

MEETING NO. 7CHEEKTOWAGA, NEW YORK  
APRIL 3, 1961

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 3rd day of April, 1961, at 2:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT:	Benedict T. Holtz	Supervisor
	Felix T. Wroblewski	Councilman
	Joseph Kornecki	Councilman
	Alancin M. Fath	Councilman
	Michael J. Kaczmarek	Councilman
	Joseph M. Trojanoski	Councilman
	Stanley R. Bystrak	Councilman

ABSENT: -0-

Also present were: Town Clerk Hanley; Town Attorney Kitlinger; Deputy Town Attorney Delahunt; Chief of Police Mersmann; Building & Plumbing Inspector Trafalski, and Assessor Kitowski.

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

Item No. 3 Referred to the Assessors, communication from the Cleveland Hill Fire District No. 6 requesting that part of Mapleview Drive be re-named. 32  
42

Item No. 4 Referred to the Petitions Committee the request of Thomas P. Cavanaugh, Jr. for permission to operate a trampoline center at the Airport Plaza. 17  
42

Item No. 5 Referred to the Health Officer the complaint of the Beverly Hills Association, Inc., in regard to dumping of refuse on Genesee Street in the vicinity of the Airport Plaza. 42  
42

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

RESOLVED, that the New York State Electric and Gas Corporation be authorized to make the following changes in street lighting in William Street in the Town of Cheektowaga, from Vern Lane west to the Buffalo City Line:

Remove: Five (5) 2500 lumen glass units on Poles Nos. 148, 150, 157-1, 159, and 162

Thirty-nine (39) 4000 lumen glass units on Poles No. 149, 164-1, 165, 166, 168-6, 170, 171, 172-1, 174, 175-1, 176, 178-1, 179, 180-1, 181, 182-1, 183, 184-1, 185-1, 186, 186-1, 187-1, 189, 190-1, 191, 192-1, 193, 195, 197, 199, 201, 207, 208, 211, 214, 216, 218, 220-5, 221

Install: Forty-four (44) 6000 lumen glass units on Poles Nos. 148, 149, 150, 157-1, 159, 162, 164-1, 165, 166, 168-6, 170, 171, 172-1, 174, 175-1, 176, 178-1, 179, 180-1, 181, 182-1, 183, 184-1, 185-1, 186, 187-1, 189, 190-1, 191, 192-1, 193, 195, 197, 199, 201, 207, 208, 211, 214, 216, 218, 220-5, 221, 186-1

and be it further



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

WHEREAS, emergency sewer repairs were required on Harlem Road in Sanitary Sewer District No. 3 which repairs were ordered by the Town Engineer, and

WHEREAS, the cost of the work and materials amounted to \$1,578.34.

BE IT RESOLVED, that the voucher of Straco, Inc., in the amount of \$1,578.34 to do the work and furnish the materials be approved and ordered paid.

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 Trojanoski	Voting AYE
Councilman Fath	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Kaczmarek	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

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

WHEREAS, the Town of Cheektowaga recently requested bids from the local banks for short term investments of Town Funds, and

WHEREAS, the bids submitted by the Cheektowaga office of the Marine Trust Company has been deemed the most advantageous.

NOW, THEREFORE,

BE IT RESOLVED, that the following moneys from the following accounts be invested with the Marine Trust Company in accordance with their proposal dated March 2, 1961, attached hereto. For three (3) months - General Fund - \$240,000; Highway Fund - \$120,000; Special District Funds - \$350,000; for six (6) months - General Fund - \$160,000; Highway Fund - \$60,000; Special District Fund - \$350,000; and be it further

RESOLVED, that the Supervisor be and he hereby is authorized and directed to make this investment accordingly.

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

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

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 11 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the Subdivision map of North Creek Estates being part of lots 3 and 11 T 11 R 7, prepared by Nussbaumer Clarke and Velzy, Inc., Surveyors and Engineers, dated March 1961, be approved and ordered filed in the Office of the Board of Assessors.

AYES: -7-

NOES: -0-

ABSENT: -0-

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

WHEREAS, Local 1026 of the American Federation of State, County, and Municipal Employees A.F.L.-C.I.O. has, for many years, represented the will of the majority of the employees, exclusive of the uniform forces, and

WHEREAS, the relationship between Local 1026 and the Town Board has been very amicable, and

WHEREAS, Local 1026 has represented the employees in the true American tradition, therefore,

BE IT RESOLVED, that the Town Board recognize Local 1026 as the Representative of the majority of the employees.

Seconded by Councilman Trojanoski.

AYES: -7-

NOES: -0-

ABSENT: -0-

31  
42

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

WHEREAS, Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga, have prepared final plans and specifications for the construction of storm sewers in Greenway Boulevard, a water pipe line on Losson Road and a sanitary sewer in North Creek Drive in Sanitary Sewer District No. 7, and have submitted the same to this Town Board; NOW, THEREFORE,

BE IT RESOLVED, as follows:

1. That said plans and specifications are hereby approved.
2. That sealed proposals for the construction of such work shall be received by this Town Board in accordance with the following Notice to Contractors:

NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN, that pursuant to a resolution of the Town Board of Cheektowaga, Erie County, New York, sealed proposals will be received and considered by said Town Board on the 17th day of April, 1961 at 7:30 P.M., E.S.T., in the Town Hall, Broadway at Union Road, Cheektowaga, New York, for furnishing materials, tools, equipment, and together with all labor for the construction of approximately 330 square yards of pavement, 160 lineal feet of 18-inch, 270 lineal feet of 15-inch storm sewers in Greenway Boulevard, including receivers, manholes, and other appurtenant work; construction of approximately 4,100 lineal feet of 6-inch diameter water pipe line on Losson Road, including connection to existing water line, hydrants, valves, and other related work; and construction of approximately 925 lineal feet of 12-inch, and 2,150 lineal feet of 10-inch diameter sanitary sewer in North Creek Drive, in Sanitary Sewer District No. 7, including manholes, wye branches, riser pipes, siphon chambers, and other related work all located in the Town of Cheektowaga, Erie County, New York, and in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga, New York, and approved by the Town Board, all of which are on file with the Town Clerk at his office in the Town Hall, Broadway and Union Road, Cheektowaga, New York, where the same may be examined during the usual business hours.

Copies of the proposed Contract Documents, Plans, Specifications, and Instructions to Bidders may be examined at the office of Nussbaumer, Clarke & Velzy, Consulting Engineers, 327 Franklin Street, Buffalo 2, New York. One copy of said proposed documents may be obtained upon payment of \$30.00. Any bidder, upon returning said Plans and Contract Documents in good condition, within twenty (20) days following the taking of bids will be refunded the full amount of his deposit; nonbidders will similarly be refunded only one-half the deposit.

Item No. 13-Cont'd.

The Town of Cheektowaga, Erie County, New York, reserves the right to reject any or all bids, or to waive any informalities, or to make an award to other than the low bidder.

Each proposal must be accompanied by a certified check for a sum equal to five per centum (5%) of the estimated expense of the total improvement, payable to the order of the Supervisor, or a bond with sufficient sureties, to be approved by the Supervisor, or a penal sum equal to five per centum (5%) of the estimated expense of the improvement, conditioned that if his proposal is accepted, he will enter into contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within sixty (60) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of bids.

DATED: April 3, 1961  
PUBLISHED: April 6, 1961

KENNETH T. HANLEY  
TOWN CLERK

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 Trojanoski	Voting AYE
Councilman Fath	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Kaczmarek	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

Hereto attached is a copy of the Notice published in the DEPEW HERALD AND CHEEKTOWAGA NEWS:

1  
20  
29  
27

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

**NOTICE TO CONTRACTORS**  
NOTICE IS HEREBY GIVEN, that pursuant to a resolution of the Town Board of Cheektowaga, Erie County, New York, sealed bids of the estimated expense of the total improvement, payable to the order of the Supervisor, or a bond with sufficient sureties, to be approved by the Supervisor, or a penal sum equal to five per centum (5%) of the estimated expense of the improvement, conditioned that if his proposal is accepted, he will enter into contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within sixty (60) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of bids.

Dated: April 3, 1961.

KENNETH T. HANLEY,  
Town Clerk

ap6

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 6th day of April, 1961, 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

APR 13 1961, 19\_\_\_\_

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

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

**NOTICE TO CONTRACTORS**  
NOTICE IS HEREBY GIVEN, that pursuant to a resolution of the Town Board of Cheektowaga, Erie County, New York, sealed proposals will be received and considered by said Town Board on the 17th day of April, 1961 at 7:30 P. M., E.S.T., in the Town Hall, Broadway at Union Road, Cheektowaga, New York, for furnishing materials, tools, equipment, and together with all labor for the construction of approximately 330 square yards of pavement, 160 lineal feet of 18-inch, 270 lineal feet of 15-inch storm sewers in Greenway Boulevard, including receivers, manholes, and other appurtenant work; construction of approximately 4,100 lineal feet of 6-inch diameter water pipe line on Losson Road, including connection to existing water line, hydrants, valves, and other related work; and construction of approximately 925 lineal feet of 12-inch, and 2,150 lineal feet of 10-inch diameter sanitary sewer in North Creek Drive, in Sanitary Sewer District No. 7, including manholes, wye branches, riser pipes, siphon chambers and other related work all located in the Town of Cheektowaga, Erie County, New York, and in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town of Cheektowaga, New York, and approved by the Town Board, all of which are on file with the Town Clerk at his office in the Town Hall, Broadway and Union Road, Cheektowaga, New York, where the same may be examined during the usual business hours.

Copies of the proposed Contract Documents, Plans, Specifications, and Instructions to Bidders may be examined at the office of Nussbaumer, Clarke & Velzy, Consulting Engineers, 327 Franklin Street, Buffalo 2, New York. One copy of said proposed documents may be obtained upon payment of \$30.00. Any bidder, upon returning said Plans and Contract Documents in good condition, within twenty (20) days following the taking of bids will be refunded the full amount of his deposit; nonbidders will similarly be refunded only one-half the deposit.

The Town of Cheektowaga, Erie County, New York, reserves the right to reject any or all bids, or to waive any informalities, or to make an award to other than the low bidder.

Each proposal must be accompanied by a certified check for a sum equal to five per centum (5%) of the estimated expense of the total improvement, payable to the order of the Supervisor, or a bond with sufficient sureties, to be approved by the Supervisor, or a penal sum equal to five per centum (5%) of the estimated expense of the improvement, conditioned that if his proposal is accepted, he will enter into contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within sixty (60) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of bids.

Dated: April 3, 1961.  
KENNETH T. HANLEY,  
Town Clerk

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

<sup>Depew</sup> **Herald and News** <sup>Cheektowaga</sup>

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 6th day of April, 1961, 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\_\_\_\_

*only*  
Erie County

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Town Clerk has requested two (2) new election booths and has submitted specifications for same,

BE IT RESOLVED, that the following Notice to Bidders be published in the DEPEW HERALD AND CHEEKTOWAGA NEWS, a newspaper having a general circulation in this Town:

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on April 17, 1961, at 7:30 o'clock P.M., E.S.T., at the Town Hall, corner of Broadway and Union Road, for the furnishing of two (2) election booths.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town Hall.

Dated: April 3, 1961

KENNETH T. HANLEY  
Town Clerk

Seconded by Councilman Fath.

AYES: -7-

NOES: -0-

ABSENT: -0-

Hereto attached is a copy of the Notice published in the DEPEW HERALD AND CHEEKTOWAGA NEWS:

1  
11



Item No. 14-Cont'd.

(Affidavit)

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

**NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on April 17, 1961, at 7:30 o'clock p.m., E.S.T., at the Town Hall, corner of Broadway and Union Road, for the furnishing of two (2) election booths.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town Hall.

Dated: April 3, 1961.  
KENNETH T. HANLEY,  
Town Clerk

ap6

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 6th day of April, 1961, 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

April 3, 1961,  
*Kenneth T. Hanley*  
Notary Public in and for Erie County

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

WHEREAS, many coin operated laundries in other municipalities have installed coin-operated dry cleaning units as a part of their service, and

WHEREAS, the solvent which is used to eliminate dirt and stains in dry cleaning machines is perchlorethylene, is solvent, is toxic, noxious and is a skin irritant, the fumes of which are dangerous and the vapors which may cause serious illness or even death, and

WHEREAS, several manufacturers are taking vast advertising programs to stimulate the sale of coin-operated dry cleaning machines, and

WHEREAS, the Cheektowaga Town Board has studied this matter and is of the opinion that local legislation should be adopted as soon as possible to prevent the introduction of such coin-operated dry cleaning machines and the use of perchlorethylene in the Town of Cheektowaga, having in mind the safety, health and well being of its citizens and realizing that it is practically impossible to properly control the use of said solvent in said machines.

NOW, THEREFORE,

BE IT RESOLVED, that the following ordinance be considered for adoption.

RESOLVED: That the following ordinance, to be known as Ordinance #31 of the Ordinances of the Town of Cheektowaga, Erie County, New York, be adopted pursuant to the provisions of Section 130 of the Town Law of the State of New York:

1. TITLE. This ordinance shall be known as the Coin Operated Dry-Cleaning Ordinance of the Town of Cheektowaga, Erie County, New York.

2. VIOLATIONS OF THE ORDINANCE. No person, firm, or corporation shall install or operate any coin operated dry-cleaning machine in any area, place or building in the Town of Cheektowaga.

3. PENALTY FOR VIOLATIONS. Any person, firm or corporation who shall violate any of the provisions of this ordinance shall be guilty of an offense as provided in Subdivision 2 of Section 135 of the Town Law, and upon conviction thereof, may be punished by a fine of not more than \$10.00 for the first offense and by a fine of not more than \$25.00 for each subsequent offense.

4. ORDINANCE NOT APPLICABLE TO VILLAGES OF DEPEW OR SLOAN. The provisions of this ordinance shall not apply to any area of the Town within the Villages of Depew and Sloan.

5. EFFECTIVE DATE. This ordinance shall take effect immediately.

and be it further

RESOLVED, that pursuant to Section 130 of the Town Law, this Town Board shall meet at the Town Hall, corner of Broadway and Union Road in the Town of Cheektowaga, on the 17th day of April, 1961, at 7:30 o'clock P.M., Eastern Standard Time for the purpose of considering the adoption of the foregoing ordinance, and the Town Clerk is hereby directed to publish the following notice in the DEPEW HERALD AND CHEEKTOWAGA NEWS, and the CHEEKTOWAGA TIMES, newspapers published and having a general circulation in said Town, not less than ten (10) days prior to the date of such hearing.

Item No. 15-Cont'd

NOTICE OF HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York, at a meeting to be held at the Town Hall, corner of Broadway and Union Road in said Town, at 7:30 o'clock P.M., Eastern Standard Time, on April 17th, 1961, will hold a hearing on the matter of the adoption of a Coin Operated Dry-Cleaning Ordinance, which said ordinance would now make it an offense for any person, firm or corporation to install or operate coin operated dry-cleaning machines in any area, place or building in the Town of Cheektowaga, outside of the Villages of Depew and Sloan, pursuant to the provisions of Section 130 of the Town Law of the State of New York, and that all persons interested will be then and there heard concerning the same.

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

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

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

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

AYES: -7-

NOES: -0-

ABSENT: -0-

Dated: April 3, 1961

Posted as follows on the 7th day of April, 1961:

- 1 - Town Hall Bulletin Board;
- 2 - U-Crest Fire Hall-Evergreen Street and Clover Place;
- 3 - Cleveland Hill Fire Hall-Cleveland Drive and Merrymont Road;
- 4 - Rescue Fire Hall-Pine Ridge Road;
- 5 - Doyle Fire Hall No. 1-William and Ataska Streets.

Hereto attached is a copy of the Notice published in the  
DEPEW HERALD AND CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES:

40

Item No. 15-Cont'd.

(Affidavit)

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

NOTICE OF HEARING

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks:  
first publication APR 6 1961  
last publication APR 6 1961  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this APR 24 1961  
day of April, 1961

*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, 1962  
Registered No. 5029

Item No. 15-Cont'd.

(Affidavit)

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

**NOTICE OF MEETING**

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York, at a meeting to be held at the Town Hall, corner of Broadway and Union Road in said Town, at 7:30 o'clock P.M., Eastern Standard Time, on April 17th, 1961, will hold a hearing on the matter of the adoption of a Coin Operated Dry-Cleaning Ordinance would now make it an offense for any person, firm or corporation to install or operate coin operated dry-cleaning machines in any area, place or building in the Town of Cheektowaga, outside of the Villages of Depew and Sloan, pursuant to the provisions of Section 130 of the Town Law of the State of New York, and that all persons interested will be then and there be heard concerning the same.

By Order of the Town Board of the Town of Cheektowaga, Erie County, New York.  
 Dated: April 3, 1961  
 KENNETH T. HANLEY  
 Town Clerk of the Town of Cheektowaga, Erie County, New York.  
 (Pub: April 6)

Item No. 15-Cont'd.

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

**NOTICE OF HEARING**

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York, at a meeting to be held at the Town Hall, corner of Broadway and Union Road in said Town, at 7:30 o'clock P. M., Eastern Standard Time, on April 17th, 1961, will hold a hearing on the matter of the adoption of a Coin Operated Dry-Cleaning Ordinance, which said ordinance would now make it an offense for any person, firm or corporation to install or operate coin operated dry-cleaning machines in any area, place or building in the Town of Cheektowaga, outside of the Villages of Depew and Sloan, pursuant to the provisions of Section 130 of the Town Law of the State of New York, and that all persons interested will be then and there heard concerning the same.

