town Attorney be and he hereby is authorized to accept a deed to the Town of Cheektowaga for said highway and that the Town Clerk be and he hereby is authorized to record same.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

AGREEMENT

This Agreement made this 18 day of August, 1958, 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 WALTER PIOTROWSKI AND SON BUILDERS, INC., a corporation organized and existing under the laws of the State of New York, with its office and principal place of business located at 303 Holly Street, Buffalo, New York, party of the second part.

Item No. 24-Cont'd.

WITNESSETH

WHEREAS, the party of the second part is the owner of the abutting property on Raymond Avenue, commencing at Downer Place and extending north a total distance of approximately four hundred seven (407) feet, as shown on a Subdivision Map filed in the Erie County Clerk's Office under Cover No. 2083, and

WHEREAS, the party of the second part has agreed to construct the entire highway and has also constructed in said highway sanitary sewers and will enter into a contract with the Erie County Water Authority for the construction of water lines in said highway and will pay 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 Raymond Avenue, commencing at Downer Place and extending north a total distance of approximately four hundred seven (407) feet, as shown on a Subdivision Map filed in the Erie County Clerk's Office under Cover No. 2083, and has agreed to enter into a contract with the Town of Cheektowaga, to construct said highway under the supervision of the Town Highway Superintendent 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 construct a highway to be known as Raymond Avenue, as above described, on or about August 18, 1959. It further agrees to construct said highway and complete the same, under the supervision of the Town Highway Superintendent 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 Six Thousand Two Hundred (\$6,200.00) Dollars, said Bond is 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 18, 1959, or upon such date as designated by the Highway Superintendent of the Town of Cheektowaga, New York. 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 completing said highway, shall be paid by the party of the second part and its surety; in the event the said sum of \$6,200.00 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 further

AGREED, that said bond is to continue in effect for one (1) year after the completion of the construction and acceptance of the highway by the Town Highway Superintendent, it is however,

AGREED, that the maximum liability of the Surety Company is limited to the sum of Six Thousand Two Hundred (\$6,200.00) Dollars.

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 above mentioned provisions for one year after approval of the completed proposal by 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 /s/ Benedict T. Holtz
Supervisor

WALTER PIOTROWSKI AND SON
BUILDERS, INC.

By /s/ Walter Piotrowski

Item No. 24-Cont'd.

STATE OF NEW YORK)
COUNTY OF ERIE) ss.

On this 21 day of August, 1958, before me personally appeared BENEDICT T. HOLTZ, to me known, who, being by me duly sworn, did depose and say that he resides in the Town of Cheektowaga, New York; that he is the Supervisor of said Town, the municipal corporation described in, and which executed the within instrument; that he knows the seal of said Town; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Town Board of the said Town; and that he signed his name thereto by like order.

/s/ Kenneth T. Hanley
Notary Public, Erie County, New York

STATE OF NEW YORK)
COUNTY OF ERIE) ss.

On this 23 day of August, 1958, before me personally appeared WALTER PIOTROWSKI, to me known, who being by me duly sworn, did depose and say that he is the Treasurer of WALTER PIOTROWSKI AND SON BUILDERS, INC., the corporation described in and which executed the foregoing 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 thereto by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.

/s/ Kenneth T. Hanley
Notary Public, Erie County, New York 33
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Item No. 25 Moved by Councilman Kornecki, seconded by Councilman Wroblewski, WHEREAS, the Superintendent of Highways has recommended that the Highway known as Kennedy Road, running from Stradtman Road to Flaczak Avenue, meets with the specifications set forth by the Town, be it RESOLVED, that the above mentioned highway be accepted and maintained by the Town of Cheektowaga.

AYES: -7- NOES: -0- ABSENT: -0- 13

Item No. 26 Moved by Councilman Neibert, seconded by Councilman Wroblewski, WHEREAS, it is necessary for the Town of Cheektowaga to acquire an easement from Victor Reinstein for the relocation of Dick Road Railroad Crossing, and

WHEREAS, an easement has been submitted to the Town for said purpose,

BE IT RESOLVED, that the Supervisor be authorized to execute said easement upon approval of the same by the Town Engineer and the Town Attorney, and

BE IT FURTHER RESOLVED, that the Town Clerk be directed to record the same in the Erie County Clerk's Office.

AYES: -7- NOES: -0- ABSENT: -0- 23

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

WHEREAS, bids were received on May 5, 1958, for the construction of the Alexander Avenue footbridge, and

WHEREAS, the lowest bid submitted for the construction of the Alexander Avenue footbridge was the bid of Frank C. Huber Company, Inc., in the amount of \$18,620.50.

Item No. 27-Cont'd.

BE IT RESOLVED, that the Town of Cheektowaga, New York, accept the bid of Frank C. Huber Company, Inc., in the amount of \$18,620.50. That Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga, New York, and the Town Attorney prepare the necessary contract documents to be signed by the Contractor and the Town of Cheektowaga, New York, for the work to be done in accordance with the plans and specifications prepared by the Consulting Engineers.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 28

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Town Health Officer has alleged that the U.S. Rubber Reclaiming Co., Inc. has permitted the insertion of improper substance in the sewer system and recommends legal action.

BE IT RESOLVED, that the Town Board approve proper legal action by the Cheektowaga Health Board against the U.S. Rubber Reclaiming Co., Inc., and that the Supervisor be authorized to sign said subpoena, or any member of the Town Board.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

33
43

Item No. 29

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, the Town of Cheektowaga recently enacted an Air Pollution Ordinance and has appointed an Air Pollution Board and has begun active operation, and

WHEREAS, there are many requests for restriction of Air Pollution emanating from the Village of Depew,

WHEREAS, the Town of Cheektowaga has no jurisdiction over Air Pollution in the Village of Depew,

WHEREAS, the Town of Cheektowaga is ready and willing to supply enforcement of Air Pollution control to the Village of Depew at no expense to said village,

BE IT RESOLVED, that the Village of Depew be requested to adopt legislation similar to the Cheektowaga Ordinance in order to eliminate certain objectionable Air Pollutions in said Village, and be it further

RESOLVED, that the Town Clerk be and he hereby is authorized and directed to submit a certified copy of this resolution to the Village of Depew.

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

Supervisor Holtz	Voting AYE
Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

40
43

Item No. 30 Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, the Town of Cheektowaga recently enacted an Air Pollution Ordinance and has appointed an Air Pollution Board and has begun active operation, and

WHEREAS, there are many requests for restriction of air pollution emanating from the Village of Sloan, and

WHEREAS, the Town of Cheektowaga has no jurisdiction over air pollution in the Village of Sloan, and

WHEREAS, the Town of Cheektowaga is ready and willing to supply enforcement of air pollution control to the Village of Sloan at no expense to said village.

BE IT RESOLVED, that the Village of Sloan be requested to adopt legislation similar to the Cheektowaga Ordinance in order to eliminate certain objectionable air pollutions in said village, and be it further

RESOLVED, that the Town Clerk be and he hereby is authorized and directed to submit a certified copy of this resolution to the Village of Sloan.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

40
43

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

WHEREAS, Leo D. DiBernardinis has requested that the Town of Cheektowaga deed to him a portion of Subdivision Lot No. 449 under Map Cover 962, which premises are on Orchard Place in the Town of Cheektowaga, New York, and

WHEREAS, Leo D. DiBernardinis is the owner of adjoining premises and has a proper use for same, and

WHEREAS, the Town of Cheektowaga has no use for the premises, except the easterly 30.5 feet thereof, and

WHEREAS, no other person could use the same because of the peculiar shape of the lot.

BE IT RESOLVED, that Subdivision Lot No. 449 under Map Cover 962 be deeded to Leo D. DiBernardinis by the Supervisor, upon payment of \$100.00, therefore,

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

33

Item No. 32 Councilman Wroblewski presented the following resolution and moved its adoption:

BE IT RESOLVED, that George Pawlowski be appointed Junior Engineering Aide, in correction of resolution of August 4, 1958.

Seconded by Councilman Neibert.

AYES: -7-

NOES: -0-

ABSENT: -0-

31

Item No. 33 Moved by Councilman Kornecki, seconded by Councilman Neibert, that Samuel Gajewski be appointed as a laborer on a part time basis.

AYES: -7- NOES: -0- ABSENT: -0- 31

Item No. 34 Moved by Councilman Wroblewski, seconded by Councilman Kornecki, that the request of the Town Clerk to attend a Training School for Town Clerks at Albany, N. Y. on September 8, 9, and 10, 1958, be granted.

AYES: -7- NOES: -0- ABSENT: -0- 35
42

Item No. 35 Moved by Councilman Wroblewski, seconded by Councilman Kornecki, that the request of the Highway Superintendent to attend the New York State Association of Town Superintendents of Highways, Inc., at Syracuse, N.Y. on September 10, 11, and 12, 1958, be granted.

AYES: -7- NOES: -0- ABSENT: -0- 13
42

Item No. 36 Councilman Bystrak presented the following resolution and moved its adoption:

Resolved, that the Niagara Mohawk Power Corporation be authorized to place lamp standard No. 159 Cleveland Drive across the street approximately eight (8) feet east of the north property line of No. 162 Cleveland Drive and install a 6000 lumen light on said standard.

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

Supervisor Holtz	Voting AYE
Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -7- NOES: -0- ABSENT: -0- 27

Item No. 37 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the New York State Electric and Gas Corporation be authorized to install a 2500 lumen globe type light on existing pole No. 6 on the west side of Smith Street, directly across from Broad Street.

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

Supervisor Holtz	Voting AYE
Councilman Fath	Voting AYE
Councilman Wroblewski	voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -7- NOES: -0- absent; -0- 27

Item No. 38 Moved by Councilman Trojanoski, seconded by Councilman Neibert, that the Town Attorney be authorized and directed to draw up a resolution setting September 19, 1958, as a deadline for the installation of sidewalks in the Town of Cheektowaga.

AYES: -7- NOES: -0- ABSENT: -0- 33
25

Item No. 39 Mr. Bystrak offered the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 28th day of July, 1958.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
North Willowlawn Parkway	Dingen Street	End of the Street

TYPE OF STREET LIGHTING INSTALLATION

Y 19 Standards-Underground Conduit

WHEREAS, Edward B. Jerzewski 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 8th day of September, 1958, 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 of the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five public places on each of the said highways to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

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

Supervisor Holtz	Voting AYE
Councilman Fath	Voting AYE
councilman Bystrak	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Neibert	Voting AYE
Councilman Trojanoski	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

27
17

Posted as follows on the 22nd day of August, 1958:

- 1-Post at the corner of North Willowlawn Parkway and Dingen Street;
- 2-Post in front of No. 243 North Willowlawn Parkway;
- 3-Post in front of No. 251 North Willowlawn Parkway;
- 4-Post in front of No. 254 North Willowlawn Parkway;
- 5-Post in front of No. 278 North Willowlawn Parkway;

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

Item No. 39-Cont'd.

(Affidavit)

STATE OF NEW YORK

ty (20) days before the day designated for the hearing as aforesaid. Seconded by Councilman Neibert, and duly put to a vote which resulted as follows:

- Supervisor Holtz, voting Aye.
 - Councilman Fath, voting Aye
 - Councilman Wroblewski, voting Aye
 - Councilman Kornecki, voting Aye
 - Councilman Trojanoski, voting Aye
 - Councilman Neibert, voting Aye
 - Councilman Bystrak, 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 18th day of August 1958, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 18th day of August, 1958.

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

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, 1958, 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 *58*

Ken T. Hanley
Notary Public in and for Erie County

STATE OF NEW YORK }
 COUNTY OF ERIE }

LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 16th day of August, 1958, at 7:30 o'clock P. M. Eastern Daylight Saving Time, there were:

PRESENT:

Benedict T. Holtz, Supervisor
 Alancin M. Fath, Councilman
 Felix T. Wroblewski, Councilman
 Joseph Kordecki, Councilman
 Joseph M. Trojanoski, Councilman
 Joseph A. Neibert, Councilman
 Stanley R. Bystrak, Councilman

ABSENT: —0—

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

WHEREAS, a petition for the improvement of both sides of the public highways situated in Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 28th day of July 1958.

PUBLIC HIGHWAYS TO BE IMPROVED

North Willowlawn Parkway, from Dingen Street to the end of the street.

TYPE OF STREET LIGHTING INSTALLATION

Y-19 Standards — Under ground Conduit.