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

Dated: April 3, 1961.

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

ap6

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 6th day of April, 1961, 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

APR 11 1961, 19\_\_\_\_

*Kenneth T. Hanley*

Notary Public in and for Erie County

Item No. 16 This being the time and the place advertised for a public hearing on the matter of the adoption of a Refuse and Garbage Collection Ordinance for the Consolidated Refuse and Garbage District of said Town, which said ordinance would make it an offence for any person, firm, or corporation to rummage into, pick up, collect, move, or otherwise interfere with any discarded articles or materials placed within the right-of-way of any public street, road, or highway of the Town of Cheektowaga within the Consolidated Refuse and Garbage District and outside the Villages of Depew and Sloan, pursuant to the provisions of Subdivision 9 (d) of Section 198 of the Town Law.

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 following resolution was offered and adopted:

Councilman Wroblewski offered the following resolution and moved its adoption:

WHEREAS, a hearing has been duly held by this Town Board, pursuant to notice thereof duly published as required by law, concerning the matter of the adoption of a Refuse and Garbage Collection Ordinance for the Consolidated Refuse and Garbage District of this Town, in which all persons interested were given an opportunity to be heard, and after due consideration concerning the same; NOW, THEREFORE, be it

RESOLVED: That the following ordinance, to be known as Ordinance #30 of the Ordinances of the Town of Cheektowaga, Erie County, New York, be adopted pursuant to the provisions of Subdivision 9 (d) of Section 198 of the Town Law;

1. TITLE. This ordinance shall be known as The Refuse and Garbage Collection Ordinance of the Town of Cheektowaga, Erie County, New York.

2. VIOLATIONS OF THE ORDINANCE. No person, firm or corporation shall rummage into, pick up, collect, move, or otherwise interfere with any discarded articles or materials placed within the right-of-way of any public street, road or highway of the Town of Cheektowaga within the limits of the Consolidated Refuse and Garbage District thereof, placed upon such right-of-way for collection by the said Consolidated Refuse and Garbage District whether or not such discarded articles or materials shall be in receptacles, other than the authorized employees of the Town engaged in the collection work for said District, and any such rummaging into, picking up, collecting, moving, or interfering with such discarded articles or materials shall constitute a violation of this ordinance.

3. PENALTY FOR VIOLATIONS. Any person, firm or corporation who shall violate any of the provisions of this ordinance shall be guilty of an offense as provided in Subdivision 2 of Section 135 of the Town Law, and upon conviction thereof, may be punished by a fine of not more than \$10.00 for the first offense and by a fine of not more than \$25.00 for each subsequent offense.

4. ORDINANCE NOT APPLICABLE TO VILLAGES OF DEPEW OR SLOAN. The provisions of this ordinance shall not apply to any area of the Town within the Villages of Depew or Sloan.

5. EFFECTIVE DATE. This ordinance shall take effect immediately.

and be it further

Item No. 16-Cont'd.

RESOLVED, that the foregoing ordinance shall be entered in the minutes of this Town Board, published in the DEPEW HERALD AND CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, newspapers published and having a general circulation in said Town, and a printed copy thereof posted on the sign board maintained by the Town Clerk, pursuant to Subdivision 6 of Section 30 of the Town Law, and affidavits of such publication and posting shall be filed with the Town Clerk.

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

AYES: -7-

NOES: -0-

ABSENT: -0-

Posted as follows on the 10th day of April, 1961:

1 - Town Hall Bulletin Board.

Hereto attached is a copy of the Notice published in the DEPEW HERALD AND CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES:

40

25



STATE OF NEW YORK  
COUNTY OF ERIE

} ss.:

board maintained by the Town  
Clerk, pursuant to Subdivision 6

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week:  
first publication APR 6 1961  
last publication APR 6 1961;  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of APR 24 1961, 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, 1963  
Registered No. 5029

**LEGAL NOTICE**

Councilman Wroblewski offered the following resolution and moved its adoption:

WHEREAS, a hearing has been duly held by this Town Board, pursuant to notice thereof duly published as required by law, concerning the matter of the adoption of a Refuse and Garbage Collection Ordinance for the Consolidated Refuse and Garbage District of this Town, in which all persons interested were given an opportunity to be heard, and after due consideration concerning the same; NOW THEREFORE, be it

RESOLVED: That the following ordinance, to be known as Ordinance No. 30 of the Ordinances of the Town of Cheektowaga, Erie County, New York, be adopted pursuant to the provisions of Subdivision 9 (d) of Section 198 of the Town Law:

1. TITLE: This ordinance shall be known as The Refuse and Garbage Collection Ordinance of the Town of Cheektowaga, Erie County, New York.

2. VIOLATIONS OF THE ORDINANCE. No person, firm or corporation shall rummage into, pick up, collect, move, or otherwise interfere with any discarded articles or materials placed within the right-of-way of any public street, road or highway of the Town of Cheektowaga within the limits of the Consolidated Refuse and Garbage District thereof, placed upon such right-of-way for collection by the said Consolidated Refuse and Garbage District, whether or not such discarded articles or materials shall be in receptacles, other than the authorized employees of the Town engaged in the collection work for said District, and any such rummaging into, picking up, collecting, moving or interfering with such discarded articles or materials shall constitute a violation of this ordinance.

3. PENALTY FOR VIOLATIONS. Any person, firm or corporation who shall violate any of the provisions of this ordinance shall be guilty of an offense as provided in Subdivision 2 of Section 136 of the Town Law, and upon conviction thereof, may be punished by a fine of not more than \$10.00 for the first offense and by a fine of not more than \$25.00 for each subsequent offense.

4. ORDINANCE NOT APPLICABLE TO VILLAGES OF DEPEW OR SLOAN. The provisions of this ordinance shall not apply to any area of the Town within the Villages of Depew or Sloan.

5. EFFECTIVE DATE. This ordinance shall take effect immediately.

and be it further RESOLVED, that the foregoing ordinance shall be entered in the minutes of this Town Board, published in the DEPEW HERALD & CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, newspapers published and having a general circulation in said Town, and a printed copy thereof posted on the sign board maintained by the Town Clerk pursuant to Subdivision 6 of Section 30 of the Town Law, and affidavits of such publication and posting shall be filed with the Town Clerk.

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

- Councilman Wroblewski voting aye.
- Councilman Kornecki voting aye.
- Councilman Fath voting aye.
- Councilman Kaczmarek voting aye.
- Councilman Trojanoski voting aye.
- Councilman Bystrak voting aye.
- Supervisor Holtz voting aye.

CARRIED: AYES: -7-  
Dated: April 3, 1961  
STATE OF NEW YORK )  
ERIE COUNTY )  
OFFICE OF THE CLERK ) ss  
OF THE TOWN OF )  
CHEEKTOWAGA )

This is to certify that I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on April 3, 1961, and that the same is a correct and true transcript of such original resolution and the whole thereof.

(SEAL)  
In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town April 3, 1961.

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

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

board maintained by the Town Clerk, pursuant to Subdivision 6 of Section 30 of the Town Law, and affidavits of such publication and posting shall be filed with the Town Clerk.

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

Councilman Kornecki, voting Aye  
Councilman Fath, voting Aye  
Councilman Kaczmarek,

Councilman Trojanoski, voting Aye  
Councilman Bystrak, voting Aye  
Supervisor Holtz, voting Aye

Carried: AYES: -7-  
Dated: April 3, 1961.

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on April 3, 1961, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand (seal) and affixed the seal of said Town this April 3, 1961.

KENNETH T. HANLEY,  
Clerk of the Town Board, Town of  
ap6 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 newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed

slip taken from said newspaper, is a copy, was inserted and published therein once a week for

week, the first insertion being on the 6<sup>th</sup> day of April, 1961, and the last inser-

tion 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

APR 15 1961, 19\_\_\_\_  
*Kenneth T. Hanley*  
Notary Public in and for Erie County

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

**NOTICE OF ADOPTION**

Councilman Wroblewski offered the following resolution and moved its adoption:

WHEREAS, a hearing has been duly held by this Town Board, pursuant to notice thereof duly published as required by law, concerning the matter of the adoption of a Refuse and Garbage Collection Ordinance for the Consolidated Refuse and Garbage District of this Town, in which all persons interested were given an opportunity to be heard, and after due consideration concerning the same; NOW, THEREFORE, be it

RESOLVED: That the following ordinance, to be known as Ordinance #30 of the Ordinances of the Town of Cheektowaga, Erie County, New York, be adopted pursuant to the provisions of Subdivision 9(d) of Section 198 of the Town Law:

1. TITLE. This ordinance shall be known as The Refuse and Garbage Collection Ordinance of the Town of Cheektowaga, Erie County, New York.

2. VIOLATIONS OF THE ORDINANCE. No person, firm or corporation shall rummage into, pick up, collect, move, or otherwise interfere with and discarded articles or materials placed within the right-of-way of any public street, road or highway of the Town of Cheektowaga within the limits of the Consolidated Refuse and Garbage District thereof, placed upon such right-of-way for collection by the said Consolidated Refuse and Garbage District, whether or not such discarded articles or materials shall be in receptacles, other than the authorized employees of the Town engaged in the collection work for said District, and any such rummaging into, picking up, collecting, moving, or interfering with such discarded articles or materials shall constitute a violation of this ordinance.

3. PENALTY FOR VIOLATIONS. Any person, firm or corporation who shall violate any of the provisions of this ordinance shall be guilty of an offense as provided in Subdivision 2 of Section 135 of the Town Law, and upon conviction thereof, may be punished by a fine of not more than \$10.00 for the first offense and by a fine of not more than \$25.00 for each subsequent offense.

4. ORDINANCE NOT APPLICABLE TO VILLAGES OF DEPEW OR SLOAN. The provisions of this ordinance shall not apply to any area of the Town within the Villages of Depew or Sloan.

5. EFFECTIVE DATE. This ordinance shall take effect immediately.

and be it further RESOLVED, that the foregoing ordinance shall be entered in the minutes of this Town Board, published in the Depew Herald & Cheektowaga News and The Cheektowaga Times, newspapers published and having a general circulation in said Town, and a printed copy thereof posted on the sign board maintained by the Town Clerk, pursuant to Subdivision 6 of Section 30 of the Town Law, and affidavits of such publication and posting shall be filed with the Town Clerk.

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

Councilman Kornecki, voting Aye  
Councilman Fath, voting Aye  
Councilman Kaczmarek,

Councilman Trojanoski, voting Aye  
Councilman Bystrak, voting Aye  
Supervisor Holtz, voting Aye

Carried: AYES: - 7 -  
Dated: April 3, 1961.

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on April 3, 1961, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand (seal) and affixed the seal of said Town this April 3, 1961.

KENNETH T. HANLEY,  
Clerk of the Town Board, Town of  
ap6 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 newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew,

New York, that notice of which the annexed printed

slip taken from said newspaper, is a copy, was in-

serted and published therein once a week for

week, the first insertion being on the 6<sup>th</sup> day

of April, 1961, and the last inser-

tion 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

County

Item No. 17 This being the time and the place advertised for the receiving of sealed proposals for the purchase of one (1) 1961 solo-motorcycle and one (1) 1961 Servi-Car for use in the Police Department.

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

The Town Clerk advised the Board that only one bid has been received and that was the bid of the Buffalo Harley Davidson Company in the amount of \$3,693.00.

The bid was ordered referred to the Chief of Police.

Item No. 18 Ordered received and filed communication from the Building Inspector dated April 3, 1961 and March 21, 1961, approving various building permit applications.

Item No. 19 The following resolution was moved by Councilman Kornecki and seconded by Councilman Bystrak:

That the following claims be approved as presented:

General Fund	Nos.	4041	to	4116	inclusive
Highway Fund		1169		1187	
Special Districts		1469		1498	
Part Town Fund		445		448	
C & I		260			

AYES: -7-

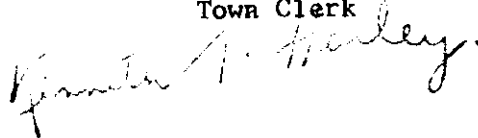
NOES: -0-

ABSENT: -0-

Item No. 20 Moved by Councilman Kornecki, seconded by Councilman Kaczmarek, to adjourn.

SEAL

KENNETH T. HANLEY  
Town Clerk



Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 17th day of April, 1961, at 7:30 o'clock P.M., Eastern Standard Time, there were:

- |                              |            |
|------------------------------|------------|
| PRESENT: Benedict T. Holtz * | Supervisor |
| Felix T. Wroblewski          | Councilman |
| Alancin M. Fath              | Councilman |
| Michael J. Kaczmarek         | Councilman |
| Joseph M. Trojanoski         | Councilman |
| Stanley R. Bystrak           | Councilman |
| ABSENT: Joseph Kornecki      | Councilman |

\* Benedict T. Holtz was excused from the meeting after the roll call.

Also present were: Town Clerk Hanley; Town Attorney Kitzinger; Deputy Town Attorney Delahunt; Town Engineer Kamm; General Foreman Banko; Lieut. Graham; Building & Plumbing Inspector Trafalski; Justice of the Peace Pyszczyński, and Assistant Engineer Norman.

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

Item No. 3 Ordered referred to the Town Attorney the request of the Bellevue, South Line and Doyle #1 Volunteer Fire Companies, that their franchise fee for baseball be paid by the Town of Cheektowaga. 42

Item No. 4 Ordered referred to the Town Board communication from the Town Park Home Owner's Association relating to conditions at the Cheektowaga Town Park. 34  
16

Item No. 5 Referred to the Chairman of the Petitions Committee communication from the Maryvale School System relating to premises at the intersection of Union Road and Farmingdale Road. 10  
72

Item No. 6 Ordered received and filed communication from the Building Inspector approving various applications for building permits. 15

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

RESOLVED, that the Supervisor be and he hereby is authorized to order four (4) Design 1348 Street Lighting Standards, and three (3) Design Y-19 Street Lighting Standards from Westinghouse Electric Corporation, to be designated for replacement purposes.

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

- |                       |            |
|-----------------------|------------|
| Councilman Fath       | Voting AYE |
| Councilman Wroblewski | Voting AYE |
| Councilman Kaczmarek  | Voting AYE |
| Councilman Trojanoski | Voting AYE |
| Councilman Bystrak    | Voting AYE |

AYES: -5-

NOES: -0-

ABSENT: -2-

Item No. 8 Moved by Councilman Kaczmarek, seconded by Councilman Wroblewski, that the Recreation Director be authorized and directed to purchase the following named equipment for use in Nakomis Park:

2 Swing Sets with 2 belt seats	@	\$ 88.50 per set
2 Swing Sets with 3 belt seats	@	108.00 per set
1 Fiber Glass Elephant Slide	@	265.00
1 4-unit See-Saw	@	121.00
2 Single Post Backstops	@	<u>79.00</u> per backstop
		\$937.00

AYES: -5-

NOES: -0-

ABSENT: -2-

16

Item No. 9 This being the time and the place advertised for a public hearing on the matter of the adoption of a Coin Operated Dry-Cleaning Ordinance, which said ordinance would now make it an offense for any person, firm or corporation to install or operate coin operated dry-cleaning machines in any area, place or building in the Town of Cheektowaga, outside of the Villages of Depew and Sloan, pursuant to the provisions of Section 130 of the Town Law of the State of New York.

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

The Chairman announced that the Board would hear all persons interested in the subject of the hearing.

Mr. R. E. VanHorn, representing the Whirl Pool Washing Machine Company, spoke in opposition to the proposed ordinance.

Mr. Stanley Walczak, William Street, spoke in favor.

The Chairman ordered the hearing closed, and that the decision be reserved.

42

Item No. 10 Councilman Kaczmarek offered the following resolution and moved its adoption:

WHEREAS, under Sections 553 and 554 of the New York State Insurance Law, a portion of the gross premiums received by foreign and alien fire insurance corporations insuring properties within those areas of the Town in which volunteer fire departments have been organized, is required to be paid to the fire companies therein, and

WHEREAS, some moneys are not being received because the insured property's location is given on the policies as Buffalo instead of Cheektowaga, by reason of the fact that all of the United States Postal Zones within the limits of the Town of Cheektowaga are designated by the Post Office Department to be in Buffalo; NOW, THEREFORE,

BE IT RESOLVED, that the United States Post Office Department be and it hereby is requested to change the post office designation of all the postal zones within the Town of Cheektowaga from 'Buffald' to 'Cheektowaga,' and be it further

RESOLVED, that certified copies of this resolution be sent by the Town Clerk to the United States Postmaster at Buffalo, New York, and to Congressman John Pillion and Congressman Dulski, with the request that the change herein set forth be made.

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

AYES: -5-

NOES: -0-

ABSENT: -2-

3

20

11

112

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

WHEREAS, the Parks Department has notified the Town Board that they are in need of one (1) Portable Roller with Trailer Conveyance, be it,

RESOLVED, that this request be granted and that the Town Clerk be directed to publish the annexed NOTICE TO BIDDERS in the DEPEW HERALD AND CHEEKTOWAGA NEWS, having a circulation in the Town of Cheektowaga, in connection with the said Portable Roller, and be it further

RESOLVED, that the Town Board meet on the 1st day of May, 1961, at 2:30 o'clock P.M., Eastern Daylight Saving Time, at the Town Hall, Broadway and Union Road, Cheektowaga, New York, for the purpose of receiving sealed bids at which time they will be publicly opened by the Town Board at a public meeting called for that purpose.