WHEREAS, EDWARD B. JEROME and ANDREW J. 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 8th day of September, 1958, at 2:30 P.M., Eastern Daylight Saving Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED THAT a copy of this order, certified by the Town Clerk, be published at least once in the Depew Herald and Cheektowaga News, 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:

Supervisor Holtz, voting Aye.
 Councilman Fath, voting Aye
 Councilman Wroblewski, voting Aye
 Councilman Kordecki, voting Aye
 Councilman Trojanoski, voting Aye
 Councilman Neibert, voting Aye
 Councilman Bystrak, 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 16th day of August 1958, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 16th day of August, 1958.

KENNETH T. HANLEY
 Clerk of the Town Board,
 au21 Town of Cheektowaga, N.Y.

RICHARD G. BENNETT

Item No. 40 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski that the Town Clerk be authorized and directed to issue all building permits on application processed by the Petitions Committee on August 9, 1958 and August 16, 1958, after same have been approved by the Building Inspector.

AYES: -7-

NOES: -0-

ABSENT: -0-

35
15

Item No. 41 Moved by Councilman Kornecki, 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. 1928 to Warrant No. 2059, inclusive, drawn on the Supervisor.

6

Item No. 42 Moved by Councilman Neibert, seconded by Councilman Fath, to adjourn.

SEAL

Kenneth T. Hanley
Town Clerk

Kenneth T. Hanley

MEETING NO. 23

Cheektowaga, New York
September 8, 1958

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 8th day of September, 1958, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were

PRESENT: Benedict T. Holtz	Supervisor
Alancin M. Fath	Councilman
Felix T. Wroblewski	Councilman
Joseph Kornecki	Councilman
Joseph M. Trojanoski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

ABSENT: -0-

Also present were: Town Attorney Delahunt and Deputy Town Clerk Elizabeth Biniacs.

Item No. 2 The 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 This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof was duly filed.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
North Willowlawn Parkway	Dingen Street	The End of the Street

TYPE OF STREET LIGHTING INSTALLATION

Six Y 19 Standards - Underground Conduit

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

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

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

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
North Willowlawn Parkway	Dingen Street	The End of the Street

TYPE OF STREET LIGHTING INSTALLATION

Six Y 19 Standards - Underground Circuit

and heard all persons interested in the subject thereof.

Item No. 3-Cont'd.

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

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

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

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

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

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

Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

STATE OF NEW YORK)
COUNTY OF ERIE) ss.

I, KENNETH T. HANLEY, Town Clerk of the Town of Cheektowaga, Erie County, New York, do hereby certify that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town held on the 8th day of September, 1958, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof; and that the resolutions and orders duly adopted by the said Town Board are on file in my office.

I further certify that all members of said Town Board had due notice of said meeting.

I further certify that a certified copy of such resolution and order was caused by me to be recorded in the office of the Clerk of Erie County New York, on the 17th day of September, 1958.

In witness whereof, I have hereunto set my hand and the seal of the said Town of Cheektowaga this 17th day of September, 1958.

SEAL

KENNETH T. HANLEY
Town Clerk

17
27

Item No. 4 Moved by Councilman Bystrak, seconded by Councilman Neibert, that the Supervisor be authorized and directed to purchase from the Westinghouse Manufacturing Corporation Six Y 19, 2500 lumen, Street Lighting Standards to be used in North Willowlawn Parkway Special Street Lighting District.

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 5 Councilman Wroblewski moves the following resolution for adoption:

BE IT RESOLVED that a leave of absence of thirty days commencing from August 30, 1958 be granted to Philip Schultz who is confined to the Veterans Hospital.

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

AYES: -7- NOES: -0- ABSENT: -0- 21

Item No. 6 Motion made by Councilman Fath, seconded by Councilman Wroblewski, to approve the sickleave request for John E. Carr, Detective Sergeant, from September 9, 1958 to October 9, 1958, inclusive.

AYES: -7- NOES: -0- ABSENT: -0- 21

Item No. 7 Councilman Kornecki moves the following resolution for adoption:

BE IT RESOLVED, that Chief of Police John F. Mersmann be granted permission to attend the 65th Annual Conference of the International Association of Chiefs of Police, Incorporated, at Miami Beach, Florida from October 26 to 31, 1958, inclusive.

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

AYES: -7- NOES: -0- ABSENT: -0- 18

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

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

(1) There shall be issued pursuant to the Bond Resolution entitled "Bond Resolution Dated April 7, 1958, Authorizing the Issuance of \$166,000 Serial Bonds and \$9,000 Capital Notes of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance the Erection and Equipment of a Highway Building", adopted by the Town Board on April 7, 1958, two (2) Capital Notes of the Town of Cheektowaga, in the denominations of \$4,500 each.

(2) The power to prescribe the terms, form and contents of said notes and to sell and deliver said notes, is hereby delegated to the Town Supervisor. The Town Supervisor is hereby directed to sign said notes, 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.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Neibert	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -7- NOES: -0- ABSENT: -0-

Councilman Fath presented the following resolution and moved its adoption:

BOND ANTICIPATION NOTE RESOLUTION, DATED SEPTEMBER 8, 1958, AUTHORIZING THE ISSUANCE OF \$166,000 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 ERECTION AND EQUIPMENT OF A HIGHWAY BUILDING

- - - - -

Item No. 8-Cont'd.

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 \$166,000, pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described, in anticipation of the issuance of \$166,000 Serial Bonds authorized by the bond resolution entitled "Bond Resolution Dated April 7, 1958, Authorizing the Issuance of \$166,000 Serial Bonds and \$9,000 Capital Notes of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance the Erection and Equipment of a Highway Building," adopted by the Town Board on April 7, 1958.

Section 2. The specific purpose (hereinafter referred to as "purpose") to be financed by the issuance of said notes is the construction of a Class "A" (fireproof) building, as defined in Section 11.00 of the Local Finance Law, to be used by the Town Superintendent of Highways as a place for the housing and storage of machinery, tools, implements and equipment owned by the Town of Cheektowaga, on the parcel of land now owned by the Town located on Union Road near Broadway, and the acquisition of furnishings and equipment suitable for the use of said building for such purpose.

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:

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Neibert	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

12
3

Item No. 9
for adoption:

Councilman Bystrak presented the following resolution

BE IT RESOLVED that bids received on July 21, 1958, for two (2) two-ton truck chassis with cab for the Sanitation Department be rejected.

Seconded by Councilman Wroblewski, which resulted as follows:

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Neibert	Voting NAYE

AYES: -6-

NOES: -1-

ABSENT: -0-

1
23

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

WHEREAS, the Erie County Planning Board has submitted a uniform numbering system on an area wide basis to include the Town of Cheektowaga, after many requests for the same by interested agencies and individuals and after lengthy study by an advisory committee, and has requested the Town of Cheektowaga to submit its opinion in the matter in accordance with the letter and map attached hereto.

BE IT RESOLVED, that the Town Board of the Town of Cheektowaga go on record as approving the plan as submitted, and be it further RESOLVED, that the Town Clerk be and he hereby is authorized and directed to submit a certified copy of this resolution to the Erie County Planning Board.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

9
42

Item No. 11 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Public Service Commission of the State of New York has heretofore submitted to the Depew Village Board, in connection with Case 18689, involving the order of said Commission for the relocation of the Dick Road grade crossing of the New York Central Railroad tracks:

6 copies of "Estimate for Contract Work",
in amount \$35,900, dated April 7, 1958.

6 Copies of "Specifications, Issue 1, Spec.
No. 93053-s", dated April 11, 1958.

6 Copies of estimate of work to be performed
by company forces in amount \$21,400, dated
April 14, 1958.

6 Prints of Signal Department Location Plan
No. 8808, dated March 25, 1958,

and

WHEREAS, all rights of way have been obtained permitting of such relocation, and

WHEREAS, the aforementioned documents submitted by the said Commission have been examined and approved by this Board, NOW, THEREFORE,

BE IT RESOLVED, that this Board hereby approves of the aforementioned documents submitted by the Public Service Commission, in connection with Case 18689, and

BE IT FURTHER RESOLVED, that the Town Clerk be and he hereby is directed to send to the Public Service Commission a certified copy of this resolution of approval.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Fath	Voting AYE
Councilman Neibert	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

8
33
42

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

BE IT RESOLVED, that \$1,800.00 be transferred from the Contingency Fund to the Sidewalk Fund for sidewalk repairs.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

2
12
25

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

WHEREAS, emergency sewer repairs were required on Hedwig Street in Sanitary Sewer District No. 4, which repairs were ordered by the Town Engineer, and

WHEREAS, the cost of the work and materials amounted to \$809.74.

BE IT RESOLVED, that the voucher of Straco, Inc., in the amount of \$809.74 to do the work and furnish the materials, be approved and ordered paid.

Seconded by Councilman Wroblewski.

AYES: -7-

NOES: -0-

ABSENT: -0-

6

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

WHEREAS, Change Order No. 1 has been submitted, pursuant to the contract for the construction of storm sewer and appurtenances in Storm Drainage District No. 5, as follows:

Change Order No. 1

In the amount of \$4,317.60, for extension of 12 inch diameter storm sewer on Mansion Street, including one (1) manhole, five (5) receivers, resetting receivers, and their connections to sewer extension, backfill, etc.

and

WHEREAS, the same has been approved by the Town Engineer and the Town Attorney.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to approve the Change Order as submitted.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

6
26

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

WHEREAS, Perfetto Corporation has been directed to correct drainage at 108 and 97 Claude Drive by the installation of curbing in driveway, to eliminate flooding caused by building at improper grades.

BE IT RESOLVED, that it be given 14 days to correct the situation before institution of legal proceedings, and

BE IT FURTHER RESOLVED, that the Town Clerk be directed to submit a certified copy of this resolution to Perfetto Corporation.

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

AYES: -7- NOES: -0- ABSENT: -0-

34
112

Item No. 16 Resolution by Councilman Kornecki,
Seconded by Councilman Neibert,

WHEREAS, the Town Superintendent of Highways did, on the 19th day of May, 1958, duly recommend the purchase of certain equipment pursuant to the provisions of Section 142 of the Highway Law,

NOW, THEREFORE, BE IT RESOLVED that pursuant to Section 142 of the Highway Law, the Town Superintendent of Highways is hereby authorized to purchase, in accordance with the provisions of Article 5-A of the General Municipal Law, with the approval of the County Superintendent of Highways, the following:

two trucks

for a maximum price of Twenty six thousand nine hundred sixty nine Dollars (\$26,969.60), delivered at Cheektowaga, N. Y., and to be delivered on or about September 12, 1958.

The Town Superintendent of Highways is hereby authorized, subject to the approval of the County Superintendent of Highways, to surrender to the vendor

-0-

as part payment for the above equipment to be purchased.

The terms of payment will be as follows:

Trade-in allowance	\$ -0-
Check drawn on Machinery Fund	2,000.00
Check from proceeds of obligations	24,969.60
Total	\$26,969.60

A contract of purchase for the items purchased shall be duly executed between the Town Superintendent of Highways and such vendor, and when duly approved by the County Superintendent of Highways, it shall become effective. When such contract has been duly executed and approved, the Supervisor is authorized to complete such purchase upon delivery of the items purchased in accordance with the terms of such resolution and such contract, and to pay the above amount specified to be paid by check or checks.

- (1) by a check drawn on the Machinery Fund (Item 3) for \$2,000.00:
- (2) by a check in the amount of \$24,969.60, drawn on the account established from the proceeds of obligations to be issued pursuant to the Local Finance Law to finance such purchase. Such obligations will be authorized to be issued by this Board by a separate resolution.

Vote of Town Board:

Supervisor Holtz	Voting AYE
Councilman Fath	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE

13
1

AYES: -7- NOES: -0- ABSENT: -0-

Item No. 17

REZONING GRANTED**LEGAL NOTICE**

WHEREAS, the Zoning Board of Appeals of the Town of Cheektowaga, New York, held a public hearing for the purpose of considering the application of Abercrombie, Logan and DeRose Inc., for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, the Zoning Board of Appeals having rendered its decision granting the application of the petitioner to rezone from Residential District to Business District the property hereinafter described, be it

RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petitioner to rezone premises from Residential District to Business District be and the same is hereby confirmed, be it

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

DESCRIPTION

All that Tract or Parcel of Land, situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 13, Township 11, Range 7 of the Holland Land Company's Office and according to a map filed in the Erie County Clerk's Office under Cover No. 1243 is known and distinguished as Subdivision Lots Nos. 148 and 149, being situated at the intersection of Genesee Street with the West line of Smallwood Terrace and together being 80.03 feet in frontage along said line of Genesee Street and 140 feet in depth along said line of Smallwood Terrace, as shown on said map.