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

Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Kaczmarek	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

NOTICE TO BIDDERS

The Town of Cheektowaga hereby requires separate sealed bids for one (1) Portable Roller with Trailer Conveyance for use in the Parks Department.

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

Copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 2:30 o'clock P.M., Eastern Daylight Saving Time on May 1, 1961, 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: April 17, 1961

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

Hereto attached is a copy of the Notice published in the DEPEW HERALD AND CHEEKTOWAGA NEWS:



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

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires separate sealed bids for one (1) Portable Roller with Trailer Conveyance for use in the Parks Department.

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

Copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 2:30 o'clock P.M., Eastern Daylight Saving Time on May 1, 1961, 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: April 17, 1961

ap20 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 newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 20th day of April, 1961, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*[Handwritten signature]*

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

April 18 1961

, 19\_\_\_\_

*[Handwritten signature: Kenneth T. Hanley]*  
Notary Public in and for Erie County

3

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

WHEREAS, it has been brought to the attention of this Council that the problem of loose and stray dogs again roaming Town streets, often in packs, present a hazard to the safety of our children, and

WHEREAS, the loss to taxpayers resulting from damage to shrubs, trees and flowers, is reported to be considerable.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Dog Wardens be and they are hereby directed to enforce to the fullest that Town Ordinance having to do with dogs, and be it further

RESOLVED, that this ordinance be published in the DEPEW HERALD and the CHEEKTOWAGA TIMES, and that the cooperation of all dog owners is herewith requested to alleviate said hazard and nuisance.

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

Councilman Bystrak	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Kaczmarek	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

40  
18

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

RESOLVED, that the annual clean up, paint up and fix up campaign for Cheektowaga be held from May 1 to May 12, 1961, excluding Saturday and Sunday, May 6 and 7, and be it further

RESOLVED, that the Sanitation Department be authorized to have 100 posters painted and distributed concerning the same.

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

Councilman Bystrak	Voting AYE
Councilman Fath	Voting AYE
Councilman Kaczmarek	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Wroblewski	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

22  
42

Item No. 14 Councilman Kaczmarek offered the following resolution and moved its adoption:

BE IT RESOLVED, that the following agreements arrived at, at a meeting of representatives of the U. S. Rubber Reclaiming Co., Inc., and representatives of this Town, held on Thursday, March 30, 1961, be confirmed and the Town Attorney and Supervisor be and they hereby are authorized to carry into effect said agreements within their duties as such officers of this Town:

1. The Board of Health of the Town of Cheektowaga will issue a permit for the installation of the equipment set forth in the application by the Company presently on file with that Board. This permit will be issued as of the Board's meeting on Tuesday, April 4, 1961.

Item No. 14-Cont'd.

- 2. On receipt of the permit the Company will order the equipment from the Buffalo Forge Company and on receipt of the same will install it as expeditiously as possible. A copy of the Company's order form will be forwarded to the Town Attorney.
- 3. All litigation presently existing between the Town and the Company or any officers or employees of the Company will be disposed of by stipulation without prejudice or cost to either party or by argument as the case may require.
- 4. If, after the installation of the equipment covered by the permit, the Air Pollution Board, Health Board, or Town Board, after consultation with its expert in such matters, justifiably feels that any additional, reasonable and practicable air pollution control equipment is necessary to the reasonable operation of the plant, it will notify officers of the Company and conduct reasonable discussions and negotiations with the Company before instituting any further litigation either against the Company, its officers, or employees.
- 5. That the Town Boards and the Company will make every effort to cooperate each with the other in an atmosphere and spirit of good will.

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

AYES: -5-

NOES: -0-

ABSENT: -2-

23  
43  
15

Item No. 15

Councilman Kaczmarek presented the following resolution and moved its adoption:

WHEREAS, the Town of Cheektowaga is contemplating the construction of a roadway on the south side of Scajaquada Creek running easterly from Union Road, and

WHEREAS, it is necessary to acquire 2.979 acres of land adjoining the Creek from John M. Konsek, Jr., and Florence H. Konsek, his wife, in accordance with survey attached hereto, and

WHEREAS, Mr. and Mrs. Konsek have agreed to sell this property to the Town of Cheektowaga for the sum of \$4,500.00.

NOW, THEREFORE,

BE IT RESOLVED, that the Supervisor be, and he hereby is authorized and directed to make payment in the amount of \$4,500.00 to Mr. and Mrs. Konsek and to accept a deed therefor on behalf of the Town of Cheektowaga, and be it further

RESOLVED, that the Town Attorney be and he hereby is directed to make all necessary arrangements to acquire good title to the premises and to record the same in the Erie County Clerk's Office.

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

Councilman Bystrak  
 Councilman Fath  
 Councilman Kaczmarek  
 Councilman Trojanoski  
 Councilman Wroblewski

Voting AYE  
 Voting AYE  
 Voting AYE  
 Voting AYE  
 Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

23  
43  
15

Item No. 16 Councilman Fath offered the following resolution and moved its adoption:

BE IT RESOLVED, that the Town Attorneys be and they hereby are directed to defend the action brought by the Buffalo Sewer Authority against the Town of Cheektowaga and the Town Board, involving Drainage District No. 1 of the Town of Cheektowaga.

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

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

Item No. 17 Moved by Councilman Fath, seconded by Councilman Trojanoski, that the following named persons be employed in the Recreation Department at the rate of \$2.21 per hour:

- Temporary basis as laborers from about April 15, 1961 to October 15, 1961 - Anthony Cherrico  
Frank Schwartz  
Gerald Weigand

Part Time Basis - Frank Jozwiak  
Robert Rutkowski  
Stanley Burek  
Fred Dittmar

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

Item No. 18 Moved by Councilman Kaczmarek, seconded by Councilman Bystrak, that the request of Florian Jablonski for a sick leave of absence from April 19, 1961 to April 25, 1961, be granted.

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

Item No. 19 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the request of Thomas Cavanaugh to erect a trampoline center at the Airport Plaza be denied.

Councilman Fath	Voting AYE
Councilman Kaczmarek	Voting NAYE
Councilman Trojanoski	Voting AYE
Councilman Bystrak	Voting NAYE
Councilman Wroblewski	Voting AYE

AYES: -3-                      NAYES: -2-                      ABSENT: -2-

Motion lost due to lack of majority of the vote.

Item No. 20 Moved by Councilman Trojanoski, seconded by Councilman Kaczmarek, that the request of the Town Health Officer to attend the New York State Annual Health Conference at Rochester, New York, on June 4, 1961, to June 7, 1961, inclusive, be granted, and that his reasonable expenses be a legal Town charge.

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

Item No. 21 Councilman Kaczmarek presented the following resolution and moved its adoption:

WHEREAS, the Town Board of the Town of Cheektowaga, in the County of Erie, deems it advisable that Fire District No. 8 of said Town be extended to include the territory hereinafter described, and

Item No. 21-Cont'd.

WHEREAS, the Town Board desires to hold a public hearing for the consideration of such extension; NOW, THEREFORE,

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

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

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that upon the motion of the Town Board of the Town of Cheektowaga, in the County of Erie, pursuant to the provisions of Article Eleven of the Town Law of the State of New York, said Town Board has determined to hold a public hearing in the matter of the extension of Fire District No. 8 of said Town, to embrace the following described territory:

DESCRIPTION OF TERRITORY PROPOSED TO BE  
ANNEXED TO FIRE DISTRICT NO. 8  
-----

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

BEGINNING at the point of intersection of the easterly line of the New York Central Railroad right-of-way, which is also the east line of the existing district, with a north line of the Village of Depew, which is also the south line of the existing district.

Running thence northerly and northeasterly along the said easterly line of the New York Central Railroad right-of-way to the westerly line of the Lehigh Valley Railroad right-of-way.

Thence northerly along the westerly line of the Lehigh Valley Railroad right-of-way to the northerly line of the West Shore Railroad right-of-way.

Thence easterly along the northerly line of the West Shore Railroad right-of-way to the easterly line of the Lehigh Valley Railroad right-of-way.

Thence southerly along the easterly line of the Lehigh Valley Railroad right-of-way to a point formed by the intersection of a north line of the Village of Depew extended westerly.

Thence easterly along said extended line to a northwest corner of the Village of Depew.

Thence southerly along a westerly line of the Village of Depew to a north line of the Village of Depew.

Thence westerly along a northerly line of the Village of Depew to the point or place of beginning.

and that such public hearing will be held by the Town Board of said Town at the Town Hall, corner of Broadway and Union Road in said Town, on the 1st day of May, 1961, at 2:30 o'clock P. M., Eastern Daylight Saving Time, and that then and there the said Town Board will hear all persons interested in the matter of the extension of such district, and will then and there take action in the matter.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA.

Dated: April 17, 1961

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

Item No. 21-Cont'd.

(2) Such notice shall be published once in the DEPEW HERALD AND CHEEKTOWAGA NEWS, a newspaper published in said Town of Cheektowaga and having a general circulation in the territory proposed to be annexed to Fire District No. 8 of the Town of Cheektowaga, and a copy of such notice shall be posted conspicuously in not less than five (5) public places within the territory proposed to be annexed to said Fire District No. 8, such publication and posting to be made not less than ten (10) nor more than twenty (20) days prior to the date fixed for such public hearing.

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

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

Councilman Wroblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kaczmarek	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

Posted as follows on the 21st day of April, 1961:

- 1 - Post 25 feet west of the Lehigh Valley Railroad on the Pelvion Land Company's property;
- 2 - Post 50 feet west of the Lehigh Valley Railroad on the Pelvion Land Company's property;
- 3 - Post 75 feet west of the Lehigh Valley Railroad on the Pelvion Land Company's property;
- 4 - Post 25 feet east of the New York Central Railroad on N.Y. State Realty and Terminal Company's property;
- 5 - Post 50 feet east of the New York Central Railroad on N. Y. State Realty and Terminal Company's property.

Hereto attached is a copy of the Notice published in the DEPEW HERALD AND CHEEKTOWAGA NEWS:

STATE OF NEW YORK  
COUNTY OF ERIE

} ss.:

TURN BUILDER'S  
That means you  
matter how poor  
think it takes hard  
easily and quickly  
hour is all it takes  
Call  
extra charge. Mon

NO SOIL'S



RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of  
Cheektowaga and Lancaster, and published at Depew,  
New York, that notice of which the annexed printed  
slip taken from said newspaper, is a copy, was in-  
serted and published therein once a week for 1  
week, the first insertion being on the 20th day  
of April, 1961, and the last inser-  
tion 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

1961, 19\_\_\_\_

*Kenner T. Hanley*

Notary Public in and for Erie County

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

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that upon the motion of the Town Board of the Town of Cheektowaga, in the County of Erie, pursuant to the provisions of Article Eleven of the Town Law of the State of New York, said Town Board has determined to hold a public hearing in the matter of the extension of Fire District No. 8 of said Town, to embrace the following described territory:

**DESCRIPTION OF TERRITORY PROPOSED TO BE ANNEXED TO FIRE DISTRICT NO. 8**

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

BEGINNING at the point of intersection of the easterly line of the New York Central Railroad right-of-way, which is also the east line of the existing district, with a north line of the Village of Depew, which is also the south line of the existing district.

Running thence northerly and northeasterly along the said easterly line of the New York Central Railroad right-of-way to the westerly line of the Lehigh Valley Railroad right-of-way.

Thence northerly along the westerly line of the Lehigh Valley Railroad right-of-way to the northerly line of the West Shore Railroad right-of-way.

Thence easterly along the northerly line of the West Shore Railroad right-of-way to the easterly line of the Lehigh Valley Railroad right-of-way.

Thence southerly along the easterly line of the Lehigh Valley Railroad right-of-way to a point formed by the intersection of a north line of the Village of Depew extended westerly. \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_

Thence easterly along said extended line to a northwest corner of the Village of Depew. \_\_\_\_\_ or Erie County

Thence southerly along a westerly line of the Village of Depew to a north line of the Village of Depew.

Thence westerly along a northerly line of the Village of Depew to the point or place of beginning. and that such public hearing will be held by the Town Board of said Town at the Town Hall, corner of Broadway and Union Road in said Town, on the 1st day of May, 1961, at 2:30 o'clock P.M., Eastern Daylight Saving Time, and that then and there the said Town Board will hear all persons interested in the matter of the extension of such district, and will then and there take action in the matter.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

Dated: April 17, 1961  
KENNETH T. HANLEY,  
Town Clerk of the Town of  
ap20 Cheektowaga, New York

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

<sup>Depew</sup> **Herald and News** <sup>Cheektowaga</sup>

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew,

New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for \_\_\_\_\_

week, the first insertion being on the 20th day of April, 1961, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_,

19\_\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*



Item No. 22 Councilman Fath offered the following resolution and moved its adoption:

WHEREAS, public bids were duly advertised for the furnishing of a 1961 solo motorcycle and a 1961 motorcycle with sidecar, together with trade-in allowance, all as provided for in the specifications, the same being received at a meeting of this Town Board held on April 3, 1961, and

WHEREAS, the only bid received was from Buffalo Harley-Davidson, copy of which is attached and which the Chief of Police recommended accepting; NOW, THEREFORE,

BE IT RESOLVED, that the said bid of Buffalo Harley-Davidson be and the same hereby is accepted.

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

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

1  
18

Item No. 23 This being the time and the place advertised for the receiving of sealed proposals for the furnishing of two (2) election booths.

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

The Town Clerk announced that the one and only bid received was that of Anthony Taberski in the amount of \$2,900.00.

Councilman Kaczmarek presented the following resolution and moved its adoption:

WHEREAS, this Town Board did on this date receive sealed proposals for the furnishing of two (2) election booths, and

WHEREAS, Anthony Taberski was the only bidder for said election booths in the amount of \$2,900.00, be it

RESOLVED, that the bid to furnish said election booths be awarded to Anthony Taberski in the amount of \$2,900.00.

Seconded by Councilman Fath.

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

1  
11

Item No. 24 This being the time and the place advertised for the receiving of sealed proposals for furnishing materials, tools, equipment, and together with all labor for the construction of approximately 330 square yards of pavement, 160 lineal feet of 18-inch, 270 lineal feet of 15-inch storm sewers in Greenway Boulevard, including receivers, manholes and other appurtenant work; construction of approximately 4,100 lineal feet of 6-inch diameter water pipe line on Losson Road, including connection to existing water line, hydrants, valves, and other related work; and construction of approximately 925 lineal feet of 12-inch, and 2,150 lineal feet of 10-inch diameter sanitary sewer in North Creek Drive, in Sanitary Sewer District No. 7, including manholes, wye branches, riser pipes, siphon chambers and other related work.

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

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

The bids were ordered referred to the Town Engineer for analysis and tabulation.

Hereto attached is a summary of the bids received:

1  
at

Item No. 24-Cont'd.

		SECTION "A"		
BID ITEM NO.	DESCRIPTION	QUANTITY	UNIT	CO.
A-1	PAVEMENT CONSTRUCTION	3,350	S.Y.	
A-2	CORRUGATED METAL PIPE SEWER			
	10" PIPE 0' TO 6' DEPTH IN CUT	64	L.F.	
	15" " 0' TO 6' "	10	L.F.	
	15" " 6' TO 8' "	260	L.F.	
	18" " 0' TO 6' "	160	L.F.	
	TOTAL AMOUNT FOR ITEM A-2			
A-3	STANDARD MANHOLE FROM 0' TO 6' DEPTH	2	EACH	20
A-4	ADDITIONAL DEPTH MANHOLE OVER 6' DEPTH	2	L.F.	
A-5	RECEIVERS	5	EACH	17
A-6	SELECT BACKFILL MATERIAL	60	C.Y.	
TOTAL BID AMOUNT FOR SECTION "A", ITEMS NO. A-1 THROUGH A-6 INCLUSIVE				
BID SECURITY				

EENWAY	
CONSTRUCTION CO.	
TOTAL	\$12,462.00
	256.00
	32.00
	884.00
	860.00
	1,732.00
	400.00
	2.00
	875.00
	240.00
	711.00

SIDEWALK PAVEMENT			
LUIS DEL PRINCE & SONS, INC.		O.M.H. CO., INC.	
BID ITEM NO.	DESCRIPTION	QUANTITY	UNIT
	TOTAL	73.85	
	TOTAL	11,385.00	
	TOTAL	2,106.50	
	TOTAL	2.85	182.40
	TOTAL	3.40	24.00
	TOTAL	3.40	884.00
	TOTAL	3.75	600.00
	TOTAL		733.40
	TOTAL	30.00	600.00
	TOTAL	30.00	60.00
	TOTAL	90.00	900.00
	TOTAL	3.00	210.00
	TOTAL		15,415.40
	TOTAL		16,585.40
	TOTAL		16,806.50

AMSTERDAM TY CO

CHECK FOR JETNA CASUALTY & SURETY CO.

\* INDICATES CORRECTED FIGURES

Item No. 24-Cont'd.

FRIE PAVING OF CHEEKTOWAGA, INC.		RALPH D. YOUNG INC.		
UNIT	TOTAL	UNIT	TOTAL	UNIT
\$ 4.20	\$14,070.00	\$ 5.76	\$19,296.00	
4.25	272.00	3.50	254.00	
3.35	33.50	4.15	41.50	
3.57	928.20	4.40	1,144.00	
3.67	587.20	4.95	792.00	
	1,820.90		2,201.50	
210.00	420.00	180.00	360.00	
1.00	2.00	30.00	60.00	
85.00	825.00	190.00	950.00	
4.00	240.00	4.50	270.00	
	\$17,377.90		\$23,137.50	
NEW AMSTERDAM CASUALTY CO.		MARYLAND CASUALTY CO.		

119

Item No. 25      The following resolution was moved by Councilman Bystrak and seconded by Councilman Wroblewski:

That the following claims be approved as presented:

General Fund	Nos. 4119	to 4158	inclusive
Highway Fund	1189	1208	
Special Districts	1500	1526	
Part Town Fund	450	462	
C & I	264	265	

AYES: -5-

NOES: -0-

ABSENT: -2-

Item No. 26

DECISION OF  
ZONING BOARD OF APPEALS  
In the Matter of the Application of  
JOHN J. SLIWINSKI

To rezone from a residential District to Business District Sub-lots 29 and 30 on the northwest corner of William Street and Mansion Street, being 50 feet frontage by 200 feet in depth.

The applicant intends to use the premises as a Superette (retail grocery store).

The Zoning Board of Appeals conducted a public hearing on March 15, 1961, after proper notice to all proper parties. A petition in opposition to the rezoning filed by approximately 40 people was presented to the Board. It was indicated that the applicant does not own 200 feet in depth but only 120 feet. Many nearby property owners appeared at the hearing and objected to the rezoning on the grounds that sufficient parking would not be provided for the use contemplated, and that the proposed use would be a definite hazard to the safety of the children attending the school and church on the adjoining corner.

The Members of the Zoning Board of appeals subsequently inspected the premises and other premises in the vicinity and realizing that sufficient off-street parking could not be provided, and also realizing that such use would be a definite safety hazard to the over 800 children attending the school and church on the northeast corner of William and Mansion Street, and having been notified that Mansion Street, north of William, is closed to traffic during certain hours so that the school children may use the street for playground purposes, recommend that the application be denied.

/s/ Leo Kurnick  
Chairman

/s/ Lawrence M. Januszczak

/s/ Peter J. Rybka

/s/ C. G. Hanson

Item No. 27      Moved by Councilman Kaczmarek, seconded by Councilman Bystrak, that the application of John J. Sliwinski to rezone Sub lots 29 and 30 on the northwest corner of William and Mansion Streets be denied.

AYES: -5-

NOES: -0-

ABSENT: -2-

Item No. 28  
its adoption:

Councilman Fath presented the following resolution and moved

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 Norman F. Keller 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

Item No. 28-Cont'd.

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

Being a plot of land situate on the north side of Kensington Ave. having a frontage of 261 feet starting 100 feet westerly from Century Road; west line being 140 feet; rear line 261 feet; and east line being 140 feet.

Also a plot of land situate on the west side of Century Road having a frontage of 25 feet starting 115 feet northerly from Kensington Avenue; south line 100 feet; west line 25 feet; and north line 100 feet. Said premises are contiguous to the land mentioned in first paragraph.

Seconded by Councilman Kaczmarek.

AYES: -5-

NOES: -0-

ABSENT: -2-

The above notice was posted on the Town Hall Bulletin Board on the 21st day of April, 1961.

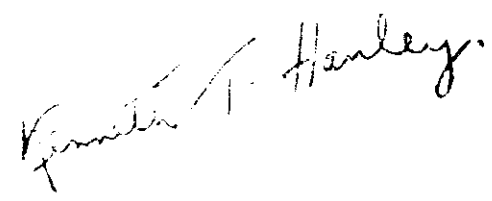
19

Item No. 29  
to adjourn.

Moved by Councilman Fath, seconded by Councilman Bystrak,

SEAL

KENNETH T. HANLEY  
Town Clerk



Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 1st day of May, 1961, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were:

- |          |                      |            |
|----------|----------------------|------------|
| PRESENT: | Benedict T. Holtz    | Supervisor |
|          | Felix T. Wroblewski  | Councilman |
|          | Joseph Kornecki      | Councilman |
|          | Alancin M. Fath      | Councilman |
|          | Michael J. Kaczmarek | Councilman |
|          | Joseph M. Trojanoski | Councilman |
|          | Stanley R. Bystrak   | Councilman |

ABSENT: -0-

Also present were: Town Clerk Hanley; Town Attorney Kitzinger; Deputy Town Attorney Delahunt; Building & Plumbing Inspector Trafalski; General Foreman Banko; Chief of Police Mersmann; Tax Clerk Reece, and Town Engineer Kamm.

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

Item No. 3 Ordered received and filed communication from the Building Inspector approving and denying various building permit applications. 15

Item No. 4 Moved by Councilman Wroblewski, seconded by Councilman Kornecki, that Messrs. Nowicki and Reger be designated as laborers at the Disposal Plant effective immediately. 31

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

Item No. 5 This being the time and the place advertised for a public hearing for the proposed extension of Fire District No. 8.

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 following resolution was presented and adopted:

Councilman Fath presented the following resolution and moved its adoption:

WHEREAS, the Town Board of the Town of Cheektowaga, in the County of Erie, deems it advisable that Fire District No. 8 of said Town be extended to include the territory 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 more particularly described as follows:

BEGINNING at the point of intersection of the easterly line of the New York Central Railroad right-of-way, which is also the east line of the existing district, with a north line of the Village of Depew, which is also the south line of the existing district.

115

Item No. 5-Cont'd.

Running thence northerly and northeasterly along the said easterly line of the New York Central Railroad right-of-way to the westerly line of the Lehigh Valley Railroad right-of-way.

Thence northerly along the westerly line of the Lehigh Valley Railroad right-of-way to the northerly line of the West Shore Railroad right-of-way.

Thence easterly along the northerly line of the West Shore Railroad right-of-way to the easterly line of the Lehigh Valley Railroad right-of-way.

Thence southerly along the easterly line of the Lehigh Valley Railroad right-of-way to a point formed by the intersection of a north line of the Village of Depew extended westerly.

Thence easterly along said extended line to a northwest corner of the Village of Depew.

Thence southerly along a westerly line of the Village of Depew to a north line of the Village of Depew.

Thence westerly along a northerly line of the Village of Depew to the point or place of beginning.

and

WHEREAS, said Town Board duly adopted on the 17th day of April, 1961, an order providing that said Town Board shall meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 1st day of May, 1961, at 2:30 o'clock P.M., Eastern Daylight Saving Time, to hear all persons interested in the matter of the extension of such Fire District, and notice of such hearing was duly published and posted as prescribed by law, and said Town Board has, at the time and place specified in said notice, duly met and considered the matter of such extension, and heard all persons interested in the subject thereof who appeared at such time and place, concerning the same, and

WHEREAS, the evidence offered at such time and place requires that the Town Board make the determinations hereinafter made; NOW, THEREFORE,

BE IT RESOLVED, by the Town Board of the Town of Cheektowaga, in the County of Erie, that it be and hereby is determined as follows:

(1) It is in the public interest to extend the existing Fire District No. 8 of said Town to include the territory hereinbefore described.

(2) That all of the property, property owners, and interested persons within the proposed extension of said District are benefited thereby.

(3) That all of the property and property owners benefited are included within the proposed extension of said Fire District, and it is

FURTHER RESOLVED, that the Town Board do and it hereby does approve the extension of said Fire District No. 8 of said Town to include the territory hereinbefore described, and the said Fire District is hereby extended to include said territory, and be it

FURTHER RESOLVED, that the Town Clerk be and he hereby is authorized and directed to file a certified copy of this resolution, in duplicate, in the office of the State Department of Audit and Control, at Albany, New York, together with an application, in duplicate, for permission to so extend said Fire District in the manner and form prescribed by Section 173 of the Town Law of New York, within ten days after the adoption of this resolution, and be it

Item No. 5-Cont'd.

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

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 Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Kaczmarek	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

27

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

WHEREAS, this Town Board, by resolution adopted October 3, 1960, provided for modification of the plan of Drainage District No. 7, and

WHEREAS, the attached Change Order No. 1 for the construction of the sewer required by such modification has been approved by Nussbaumer, Clarke & Velzy, the Consulting Engineers, and has been itemized by the Contractor, as shown in statement attached; NOW, THEREFORE,

BE IT RESOLVED, that the attached Change Order No. 1 as itemized be and the same is hereby approved, and the Supervisor is authorized to execute approval of same.

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

CHANGE ORDER NO. 1  
To

Specifications and Contract Documents For  
Construction of Storm Trunk Sewers in District No. 7  
Including Manholes and Chambers  
Town of Cheektowaga, Erie County, New York

Contractor: C.M.H. Company, Inc.      Engineer: Nussbaumer, Clarke & Velzy

I. Changes to be Made

Extension of storm trunk sewer facilities in District No. 7, consisting of furnishing and installing storm trunk sewers from Meadowlawn Road to Powell Drive. The route is along the easements being in formerly Hazelnut Road right-of-way. The extension of facilities shown on Nussbaumer, Clarke & Velzy Drawing No. 6134-15, dated October, 1960.

This extension was authorized by Resolution of the Town Board on October 3, 1960.

II. Amount of Change

For furnishing and installing the following items of work in accordance with the Specifications and the Contract unit and lump sum prices and the unit prices stated in the attached copy of a letter written by C.M.H. Company, Inc., on October 31, 1960:

1. 478 L.F. 36" Diameter Reinforced Concrete Pipe  
6'-8' depth @ \$13.90 per L.F.= \$6,644.20  
(Contract Price)
2. 125.5 L.F. 36" Diameter Reinforced Concrete Pipe  
8'-10' depth @ \$14.15 per L.F.= 1,775.83  
(Contract Price)



Item No. 6-Cont'd.

3.	277.5 L.F. 30" Diameter Reinforced Concrete Pipe 0'-6' Depth @ \$11.70 Per L.F. =	\$3,246.75
	(By letter)	
4.	307 L.F. 24" Diameter Reinforced Concrete Pipe 0'-6' depth @ \$8.95 per L.F. =	2,747.65
5.	8 Standard Manholes 0'-6' depth @ \$290.00 ea. =	2,320.00
	(Contract Price)	
6.	1 L.F. additional depth of manhole over 8' deep @ \$32.00 per L.F. =	32.00
	(Contract Price)	
7.	84.5 C.Y. of select backfill material @ \$3.00 per C.Y. =	253.50
	(Contract Price)	
8.	66 S.Y. of bituminous macadam pavement replacement @ \$3.50 per S.Y. =	231.00
9.	189.3 C.Y. rock excavation @ \$15.00 per C.Y. =	<u>2,835.50</u>
	(Contract Price)	
	TOTAL Amount of Change Order No. 1, ADD	\$20,090.43

III. Supporting Data

See attached copy of the letter from C.M.H. Company, Inc., quoting unit prices for 24 inch and 30 inch reinforced concrete pipe.

Recommended By:

NUSSBAUMER, CLARKE & VELZY

Per: /s/ Raymond H.N. Murray  
Date: Dec. 9, 1960

Approved By:

TOWN OF CHEEKTOWAGA,  
NEW YORK

Date: 5-1-61

11 Tristan Lane

C. M. H. CO., INC.

Buffalo 21, New York  
March 14, 1961

Nussbaumer, Clarke & Velzy, Inc.  
327 Franklin St., Buffalo, N. Y.

Material cost on Dist., #7 Storm Sewer, Town of Cheektowaga, N. Y.  
Change Order #1

572 L.F. 36" R.C.P. @ \$10.40 per.	\$5,948.50
268 L.F. 30" R.C.P. @ \$ 8.15 per.	3,135.60
304 L.F. 24" R.C.P. @ \$ 4.55 per.	1,687.20
8 Manhole Covers @ \$37.50 ea.	300.00
84½ c. y. gravel @ \$1.65 per c.y.	139.45
Manhole Brick L.S.	300.42
Concrete for Manhole Base L.S.	402.43
Cement and misc. pipe C.M.P. L.S.	113.07
Joint compound	67.27
Manhole Steps. 15 @ \$1.25 ea.	18.75
	<u>18.75</u>
Total Material	\$12,112.69

Labor Cost-Change Order #1.

Rock Excavation	\$2,800.00	
Labor for manholes	800.00	
Labor for sewer const.	3,550.74	
Machinery rental	827.00	
	<u>\$7,977.74</u>	<u>7,977.74</u>
Total Labor	\$20,090.43	

/s/ E. Cardarelli, Pres.  
C.M.H. Co., Inc.

6

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

WHEREAS, Nussbaumer, Clarke and Velzy, Consulting Engineers for the Town of Cheektowaga, have recommended Change Order No. 2 to the contract entered into between the Town of Cheektowaga and C.M.H. Company, Inc., in connection with the construction of Storm Trunk Sewers in District No. 7, be it

RESOLVED, that the Change Order, copies of which are annexed to this resolution and made a part hereof, be and the same are hereby approved,

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

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

AYES: -7-

NOES: -0-

ABSENT: -0-

Change Order No. 2  
To  
Specifications & Contract Documents For  
Construction of Storm Trunk Sewers in District No. 7  
Including Manholes & Chambers  
Town of Cheektowaga, Erie County, New York

Contractor: C.M.H. Company, Inc.      Engineer: Nussbaumer, Clarke & Velzy

1. CHANGES TO BE MADE:

Furnish additional receivers and connections to the newly constructed trunk storm sewer on Meadowlawn Street, to conform with the temporary grade, and allow for final design grade of future pavement. Also to extend the length of the Meadowlawn Street sewer to the previous location of Eastfield Road, which was adjacent to the Niagara Mohawk Power Corporation right-of-way.

2. Amount of Change:

For furnishing and installing the following items of work in accordance with the Specifications, and the contract unit and lump sum prices stated in the attached copy of a letter written by C.M.H. Company, Inc., on March 30, 1961:

1. Construct concrete weir 18" high by 5' long, in chamber at Station 20 + 82. Lump Sum =	\$200.00
2. At Station 27 + 56, new connection. Lump Sum =	65.00
75 L.F. 10" C.M.P. @ \$3.50 per L. F. =	262.50
3. At Station 41 + 05	
2 Standard Catch Basins @ \$175 =	350.00
24 L. F. 12" C.M.P. @ \$3.75 per L. F. =	90.00
4. At Station 47 + 01	
2 Standard Catch Basins @ \$175 =	350.00
5. At Station 50 + 58	
2 Standard Brick Manholes @ \$290 =	580.00
26 L. F. 24" C.M.P. @ \$6.75 per L. F. =	175.50
6. At Station 54 + 55	
2 Standard Catch Basins @ \$175 =	350.00
26 L. F. 10" C.M.P. @ \$3.50 per L. F. =	91.00
7. At Station 67 + 00	
2 Standard Catch Basins @ \$175 =	350.00
26 L. F. 10" C.M.P. @ \$3.50 per L. F. =	91.00

Item No. 7-Cont'd.

- |     |  |                 |
|-----|--|-----------------|
| 8.  | At Station 73 + 50                           |                 |
|     | 2 Standard Catch Basins @ \$175 =            | \$350.00        |
|     | 44 L. F. 10" C.M.P. @ \$3.50 per L. F. =     | 154.00          |
| 9.  | Station 73 + 58 to 75 + 30                   |                 |
|     | Rock Excavation 280 C. Y. @ \$15 per C. Y. = | 4,200.00        |
|     | (Contract Price)                             |                 |
| 10. | Station 73 + 58 to 75 + 30                   |                 |
|     | 172 L.F. 42" R.C.P. 12-14' Depth @ \$18.15   |                 |
|     | per L. F. =                                  | <u>3,121.80</u> |
|     | (Contract Price)                             |                 |

TOTAL AMOUNT OF CHANGE ORDER NO. 2 - ADD \$10,780.80

3. SUPPORTING DATA:

See attached copy of the letter from C. M. H. Company, Inc. quoting unit prices, and lump sum prices for the items of work requested.

RECOMMENDED BY:

Nussbaumer, Clarke & Velzy

Per /s/ Robert B. Stonnard  
Date: March 30, 1961

APPROVED BY:

Town of Cheektowaga, N. Y.

Date: 5-1-61

C.M.H. CO., INC.

11 Tristan Lane

Buffalo 21, New York

March 14, 1961

Re: Dist. #7 Storm Sewer  
Town of Cheektowaga, N. Y.

Nussbaumer, Clarke & Velzy  
327 Franklin St.  
Buffalo, N. Y.

In accordance with your request, we are submitting a quotation for additional work, to be added to our Contract in Storm Sewer Dist. #7 in the Town of Cheektowaga.