Dated: September 8, 1958.

KENNETH T. HANLEY,
Town Clerk
at 18 Town of Cheektowaga, N. Y.

17
40

The above Notice was posted on the Town Hall Bulletin Board on the 20th day of September, 1958.

Item No. 18

REZONING GRANTED

LEGAL NOTICE

WHEREAS, the Zoning Board of Appeals of the Town of Cheektowaga, New York, held a public hearing for the purpose of considering the application of Walter Koppel for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, the Zoning Board of Appeals having rendered its decision granting the application of the petitioner to rezone from Residential District to Business District the property hereinafter described, be it

RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petitioner to rezone premises from Residential District to Business District be and the same is hereby confirmed, be it

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

DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, and State of New York, being part of Lot No. 76, Township 10, Range 7 of the Buffalo Creek Reservation, and more particularly described as follows:

COMMENCING at a point in the northerly line of Dingens Street 277.66 feet easterly of the intersection of the southerly line of Dingens Street and the easterly line of Meadowbrook Parkway; thence easterly 585.27 feet to a point in the westerly line of the Lehigh Valley Railroad; thence southerly along the westerly line of the Lehigh Valley Railroad 349.95 feet to the northerly line of the Niagara Thruway; thence westerly along the northerly line of the Niagara Thruway 548.44 feet; thence northerly at an interior angle of 97° 22' - 21" a distance of 287.80 feet; thence northerly at an interior angle of 172° 48' 9" 65 feet to the point or place of beginning.

Dated: September 8, 1958.

KENNETH T. HANLEY,
Town Clerk
s18 Town of Cheektowaga, N. Y.

The above Notice was posted on the Town Hall Bulletin Board on the 20th day of September, 1958.

Item No. 19

REZONING GRANTED

LEGAL NOTICE

WHEREAS, the Zoning Board of Appeals of the Town of Cheektowaga, New York, held a public hearing for the purpose of considering the application of Edgar C. Suor for the rezoning of premises from Residential District to Business District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, the Zoning Board of Appeals having rendered its decision granting the application of the petitioner to rezone from Residential District to Business District the property hereinafter described, be it

RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petitioner to rezone premises from Residential District to Business District be and the same is hereby confirmed, be it

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

DESCRIPTION

Lots 37 through 49, lot 65, the north half of lot 50 and the portion of lots 26 through 34 which falls within the town of Cheektowaga as shown on the subdivision map made by Frederick K. Wing Company, Engineers, entitled "Amended Map of Tip Top in College Hill" made for Suor & Suor and filed in the Erie County Clerk's office under cover of maps 1247 on the 10th day of October, 1924.

Dated: September 8, 1958.

KENNETH T. HANLEY,

Town Clerk

s18 Town of Cheektowaga, N. Y.

19
JD

The above Notice was posted on the Town Hall Bulletin Board on the 20th day of September, 1958.

Item No. 20 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the Town Clerk be authorized and directed to issue all building permits on application processed by the Petitions Committee on August 23, 1958, and September 6, 1958, after same have been approved by the Building Inspector.

AYES: -7-

NOES: -0-

ABSENT: -0-

15
35

Item No. 21 Councilman Kornecki moved, seconded by Councilman Fath, 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. 2060 to No. 3096-a, inclusive, drawn on the Supervisor.

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 22 Moved by Councilman Bystrak, seconded by Councilman Fath, to adjourn.

SEAL

KENNETH T. HANLEY
Town Clerk

Kenneth T. Hanley

MEETING NO. 24Cheektowaga, New York
September 15, 1958

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 15th day of September, 1958, at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Alancin M. Fath	Councilman
Felix T. Wroblewski	Councilman
Joseph M. Trojanoski	Councilman
Joseph Kornecki	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

ABSENT: -0-

Also present were: Town Clerk Hanley; Town Attorney Delahunt, and Chief of Police Mersmann.

Item No. 2 The 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 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, 1958

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 1959.

SEWER DISTRICTS

District No. 1

Rent to City of Buffalo	\$ 585.87	
To be raised by assessment		\$ 585.87

District No. 2

Rent payable to District No. 5	\$ 6,000.00	
Maintenance	<u>1,500.00</u>	
To be raised by assessment		7,500.00

District No. 3

Bond principal and interest due in 1959	\$ 27,459.45	
Operation of Disposal Plant	40,770.00	
Real estate taxes - 1959	6,000.00	
Maintenance of sewers	9,000.00	
Payable to General Fund for N.Y. State Retirement	3,000.00	
Payable to General Fund for Social Security	500.00	
Services of Superintendent	1,800.00	
Services of Engineer	1,500.00	
Services of Town Attorney	500.00	
Erie County chargebacks	<u>17.31</u>	
TOTAL EXPENSE FOR 1959	\$ 90,546.76	

Item No. 3-Cont'd.

BUDGET ESTIMATES FOR SPECIAL DISTRICTS
SPREADING COSTS ON BENEFIT BASIS

TOTAL EXPENSE FOR 1959		\$ 90,546.76	
Less: Rentals -			
William Street tie-in	\$ 450.00		
Franklin Street tie-in	1,600.00		
New York Central Railroad	800.00		
TOTAL RENTALS	\$ 2,850.00		
Payable from District's			
Reserve Fund	10,000.00	12,850.00	
To be raised by assessment			\$ 77,696.76
<u>District No. 4</u>			
Rent payable to District No. 5		\$ 7,000.00	
Operation of pump station		1,000.00	
Erie County chargebacks		119.40	
Maintenance		1,000.00	
TOTAL EXPENSE FOR 1959		\$ 9,119.40	
Reserve Fund		500.00	
To be raised by assessment			8,619.40
<u>District No. 5</u>			
Bond principal and interest due in 1959		\$121,515.50	
Operation of Disposal Plant		131,585.00	
Maintenance of Sewers		20,000.00	
Payable to General Fund for N.Y. State Retirement		8,000.00	
Payable to General Fund for Social Security		1,500.00	
Services of Superintendent		3,200.00	
Services of Engineer		4,000.00	
Services of Town Attorney		1,000.00	
Balance of 1953 Disposal Plant Project		3,243.10	
Erie County chargebacks		1,602.80	
TOTAL EXPENSE FOR 1959		\$295,646.40	
Less: Revenue from charges to:			
Police Barracks on Thruway	\$ 300.00		
Thruway Maintenance Bldgs.	700.00		
Joseph Asmondus	75.00		
Port Authority - Rent	12,000.00		
Sewer District No. 2 - Rent	6,000.00		
Sewer District No. 4 - Rent	7,000.00		
Sewer District No. 6 - Rent			
and Maintenance	21,700.00		
Sewer District No. 7 - Rent			
and Maintenance	20,000.00		
TOTAL RENTALS	\$67,775.00		
Payable from District's			
Reserve Fund	5,000.00	72,775.00	
To be raised by assessment			222,871.40
<u>District No. 5 - Walden Extension</u>			
Bond principal and interest due in 1959		\$ 5,249.00	
Erie County chargebacks		859.57	
To be raised by assessment			6,108.57
<u>District No. 5 - Peinkofer Extension</u>			
Bond principal and interest due in 1959		\$ 1,550.00	
To be raised by assessment			1,550.00
<u>District No. 6</u>			
Bond principal and interest due in 1959		\$ 2,126.00	
Rent payable to District No. 5		20,500.00	
Maintenance payable to District No. 5		1,200.00	
To be raised by assessment			23,826.00
<u>District No. 7</u>			
Bond principal and interest due in 1959		\$ 50,404.00	
Bond interest due in 1958		14,400.00	
Deficit December 31, 1957		36.43	
Sewer rent and maintenance for 1959			
payable to Sewer District No. 5		20,000.00	
To be raised by assessment			84,840.43
TOTAL FOR ALL NINE SEWER DISTRICTS			<u>\$433,598.43</u>

Item No. 3-Cont'd

BUDGET ESTIMATES FOR SPECIAL DISTRICTS
SPREADING COSTS ON BENEFIT BASIS - Cont'd.

STORM SEWER DISTRICTSDistrict No. 1

Maintenance	\$1,000.00	
Less: Amount payable from District's Reserve Fund	\$1,000.00	
To be raised by assessment		\$ -0-

District No. 2

Maintenance	\$1,000.00	
Less: Amount payable from District's Reserve Fund	1,000.00	
To be raised by assessment		\$ -0-

District No. 3

Bond principal and interest due in 1959	6,528.00	
Maintenance	1,500.00	
	<u>\$8,028.00</u>	
Less: Amount payable from District's Reserve Fund	1,000.00	
To be raised by assessment		7,028.00

District No. 4

Bond principal and interest due in 1959	\$8,510.00	
Maintenance	1,000.00	
	<u>\$9,510.00</u>	
Less: Amount payable from District's Reserve Fund	500.00	
To be raised by assessment		9,010.00

District No. 5

Bond principal and interest due in 1959	\$5,695.00	
Bond interest due in 1958	1,620.00	
Maintenance	1,000.00	
To be raised by assessment		8,315.00
TOTAL FOR ALL FIVE DISTRICTS		<u>\$24,353.00</u>

	PRINCIPAL AND INTEREST DUE IN 1959	ERIE COUNTY CHARGEBACKS	LESS AMOUNT PAYABLE OUT OF DISTRICT'S RESERVE FUND	TOTAL
<u>LATERAL SANITARY SEWER DISTRICTS</u>				
Mapleview	\$ 507.75	\$ 67.31	\$ 163.80	\$ 738.86
Peter	520.62	-0-	268.48	252.14
Genesee - from Midland N	520.63	-0-	55.92	464.71
Raymond	2,082.50	28.69	-0-	2,111.19
Grassy, Kennedy, etc.	10,412.50	-0-	1,989.17	8,423.33
Genesee - Awood to Beechwood	1,041.25	-0-	176.31	864.94
Yorktown	520.63	-0-	416.59	104.04
Wallace	1,744.00	-0-	73.71	1,670.29
Ludwig	2,148.00	-0-	520.33	1,627.67
Oriole	546.25	-0-	276.94	269.31
Yvonne, Crestview and Kuhn	4,296.00	-0-	41.05	4,254.95
Union from Redleaf S	650.00	-0-	163.50	486.50
Buehl - Genesee	2,270.00	-0-	-0-	2,270.00
Smallwood	2,180.00	-0-	-0-	2,180.00
Union - Goering	2,300.00	-0-	-0-	2,300.00
	<u>\$ 31,740.13</u>	<u>\$ 96.00</u>	<u>\$ 4,145.80</u>	<u>\$27,690.33</u>
To be raised by assessment				<u>\$27,690.33</u>
<u>SIDEWALK DISTRICTS</u>				
Woodridge	\$ 1,012.50	\$ -0-	\$ 159.74	
To be raised by assessment				<u>\$ 852.76</u>

Item No. 3-Cont'd.

BUDGET ESTIMATES FOR SPECIAL DISTRICTS
SPREADING COSTS ON BENEFIT BASIS - Cont'd.