Station	20+82 Build 12" Weir, 18" high, 5' long.	L.S.	\$ 200.00
	27+56 10" Connection	L.S.	65.00
	75 L.F., 10" C.M.P. @ \$3.50	L.F.	262.50
	41+05 2 Standard Catch Basins @ \$175.00 ea.		350.00
	24 L.F. 12" C.M.P. @ \$3.75	L.F.	90.00
	47+01 2 Standard Catch Basins @ \$175.00 ea.		350.00
	50+58 2 Standard Brick Manholes @ \$290.00 ea.		580.00
	26 L.F. - 24" C.M.P. @ \$6.75/L.F.		175.50
	54+55 2 Standard Catch Basins @ \$175.00 ea.		350.00
	26 L.F. 10" C.M.P. @ \$3.50/L.F.		91.00
	67+00 2 Standard Catch Basins @ \$175.00 ea.		350.00
	26 L.F. 10" C.M.P. @ \$3.50/L.F.		91.00
	73+50 2 Standard Catch Basins @ \$175.00 ea.		350.00
	44 L.F. 10" C.M.P. @ \$3.50/L.F.		154.00
	73+58 to 75-30-Rock Excavation-280 C.Y. @ \$15.00		4,200.00
	73+58 to 75-30 172 L.F.-42"-R.C.P.-12'-14' Depth		
	@ \$18.15/L.F.		<u>3,121.80</u>
	TOTAL		\$10,780.80

/s/ Richard Metz, Sec. Tres.

Item No. 8

Councilman Kaczmarek presented the following resolution and moved its adoption:

WHEREAS, this Town Board has heretofore and on behalf of the Town of Cheektowaga, undertaken the improvement of Scajaquada Creek by the deepening, widening and straightening thereof; and

WHEREAS, this project has involved improvements to Scajaquada Creek where the same passes under a bridge of the New York Central Railroad Company, located to the west of the school site of Central School District No. 1, and a claim on the part of the railroad that the flow of Scajaquada Creek has been accelerated to as to threaten support of the bridge; and

WHEREAS, the railroad is of the opinion that protection must be immediately afforded to the bridge supports; and

WHEREAS, there is a question as to the legal obligation, whether it be that of the town or the railroad, to afford such protection to the bridge; and

WHEREAS, it is advisable for the town and the railroad to enter into an agreement, copy of which is hereto attached, and under which agreement the railroad will do such work as is necessary to protect the bridge supports, without prejudice to determination of the legal obligation as between the town and the railroad to afford such protection, such determination to be resolved either by negotiation or by legal proceedings; NOW, THEREFORE,

BE IT RESOLVED, that the Supervisor be and he hereby is authorized and directed to execute said agreement on behalf of the Town of Cheektowaga, and affix thereto its corporate seal.

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

AYES: -7-

NOES: -0-

ABSENT: -0-

THIS AGREEMENT made this 2nd day of May, 1961,

BY AND BETWEEN

THE TOWN OF CHEEKTOWAGA, a municipal corporation, Erie County, New York, hereinafter referred to as the "Town",

AND

THE NEW YORK CENTRAL RAILROAD COMPANY, a corporation incorporated pursuant to the laws of the State of Delaware, with its office and principal place of business at 466 Lexington Avenue, New York, New York, hereinafter referred to as the "Railroad".

W I T N E S S E T H:

WHEREAS, a certain railroad bridge carrying the railroad tracks of the West Shore branch of the Railroad across Scajaquada Creek, a stream located in the Town of Cheektowaga, Erie County, New York, said bridge being known as bridge No. W-587 in the records of the Railroad, is, in the opinion of the Railroad, in need of immediate repair in order to avoid irreparable damage to its wing walls, abutments and other appurtenances due to excessive scour from said stream under said bridge; and

WHEREAS, there is disagreement as to whether the Town or whether the Railroad is legally obligated to make these repairs or improvements, and both said parties being desirous of protecting said bridge from further damage:

NOW, THEREFORE, in consideration of the premises, it is hereby stipulated and agreed by and between the Town and the Railroad that the Railroad, with its own forces, will perform all repairs and improvements to said bridge wing walls, abutments and appurtenances which the Railroad deems necessary and that said repairs and improvements so performed by the Railroad will be without prejudice to the claim of the Railroad that the Town is under a legal obligation to pay for the cost of said repairs and improvements and without prejudice to the claim of the Town that the Railroad is under a legal obligation to pay for the cost of the said repairs and improvements, and subject to the rights of either party hereto to seek appropriate legal relief, by instituting action or otherwise, to fix the responsibility for payment for said repairs and improvements.

Item No. 8-Cont'd.

IN WITNESS WHEREOF the parties have hereunto set their hands and seals this 2nd day of May, 1961.

TOWN OF CHEEKTOWAGA

By \_\_\_\_\_

THE NEW YORK CENTRAL RAILROAD

By \_\_\_\_\_

STATE OF NEW YORK )  
COUNTY OF ERIE ) SS:

On this \_\_\_\_\_ day of \_\_\_\_\_, 1961, before me personally came BENEDICT T. HOLTZ, to me known, who being by me duly sworn, did depose and say that he resides in the Town of Cheektowaga, Erie County, New York; that he is the Supervisor of the Town of Cheektowaga, Erie County, New York, the municipal corporation described in and which executed the foregoing instrument; that he executed said instrument pursuant to a resolution duly adopted by the Town Board of the Town of Cheektowaga at its regular meeting held on the \_\_\_\_\_ day of May, 1961; that he knows the seal of said municipal corporation; that the seal affixed to said instrument is such corporate seal.

\_\_\_\_\_  
Notary Public, Erie County, N. Y.

STATE OF NEW YORK )  
COUNTY OF ERIE ) SS:

On this \_\_\_\_\_ day of \_\_\_\_\_, 1961, before me personally came EUGENE L. KELLER, to me known, who being by me duly sworn, did depose and say that he resides in the \_\_\_\_\_ of \_\_\_\_\_, Erie County, New York; that he is the Division Superintendent of the Buffalo Division of the New York Central Railroad Company and that as such he was duly authorized to execute the foregoing instrument.

\_\_\_\_\_  
Notary Public, Erie County, N. Y.

13  
26

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

WHEREAS, the Public Service Commission, by order dated April 25, 1961, has approved the Sixth Intermediate Accounting of expenditures incurred by the New York Central Railroad Company, totaling \$6,669.26, for the Dick Road grade crossing relocation; and

WHEREAS, the share chargeable to the Town of Cheektowaga is \$833.66; NOW, THEREFORE,

BE IT RESOLVED, that there be paid to the New York Central Railroad Company, out of the General Fund, the sum of \$833.66, in accordance with said order of the Public Service Commission, and the Supervisor is hereby authorized to make such payment.

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

AYES: -7-

NOES: -0-

ABSENT: -0-

6  
12

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

WHEREAS, it has been deemed advisable by the Cheektowaga Town Board to hold a public hearing to consider the advisability of adopting a traffic ordinance to control traffic on airports and airfields in the Town of Cheektowaga pursuant to the provisions of the town law of the State of New York.

NOW, THEREFORE,

BE IT RESOLVED, that a public hearing on such proposed traffic ordinance in relation to airports and airfields be held on the 15th day of May, 1961, at 7:30 o'clock p.m., E.D.S.T., at the Town Hall, corner of Broadway and Union Road in the said Town of Cheektowaga, New York, for the purpose of considering the advisability of adopting said ordinance which is to be known as local ordinance number 31, to provide as follows:

TRAFFIC ORDINANCE  
TRAFFIC ON AIRPORTS  
AND AIRFIELDS

Pursuant to the Authority of Section 130 Subdivision 22 of the Town Law of the State of New York (Laws of 1932 Chapter 634) the cruising or wandering about of a motor vehicle upon any publicly or privately owned airport, airport premises, or airfield, or the roads, driveways, traffic circles and pavements thereof, without the consent and permission of the owner of said airport or airfields is hereby prohibited.

To effectuate the prohibition of such premises as above described, a conspicuous sign or signs shall be posted at each entrance to the airport premises and also at any other place in which motor vehicle traffic is likely or apt to congregate. A sign as hereinafter described shall be deemed substantial compliance with this section.

CRUISING ON ROADWAYS  
STRICTLY PROHIBITED  
POLICE ENFORCEMENT  
UNDER PENALTY OF LAW  
ORDINANCES OF  
TOWN OF CHEEKTOWAGA

but any other words or phraseology prohibiting the cruising or wandering about of motor vehicles shall suffice.

The words "police enforcement" and "under penalty of Law" on such signs shall be construed, among other things, to mean that the police, special patrolmen, or any law enforcement officers shall enforce the provisions of this Section against persons cruising or wandering about on the premises without the consent of the owner and that the police and other law enforcement officers are authorized to enter upon such premises to enforce the provisions of this Ordinance.

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

This ordinance shall apply to all motor vehicles, whether commercial, or privately owned.

Any person who shall violate any provision of this ordinance, shall, upon conviction, be guilty of an offense and be subject to a fine or penalty of not more than Fifty (\$50.00) dollars.

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

Item No. 10-Cont'd.

RESOLVED, that the Town Clerk be, and he hereby is authorized and directed to publish a certified copy of this resolution in the Depew Herald & Cheektowaga News and the Cheektowaga Times, newspapers having a general circulation in the said town, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution.

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

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

AYES: -7-

Posted as follows on the 4th day of May, 1961:

1 - Town Hall Bulletin Board.

Hereto attached is a copy of the Notice published in the DEPEW HERALD & CHEEKTOWAGA NEWS, and the CHEEKTOWAGA TIMES: 40

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

conspicuously on a signpost  
maintained by him at the entrance

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks:  
first publication ..... MAY - 4 1961 .....  
last publication ..... MAY - 4 1961 .....  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....  
MAY 16 1961  
day of ....., 19.....

*Eve J. Allis*

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 1963  
Registered No. 5029



**NOTICE OF HEARING**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga, on the 1st day of May, 1961, at 2:30 o'clock p.m., E.D.S.T., there were:

**PRESENT:**

**BENEDICT T. HOLTZ,**  
Supervisor.  
**FELIX WROBLEWSKI,**  
Councilman.  
**JOSEPH KORNECKI,**  
Councilman.  
**ALANCIN M. FATH,**  
Councilman.  
**MICHAEL KACZMAREK,**  
Councilman.  
**JOSEPH TROJANGSKI,**  
Councilman.  
**STANLEY BYSTRAK,**  
Councilman.

**ABSENT: —0—**

Councilman Kornecki presented the following resolution and moved its adoption:

**WHEREAS,** it has been deemed advisable by the Cheektowaga Town Board to hold a public hearing to consider the advisability of adopting a traffic ordinance to control traffic on airports and airfields in the Town of Cheektowaga pursuant to the provisions of the town law of the State of New York.

**NOW, THEREFORE,**

**BE IT RESOLVED,** that a public hearing on such proposed traffic ordinance in relation to airports and airfields be held on the 15th day of May, 1961, at 7:30 o'clock p.m., E. D. S. T., at the Town Hall, corner of Broadway and Union Road in the said Town of Cheektowaga, New York, for the purpose of considering the advisability of adopting said ordinance which is to be known as local ordinance number 31, to provide as follows:

**TRAFFIC ORDINANCE  
TRAFFIC ON AIRPORTS  
AND AIRFIELDS**

Pursuant to the Authority of Section 130 Subdivision 22 of the Town Law of the State of New York (Laws of 1932 Chapter 634) the cruising or wandering about of a motor vehicle upon any publicly or privately owned airport, airport premises, or airfields, or the roads, driveways, traffic circles and pavements thereof, without the consent and permission of the owner of said airport or airfields is hereby prohibited.

To effectuate the prohibition of such premises as above described, a conspicuous sign or signs shall be posted at each entrance to the airport premises and also at any other place in which motor vehicle traffic is likely or apt to congregate. A sign as hereinafter described shall be deemed substantial compliance with this section.

**CRUISING ON ROADWAYS  
STRICTLY PROHIBITED  
POLICE ENFORCEMENT  
UNDER PENALTY OF LAW  
ORDINANCES OF TOWN  
OF CHEEKTOWAGA**

but any other words or phraseology prohibiting the cruising or wandering about of motor vehicles shall suffice.

The words "police enforcement" and "under penalty of Law" on such signs shall be construed, among other things to mean that the police, special patrolmen, or any law enforcement officers shall enforce the provisions of this Section against persons cruising or wandering about on the premises without the consent of the owner and that the police and other law enforcement officers are authorized to enter upon such premises to enforce the provisions of this Ordinance.

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

This ordinance shall apply to all motor vehicles, whether commercial, or privately owned.

Any person who shall violate any provision of this ordinance shall, upon conviction, be guilty of an offense and be subject to a fine or penalty of not more than Fifty (\$50.00) dollars.

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

**NOTICE OF HEARING**

~~At a regular meeting of the~~

This ordinance shall apply to all motor vehicles, whether commercial, or privately owned.

Any person who shall violate any provision of this ordinance shall, upon conviction, be guilty of an offense and be subject to a fine or penalty of not more than Fifty (\$50.00) dollars.

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

RESOLVED, that the Town Clerk be, and he thereby is authorized and directed to publish a certified copy of this resolution in the Depew Herald & Cheektowaga News and the Cheektowaga TIMES, newspapers having a general circulation in the said town, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post or cause to be posted conspicuously on a sign-board maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution.

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

- Supervisor Holtz
- Voting AYE
- Councilman Wroblewski
- Voting AYE
- Councilman Kornecki
- Voting AYE
- Councilman Fath
- Voting AYE
- Councilman Kaczmarek
- Voting AYE
- Councilman Trojanoski
- Voting AYE
- Councilman Bystrak
- Voting AYE

CARRIED: AYES: —7—

STATE OF NEW YORK )  
 ERIE COUNTY )  
 OFFICE OF THE )ss:  
 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 1st day of May, 1961, 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 1st day of May, 1961.

(SEAL)

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

(Pub: May 4)

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

maintained by him at the entrance  
board a no signboard  
at 6:30 Sunday evening.  
The banquet will be served at the  
church by men of the congrega-  
tion. Mr. J. Donald Nugent is  
chairman.

**ST. JOHN'S LUTHERAN, Lancaster**

The Women's Missionary Society  
will meet Tuesday, May 9, at 8 p.m.  
The program is under the direc-  
tion of Mrs. Beverly Coffed and is  
concerned with Christian service.

The Young Men's Association  
will hold its May meeting on Wed-  
nesday at 8 p.m. at the American  
Legion Bowling Alley. All young  
men are invited to attend.

The women's organizations of St.  
John's are working toward a uni-  
fied plan which will enlist the var-  
ious groups and all women of the  
church under one general pro-  
gram. A group representative of  
the congregation will meet Thurs-  
day, the 11th, at 7:30 p.m. in Fel-  
lowship Hall.

Sermon topics for Sunday are:  
"The Household of Faith" and  
"Our Spiritual Temperature."

**ST. PAUL'S LUTHERAN, Blossom**

The Men's Society will have a  
film program Tuesday evening at  
8.

The Mother Daughter banquet  
will be held May 10 at 6:30 p.m.  
Ticket chairmen are Mrs. Jane  
Cannon and Mrs. Ruth Kohler.  
Men of the church will serve the  
meal.

Ascension Day services will be  
held at 7:45 p.m. with the

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of  
Cheektowaga and Lancaster, and published at Depew,  
New York, that notice of which the annexed printed  
slip taken from said newspaper, is a copy, was in-  
serted and published therein once a week for 1  
week, the first insertion being on the 4th day  
of May, 1961, and the last inser-  
tion 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

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

Pursuant to the Authority of Section 130 Subdivision 22 of the Town Law of the State of New York (Laws of 1932 Chapter 634) the cruising or wandering about of a motor vehicle upon any publicly or privately owned airport, airport premises, or airfield, or the roads, driveways, traffic circles and pavements thereof, without the consent and permission of the owner of said airport or airfields is hereby prohibited.

To effectuate the prohibition of such premises as above described, a conspicuous sign or signs shall be posted at each entrance to the airport premises and also at any other place in which motor vehicle traffic is likely or apt to congregate. A sign as hereinafter described shall be deemed substantial compliance with this section.

**CRUISING ON ROADWAYS  
STRICTLY PROHIBITED  
POLICE ENFORCEMENT  
UNDER PENALTY OF LAW  
ORDINANCES OF  
TOWN OF CHEEKTOWAGA**

but any other words or phrasology prohibiting the cruising or wandering about of motor vehicles shall suffice.

The words "police enforcement" and "under penalty of Law" on such signs shall be construed, among other things to mean that the police, special patrolmen, or any law enforcement officers shall enforce the provisions of this Section against persons cruising or wandering about on the premises without the consent of the owner and that the police and other law enforcement officers are authorized to enter upon such premises to enforce the provisions of this Ordinance.

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

This ordinance shall apply to all motor vehicles, whether commercial, or privately owned.

Any person who shall violate any provision of this ordinance, shall, upon conviction, be guilty of an offense and be subject to a fine or penalty of not more than Fifty (\$50.00) dollars.

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

**RESOLVED**, that the Town Clerk be, and he hereby is authorized and directed to publish a certified copy of this resolution in the *Dewey Herald & Cheektowaga News* and the *Cheektowaga Times*, newspapers having a general circulation in the said town, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that on or before said date he post or cause to be posted conspicuously on a signboard maintained by him at the entrance of the Town Clerk's Office a certified copy of this resolution.

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

Supervisor Holtz, Voting Aye  
Councilman Wroblewski, Voting Aye  
Councilman Kornecki, Voting Aye  
Councilman Fath, Voting Aye  
Councilman Kaczmarek, Voting Aye  
Councilman Trojanoski, Voting Aye  
Councilman Bystrak, Voting Aye  
CARRIED: AYES: 7

**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 May 1, 1961, 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 1st day of May, 1961.

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

**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 1st day of May, 1961, at 2:30 o'clock P.M., E.D.S.T., there were:

**PRESENT:**  
Benedict T. Holtz, Supervisor  
Felix T. Wroblewski, Councilman  
Joseph Kornecki, Councilman  
Alancin M. Fath, Councilman  
Michael J. Kaczmarek, Councilman  
Joseph M. Trojanoski, Councilman  
Stanley R. Bystrak, Councilman

**ABSENT: 0**

Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS, it has been deemed advisable by the Cheektowaga Town Board to hold a public hearing to consider the advisability of adopting a traffic ordinance to control traffic on airports and airfields in the Town of Cheektowaga pursuant to the provisions of the town law of the State of New York.

NOW, THEREFORE,

BE IT RESOLVED, that a public hearing on such proposed traffic ordinance in relation to airports and airfields be held on the 15th day of May, 1961, at 7:30 o'clock p.m., E.D.S.T., at the Town Hall, corner of Broadway and Union Road in the said Town of Cheektowaga, New York, for the purpose of considering the advisability of adopting said ordinance which is to be known as local ordinance number 31, to provide as follows:

**TRAFFIC ORDINANCE  
TRAFFIC ON AIRPORTS  
AND AIRFIELDS**

NNETT

my4

Item No. 11 Resolution dated May 1, 1961, moved by Councilman Wroblewski, seconded by Councilman Kornecki:

WHEREAS EVA M.F. MUSARRA has requested the Town of Cheektowaga to quitclaim any interest in the following described property:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, and more particularly described as follows: BEGINNING at a point in the intersection of the easterly line of Eastfield Drive and the southerly line of Powell Drive as shown on Map Cover No. 2148, as filed in the Office of the Clerk of the County of Erie; proceeding thence easterly and along the southerly line of Powell Drive a distance of 120.03 feet to the intersection of the southerly line of Powell Drive with the easterly line of Great Lot 4; proceeding thence northerly and along the easterly line of Great Lot 4, a distance of 50.01 feet to the intersection of the northerly line of Powell Drive with the easterly line of Great Lot 4; running thence westerly and along the northerly line of Powell Drive a distance of 120.03 feet to the intersection of the easterly line of Eastfield Drive with the northerly line of Powell Drive; proceeding thence southerly and along the projection of the easterly line of Eastfield Drive a distance of 50.01 feet to the point or place of beginning, and

WHEREAS, the Superintendent of highways of the Town of Cheektowaga has declared that the requests be approved.

NOW THEREFORE, be it resolved that the Supervisor be and hereby is authorized and directed to execute a quitclaim deed to said premises.

AYES: -7-

NOES: -0-

ABSENT: -0-

33  
10

Item No. 12 Councilman Wroblewski offered the following resolution and moved its adoption:

WHEREAS, judgment has been rendered in the Supreme Court, Erie County, in the Article 78 proceeding brought by Frank Ziolkowski against this Town Board, for costs and disbursements in the amount of \$228.63, as the same were allowed by the orders of the Trial Court and the Court of Appeals, and

WHEREAS, this Town Board has exhausted every legal step available to prevent the construction of the car wash at the corner of Parker Avenue and Glidden Street, its motion for leave to appeal to the Court of Appeals having been denied by the Court of Appeals by order made March 30, 1961; NOW, THEREFORE,

BE IT RESOLVED, that said judgment be satisfied, and the Supervisor be and he hereby is ordered and directed to pay the same by issuing check on the General Fund to the order of Frank Ziolkowski and Daniel J. Walkowiak, his attorney, the same to be delivered upon receipt of satisfaction of judgment, which the Town Attorney is hereby directed to file in the Erie County Clerk's Office.

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

AYES: -7-

NOES: -0-

ABSENT: -0-

6  
33

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

RESOLVED, that the Niagara Mohawk Power Corporation be authorized to make the following Street Lighting changes;

In Genesee Street from Harlem Avenue east to Wheaton, remove 21 - 6000 lumen overhead system street lights and install 21 - 400 watt mercury vapor lamps.

Item No. 13-Cont'd.

In George Urban Blvd., from Harlem Avenue east to Patton replace twenty (20) 2500 lumen overhead system street lights with 175 watt mercury vapor lamps and install one (1) 175 watt mercury vapor lamp on the north side of George Urban Blvd., east of Wheaton.

In Straley Avenue from Harlem Avenue west to Gualbert replace nine (9) 2500 lumen overhead system street lights with 175 watt mercury vapor lamps

In Pine Ridge Road replace 10,000 lumen overhead system street light existing on Pole 89, with a 175 watt mercury vapor lamp and install a 175 watt mercury vapor overhead street light on the northwest corner of Pine Ridge and Doat St. Install a 2500 lumen on existing Pole #587 on Doat St.

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 Kornecki	Voting AYE
Councilman Kaczmarek	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Bystrak	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

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

WHEREAS, the Cheektowaga Town Board received a communication from the Cleveland Hill Board of Fire Commissioners dated March 24, 1961 concerning the confusion created by the construction of an additional section of Mapleview Road, west of the New York State Thruway to the Niagara Mohawk Power Line, which section of Mapleview Road is not connected in any way with the existent portions of Mapleview Road, and

WHEREAS, the Board of Fire Commissioners have requested a revue of the situation to eliminate confusion.

NOW, THEREFORE,

BE IT RESOLVED, that in memory of the late George B. Doyle, a man who contributed immensely to the growth and well-being of the Town of Cheektowaga, and who served the community in an outstanding manner as Town Attorney and Advisor, that the new portion of Mapleview Road between the Thruway and the Power Lines be known as Doyle Court.

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

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

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 15 Moved by Councilman Wroblewski, seconded by Councilman Fath:

RESOLVED, that the request of the Chief of Police to install the hereinafter mentioned signs be granted:

STOP SIGNS

- 1 - Southwest corner of Nadine and Santin;
- 2 - Northeast corner of Santin and Nagel;
- 3 - Northeast corner of Temple at Patrick;
- 4 - Southwest corner of Temple at Patrick;
- 5 - Northeast corner of Diane at Patrick;
- 6 - Southwest corner of Diane at Patrick;
- 7 - Northeast corner of Lydia at Patrick;
- 8 - Southwest corner of Lydia at Patrick;
- 9 - Northwest corner of Arthur at Broad;
- 10 - Northwest corner of Aberdeen at Broad;
- 11 - Northwest corner of Pleasant at Broad.

"NO PARKING HERE TO CORNER" on the west side of Eggert Road from a point 50 feet south of Delavan to Delavan, and "NO PARKING" north side of Northern Parkway from Harlem Road to Westland Parkway.

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

18  
41

Item No. 16 Moved by Councilman Wroblewski, seconded by Councilman Kaczmarek, that the Subdivision map of Homeworth Estates, extension Number 2, Lots 4 and 5, Range 7, prepared by Nussbaumer, Clarke & Velzy, Surveyors and Engineers, dated April, 1961, be approved and ordered filed in the Assessor's Office.

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

30

Item No. 17 This being the time and the place advertised for the receiving of sealed proposals for the purchase of one (1) portable roller for use in the Parks Department.

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

The Town Clerk announced that he has only received one bid for said portable roller, and that was the bid of Cameron Equipment Company in the amount of \$2,150.00.

The bid was referred to the Town Engineer for analysis.

1  
16

Item No. 18 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 Edward C. Reinhardt 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.

Item No. 18-Cont'd.

DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, described as follows: Being a part of Lot No. Thirty-Four (34), Township Eleven (11), Range Seven (7), of the Holland Land Company's Survey, known and distinguished as Subdivision Lots Numbers One (1) and Twelve (12), according to a Subdivision Map on file in the Erie County Clerk's Office under Cover Number 1065, and more particularly described as follows: BEGINNING at a point in the southerly line of Genesee Street at the intersection of the east line of Olcott Place; running thence southerly one hundred twenty-nine and six-tenths (129.6) feet, to the north line of Aldine Street; thence east along said north line of Aldine Street, ninety and ninety-five hundredths (90.95) feet; thence north thirty-five (35) feet, to the southeast corner of Lot No. One (1); thence northwesterly, one hundred twenty and thirty-six hundredths (120.36) feet on a straight line to the southerly line of Genesee Street and to the northeast corner of Lot No. One (1); thence westerly along said line of Genesee Street, fifty-three (53) feet, to the place of beginning.

Dated: May 1, 1961

The above Notice was posted as follows on the 6th day of  
May, 1961:

1 - Town Hall Bulletin Board.

19



Item No. 19 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 Lester B. Baker 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

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot No. 6, Township 11, Range 7 of the Holland Land Company's Survey bounded and described as follows:

BEGINNING at a point in the center line of Aero Drive (formerly Ellicott Creek Road) Eight Hundred Seventy-one and Forty-eight Hundredths (871.48) feet westerly from the center line of Youngs Road (formerly Amherst-Villa Road) as measured along said center line of Aero Drive: running thence southwesterly on a line making an exterior angle of  $84^{\circ} 40'$  with said center line, a distance of Five Hundred Twenty-four and Eighty-four Hundredths (524.84) feet to the northerly line of the right of way of the Lehigh Valley Railroad Company; running thence northwesterly along said northerly line of the Lehigh Valley Railroad Company's right of way One Hundred Seventy (170) feet; running thence northerly on a line forming an interior angle of  $65^{\circ} 45' .01''$  with the center line of Aero Drive at a poing in said center line Two Hundred Eleven and Nine-two Hundredths (211.92) feet westerly from the point of beginning Four Hundred Ninety-nine and Thirty-five Hundredths (499.35) feet northerly to the center line of Aero Drive; running thence southeasterly along said center line of Aero Drive Two Hundred Eleven and Ninety-two Hundredths (211.92) feet to the point of beginning; being One and Ninety-one Hundredths (1.91) acres more or less.

Dated: May 1, 1961

The above Notice was posted on the 6th day of May, 1961:

1 - Town Hall Bulletin Board

Item No. 20 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 Osgood Machinery, Inc., 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.

Item No. 20-Cont'd.

DESCRIPTION

That portion of the property located at the southwest corner of New Walden Avenue and Union Road and presently held in the name of George E. Steffan, which lies south of New Walden, north of Duke Road and west of the gasoline station leasehold as outlined on the enclosed survey. Said property consists of 6.261 acres more or less and is exclusive of the gasoline station leasehold.

Dated: May 1, 1961

The above Notice was posted as follows on the 6th day of May, 1961:  
1 - Town Hall Bulletin Board.

19

Item No. 21

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 John M. Konsek and Florence Konsek 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, in the County of Erie and State of New York, being part of Lot No. 11, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the westerly line of said Lot No. 11, being the east line of a road, now known as Union Road, one (1) chain wide, on the west side of said Lot No. 11, at the distance of 17 chains and 23 links south from the northwest corner of said lot; running thence easterly parallel with the north line of said Lot No. 11, 14 chains, 51 links to a soft maple post; thence south parallel with the westerly line of said Lot No. 11, 10 chains, 42 links to a white oak post; thence westerly parallel with the said northerly line of said Lot No. 11, 14 chains and 51 links to a white oak post on said west line, thence north along said westerly line of said lot, which is the east line of said Union Road, ten (10) chains and 42 links to the place of beginning, containing fifteen and twelve hundredths (15.12) acres of land, according to a map or survey made by Tobias Witmer, Surveyor, dated March 10, 1853 and filed in the Office of the Clerk of the County of Erie on May 25, 1853 with a decree in a partition action brought by Peter Davis against Joseph Neyerling and others; the premises hereby conveyed being described and designated on said map and survey as "Lot No. 5" and being the same premises described in a deed dated the 1st day of February 1869, recorded in the Office of the Clerk of the County of Erie, in the State of New York, on the 3rd day of February 1869, in Liber 250 of Deeds at page 48, from Paulus Durringer and Catherine, his wife, to Christiana Wildy.

EXCEPTING AND RESERVING from the premises above described that portion thereof described in a map and description of said map and parcel recorded in Erie County Clerk's Office in Liber 3838 of Deeds at Page 38 on February 20, 1946.

Item No. 21-Cont'd.

FURTHER EXCEPTING AND RESERVING from the premises above described a parcel of land containing approximately 2.979 acres along the north side of these premises said exception having a frontage on Union Road of 166.04 feet and being 112.82 feet in width at the rear line, being a property which is presently in the process of being acquired by the Town of Cheektowaga for Highway and Creek Improvement purposes.

Dated: May 1, 1961

The above Notice was posted as follows on the 6th day of May, 1961:  
1 - Town Hall Bulletin Board.

19

Item No. 22 The following resolution was moved by Councilman Kornecki and seconded by Councilman Bystrak:

That the following claims be approved as presented:

General Fund	Nos. 4161	to	4227	inclusive
Highway Fund	1211		1217	
Special Districts	1528		1560	
Part Town Fund	464		469	
C & I	266		267	

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

6

Item No. 23 Moved by Councilman Wroblewski, seconded by Councilman Kornecki, that this Town Board does hereby go on record as appearing against the Iroquois Gas Corporation for a rate increase.

2

Item No. 24 Councilman Trojanoski gave a report on the sidewalk construction in the Town.

2

Item No. 25 Moved by Councilman Bystrak, seconded by Councilman Fath, to adjourn.

SEAL

KENNETH T. HANLEY  
Town Clerk

*Kenneth T. Hanley*

CHEEKTOWAGA, NEW YORK  
May 27, 1961

MEETING NO. 10

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 27th day of May, 1961, at 1:00 o'clock, P.M., Eastern Daylight Saving Time, there were:

PRESENT:	Benedict T. Holtz	Supervisor
	Felix T. Wroblewski	Councilman
	Alancin M. Fath	Councilman
	Michael J. Kaczmarek	Councilman
	Joseph M. Trojanoski	Councilman
ABSENT:	Stanley R. Bystrak	Councilman
	Joseph Kornecki	Councilman

Also present was Town Engineer Kamm.

Due to the absence of Town Clerk Hanley, Councilman Wroblewski was designed to act as Town Clerk for this meeting.

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

Item No. 3 Councilman Trojanoski offered the following resolution and moved its adoption:

WHEREAS, bids were duly received on April 17, 1961, as the result of advertisement therefor duly published as required by law, for the construction of water line in Losson Road, and such bids were publicly opened, read, and referred to Nussbaumer, Clarke & Velzy, Consulting Engineers for this Town, for analysis, tabulation and report, and such report is hereto attached; Now, THEREFORE,

BE IT RESOLVED, that in accordance with such report, contract for construction of said water line be awarded to C. M. H. Company, Inc., in the amount of \$28,398.50, this being the lowest bid submitted by a responsible bidder complying with the specifications.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kaczmarek	Voting AYE

AYES: -5-                      NCES: -0-                      ABSENT: -2-

Item No. 4 Councilman Trojanoski offered the following resolution and moved its adoption:

WHEREAS, bids were duly received on April 17, 1961, as the result of advertisement therefor duly published as required by law, for the construction of sewer in North Creek Drive, as part of the sewer system of Sewer District No. 7, and such bids were publicly opened, read and referred to Nussbaumer, Clarke & Velzy, Consulting Engineers for this Town, for analysis, tabulation and report, and such report is hereto attached, and

WHEREAS, Ralph D. Young, Inc. has submitted attached letter dated May 12, 1961, advising of a substantial mistake innocently made in submitting bid, and requesting that same be withdrawn; NOW, THEREFORE,

1  
at

Item No. 4-Cont'd.

BE IT RESOLVED, that the withdrawal of the bid of Ralph D. Young, Inc. be and the same hereby is permitted, and be it further

RESOLVED, that in accordance with the said report of Nussbaumer, Clarke & Velzy, contract for the construction of said sewer in North Creek Drive be awarded to A. & J. Fago Contr., Inc., in the amount of \$31,940.00, this being the lowest bid submitted by a responsible bidder complying with the specifications.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kaczmarek	Voting AYE

AYES: -5-

NOES: -0-

ABSENT: -2-

1  
=4

Item No. 5  
to adjourn.

Moved by Councilman Kaczmarek, seconded by Councilman Fath,

SEAL

FELIX T. WROBLEWSKI  
Acting Town Clerk

CHEEKTOWAGA, NEW YORK  
May 15, 1961

MEETING NO. 11

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 May, 1961, at 7:30 P.M., Eastern Standard Time, there were:

- |          |                      |            |
|----------|----------------------|------------|
| PRESENT: | Benedict T. Holtz    | Supervisor |
|          | Felix T. Wroblewski  | Councilman |
|          | Joseph Kornecki      | Councilman |
|          | Alancin M. Path      | Councilman |
|          | Michael J. Kaczmarek | Councilman |
|          | Joseph M. Trojanoski | Councilman |
| ABSENT:  | Stanley R. Bystrak   | Councilman |

Also present were: Town Clerk Hanley; Town Attorney Kitzinger; General Foreman Banko; Town Engineer Kamm; Chief of Police Mersmann, and Justice of the Peace Pyszczynski.