	PRINCIPAL AND INTEREST DUE IN 1959	ERIE COUNTY CHARGEBACKS	LESS AMOUNT PAYABLE OUT OF DISTRICT'S RESERVE FUND	TOTAL
<u>CURBING DISTRICTS</u>				
Chesterfield	\$ 2,603.13	\$ 68.67	\$ 558.76	\$ 2,113.04
Treehaven	3,378.00	-0-	216.00	3,594.00
Walton	2,288.00	-0-	162.00	2,450.00
Mansion	2,390.00	-0-	-0-	2,390.00
Peoria	2,360.00	-0-	-0-	2,360.00
Warsaw	2,270.00	-0-	-0-	2,270.00
	<u>\$15,289.13</u>	<u>\$ 68.67</u>	<u>\$ 180.76</u>	<u>\$15,177.04</u>
To be raised by assessment				<u>\$15,177.04</u>
<u>PAVING DISTRICTS</u>				
Homesgarth	\$ 1,015.50	\$ -0-	\$ 218.29	\$ 797.21
Aurora	520.62	70.30	203.29	387.63
Abeles	2,110.00	-0-	-0-	2,110.00
Lena	2,055.00	-0-	991.62	1,063.38
Mapleview	1,548.13	173.48	456.27	1,265.34
Yorktown	1,561.88	-0-	795.63	766.25
Cedar, Tudor and Campbell	22,100.00	-0-	-0-	22,100.00
	<u>\$30,911.13</u>	<u>\$243.78</u>	<u>\$ 2,665.10</u>	<u>\$28,489.81</u>
To be raised by assessment				<u>\$28,489.81</u>
<u>STREET LIGHTING IMPROVEMENT</u>				
<u>GROUP 19</u>				
Vern Lane	\$ 1,215.00	\$ 18.32	\$ 1,196.68	
Lyman	354.37	5.34	349.03	
Greenway	556.88	106.90	663.78	
Abeles	405.00	6.10	398.90	
	<u>\$ 2,531.25</u>	<u>\$ 77.14</u>	<u>\$ 2,608.39</u>	\$ 2,608.39
To be raised by assessment				\$ 2,608.39
<u>GROUP 20</u>				
Seminole	\$ 704.70	\$ -0-	\$ 704.70	
Nokomis	1,321.31	-0-	1,321.31	
Markus	381.71	-0-	381.71	
Greenleaf	528.53	-0-	528.53	
	<u>\$ 2,936.25</u>	<u>\$ -0-</u>	<u>\$ 2,936.25</u>	\$ 2,936.25
To be raised by assessment				\$ 2,936.25
<u>GROUP 21</u>				
Victoria	\$ 791.17	\$ 39.63	\$ 751.54	
Parkview	282.56	14.15	268.41	
Pinewood	226.05	11.33	214.72	
Cresthaven	565.13	28.30	536.83	
Melcourt - East	678.15	33.96	644.19	
Camel	226.05	11.33	214.72	
Isabelle	678.15	33.96	644.19	
Applewood	508.61	25.48	483.13	
Dania	621.64	31.14	590.50	
White	678.15	33.96	644.19	
Hillside	395.59	19.81	375.78	
	<u>\$ 5,651.25</u>	<u>\$283.05</u>	<u>\$ 5,368.20</u>	\$ 5,368.20
To be raised by assessment				\$ 5,368.20

Item No. 3-Cont'd.

BUDGET ESTIMATES FOR SPECIAL DISTRICTS
SPREADING COSTS ON BENEFIT BASIS - Cont'd.

	<u>PRINCIPAL AND INTEREST DUE IN 1959</u>	<u>LESS AMOUNT PAYABLE OUT OF DISTRICT'S RESERVE FUND</u>	
<u>STREET LIGHTING IMPROVEMENT</u>			
<u>GROUP 22</u>			
Hillsboro	\$ 576.80	\$ 25.64	\$ 551.16
Laurentian	782.80	34.80	748.00
Foisset	947.60	42.13	905.47
Princeton	1,194.80	53.12	1,141.68
Woodcrest	82.40	3.66	78.74
Avery	453.20	20.15	433.05
Harvard	82.40	3.66	78.74
	<u>\$4,120.00</u>	<u>\$ 183.16</u>	<u>\$ 3,936.84</u>
To be raised by assessment			\$ 3,936.84
<u>GROUP 23</u>			
Principal and interest due in 1959:			
Lucid			290.35
Thrusway			580.70
Walton			471.82
Beale			1,633.22
Pattm			362.94
McNaughton			290.35
To be raised by assessment			<u>\$ 3,629.38</u>
<u>GROUP 24</u>			
Principal and interest due in 1959:			
Dennis		\$ 744.47	
Laura		666.09	
Lynncrest		548.56	
Yvonne		744.47	
Delmar		470.19	
Duchess		274.28	
Farmingdale		470.19	
To be raised by assessment			<u>\$ 3,918.25</u>
TOTAL TO BE ASSESSED FOR ALL SIX GROUPS			<u>\$22,397.31</u>

In accordance with the Town Law, it is the duty of the Town Board to estimate the 1959 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,

/s/ Benedict T. Holtz
Supervisor

Councilman Wroblewski moved the following resolution and it was seconded by Councilman Fath.

WHEREAS, this Town Board has prepared a detailed estimate of the anticipated 1959 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

Item No. 3-Cont'd.

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 Depew Herald-Cheektowaga News and the Cheektowaga Times, newspapers published in the Town of Cheektowaga, New York, said Notice to be in the following form and to be published the weeks of September 18, 1958 and September 25, 1958, respectively, said Public Hearing to be held on the 29th day of September, 1958, at 7:30 o'clock P.M., E.S.D.T., and shall be in the following form, to wit:

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that the Town Board of Cheektowaga, New York, at a regular meeting held on September 15, 1958, 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, 5-Walden Extension, 5-Peinkofer Extension, 6 and 7

STORM SEWER DISTRICTS NO. 1, 2, 3, 4, and 5.

ALL LATERAL SANITARY SEWER DISTRICTS.

WOODRIDGE AVENUE SIDEWALK DISTRICT.

ALL CURBING DISTRICTS.

ALL PAVING DISTRICTS.

ALL STREET LIGHTING IMPROVEMENT DISTRICTS.

Notice is also given that a public hearing on such Estimates and Assessment Roll will be held September 29, 1958, at 7:30 o'clock P.M., E.D.S.T., in the Council Chamber of the Cheektowaga Town Hall, corner of Union Road and Broadway, at which time the Town Board will meet to hear and consider any objections which shall be made to such Estimates and Assessment Roll.

Dated: September 15, 1958.

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

KENNETH T. HANLEY,
Town Clerk

AYES: -7-

NOES: -0-

ABSENT: -0-

The Notice of Public Hearing was posted as follows on the 19th day of September, 1958:

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

Hereto attached are affidavits of Publication:

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Item No. 3-Cont'd.

(Affidavits)

STATE OF NEW YORK }
COUNTY OF ERIE }

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

NOTICE IS HEREBY GIVEN, that the Town Board of Cheektowaga, New York, at a regular meeting held on September 15, 1958, 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, 5-Walden Extension, 5-Feinkofer Extension, 6 and 7.

STORM SEWER DISTRICTS NO. 1, 2, 3, 4, and 5.

ALL LATERAL SANITARY SEWER DISTRICTS.

WOODRIDGE AVENUE SIDE WALK DISTRICT.

ALL CURBING DISTRICTS.

ALL PAVING DISTRICTS.

ALL STREET LIGHTING IMPROVEMENT DISTRICTS.

Notice is also given that a public hearing on such Estimates and Assessment Roll will be held September 29, 1958, at 7:30 o'clock P.M., E.D.S.T., in the Council Chamber of the Cheektowaga Town Hall, corner of Union Road and Broadway, at which time the Town Board will meet to hear and consider any objections which shall be made to such Estimates and Assessment Roll.

Dated: September 15, 1958.
By order of the Town Board of the Town of Cheektowaga, New York.

KENNETH T. HANLEY,
Town Clerk

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for ten weeks: first publication Sept 18, 1958: last publication Sept 25, 1958: and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this 30th

day of Sept 1958

Eve J. Allis

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

Sworn to before me this 29

[Signature]
Notary Public

EVE J. ALLIS
NOTARY PUBLIC, STATE OF NEW YORK
Qualified in Erie County
My Commission Expires March 30, 1960
Registered No. 5029

Item No. 3-Cont'd.

(Affidavits)

The Town Board of Cheektowaga, New York, at a regular meeting held on September 15, 1958, 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, 5-Walden Extension, 6-Peinkofer Extension, 6 and 7.
STORM SEWER DISTRICTS NO. 1, 2, 3, 4, and 5.
ALL LATERAL SANITARY SEWER DISTRICTS.
WOODRIDGE AVENUE SIDE WALK DISTRICT.
ALL CURBING DISTRICTS.
ALL PAVING DISTRICTS.
ALL STREET LIGHTING IMPROVEMENT DISTRICTS.

Notice is also given that a public hearing on such Estimates and Assessment Roll will be held September 29, 1958, at 7:30 o'clock P.M., E.D.S.T., in the Council Chamber of the Cheektowaga Town Hall, corner of Union Road and Broadway, at which time the Town Board will meet to hear and consider any objections which shall be made to such Estimates and Assessment Roll.

Dated: 9-15-58.

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

Kenneth T. Hanley,
Town Clerk.

(Pub: Sept. 18, 25.)

Item No. 3-Cont'd.

STATE OF NEW YORK
COUNTY OF ERIE

NOTICE IS HEREBY GIVEN, that the Town Board of Cheektowaga, New York, at a regular meeting held on September 15, 1958, 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, 5-Walden Extension, 5-Peinkofer Extension, 6 and 7.
STORM SEWER DISTRICTS NO. 1, 2, 3, 4, and 5.
ALL LATERAL SANITARY SEWER DISTRICTS.
WOODRIDGE AVENUE SIDE WALK DISTRICT.
ALL CURBING DISTRICTS.
ALL PAVING DISTRICTS.
ALL STREET LIGHTING IMPROVEMENT DISTRICTS.

Notice is also given that a public hearing on such Estimates and Assessment Roll will be held September 29, 1958, at 7:30 o'clock P.M., E.D.S.T., in the Council Chamber of the Cheektowaga Town Hall, corner of Union Road and Broadway, at which time the Town Board will meet to hear and consider any objections which shall be made to such Estimates and Assessment Roll.

Dated: September 15, 1958.
By order of the Town Board of the Town of Cheektowaga, New York.

KENNETH T. HANLEY,
Town Clerk
s18-25

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

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

was inserted and published therein once a week for

..... *two* weeks, the first insertion being on the

..... *18th* day of *September*, 19*58*, and

the last insertion being on the *25th* day of

..... *September* 19*58*, and that not

more than six days intervened between any two publi-

cations thereof.

Richard G. Bennett

Sworn to before me this *29* day of

..... 19*58*

Kenneth T. Hanley
Notary Public in and for Erie County

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

WHEREAS, the Studebaker Corporation has been occupying premises known as the Union Road West Shore Industrial Center, Inc., on Union Road, Cheektowaga, New York, and

WHEREAS, the Cheektowaga Town Board on October 22, 1951, rezoned the premises from a Residential District to a First Industrial District, but restricted the use to warehousing and distribution of replacement parts and accessories by the Studebaker Corporation, and

WHEREAS, the Amherst Manufacturing Corporation has entered into an agreement to purchase the premises, it being a condition that the premises may be used for First Industrial purposes, and

WHEREAS, the Amherst Manufacturing Corporation does light manufacturing of small airplane parts and would be an asset to the community and would not be detrimental to any other property in the vicinity.

BE IT RESOLVED, that the restriction of use for warehousing and distribution be removed and the property be used for First Industrial purposes, in accordance with action of the Town Board dated October 22, 1951.

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

Supervisor Holts	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

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

WHEREAS, the Pelvion Land Co., Inc. has entered into an agreement with the Town of Cheektowaga, New York, wherein the said Pelvion Land Co., Inc. has agreed to construct the following described highway:

PATRICIA LANE - Beginning at a point at the southerly line of Sub Lots 82 and 83 according to Map Cover No. 1913 filed in the Erie County Clerk's Office and known as Fayfield Subdivision and running thence northerly to the southerly line of Wojcik Avenue, a total distance of approximately 475 feet.

and

WHEREAS, Pelvion Land Co., Inc. has agreed to construct the said highway and complete the same so that said highway will conform in every respect with the specifications of the Town Highway Department, subject to inspection by the Town Highway Superintendent as the work progresses, a total distance of approximately Four Hundred Seventy-five (475) feet, and has filed as security for the faithful performance of said agreement a surety bond in the sum of Seven Thousand (\$7,000.00) Dollars, conditioned that it will comply in all respects with the aforementioned agreement.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to execute the annexed agreement between the Town of Cheektowaga, New York and Pelvion Land Co., Inc., on behalf of the Town of Cheektowaga, New York, and be it further

RESOLVED, that said agreement having been approved as to form and the bond as to sufficiency by the Town Attorney and the Town Highway Superintendent, that the Town Attorney be and he hereby is authorized to accept a deed to the Town of Cheektowaga for said highway and that the Town Clerk be and he hereby is authorized to record same.