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

Item No. 3 Referred to the Assessors the request of Arthur Musarra to change the name of the highway known as Powell Drive to Poinciana Parkway. 2 - 10

Item No. 4 Referred to Councilman Wroblewski the request of the Chief of Police to send men to the following schools:

- (1) Erie County Sheriffs' State-Wide Institute on handling the mentally ill and abnormal persons.
- (2) New York State Division for Youth Conference at St. Lawrence University, Canton, New York. 18

Item No. 5 Referred to the Town Attorney the sub-division bond for Arthur and Eva Musarra in connection with sub-division improvements on Powell Drive. 20 33

Item No. 6 Referred to the Town Board list of names submitted by Chester Rutkowski, Acting Director of Recreation, for employment in the Recreation Department. 21 12

Item No. 7 Ordered received and filed communication from the Building Inspector approving various building permit applications. 15

Item No. 8 Ordered referred to the Town Board communication from the Highway Superintendent requesting the Board to abandon the balance of Eastfield Road, a distance of 75.63 feet, and Meadowlawn Road between a line 120 feet west of and parallel with the easterly line of Lot 4. 13

Item No. 9 This being the time and the place advertised for a public hearing for the purpose of considering the advisability of adopting an ordinance which is to be known as Local Ordinance No. 31, to provide as follows:

TRAFFIC ORDINANCE  
TRAFFIC ON AIRPORTS  
AND AIRFIELDS

Item No. 9-Cont'd.

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 Supervisor ordered the hearing closed, and that the same be referred to the Deputy Town Attorney for a resolution to adopt same. 40

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

RESOLVED, that the Niagara Mohawk Power Corporation be authorized to install a 4000 lumen light on Pole No. 403 situate in Eggert Road between Kenville and Cedar Road.

Seconded by Councilman Trojanoski 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 Kaczmarek	Voting AYE
Councilman Trojanoski	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

27

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

RESOLVED, that the New York State Electric and Gas Corporation be authorized to make the following street lighting changes in the Town of Cheektowaga:

Harlem Road Bridge over Broadway - Remove two (2) 4000 lumen post type standards from standards 11 and 12, and install six (6) 6000 lumen post type standards on existing standards 9, 10, 11, 12, 13, and 14.

Install a 2500 lumen light on existing Pole 1951 in Stradman 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 Kornecki	Voting AYE
Councilman Kaczmarek	Voting AYE
Councilman Trojanoski	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

27

Item No. 12 Councilman Fath offered the following resolution and moved its adoption:

WHEREAS; Nussbaumer, Clarke & Velzy, Consulting Engineers for this Town, have completed preliminary plans for the enlargement and improvement of the sewage disposal plant of Sewer District No. 5, which plans have received the approval of the State Department of Health; NOW, THEREFORE,

BE IT RESOLVED, that said engineers be and they hereby are directed to prepare final plans, drawings and specifications for such enlargement and improvement work at said sewage disposal plant, together with the estimated maximum cost of such work.

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

AYES: -6-

NOES: -0-

ABSENT: -1-

27

Item No. 13 Councilman Kornecki offered the following resolution and moved its adoption:

WHEREAS, the residential development at the east end of Drainage District No. 7 requires the installation of additional trunk drains; NOW, THEREFORE,

BE IT RECEIVED, that Nussbaumer, Clarke & Velzy, Consulting Engineers for this Town, be and they hereby are directed to make a study of the needs for additional facilities in Drainage District No. 7, involving construction of trunk mains through Barone Circle Subdivision and in the area of the U-Crest Elementary School, and to make a report to this Town Board, together with the estimated maximum cost of such construction work.

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

AYES: -6- NCES: -0- ABSENT: -1-

Item No. 14

EXTRACTS FROM MINUTES OF TOWN BOARD

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, there was filed with the Town Board on June 20, 1960, pursuant to Section 200 of the Town Law of New York, a written petition requesting the improvement of the public highway known as Greenway Boulevard, extending from Fairhaven Drive northwesterly, approximately 915 feet to Farmingdale Road, by the construction of a permanent pavement, together with the installation of receivers and all necessary underground drains, and said highway being a Town highway, and such petition stated \$15,000 as the maximum amount proposed to be expended for such improvement, and the Town Board duly held on July 11, 1960, a public hearing at which it heard all persons interested in such improvement concerning the same and thereafter the Town Board duly determined that it is in the public interest to make such improvement and directed Nussbaumer, Clarke & Velzy, Consulting Engineers for the Town, to prepare definite plans and specifications and to make a careful estimate of the expense of such improvement, and the estimate of the cost thereof as prepared by said engineers is \$20,000, and the improvement cannot be constructed within the maximum amount proposed to be expended therefor as stated in said petition, and it is necessary to call a further public hearing on said petition and improvement; NOW, THEREFORE, it is hereby

ORDERED that the Town Board of the Town of Cheektowaga, in the County of Erie, shall meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 5th day of June, 1961, at 2:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of further considering said petition and improvement and hearing all persons interested in the subject thereof concerning the same.

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



Item No. 14-Cont'd.

FURTHER ORDERED that a copy of this order shall also be sent by regular mail to the last known address of each person who signed said petition.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Kaczmarek	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

Copy of the Notice mailed to Walter Piotrowski & Son Builders, Inc., 268 Doris Drive, West Seneca, New York, on May 22, 1961.

Posted as follows on the 22nd day of May, 1961:

- 1 - Post at the corner of Greenway Blvd. and Fairhaven Drive;
- 2 - Post on Greenway Blvd. 50 feet northwest of Fairhaven Drive;
- 3 - Post on Greenway Blvd. 75 feet northwest of Fairhaven Drive;
- 4 - Post on Greenway Blvd. 100 feet northwest of Fairhaven Drive;
- 5 - Post on Greenway Blvd. 150 feet northwest of Fairhaven Drive.

Hereto attached is a copy of the Notice published in the CHEEKTOWAGA TIMES:

17  
18

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 11 weeks:  
first publication MAY 18 1961:  
last publication MAY 18 1961:  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of MAY 22 1961 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, 1965  
Registered No. 5029

**EXTRACTS FROM MINUTES  
OF TOWN BOARD**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, corner of Broadway and Union Road in said Town, on the 15th day of May, 1961, at 7:30 o'clock p.m., Eastern Daylight Saving Time, there were:

**PRESENT:**

BENEDICT T. HOLTZ,  
Supervisor.  
FELIX WROBLEWSKI,  
Councilman.  
JOSEPH KORNECKI,  
Councilman.  
ALANCIN M. FATH,  
Councilman.  
MICHAEL KACZMAREK,  
Councilman.  
JOSEPH TROJANOSKI,  
Councilman.

**ABSENT:**

STANLEY BYSTRAK,  
Councilman.

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, there was filed with the Town Board on June 20, 1960, pursuant to Section 200 of the Town Law of New York, a written petition requesting the improvement of the public highway known as Greenway Boulevard, extending from Fairhaven Drive northwesterly, approximately 915 feet to Farmingdale Road, by the construction of a permanent pavement, together with the installation of receivers and all necessary underground drains, and said highway being a Town highway, and such petition stated \$15,000 as the maximum amount proposed to be expended for such improvement, and the Town Board duly held on July 11, 1960, a public hearing at which it heard all persons interested in such improvement concerning the same and thereafter the Town Board duly determined that it is in the public interest to make such improvement and directed Nussbaumer, Clarke and Velzy, Consulting Engineers for the Town, to prepare definite plans and specifications and to make a careful estimate of the expense of such improvement, and the estimate of the cost thereof as prepared by said engineers is \$20,000, and the improvement cannot be constructed within the maximum amount proposed to be expended therefor as stated in said petition, and it is necessary to call a further public hearing on said petition and improvement; NOW, THEREFORE, it is hereby

ORDERED that the Town Board of the Town of Cheektowaga, in the County of Erie, shall meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 5th day of June, 1961, at 2:30 o'clock p.m., Eastern Daylight Saving Time, for the purpose of further considering said petition and improvement and hearing all per-

FURTHER ORDERED that the Town Clerk be and he hereby is ordered and directed to publish a certified copy of this resolution and order in the CHEEKTO-WAGA TIMES, a newspaper published and having a general circulation in the Town of Cheektowaga, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing, and that the Town Clerk post conspicuously or cause to be posted conspicuously, certified copies of this resolution and order in five (5) public places along both sides of said highway to be improved, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing.

FURTHER ORDERED that a copy of this order shall also be sent by regular mail to the last known address of each person who signed said petition.

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

Supervisor Holtz Voting AYE  
Councilman Wroblewski Voting AYE  
Councilman Kornecki Voting AYE  
Councilman Fath Voting AYE  
Councilman Kaczmarek Voting AYE  
Councilman Trojanoski Voting AYE

Ayes: 6 - Noes: 0 - Absent: 1

STATE OF NEW YORK )  
COUNTY OF ERIE )

I, KENNETH T. HANLEY,  
Town Clerk of the Town herein-  
after described, DO HEREBY  
CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on May 15, 1961, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at page No. A-9, inclusive, of said book.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened, the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 15th day of May, 1961.

KENNETH T. HANLEY,  
Town Clerk  
(Pub: May 18)

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

WHEREAS, the Sanitary Sewer District No. 5 Treatment Plant has notified the Town Board that they are in need of one (1) new Industrial Tractor with power take off, be it

RESOLVED, that this request be granted and that the Town Clerk be directed to publish the annexed NOTICE TO BIDDERS in the DEPEW HERALD AND CHEEKTOWAGA NEWS, having a circulation in the Town of Cheektowaga, in connection with the said Industrial Tractor, and be it further

RESOLVED, that the Town Board meet on the 5th day of June, 1961, at 2:30 o'clock P.M., Eastern Daylight Saving Time, at the Town Hall, Broadway and Union Roads, Cheektowaga, New York, for the purpose of receiving sealed bids at which time they will be publicly opened by the Town Board at a public meeting called for that purpose.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Kaczmarek	Voting AYE
Councilman Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

NOTICE TO BIDDERS

The Town of Cheektowaga hereby requires separate sealed bids for one (1) Industrial Tractor with power take-off for use in the Sanitary Sewer District No. 5 Treatment Plant.

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

Copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 2:30 o'clock P.M., Eastern Daylight Saving Time on June 5, 1961, 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 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: May 15, 1961

KENNETH T. HANLEY  
Town Clerk

Hereto attached is a copy of the Notice published in the DEPEW HERALD AND CHEEKTOWAGA NEWS:

/  
5+

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

**NOTICE TO BIDDERS**

The Town of Cheektowaga hereby requires separate sealed bids for one (1) Industrial Tractor with power take-off for use in the Sanitary Sewer District No. 5 Treatment Plant.

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

Copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 2:30 o'clock P.M. Eastern Daylight Saving Time on June 5th, 1961, 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 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: May 15, 1961  
KENNETH T. HANLEY  
my18 Town Clerk

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 18th day of May, 1961, 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 22 day of

*May*, 1961  
*Kenneth T. Hanley*  
Notary Public in and for Erie County

141

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

WHEREAS, emergency sewer repairs were required on Trudy Lane in Sanitary Sewer District No. 3 which repairs were ordered by the Town Engineer, and

WHEREAS, the cost of the work and materials amounted to \$555.05.

BE IT RESOLVED, that the voucher of Straco, Inc. in the amount of \$555.05 to do the work and furnish the materials be approved and ordered paid.

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

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Fath	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Kaczmarek	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

Item No. 17 Councilman Fath offered the following resolution and moved its adoption:

WHEREAS, Federal assistance may be available toward the construction of trunk sewers in the proposed extension of Sewer District No. 7 and for the enlargement and improvement of the sewage disposal plant of Sewer District No. 5; NOW, THEREFORE,

BE IT RESOLVED, that the Supervisor, Councilmen, the Town Attorneys, the Town Engineer, and such other personnel as the Supervisor deems necessary, be and they hereby are authorized and directed to investigate the availability of such assistance, and to make the necessary applications to the Federal agency in charge of granting such assistance, and in that connection, are authorized to make such trip or trips as may be necessary to Albany and New York City to confer with State and Federal representatives, the proper expenses incurred therefor to be paid for by the Town.

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

AYES: -6-

NOES: -0-

ABSENT: -1-

Item No. 18 Councilman Fath offered the following resolution and moved its adoption:

WHEREAS, Little League Baseball competition makes a very material contribution toward the curbing of juvenile delinquency, and

WHEREAS, during the past few years, through the unstinting volunteer efforts of many of our adult citizens, interest in Little League organizations has had a mushroom growth among our youth; NOW, THEREFORE,

BE IT RESOLVED, that the week of June 4, 1961 be and it hereby is designated as "Choektowaga Little League week".

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

AYES: -6-

NOES: -0-

ABSENT: -1-

6  
24

3  
-4  
7

1  
1

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

BE IT RESOLVED, that all bond anticipation notes presently outstanding and which will mature on June 1, 1961, shall be renewed for a further period of six months, and such notes shall be sold to the Manufacturers and Traders Trust Company by the Supervisor, who is hereby directed to sign such renewal bond anticipation notes, and the Town Clerk is hereby directed to affix to such notes the corporate seal of the Town of Cheektowaga.

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

AYES: -6- NOES: -0- ABSENT: -1- 12

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

RESOLVED, that Charles V. Switalski, Cheektowaga, New York, and Norman J. Kolb, Cheektowaga, New York, be and they hereby are appointed members of the Cheektowaga Police Department effective June 8, 1961, at annual starting salary of \$5,400.00.

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

AYES: -6- NOES: -0- ABSENT: -1- 31 20 18

Item No. 21 Moved by Councilman Kaczmarek, seconded by Councilman Kornecki, that the request of Florian Jablonski for an extension of his sick leave absence be granted.

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

Item No. 22 Councilman Fath presented the following resolution and moved its adoption:

BE IT RESOLVED, that the annual salary of Norman E. Conway, Recreation Supervisor employed at the Maryvale Teenage Center, be increased from \$2,000 a year to \$2,200 a year, and that the hourly rate of William Kornacki, laborer employed at the Maryvale Teenage Center, be increased from \$1.50 an hour to \$1.60 an hour.

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

AYES: -6- NOES: -0- ABSENT: -1- 31 20

Item No. 23 Moved by Councilman Kaczmarek, seconded by Councilman Wroblewski:

WHEREAS, bids were received on May 1, 1961, for the purchase of one (1) 1-1/2 to 2-1/2 ton Portable Roller with Trailer Conveyance for use in the Parks Department,

WHEREAS, the Cameron Equipment Corporation, 1875 Harlem Road, was the low and only bidder, be it

RESOLVED, that the bid be awarded to the Cameron Equipment Corporation in the amount of \$2,150.00 and that the Supervisor be authorized and directed to contract for purchase of same.

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

Item No. 24 Moved by Councilman Wroblewski, seconded by Councilman Kornecki, that the Erie County Water Authority be authorized and directed to install the following fire hydrants in Doyle Fire District No. 1:

- Walkowiak Street 500 feet to 800 feet down;
- Vern and Sandy Streets;
- Constance Street 500-800 feet from corner;
- Joane Lane on bend 500 feet;
- Sandy Street at the end;
- Donner and Raymond Street;
- Donner and Ludwig;
- Wilson Street;
- Wojcik Street;
- Patricia around 58-62 Number;
- Girard on corner;
- North Willowlawn at end;
- North Pleasant Street at end;
- Alaska around house No. 119;
- Colby corner Hurd;
- Glidden Street around house No. 114;
- Bright and William Street;
- Nendale at the bend;
- Nandale around house No. 83.

AYES: -6-

NOES: -0-

ABSENT: -1-

27  
28

Item No. 25 Moved by Councilman Kaczmarek, seconded by Councilman Wroblewski, that the request of the Local 1026 to close the Town Hall on Saturdays during the months of June, July, and August, be denied.

AYES: -6-

NOES: -0-

ABSENT: -1-

31  
42

Item No. 26 Moved by Councilman Trojanoski, seconded by Councilman Kornecki, that the Town Clerk be authorized and directed to release fourteen (14) automatic voting machines to the Westinghouse Union Local for use on May 24, 1961.

AYES: -6-

NOES: -0-

ABSENT: -1-

Item No. 27 The following resolution was moved by Councilman Kornecki and seconded by Councilman Wroblewski:

That the following claims be approved as presented:

General Fund	Nos.	4230	to	4290	inclusive
Highway Fund		1219		1239	
Special Districts		1562		1585	
Part Town Fund		471		481	
C & I		270		271	

AYES: -6-

NOES: -0-

ABSENT: -1-

6

Item No. 28 Complaint of the Town Park Home Owners Association relating to conditions at the Town Park was referred to Supervisor Holtz.

Item No. 29 Moved by Councilman Kaczmarek, seconded by Councilman Wroblewski, to adjourn.

SEAL

KENNETH T. HANLEY  
Town Clerk

*[Handwritten signature]*



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 5th day of June, 1961, at 2:30 P.M., Eastern Daylight Saving Time, there were:

PRESENT:	Benedict T. Holtz	Supervisor
	Felix T. Wroblewski	Councilman
	Joseph Kornecki	Councilman
	Alancin M. Fath	Councilman
	Michael J. Kaczmarek	Councilman
	Joseph M. Trojanoski	Councilman
	Stanley R. Bystrak	Councilman

ABSENT: -0-

Also present were: Town Clerk Hanley; Town Attorney Kitzinger; Building & Plumbing Inspector Trafalski; Lieut. Graham; Town Engineer Kama; General Foreman Bank, and Recreation Director Rutkowski.