Item No. 5-Cont'd.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

AGREEMENT

This Agreement made this 15th day of September, 1958, 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 the PELVION LAND CO., 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 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 Patricia Lane, beginning at a point at the southerly line of Sub Lots 82 and 83 according to Map Cover No. 1913 filed in the Erie County Clerk's Office and known as Fafield Subdivision and running thence northerly to the southerly line of Wojcik Avenue, a total distance of approximately 475 feet, and

WHEREAS, the party of the second part has agreed to construct the entire highway and has also constructed in said highway sanitary sewers and will enter into a contract with the Erie County Water Authority for the construction of water lines in said highway and will pay 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 Patricia Lane, beginning at a point at the southerly line of Sub Lots 82 and 83 according to Map Cover No. 1913 filed in the Erie County Clerk's Office and known as Fafield Subdivision and running thence northerly to the southerly line of Wojcik Avenue, a total distance of approximately 475 feet, and has agreed to enter into a contract with the Town of Cheektowaga, to construct said highway under the supervision of the Town Highway Superintendent 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 construct a highway to be known as Patricia Lane, as above described, on or before September 15, 1959. It further agrees to construct said highway and complete the same, under the supervision of the Town Highway Superintendent, 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 Seven Thousand (\$7,000.00) Dollars, said Bond is 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 September 15, 1959, or upon such date as designated by the Highway Superintendent of the Town of Cheektowaga, New York. 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 completing said highway, shall be paid by the party of the second part and its surety; in the event the sum of \$7,000.00 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 further

Item No. 5-Cont'd.

AGREED, that said bond is to continue in effect for one (1) year after the completion of the construction and acceptance of the highway by the Town Highway Superintendent, it is however,

AGREED, that the maximum liability of the Surety Company is limited to the sum of Seven Thousand (\$7,000.00) Dollars.

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 above mentioned provisions for one year after approval of the completed proposal by 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: /s/ Benedict T. Holtz
Supervisor
PELVION LAND CO., INC.,

By: /s/ Myron A. Yeager
V. Pres.

STATE OF NEW YORK)
COUNTY OF ERIE) ss.

On this 18 day of September, 1958, before me personally appeared BENEDIKT T. HOLTZ, to me known, who, being by me duly sworn, did depose and say that he resides in the Town of Cheektowaga, New York; that he is the Supervisor of said Town, the municipal corporation described in, and which executed the within instrument; that he knows the seal of said Town; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Town Board of said Town; and that he signed his name thereto by like order.

/s/ Kenneth T. Hanley
Notary Public, Erie County, New York

STATE OF NEW YORK)
COUNTY OF ERIE) ss.

On this 17 day of September, 1958, before me personally appeared MYRON A. YEAGER, to me known, who, being by me duly sworn, did depose and say that he is the Vice-President of PELVION LAND CO., INC., the corporation described in and which executed the foregoing 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 thereto by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.

/s/ Kenneth T. Hanley
Notary Public, Erie County, New York

Item No. 6 The following resolution was offered by Councilman Wroblewski, who moved its adoption, seconded by Councilman Trojanoski, to wit:

WHEREAS, ARTHUR F. MUSARRA, NUNCIO N. GENTILE and PETER SANTIN, have petitioned this Town Board and the Superintendent of Highways of the Town of Cheektowaga, New York, to abandon a portion of Lawnridge Road as hereinafter described, and

WHEREAS, said portion of said highway has not been opened and worked as a highway within six years from the time it was dedicated to the use of the public, if dedicated at all, and has never been so opened and worked as a highway at any time, and

WHEREAS, ARTHUR F. MUSARRA, NUNCIO N. GENTILE and PETER SANTIN are the owners of the land abutting on said highway which is sought to be closed. The abandonment of the said portion of said highway, hereinafter described, does not interfere in any way with the right of ingress and egress of any property owners owning property on Lawnridge Road.

NOW, THEREFORE,

Item No. 6-Cont'd.

BE IT RESOLVED, that that portion of Lawridge Road, commencing at the intersection of the east line of Homeworth Parkway and proceeding easterly to the intersection of the westerly line of Hazelnut Road, as is shown on a Subdivision Map filed in the office of the Clerk of the County of Erie under Cover No. 1070, a total distance of approximately Two Thousand Seven Hundred Twenty (2,720) feet, be and the same is hereby abandoned as a highway, in accordance with the provisions of Section 205 of the Highway Law of the State of New York and this Town Board does hereby consent that the Superintendent of Highways of this Town shall execute, file and record in the Town Clerk's Office, a written description of said abandoned highway, signed by him and by this Town Board.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

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

IT IS HEREBY CERTIFIED TO, by the persons whose names are hereunto subscribed, that the portion of Lawridge Road, commencing at the intersection of the east line of Homeworth Parkway and proceeding easterly to the intersection of the westerly line of Hazelnut Road, as is shown on a Subdivision Map filed in the office of the Clerk of the County of Erie Under Cover No. 1070, a total distance of approximately Two Thousand Seven Hundred Twenty (2,720) feet, has been abandoned as a highway, and this certificate is executed in accordance with the provisions of a resolution of the Town Board of the Town of Cheektowaga duly adopted on the 8th day of September, 1958.

Dated: September 8, 1958.

/s/ John J. Zablotny
 Superintendent of Highways

/s/ Benedict T. Holtz
 Supervisor

/s/ Stanley Bystrak
 Councilman

/s/ Joseph Trojanoski
 Councilman

/s/ Joseph Kornecki
 Councilman

/s/ Felix T. Wroblewski
 Councilman

/s/ Alancin M. Fath
 Councilman

/s/ Joseph A. Neibert
 Councilman

Item No. 6-Cont'd.

TO: TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, NEW YORK AND
JOHN J. ZABLOTNY, SUPERINTENDENT OF HIGHWAYS OF SAID TOWN.

The petition of ARTHUR F. MUSARRA, residing at
Buffalo 15, New York; NUNCIO N. GENTILE, residing at
Buffalo 15, New York and PETER SANTIN, residing at
Cheektowaga 25, New York, respectfully shows:

That your petitioners are the owners of the land abutting
on both sides of Lawridge Road, commencing at the intersection of the
east line of Homeworth Parkway and proceeding easterly to the inter-
section of the westerly line of Hazelnut Road, as is shown on a Sub-
division Map filed in the office of the Clerk of the County of Erie
under Cover No. 1070, a total distance of approximately Two Thousand
Seven Hundred Twenty (2,720) feet.

That there are no other abutting owners on that portion
of said highway sought to be abandoned.

That said portion of said highway sought to be abandoned
has not been opened and worked as a highway within six years from the
time it was dedicated to the use of the public, if dedicated at all,
and has never been opened and worked as a highway at any time.

That the abandonment of said highway does not interfere
in any way with the right of ingress and egress of any property owners
located on Lawridge Road.

That the portion of Lawridge Road, located between Home-
worth Parkway and Hazelnut Road, has never been opened and worked as a
highway at any time, but there are other owners of property located
east of your petitioners' property and this application is not intended
as an abandonment of the highway upon which their property lines abutt.

That no previous application has been made for the relief
sought herein.

WHEREFORE, your petitioners respectfully pray that the Town
Board of the Town of Cheektowaga and John J. Zablotny, Superintendent of
Highways of said Town, abandon said portion of Lawridge Road, commencing
at the intersection of the east line of Homeworth Parkway and proceeding
easterly to the intersection of the westerly line of Hazelnut Road,
as is shown on a Subdivision Map filed in the office of the Clerk of the
County of Erie Under Cover No. 1070, a total distance of approximately
Two Thousand Seven Hundred Twenty (2,720) feet, in accordance with
Section 205 of the Highway Law of the State of New York.

Dated: 9-15-58

/s/ Peter Santin
/s/ Nuncio N. Gentile
/s/ Arthur F. Musarra

STATE OF NEW YORK)
COUNTY OF ERIE) ss.

ARTHUR F. MUSARRA, NUNCIO N. GENTILE and PETER SANTIN,
being duly sworn, depose and say that they are the petitioners herein,
that they have read the foregoing petition and know the contents thereof;
that the same is true to the knowledge of deponents, except as to the
matters therein stated to be alleged on information and belief, and
that as to those matters they believe it to be true.

/s/ Peter Santin
/s/ Nuncio N. Gentile
/s/ Arthur F. Musarra

Subscribed and sworn to before me
this 7th day of September, 1958
/s/ Blase P. Palumbo
Notary Public Erie County, New York

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33

Item No. 7 Moved by Councilman Kornecki, seconded by Councilman Fath, that the recommendation of the Chief of Police to erect the following signs be granted:

"STOP" at the following intersection:

1. At the SW corner of Cedar and Tudor Road;
2. At the SW corner of Campbell Road and Tudor Road;
3. SW corner of Tudor Road at a point 1000 feet east of Eggert Road;
4. At the NE corner of Cedar Road and Eggert Road;
5. NE corner Tudor Road and Eggert Road;

"NO PARKING HERE TO CORNER"

1. Alexander Street from a point 50 feet north of Straley to Straley Avenue;

"NO PARKING AT ANY TIME"

1. From a point 100 feet south of the end of Alexander Street to the end of Alexander Street.

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 8 Moved by Councilman Neibert, seconded by Councilman Bystrak, that the request of the Town Health Officer Louis Vendetti to attend the U.S. Public Health Convention in St. Louis, Mo. on October 26, 1958 to October 31, 1958, be granted.

AYES: -7-

NOES: -0-

ABSENT: -0-

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

BE IT RESOLVED, that \$1,000.00 be transferred from the Contingency Fund to the Air Pollution Board for current expenses.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

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

WHEREAS, Frank Zwolinski and wife, who reside at 1423-1496, which is a vacant lot 40 x 120 feet on the east side of West Grand Boulevard, Cheektowaga, New York, and

WHEREAS, the Town of Cheektowaga is desirous of obtaining this lot for drainage purposes, and

WHEREAS, the owners are willing to sell the property to the Town of Cheektowaga for the sum of \$2,000.00, and

WHEREAS, the Town Assessor has recommended the sale for this amount.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to expend the sum of \$2,000.00 to obtain a warranty deed covering the premises, subject to the approval of the same by the Town Attorney.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 11 Councilman Trojanoski presented the following resolution and moved its adoption:

WHEREAS, McNaughton Avenue paving has been completed on the portions described in the attached deed, and

WHEREAS, the Highway Superintendent has recommended the acceptance of same by the Town of Cheektowaga.

BE IT RESOLVED, that the portions of McNaughton Avenue described in Liber 6328 of Deeds at Page 169 filed in the Erie County Clerk's Office be and the same hereby is accepted as a town highway.

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

Supervisor Holtz	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

13

Item No. 12 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the Town Clerk be authorized and directed to issue all Building Permits on Applications processed by the Petitions Committee on September 13, 1958, after same have been approved by the Building Inspector.

AYES: -7-

NOES: -0-

ABSENT: -0-

15
35

Item No. 13 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. 3097 to No. 4067, inclusive, drawn on the Supervisor.

AYES: -7-

NOES: -0-

ABSENT: -0-

6
12

Item No. 14 Moved by Councilman Fath, seconded by Councilman Kornecki, to adjourn.

SEAL

KENNETH T. HANLEY
Town Clerk

Kenneth T. Hanley

MEETING NO. 25

CHEEKTOWAGA, N. Y.
September 29, 1958

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 29th day of September, 1958, at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Alancin M. Fath	Councilman
Felix T. Wroblewski	Councilman
Joseph Kornecki	Councilman
Joseph M. Trojanoski	Councilman
Joseph A. Neibert	Councilman
Stanley R. Bystrak	Councilman

ABSENT: -0-

Also present were: Town Clerk Hanley; Chief of Police Mersmann, Town Attorney Delahunt, and Town Engineer Kamm.

Item No. 2 The 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 This being the time and the place advertised for a public hearing on the Special Districts Budget and Assessment Roll for the year 1959.

Supervisor Holtz stated that the public hearing was now open on the Special District Budget and Assessment Roll for the year 1959.

The Town Clerk presented proof of the publication and posting of the Notice of Hearing, and such Notice was ordered filed.

Supervisor Holtz then asked if there was any one present who wished to speak against the Special District Budget and Assessment Roll as read by the Town Clerk.

Victor Reinstein stated that he wished the following communication be made a part of the record of the public hearing.

September 29, 1958

TO THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA:

The undersigned owners hereby protest the assessment in Sewer District No. 7 for sewer district purposes in said District, of the approximately ten-acre lake located on the north side of Scajaquada Creek and east side of the Ontario Thruway and south of the West Shore Railroad, for the following reasons:

- 1) That the lake cannot be serviced by the sewer district and derives no actual, potential, direct or indirect, benefits, present or future, from said sewer district.
- 2) That the easement granted for the location of 30-inch trunk sewer through the land immediately south of Scajaquada Creek, between Union Road and the Ontario Thruway, was granted on condition that the said lake would be excluded from sewer assessments.
- 3) That said assessment is inequitable, illegal, void, and not in accordance with applicable law.

ANNA M. REINSTEIN MEMORIAL, INC.

By /s/ Victor Reinsteh
President/s/ Victor Reinstein
Individually

Item No. 3-Cont'd.

STATE OF NEW YORK)
 : SS
 COUNTY OF ERIE)

VICTOR REINSTEIN, being duly sworn, deposes and says:-
 That he is the President of ANNA M. REINSTEIN MEMORIAL, INC., the corporation named in and which executed the foregoing protest (and that as such officer was duly authorized to make, sign and verify said protest, and pursuant to such authority, he did sign and make this verification;) that the matters set forth in said protest are true and that deponent has knowledge of the facts therein stated.

/s/ Victor Reinstein

Sworn to before me this

29th day of September, 1958

/s/ Kenneth T. Hanley
 Notary Public, Erie County, New York
 My Commission Expires March 30, 1959.

STATE OF NEW YORK)
 :
 COUNTY OF ERIE)

VICTOR REINSTEIN, being duly sworn, deposes and says
 that he has read the foregoing protest and knows the contents thereof;
 that the same is true to the knowledge of deponent, except as to the
 matters therein stated to be alleged on information and belief, and that
 as to those matters he believes it to be true.

/s/ Victor Reinstein

Subscribed and sworn to before me
 this 29 day of September, 1958.

/s/ Kenneth T. Hanley
 Notary Public, Erie County, New York
 My Commission Expires March 30, 1959.

The Supervisor then asked if there was any one else
 who wished to speak on the Special District Budget, and no one coming
 forth, the Supervisor ordered the hearing closed and the decision
 reserved until 6:30 P.M., E.D.S.T., on October 2, 1958. 10

Item No. 4. Supervisor Holtz stated that this is the time and the
 place for an informal hearing on the creation of Sewer District No. 8,
 in the Town of Cheektowaga, New York.

Mr. Robert Roesser of the Erie County Sewer Agency
 Department was granted the floor and related to the audience that the
 County would require a change in sanitary conditions in the District
 area, with or without sewers.

Mr. Charles Spencer, Superintendent of the Erie County
 Sewer Agency was granted the floor and related to the audience that the
 original study as approved by the Town Board would include only the part
 of Cheektowaga south of Bellevue and French Road. He proposed extending
 the study to include the entire District No. 8 and the Broadway Section.

Asking for a show of hands whether or not the property
 owners wanted a sewer was voted in overwhelmingly.

Item No. 4-Cont'd.

Councilman Trojanoski presented the following resolution and moved its adoption:

WHEREAS, certain residents of the Town of Cheektowaga are interested in establishing what is to be known as Sanitary Sewer District No. 8 in said Town, and

WHEREAS, the County of Erie has indicated that it would undertake a survey of the certain portion of the Town of Cheektowaga, together with certain portions of the Town of West Seneca, in order to determine the cost of construction of a sewer system to dispose of sewage from both towns, which survey costs would be paid proportionately by the areas covered, only if the district is established accordingly.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to present the approval of the Cheektowaga Town Board of said survey, to cover the areas designated on the attached map, to the Erie County Board of Supervisors, approving the undertaking of the survey.

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

Supervisor Holts	Voting AYE
Councilman Neibert	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE

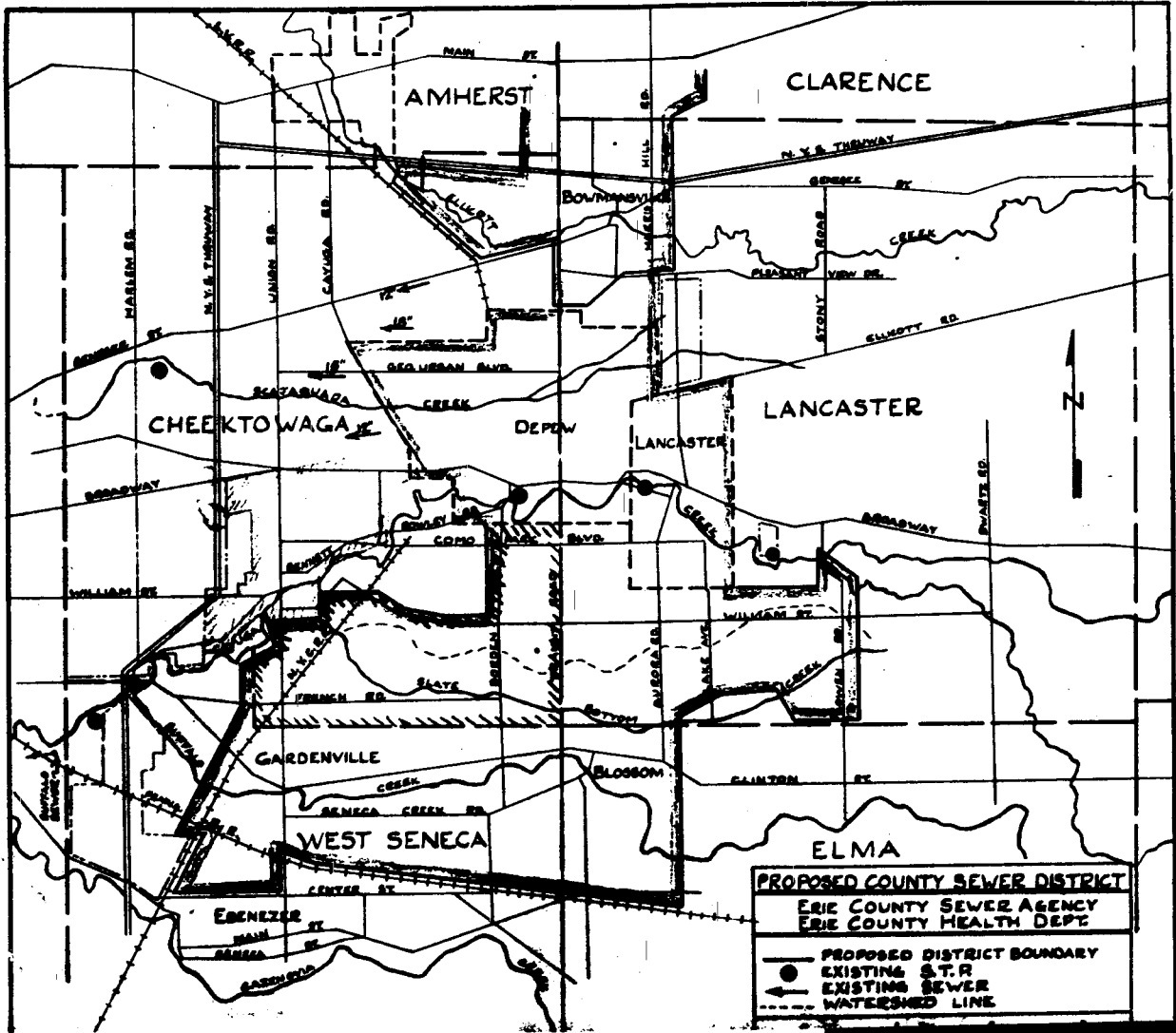
AYES: -7-

NOES: -0-

ABSENT: -0-

24

Item No. 4-Cont'd.



Item No. 5 The Town Clerk then presented the Budget Estimates of expenses and revenue from the various Department Heads for the year 1959 to the Board for their study and approval.

Copy of same is hereto outlined:

OFFICE OF THE TOWN HISTORIAN

September 15, 1958

Mr. Kenneth T. Hanley, Town Clerk
Town of Cheektowaga, New York

Dear Mr. Hanley:

In compliance with provisions of the Laws of New York State, I have prepared and submit below, my estimate of expenditures which in my opinion, will be necessitated in conducting the business and operations the office of the TOWN HISTORIAN of the Town of Cheektowaga during the calendar year of 1959.

Maps, records, supplies etc.	\$ 1000.00
Partial reprinting of Historical Atlas	850.00
Office equipment	<u>500.00</u>
TOTAL ESTIMATED EXPENDITURES FOR 1959	<u>\$ 2350.00</u>

It is respectfully requested that the above estimate be duly placed before the Town Board of the Town of Cheektowaga for its consideration and inclusion in the budget covering the year 1959.

Respectfully submitted,

/s/ MRS. VICTOR REINSTEIN

Town Historian

TOWN OF CHEEKTOWAGA
Health Department

Mr. Kenneth T. Hanley, Town Clerk
Town of Cheektowaga, New York

Dear Mr. Hanley:

In compliance with provisions of the Laws of New York State, I have prepared and submit below, my estimate of the expenditures which will, in my opinion, be necessitated in conducting the business and operations of the TOWN HEALTH FUND during the calendar year 1959.

<u>TOWN HEALTH FUND</u>	<u>AS ORIGINALLY SUBMITTED</u>
Salary of Health Officer	\$ 6,000.00
Expenses of Health Officer	2,600.00
Erie County chargebacks	
Air. Pollution Board	6,000.00
<u>REGISTRAR OF VITAL STATISTICS</u>	
Fees	<u>140.00</u>
TOTAL ESTIMATED EXPENDITURES FOR 1959	<u>\$14,740.00</u>

It is respectfully requested that the above estimate be duly placed before the Town Board of the Town of Cheektowaga for its consideration and inclusion in the budget covering the year 1959.

Respectfully submitted,

/s/ L.A. VENDETTI

Town Health Officer

Item No. 5-Cont'd.

September , 1958

Mr. Kenneth T. Hanley, Town Clerk
Town of Cheektowaga, New York

Dear Mr. Hanley:

In compliance with provisions of the Laws of New York State, we have prepared and submit below, our estimate of the expenditures which will, in our opinion, be necessitated in conducting the business and operations of the JUSTICES OF THE PEACE OFFICE of the Town of Cheektowaga during the calendar year 1959.

Salaries of Justices (2)	\$ 11,400.00
Dockets, postage, legal forms, etc.	600.00
Stenographic services	700.00
Equipment	<u>300.00</u>

TOTAL ESTIMATED EXPENDITURES FOR 1959 \$ 13,000.00

It is respectfully requested that the above estimate be duly placed before the Town Board of the Town of Cheektowaga for its consideration and inclusion in the budget covering the year 1959.

Respectfully submitted,

/s/ Joseph Pyszczynski
Justice of the Peace

/s/ Ralph J. Radwan
Justice of the Peace

Mr. Kenneth T. Hanley, Town Clerk
Town of Cheektowaga, New York

Dear Mr. Hanley:

In compliance with provisions of the Laws of New York State, I have prepared and submit below, my estimate of the expenditures which will, in my opinion, be necessitated in conducting the business and operations of the BUILDING AND PLUMBING DEPARTMENT of the Town of Cheektowaga during the calendar year 1959.

Salary of Building and Plumbing Inspector	\$ 6,500.00
Salary of Assistant	5,000.00
Stenographic services	3,600.00
Office and other expense	<u>1,500.00</u>

TOTAL ESTIMATED EXPENDITURES FOR 1959 \$ 16,600.00

It is respectfully requested that the above estimate be duly placed before the Town Board of the Town of Cheektowaga for its consideration and inclusion in the budget covering the year 1959.

Respectfully submitted,

CARL TRAFALSKI
Building and Plumbing Inspector

I have inquired with the adjoining towns on the salaries of the Building & Plumbing Inspector and his assistants and find that these salaries are still below the salaries which they are being paid.

I also find that the majority of the adjoining towns furnish automobiles for the Building & Plumbing Inspector's Office. I would appreciate the Town Board taking under consideration purchasing an automobile for our office.

Item No. 5-Cont'd.

RECEIVER OF TAXES AND ASSESSMENTS

August 28, 1958

Mr. Kenneth T. Hanley, Town Clerk
Town of Cheektowaga, New York

Dear Mr. Hanley:

In compliance with provisions of the Laws of New York State, I have prepared and submit below, my estimate of the expenditures which will, in my opinion, be necessitated in conducting the business and operations of the office of the RECEIVER OF TAXES of the Town of Cheektowaga during the calendar year 1959.

Salary of Receiver of Taxes		\$ 8,000.00
Salary of Senior Account Clerk		4,500.00
Salary of Accounting Machine Operator		3,200.00
Compensation of extra clerks		5,000.00
Office expenses		400.00
Service Contracts		<u>475.00</u>

Expenses relating to County Tax Rolls:

Postage	\$ 700.00	
Supplies	<u>300.00</u>	1,000.00

Expenses relating to School Tax Rolls:

Postage	700.00	
Supplies	<u>850.00</u>	1,550.00

Office Equipment - 1 File Cabinet	\$ <u>135.00</u>	
1 Section Postindex File		
13 Panels 3 x 5 (double) #845513	<u>300.00</u>	<u>435.00</u>

TOTAL ESTIMATED EXPENDITURES FOR 1959 \$24,560.00

It is respectfully requested that the above estimate be duly placed before the Town Board of the Town of Cheektowaga for its consideration and inclusion in the budget covering the year 1959.

Respectfully submitted,

/s/ EDWARD H. PFOHL,
Edward H. Pfohl,
Receiver of Taxes & Assessments

EHP:CB
cc: Mr. G.E. Holloway

September , 1958

Mr. Kenneth T. Hanley, Town Clerk
Town of Cheektowaga, New York

Dear Mr. Hanley:

In compliance with provisions of the Laws of New York State, I have prepared and submit below, my estimate of the expenditures which will, in my opinion, be necessitated in conducting the business and operations of the office of TOWN CLERK of the Town of Cheektowaga during the calendar year 1959.

Salary of Town Clerk	\$ 9,300.00
Salary of 1st Deputy Town Clerk	4,052.00
Salary of 2nd Deputy Town Clerk	3,752.00
Salary of Telephone Operator	3,652.00
Salary of Senior stenographer	3,552.00
Postage, stationery, etc.	3,000.00
Extra Clerk	300.00
New Adding Machine	<u>300.00</u>

TOTAL ESTIMATED EXPENDITURES FOR 1959 \$27,908.00

It is respectfully requested that the above estimate be duly placed before the Town Board of the Town of Cheektowaga for its consideration and inclusion in the budget covering the year 1959.

Respectfully submitted,

KENNETH T. HANLEY, Town Clerk

N.B. Please note that the salary of the Town Clerk is still under the \$9339.75 that the Town of Amherst Clerk was paid for the year 1958. Please note that Amherst is a smaller town than Cheektowaga.

Item No. 5-Cont'd.

September 22, 1958

Mr. Kenneth T. Hanley, Town Clerk
Town of Cheektowaga, New York

Dear Mr. Hanley:

In compliance with provisions of the Laws of New York State, I have prepared and submit below, my estimate of the expenditures which will, in my opinion, be necessitated in conducting the business and operations of the office of TOWN ENGINEER of the Town of Cheektowaga during the calendar year 1959.

ENGINEERING DEPARTMENT

Salary of Senior Engineer	\$ 10,000.00
Salary of Senior Engineering Aide	5,800.00
Junior Engineering Aides 2 @ \$4,800.00	9,600.00
Draftsman	4,800.00
Stenographic Services	3,400.00
Rodman	4,400.00
Rodmen (Summer Only)	2,000.00
Supplies	1,500.00
New Station Wagon	1,800.00
Microfilming	500.00
	<u>\$ 43,800.00</u>

Less: Charge to Assessors for Services of
Draftsman (\$2,400.00) & Microfilming (250.00) 2,650.00

TOTAL \$ 41,150.00

It is respectfully requested that the above estimate be duly placed before the Town Board of the Town of Cheektowaga for its consideration and inclusion in the budget covering the year 1959.

Respectfully submitted,

/s/ ALBERT J. KAMM
Town Engineer

AJK:tb

September , 1958

Mr. Kenneth T. Hanley, Town Clerk
Town of Cheektowaga, New York

Dear Mr. Hanley:

In compliance with provisions of the Laws of New York State, I have prepared and submit below, my estimate of the expenditures which will, in my opinion, be necessitated in conducting the business and operations of the ASSESSORS' OFFICE of the Town of Cheektowaga during the calendar year 1959.

Salaries of Assessors:	
Chairman	\$ 7,000.00
2 Assessors at \$5,500.00 each	11,000.00
Salary of Addressograph Operator	4,200.00
Salary of Addressograph Operator - Part time	2,500.00
Salary of Stenographer	3,500.00
Salary of Senior Clerk - Special assessments	4,000.00
Salary of Draftsman	$\frac{1}{2}$ - 2,750.00
Extra Clerks - Special assessments	6,000.00
Traveling Expense	700.00
Office and other expense	2,000.00
Equipment	1,139.00
	<u>\$41,789.00</u>

TOTAL ESTIMATED EXPENDITURES/1959 \$41,789.00

It is respectfully requested that the above estimate be duly placed before the Town Board of the Town of Cheektowaga for its consideration and inclusion in the budget covering the year 1959.

Respectfully submitted,

/s/ EDWARD JERZEWski

Chairman - Board of Assessors

Item No. 5-Cont'd.

September , 1958

Mr. Kenneth T. Hanley, Town Clerk
Town of Cheektowaga, New York

Dear Mr. Hanley:

In compliance with provisions of the Laws of New York State, I have prepared and submit below, my estimate of the expenditures which will, in my opinion, be necessitated in conducting the business and operations of the office of the RECREATION DEPARTMENT of the Town of Cheektowaga during the calendar year 1959.

Salary of Director	\$ 5,200.00
Salary of Secretary to Board	1,000.00
Extra Labor	12,600.00
Playground supervisors	12,000.00
Equipment operators	9,000.00
Wading pool operation	2,200.00
Supplies	5,500.00
Umpires and referees	4,000.00
Equipment	7,000.00
Maintenance of parks	8,000.00
Real estate taxes	6,500.00
Traveling expense	600.00
	<u>\$73,600.00</u>
Less: Estimated State Aid	4,200.00
TOTAL ESTIMATED EXPENDITURES FOR 1959	<u>\$69,400.00</u>

It is respectfully requested that the above estimate be duly placed before the Town Board of the Town of Cheektowaga for its consideration and inclusion in the budget covering the year 1959.

Respectfully submitted,

/s/ EDWARD JANIAK
Recreational Director

September , 1958

Mr. Kenneth T. Hanley, Town Clerk
Town of Cheektowaga, New York

Dear Mr. Hanley:

In compliance with provisions of the Laws of New York State, I have prepared and submit below, my estimate of the expenditures which will, in my opinion, be necessitated in conducting the business and operations of the office of INCINERATOR PLANT SUPERINTENDENT of the Town of Cheektowaga during the calendar year 1959.

Salary of Superintendent	\$ 5,800.00
Wages of operators	29,500.00
Extra labor - 2nd shift	19,600.00
Supplies	5,000.00
Electricity, gas and water	8,000.00
Repairs	5,000.00
Asst. Foreman	<u>5,600.00</u>

TOTAL ESTIMATED EXPENDITURES FOR 1959 \$ 78,500.00

It is respectfully requested that the above estimate be duly placed before the Town Board of the Town of Cheektowaga for its consideration and inclusion in the budget covering the year 1959.

Respectfully submitted,

/s/ EDMUND J. STACHOWSKI
Incinerator Plant Superintendent

Item No. 5-Cont'd.

September 19, 1958

Mr. Kenneth T. Hanley, Town Clerk
Town of Cheektowaga, New York

Dear Mr. Hanley:

In compliance with provisions of the Laws of New York State, I have prepared and submit below, my estimate of the expenditures which will, in my opinion, be necessitated in conducting the business and operations of the POLICE DEPARTMENT of the Town of Cheektowaga for the calendar year 1959.

Town police force salaries	\$322,500.00
Telephone operator's salaries	20,600.00
Mechanic's salary	5,000.00
Other salaries	8,300.00
Gasoline and Oil	11,000.00
Maintenance - Cars and Cycles	10,500.00
Printing and stationery	1,000.00
Materials and supplies	2,000.00
Equipment	24,850.00
Medical examinations	500.00
Fees in criminal proceedings	100.00
Special traffic guards	75.00
Special investigations	200.00
Maintenance - Radio station	900.00
Traveling expense	500.00
Services of matron	1,600.00
Meals to prisoners	500.00

SPECIAL ESTIMATED EXPENDITURES FOR 1959 \$410,125.00

It is respectfully requested that the above estimate be duly placed before the Town Board of the Town of Cheektowaga for its consideration and inclusion in the budget covering the year 1959.

Respectfully submitted,

/s/ JOHN F. MERSMANN
Chief of Police

DEPARTMENT OF SANITATION AND BUILDINGS

John J. Eberl
General Foreman

September 24, 1958

Mr. Kenneth T. Hanley, Town Clerk
Town of Cheektowaga, New York

In compliance with the provisions of the Law of New York State, I have prepared and submit below my estimate of the expenditure which will, in my opinion, be necessitated in conducting the business and operations of the Garbage Districts of the Town of Cheektowaga during the calendar year 1959.

Incineration Rental	\$ 95,000.00
Sanitation helpers	105,742.08
Sanitation drivers	45,703.20
Mechanic	5,200.00
Repair parts, tires, gas, oil, etc.	45,000.00
Disposal Site	3,000.00
2 Extra helpers helping the mechanic & also on truck in absence of others	8,811.84
Office expense	250.00
Erie County Chargebacks	191.26
Services of General Foreman	5,100.00
Services of Principal Clerk	5,000.00
Miscellaneous and sick leave payments	5,000.00
6 Extra men for vacation time 60 working days ea.	5,988.80
Bond Principal due in 1959	
Bond Interest due in 1959	13,368.00
New York State Retirement	14,000.00
Social Security	3,400.00
Total Expense	\$360,755.18
Less: Estimated Surplus 12-31-58	20,000.00
Net Estimate	\$340,755.18

Item No. 5-Cont'd.

September 22, 1958

Mr. Kenneth T. Hanley, Town Clerk
Town of Cheektowaga, New York

Dear Mr. Hanley:

In compliance with provisions of the Laws of New York State, I have prepared and submit below, my estimate of the expenditures which will, in my opinion, be necessitated in conducting the business and operations of the office of the HIGHWAY DEPARTMENT of the Town of Cheektowaga during the calendar year 1959.

Item No. 1 - Primary Fund	\$ 236,231.94
Item No. 2 - Bridge Fund	3,000.00
Item No. 3 - Machinery Fund	89,454.61
Item No. 4 - Miscellaneous Fund	<u>92,478.92</u>
NET ESTIMATED EXPENDITURES FOR 1959	\$ 421,165.47

It is respectfully requested that the above estimate be duly placed before the Town Board of the Town of Cheektowaga for its consideration and inclusion in the budget covering the year 1959.

Respectfully submitted,

/s/ JOHN J. ZABLOTNY
Superintendent of HighwaysPRIMARY FUND - ITEM NO. 1

Labor	\$ 85,000.00	
Road Oil	30,000.00	
Stone, gravel and cement	35,000.00	
Gasoline, oil and grease	6,500.00	
Ready mix - Cold patching	20,000.00	
Culvert and sluice pipe	4,000.00	
Plant mix paving machine	45,000.00	
Hire of machinery	5,000.00	
Erie County chargebacks	231.94	
N. Y. State Retirement	6,800.00	
Social Security	1,700.00	
TOTAL	\$ 239,231.94	
Less: Estimated State Aid	<u>3,000.00</u>	
TOTAL		<u>\$236,231.94</u>

PRIMARY FUND - ITEM NO. 2

Bridge Work	\$ 3,000.00	
Bond principal & interest due in 1959	<u>-0-</u>	
TOTAL		<u>3,000.00</u>

PRIMARY FUND - ITEM NO. 3

Mechanic and extra labor	\$ 7,000.00	
Tires, tubes and repairs	10,000.00	
Payment of capital note & interest	52,051.61	
Down payment on machinery	10,000.00	
Bond principal & interest due in 1959	<u>10,403.00</u>	
TOTAL		89,454.61

MISCELLANEOUS FUND - ITEM NO. 4

Salary - Superintendent of Highways	\$ 11,000.00
Salary - Principal Clerk	6,000.00
Salary - Extra Clerk	4,000.00
Snow removal	12,000.00
Miscellaneous labor	25,000.00
Cleaning ditches	10,000.00
Repairs to curbs and sidewalks	10,000.00
Snow fence - Setting and removing	1,000.00
Gasoline and oil	3,000.00
Purchase of signs, paint and repair	1,500.00
TOTAL	<u>\$ 83,500.00</u>

Item No. 5-Cont'd.

TOTAL ITEMS 1, 2 and 3 forwarded		\$328,686.55
<u>MISCELLANEOUS FUND - ITEM NO. 4</u>		
TOTAL carried forward	\$ 83,500.00	
Salt and sand	3,000.00	
Weed cutting	800.00	
Transportation expense	400.00	
Erie County chargebacks	178.92	
Office supplies	100.00	
Social Security	1,900.00	
N. Y. State Retirement	7,600.00	
TOTAL	\$ 97,478.92	
Less: Estimated revenue from County	5,000.00	<u>92,478.92</u>
TOTAL ALL HIGHWAY FUNDS		<u>\$421,165.47</u>

ESTIMATE OF GENERAL FUND BUDGET ITEMS

BENEDICT T. HOLTZ - SUPERVISOR

September 29, 1958

Mr. Kenneth T. Hanley, Town Clerk
Town of Cheektowaga
Erie County, New York

Dear Sir:

In compliance with the provisions of Section 111 of the Town Law of New York State, I have prepared and submit below my estimate of the expenditures which will be necessitated in conducting the business and operations of the General Town Government during the calendar year 1959, exclusive of offices and departments functioning under the direction of duly elected or appointed officials who have submitted separate estimates for their respective offices or departments. There is also set forth my estimate of the anticipated revenue from sources other than taxes levied for general town purpose and redistributed costs.

ESTIMATED EXPENDITURES

<u>TOWN BOARD</u>		
Salaries of Councilman	\$24,000.00	
Salary of Town Attorney	9,600.00	
Senior stenographer	3,400.00	
Printing briefs, cost of litigation and expenses of Town Attorney	2,100.00	
Office and other expense	1,000.00	
Printing and publishing reports	200.00	
Dues to Association of Towns	250.00	\$ 40,550.00
<u>CONTINGENT FUND</u>		
Extraordinary legal actions, expenses in legislative matters and other special and professional services		30,000.00
<u>ADVERTISING AND PUBLISHING NOTICES</u>		
		7,000.00
<u>SUPERVISOR</u>		
Salary of Supervisor	\$ 8,200.00	
Salary of Secretary to Supervisor	4,800.00	
Salary of bookkeeper	4,200.00	
Payroll clerk	3,900.00	
Clerk - Part time	1,600.00	
Office and other expense	2,200.00	
Equipment	500.00	25,400.00

Item No. 5-Cont'd.

SUPERVISOR'S REPORTELECTIONS

Compensation of election inspectors	\$11,636.00	
New voting machine	1,350.00	
Rent of polling places	3,200.00	
Moving booths, etc.	2,500.00	
Storage of voting machines	1,200.00	\$ 22,886.00

AIR POLLUTION

Fees for Board Members	\$ 1,000.00	
Salary of Deputy Director	5,000.00	
Miscellaneous expense	1,200.00	
Services of Director payable to Health Fund	1,600.00	8,800.00

TOWN HOUSE

Electricity, gas and water	\$ 6,000.00	
Telephone	8,000.00	
Supplies	3,000.00	
Repairs	5,000.00	
Cleaning wages	6,000.00	
Window cleaning	1,500.00	
Equipment	3,000.00	\$ 32,500.00

TRAFFIC REGULATION EXPENSE

School crossing guards	\$40,900.00	
Equipment for crossing guards	500.00	
Traffic signal lights	5,000.00	
Street marking and paint	12,000.00	
Traffic signs	6,500.00	64,900.00
		60,000.00

INSURANCE AND SURETY BONDSDOG WARDENS

Salaries (2)	\$ 7,400.00	
Other expense	200.00	7,600.00

MISCELLANEOUS REPAIRS AND MINOR IMPROVEMENTS

Sidewalk repairs	\$ 7,500.00	
Appropriation for partial cost of foot bridge	5,000.00	
Other repairs and minor improvements	1,000.00	13,500.00

FEDERAL SOCIAL SECURITY CONTRIBUTION

Employer's portion		29,000.00
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CONTRIBUTION TO NEW YORK STATE RETIREMENT SYSTEM

For police program	\$25,550.00	
For other employees	70,150.00	
For supplemental pensions to other than State retired employees - Estimated	1,100.00	96,800.00

DEPARTMENT OF PUBLIC WORKSMiscellaneous Functions:

General foreman	\$ 5,000.00	
Principal clerk	4,800.00	
Maintenance men (2)	9,600.00	
Supplies	200.00	19,600.00

SHADE TREE FUND

15,000.00

ZONING BOARD OF APPEALS

Fees of members

2,000.00

INTEREST ON TEMPORARY LOANS

500.00

REIMBURSEMENT OF ERIE COUNTY TREASURER

Current chargebacks for erroneous taxes

5,043.36

VETERANS OBSERVANCE

1,500.00

Item No. 5-Cont'd.

SUPERVISOR'S REPORTMISCELLANEOUS

Including expense in connection with paying
bonds, coupons, fire wardens, etc. \$ 2,000.00

PROVISION FOR CIVIL DEFENSE AID 1,500.00

TOWN DEVELOPMENT AND EXPANSION PLANNING 7,000.00

TOWN SHARE OF DICK ROAD CROSSING COST RELOCATION 9,500.00

PAYMENT OF CAPITAL NOTES AND INTEREST

Incinerator	\$ 6,328.13	
Drainage	15,152.50	
Playground	4,606.13	
Highway Building	4,725.00	
Social Security	15,569.11	
Bookkeeping machine	<u>1,962.00</u>	48,342.87

GENERAL TOWN BONDED DEBT

Principal due in 1959	\$43,000.00	
Interest due in 1959	<u>16,241.50</u>	<u>59,241.50</u>

TOTAL ESTIMATED EXPENDITURES \$610,163.73

LESS: ESTIMATED REVENUES AND REDISTRIBUTED CHARGESRevenue other than taxes levied

Fees of Town Officers	\$ 3,000.00
Mortgage tax	10,000.00
Dog tax	7,000.00
Licenses, permits, etc.	15,000.00
Fines	8,000.00
Miscellaneous	1,000.00
Payments from Niagara Frontier Port Auth.	
Part of airport contract	3,000.00
For police service	27,380.00
Per capita assistance for the support of local government	264,450.15
Sale of maps, etc. by Town Clerk	3,000.00
Interest on deposits	5,000.00
Services to school districts	<u>2,000.00</u>
	\$348,830.15

Redistributed Charges:

Chargebacks by Erie County	
Treasurer - payable by:	
Highway Fund	\$ 410.86
Special Districts Fund	3,664.72
Payment from Highway Dept. for	
Item No. 1	
Federal Social Security	1,700.00
N.Y. State Retirement	6,800.00
Item No. 4	
Federal Social Security	1,900.00
N.Y. State Retirement	7,600.00
Payment from Consolidated	
Garbage District for:	
Incineration	95,000.00
N.Y. State Retirement	14,000.00
Federal Social Security	3,400.00
Services of foreman	2,300.00
Services of clerk	2,250.00
Payment from Sewer Districts	
For Federal Social Security	
District No. 3	500.00
District No. 5	1,500.00

Item No. 5-Cont'd.

SUPERVISOR'S REPORTRedistributed Charges:

Payment from Sewer Districts

For N.Y. State Retirement

District No. 3	\$ 3,000.00	
District No. 5	8,500.00	

For services of Town Attorney:

District no. 3	500.00	
District No. 5	1,000.00	

For services of Engineer:

District No. 3	1,500.00	
District No. 5	4,000.00	159,525.58

\$508,355.73

Estimated surplus at December 31, 1958 50,000.00

TOTAL OF ESTIMATED REVENUE AND REDISTRIBUTED

CHARGES AVAILABLE FOR GENERAL TOWN PURPOSES

IN 1959

\$558,355.73

It is respectfully requested that the above estimate be duly placed before the Town Board of the Town of Cheektowaga for its consideration and inclusion in the Budget covering the year 1959.

Respectfully submitted,

/s/ BENEDICT T. HOLTZ
Supervisor

BUDGET ESTIMATES FOR SPECIAL DISTRICTS

SPREADING COSTS ON AD VALOREM BASIS

September 29, 1958

Mr. Kenneth T. Hanley, Town Clerk
Town of Cheektowaga
Erie County, New York

Dear Sir:

The following estimates are submitted herewith as representing sums required to meet the obligations of the various special districts within the Town of Cheektowaga during the calendar year 1959, excepting districts spreading costs upon a benefit basis as provided for in Town Law Section 202-a, as amended.

	SERVICE	ESTIMATED SURPLUS DEFICIT 12-31-58	ERIE COUNTY CHARGEBACKS	TOTAL
<u>WATER HYDRANT DISTRICTS</u>				
District No. 1-Doyle	\$15,045.00	\$	16.68	\$ 15,061.68
District No. 2-Walden	5,929.50		.66	5,930.16
District No. 3-Forks	5,133.00		3.91	5,136.91
District No. 4-U-Crest	18,496.50		1.57	18,498.07
District No. 5-Pine Hill	7,965.00		17.91	7,982.91
District No. 6-Cleveland Hill	23,364.00	1,000.00		22,364.00
District No. 7-French Road	2,124.00			2,124.00
District No. 8-Hyland-Urban	796.50	200		996.50
District No. 10-Bellevue	1,681.50			1,681.50
	<u>\$80,535.00</u>	<u>\$ 800.00</u>	<u>\$ 40.73</u>	<u>\$ 79,775.73</u>
	AMOUNT TO BE ASSESSED			<u>\$ 79,775.73</u>
<u>GENERAL LIGHTING DISTRICTS</u>				
Estimated cost of service			\$154,800.00	
Repairs to standards purchased, etc.			5,000.00	
Erie County chargebacks			191.79	
			<u>\$159,991.79</u>	
Less: Amount due from Village of Sloan	\$ 300.00			
Estimated surplus at 12-31-58		10,000.00	10,300.00	
	AMOUNT TO BE ASSESSED			<u>\$149,691.79</u>

<u>Item No. 5-Cont'd.</u>	<u>SERVICE</u>	<u>ESTIMATED SURPLUS DEFICIT 12-31-58</u>	<u>ERIE COUNTY CHARGEBACKS</u>	<u>TOTAL</u>
WATER SUPPLY DISTRICTS				
<u>DISTRICT NO. 9</u>				
Borden Road:				
Bond principal & interest due in 1959			\$ 3,584.00	
Less: Estimated surplus at 12-31-58			600.00	\$ 2,984.00
Como Park Extension:				
Bond principal & interest due in 1959			\$ 2,525.00	
Less: Estimated surplus at 12-31-58			207.08	2,317.92
Strasmer Road Extension:				
Bond principal & interest due in 1959			\$ 1,262.50	
Less: Estimated surplus at 12-31-58			200.00	1,062.50
Transit Road Extension:				
Bond principal and interest due in 1959			\$ 4,376.00	
Erie County chargebacks			233.41	
Add: Estimated deficit at 12-31-58			1,206.00	5,815.41
<u>DISTRICT NO. 10</u>				
Bond principal and interest due in 1959			\$ 2,713.00	
Less: Estimated surplus at 12-31-58			319.46	2,393.54
TOTAL TO BE ASSESSED FOR THE FIVE DISTRICTS				<u>\$ 14,573.37</u>

FIRE PROTECTION DISTRICTS

<u>District No. 1 - Bowmansville</u>				
Estimated payment to outside district for protection				\$ 989.73
<u>District No. 2 - Tio-run-da</u>				
Payment to Cleveland Hill Fire District:				
For protection service			\$ 4,500.00	
For hydrant rental			2,920.50	\$ 7,420.50
<u>District No. 3 - South Line</u>				
For protection service				3,000.00
TOTAL TO BE ASSESSED FOR THE THREE DISTRICTS				<u>\$ 11,410.23</u>

It is requested that the above estimates be duly placed before the Town Board of the Town of Cheektowaga for its consideration and inclusion in the Town Budget covering the year 1959.

Respectfully submitted,

/s/ BENEDICT T. HOLTZ
Supervisor

The Town Clerk then presented to the Board the Budget for the Fire Districts for the year 1959:

Doyle Fire District No. 1	\$34,862.64
Walden Fire District No. 2	25,375.00
Forks Fire District No. 3	15,701.18
U-Crest Fire District No. 4	29,847.46
Pine Hill Fire District No. 5	25,950.00
Cleveland Hill Fire District No. 6	32,450.00
Urban Fire District No. 8	993.00

Item No. 6 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the Town Clerk be authorized and directed to issue all Building Permits on Applications processed by the Petitions Committee on September 20, 1958 and September 27, 1958, after same have been approved by the Building Inspector.

AYES: -7-

NOES: -0-

ABSENT: -0-

15
35

Item No. 7 Moved by Councilman Kornecki, 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. 4069 to Warrant No. 5053, inclusive, drawn on the Supervisor.

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Item No. 8 Moved by Councilman Neibert, seconded by Councilman Kornecki, to adjourn.

SEAL

KENNETH T. HANLEY
Town Clerk

Kenneth T. Hanley