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

Item No. 3 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the Town Clerk be authorized and directed to issue building permits on applications approved by the Building Inspector in his communication dated June 5, 1961, except for the following:

McDonald Corporation, Union Road - Concrete Restaurant  
 Sigmund Kidowski, 2871 Harlem Road - Store Building  
 A. P. Rowell, Genesee Street - Steel Sign  
 Frank Ziolkowski, 1348 Harlem Road - Steel Sign

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 4 Referred to the Town Attorney statement from the Village of Sloan in the amount of \$977.00 for recreation equipment for the Village Park.

Item No. 5 Ordered referred to the Chief of Police communication from the Board of Fire Commissioners of Walden Fire District No. 2, requesting No Parking on the west side of Gualbert Street for the entire length of the street; also that No Parking on the west side of Pine Ridge Road from Walden to Wildy Street be allowed.

Item No. 6 Ordered referred to the Chief of Police the request of Doyle Hose Company No. 2 to close to traffic the following highways on July 1, 1961 and July 2, 1961, in connection with their Annual Field Days:

Griswold Street between Willowlawn Parkway and Pleasant Parkway.  
 Willowlawn Parkway from Griswold Street to the Thruway

Also, for a police escort for the Grand Parade to be held on July 2, 1961.

Item No. 7 Ordered referred to Councilman Trojanoski, Chairman of the Sidewalk Committee, communication from the Village of Sloan relating to sidewalk replacement and repair on Broadway, south side.

15  
35

16

18

15

17

Item No. 8 Referred to the Town Board communication from Frank J. Stahl, Business Representative, relating to vacations for Town employees.

31

Item No. 9 Ordered referred to the Petitions Committee petition in opposition to the rezoning from residence to business district, premises located at the corner of William Street and Glidden Street.

17

Item No. 10 This being the time and the place advertised for the receiving of sealed proposals for the purchase of one (1) Industrial Tractor with power take-off for use in the Sanitary Sewer District No. 5 Treatment Plant.

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

The bids were referred to the Town Engineer for analysis and tabulation.

Hereto is a summary of the bids received and read aloud:

Equipment Center.....	\$1,745.49
Cameron Equipment Corporation.....	1,954.83
Halsey Reid Equipment Inc.,.....	1,960.00
Circle Motors of East Aurora Inc.....	2,400.00

1  
27

Item No. 11 This being the time and the place advertised for a public hearing for the purpose of increasing the amount of \$15,000.00 to \$20,000.00 on the petition for the improvement of Greenway Boulevard extending from Fairhaven Drive, northwesterly approximately 915 feet to Farmingdale, by the construction of a permanent pavement, together with the installation of receivers and all necessary underground drains.

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

The Supervisor announced that the Board would hear all persons interested in the subject of the hearing.

Mr. Samuel Belsito, owner of lots on said highway, was granted the floor and requested that he be permitted to pay in full his assessment on said project before the issuance of any bonds. The request was referred to the Board.

The Supervisor ordered the hearing closed and the following resolution was offered and adopted:

Councilman Fath presented the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board for the improvement of both sides of Greenway Boulevard extending from Fairhaven Drive northwesterly, approximately 915 feet to Farmingdale Road, by the construction of a permanent pavement, together with the installation of receivers and all necessary underground drains, and

WHEREAS, it duly appears that such petition has been signed by owners of real property fronting or abutting on said portion of said public highway, owning at least one-half of the frontage or bounds on said portion of said public highway to be improved as aforesaid, and that there are no resident owners residing along said portion of said highway proposed to be improved, and

WHEREAS, such petition was duly acknowledged or proved as to each signer in the same manner as required of a deed to be recorded, and

WHEREAS, at a meeting of said Town Board duly called and held on the 15th day of May, 1961, an order was duly adopted by it and entered in its minutes, reciting the filing of such petition, the improvement proposed, and the estimate of the cost thereof, as prepared by Nussbaumer, Clarke and Velzy, Consulting Engineers for the Town, to be the sum of Twenty Thousand Dollars (\$20,000.00), and that the improvement cannot be constructed within the maximum amount of \$15,000.00 proposed to be expended therefor, as stated in said petition, and specifying that the said Board would meet to further consider said petition and improvement and to hear all persons interested in the subject thereof concerning the same, at the Town Hall in the Town of Cheektowaga, on the 5th day of June, 1961, at 2:30 o'clock P.M., Eastern Daylight Saving Time, and

WHEREAS, the said order, duly certified by the Town Clerk, was duly published and posted as required by law, and a copy thereof was sent by regular mail to the last known address of each person who signed said petition, and

WHEREAS, a hearing was held by this Town Board at the place and on the date and at the time hereinbefore mentioned, and at such time and place the said Town Board did duly consider the said petition and hear all persons interested;

NOW, THEREFORE, after such hearing and upon the evidence given thereat and pursuant to the provisions of Section 200 of the Town Law of the State of New York, it is hereby

Item No. 11-Cont'd.

RESOLVED, that this Board hereby determines that it is in the public interest to make, within the cost estimated by said engineers, the improvement petitioned for, to wit: the improvement of both sides of Greenway Boulevard extending from Fairhaven Drive northwesterly, approximately 915 feet to Farmingdale Road, by the construction of a permanent pavement, together with the installation of receivers and all necessary underground drains.

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 Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Kaczmarek	Voting AYE

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

1  
17  
13

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

BE IT RESOLVED, that Holloway & Company be and they hereby are authorized to prepare the Budget for the year 1962, being the same services that have been rendered by Holloway & Company in previous years.

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

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

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

The resolution was thereupon declared duly adopted.

1  
2

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

IT IS RESOLVED AS FOLLOWS:

SECTION ONE: The Town Board of the Town of Cheektowaga does hereby employ Holloway & Company to make an annual audit for the Town Board of the Town of Cheektowaga covering the calendar year 1961.

SECTION TWO: The scope of such audit shall be limited to and include only an accounting of all moneys received and disbursed by all town officers and employees, except Justices of the Peace, who received or disbursed any moneys of the town, and shall be limited to and include only an examination of such books, records, receipts, orders, warrants, vouchers and cancelled checks as relate to the receipt or disbursement of moneys by such town officers and employees.

SECTION THREE: The scope of such audit shall also include an examination of the civil and criminal dockets of the Justices of the Peace of the Town of Cheektowaga for the purpose of determining whether all fines and fees therein shown to have been collected have been turned over to the proper officials as required by law.

Item No. 13-Cont'd.

SECTION FOUR: It is the intent of this Town Board that such audit shall relate solely to an accounting of the cash receipts and disbursements of officers and employees of the Town of Cheektowaga and shall take the place and stead of the annual audit as previously made by the Town Board of the Town of Cheektowaga.

SECTION FIVE: The following items are specifically excluded (but do not necessarily constitute the only exceptions) from the scope of said audit:

(a) The functions, correctness, regularity, legality or propriety of the action or non-action of any officer or employee of the Town of Cheektowaga, so far as same do not relate directly to the receiving or disbursing of any moneys of the Town of Cheektowaga.

(b) The correctness, regularity, legality or propriety of the assessment rolls or tax rolls of said Town of Cheektowaga.

(c) The correctness, regularity, legality or propriety of the Police Blotter or other Police Records, informations, warrants, orders, tickets, etc., so far as the same do not relate directly to the receiving or disbursing of any town moneys by any town officers or employees.

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

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

AYES: -7-

NOES: -0-

ABSENT: -0-

The resolution was thereupon declared duly adopted.

Item No. 14 Councilman Kaczmarek offered the following resolution and moved its adoption, seconded by Councilman Fath, to wit:

RESOLVED: That Holloway & Company, 2300 Rand Building, Buffalo, New York, be and are hereby engaged to perform the following services in the future for the Town of Cheektowaga: (1) Prepare the Supervisor's Annual Report to the Town Board; (2) Prepare the Supervisor's Annual Report to the State Comptroller; (3) Determine the proper transfers to be authorized by the Town Board at the end of the year based upon 1961 appropriations, expenditures, etc.

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

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

AYES: -7-

NOES: -0-

ABSENT: -0-

The resolution was thereupon declared duly adopted.

Item No. 15 The following resolution was presented by Councilman Kaczmarek who moved its adoption, and was seconded by Councilman Fath

WHEREAS, Holloway & Company has previously been retained by the Town of Cheektowaga in regard to the review of special franchise assessments.

BE IT RESOLVED, that Holloway & Company, Rand Building, Buffalo, New York, be and they are hereby authorized to assist the Town Attorney in the review and protest of the 1961 special franchise assessments within the Town of Cheektowaga in accordance with letter from Holloway & Company dated May 26, 1961, a copy of which is made a part of this resolution by reference.

Dated: June 5, 1961

AYES: -7-

NOES: -0-

ABSENT: -0-

"May , 1961

State Board of Equalization and Assessment  
155 Washington Avenue  
Albany, New York

Gentlemen:

This is to advise that the Town of Cheektowaga, Erie County, New York, has retained Holloway & Company, Buffalo 3, New York, to review the assessment of Special Franchises within said town.

Please accept this as a request and authorization to furnish to their representative any records or information for their consideration.

Thank you.

Very truly yours,

Town of Cheektowaga"

Item No. 16 Councilman Fath offered the following resolution and moved its adoption:

RESOLVED, that the attached Notice to Contractors be published in the DEPEW HERALD AND CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES.

Seconded by Councilman Wroblewski.

AYES: -7-

NOES: -0-

ABSENT: -0-

NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of Cheektowaga, Erie County, New York, sealed proposals will be received and considered by said Town Board on the 19th day of June, 1961 at 7:30 P.M., EDST, in the Town Hall, Broadway at Union Road, Cheektowaga, New York, for furnishing all materials, tools, equipment and together with all labor for the construction of concrete curbs in Awood Place, a distance of about 700 feet, and Vern Lane north from William Street, a distance of about 1700 feet, Town of Cheektowaga, Erie County, New York, including receivers and other appurtenant work in accordance with the Contract Documents therefor, including plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers to the Town of Cheektowaga, New York and approved by the Town Board, all of which are on file with the Town Clerk at his office in the Town Hall, Broadway at Union Road, Cheektowaga, New York, where the same may be examined during the usual business hours.

1  
2

Item No. 16-Cont'd.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may also be examined at the Office of Nussbaumer, Clarke & Velzy, Consulting Engineers, 327 Franklin Street, Buffalo 2, New York. One copy of said proposed documents may be obtained upon payment of \$30.00. Any bidder, upon returning said Plans and Contract Documents in good condition, within twenty (20) days following the taking of bids will be refunded the full amount of his deposit; nonbidders will similarly be refunded only one-half of the deposit.

The Town of Cheektowaga, Erie County, New York, reserves the right to reject any or all bids, or to waive any informalities, or to make an award to other than the low bidder.

Each proposal must be accompanied by a certified check for a sum equal to five per centum (5%) of the estimated expense of the total improvement payable to the order of the Supervisor, or a bond with sufficient sureties to be approved by the Supervisor, or a penal sum equal to five per centum (5%) of the estimated expense of the improvement, conditioned that if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the Contract.

No bidder may withdraw his bid within sixty (60) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of bids.

KENNETH T. HANLEY  
Town Clerk

Date: June 5, 1961

Hereto attached is a copy of the Notice published in the DEPEW HERALD AND CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES:

1  
13

Item No. 16-Cor...

(Affidavit)

STATE OF NEW YORK }  
COUNTY OF ERIE } ss.

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 ~~47~~ weeks:  
first publication ..... JUN - 8 1961 .....  
last publication ..... JUN - 8 1961 .....  
and that no more than six days intervened between publications.

*Willard C. Allis*

Sworn to before me this.....

day of JUN 20 1961, 19.....

*Eve J. Allis*

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

EVE J. ALLIS  
NOTARY PUBLIC, STATE OF NEW YORK  
Qualified in Erie County  
My Commission Expires March 30, 19 63  
Registered No. 5029



**NOTICE TO CONTRACTORS**  
**NOTICE IS HEREBY GIVEN**

that pursuant to a resolution of the Town Board of Cheektowaga, Erie County, New York, sealed proposals will be received and considered by said Town Board on the 19th day of June, 1961 at 7:30 P.M. EDT, in the Town Hall, Broadway at Union Road, Cheektowaga, New York for furnishing all materials, tools, equipment and together with all labor for the construction of concrete curbs in Awood Place, a distance of about 700 feet, and Vern Lane north from William Street, a distance of about 1700 feet, Town of Cheektowaga, Erie County, New York, including receivers and other appurtenant work in accordance with the Contract Documents therefor, including plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer, Clarke & Velzy, Consulting Engineers to the Town of Cheektowaga, New York and approved by the Town Board, all of which are on file with the Town Clerk at his office in the Town Hall, Broadway at Union Road, Cheektowaga, New York where the same may be examined during the usual business hours.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may also be examined at the Office of Nussbaumer, Clarke & Velzy, Consulting Engineers, 327 Franklin Street, Buffalo 2, New York. One copy of said proposed documents may be obtained upon payment of \$30.00. Any bidder, upon returning said Plans and Contract Documents in good condition, within twenty (20) days following the taking of bids will be refunded the full amount of his deposit; nonbidders will similarly be refunded only one-half the deposit.

The Town of Cheektowaga, Erie County, New York, reserves the right to reject any or all bids, or to waive any informalities, or to make an award to other than the low bidder.

Each proposal must be accompanied by a certified check for a sum equal to five per centum (5%) of the estimated expense of the total improvement payable to the order of the Supervisor, or a bond with sufficient sureties to be approved by the Supervisor, or a penal sum equal to five per centum (5%) of the estimated expense of the improvement, conditioned that if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the Contract.

No bidder may withdraw his bid within sixty (60) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of bids.

KENNETH T. HANLEY,  
Town Clerk  
Date: June 5, 1961  
(Pub: June 8)

STATE OF NEW YORK  
COUNTY OF ERIE

ss.:

**NOTICE TO CONTRACTORS**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of Cheektowaga, Erie County, New York, sealed proposals will be received and considered by said Town Board on the 19th day of June, 1961 at 7:30 P.M. EDST, in the Town Hall, Broadway at Union Road, Cheektowaga, New York for furnishing all materials, tools, equipment and together with all labor for the construction of concrete curbs in Awood Place, a distance of about 700 feet, and Vern Lane north from William Street, a distance of about 1700 feet, Town of Cheektowaga, Erie County, New York, including re-

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

a newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 8th day of June, 1961, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 1961, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

**LEGAL**  
**CENTRAL SCHOOL**  
Towns of Lancaster, C  
County of Er  
Replacement of Books,  
Furniture and Other  
Buildings, Repairs and  
Light, Power, Janitors,  
and Other Ex-  
penses, Supplies and

8,150.00  
208,830.00  
95,973.00  
227,400.00

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

JUN 20 1961

19

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

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

**NOTICE TO CONTRACTORS**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of Cheektowaga, Erie County, New York, sealed proposals will be received and considered by said Town Board on the 19th day of June, 1961 at 7:30 P.M. EDST, in the Town Hall, Broadway at Union Road, Cheektowaga, New York for furnishing all materials, tools, equipment and together with all labor for the construction of concrete curbs in Awood Place, a distance of about 700 feet, and Vern Lane north from William Street, a distance of about 1700 feet, Town of Cheektowaga, Erie County, New York, including re-

ceivers and other appurtenant work in accordance with the Contract Documents therefor, including plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer, Clarke & Velzey, Consulting Engineers to the Town of Cheektowaga, New York and approved by the Town Board, all of which are on file with the Town Clerk at his office in the Town Hall, Broadway at Union Road, Cheektowaga, New York where the same may be examined during the usual business hours.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may also be examined at the Office of Nussbaumer, Clarke & Velzey, Consulting Engineers, 327 Franklin Street, Buffalo 2, New York. One copy of said proposed documents may be obtained upon payment of \$30.00. Any bidder, upon returning said Plans and Contract Documents in good condition, within twenty (20) days following the taking of bids will be refunded the full amount of his deposit; nonbidders will be similarly be refunded only one-half the deposit.

The Town of Cheektowaga, Erie County, New York, reserves the

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

right to reject any or all bids, or to waive any informalities, or to make an award to other than the low bidder.

Each proposal must be accompanied by a certified check for a sum equal to five per centum (5%) of the estimated expense of the total improvement payable to the order of the Supervisor, or a bond with sufficient sureties to be approved by the Supervisor, or a penal sum equal to five per centum (5%) of the estimated expense of the improvement, conditioned that if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the Contract.

No bidder may withdraw his bid within sixty (60) days after the date set for the opening thereof, but may withdraw same at any time prior to the scheduled time for the opening of bids.

**KENNETH T. HANLEY**  
Town Clerk

Dated: June 5, 1961

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

WHEREAS, Cherokee Park, Inc. has informed the Town of Cheektowaga that they are willing to convey to the Town of Cheektowaga a certain parcel of land containing approximately 5.28 acres bounded on the North by lands owned by the Town of Cheektowaga (drainage ditch), bounded on the East by lands owned by the State of New York (Ontario Thruway), bounded on the West by lands owned by the N.L. & O. Power Co., and by lands owned by the Iroquois Gas Corp., and on the South by lands owned by the State of New York (Parcel 226), and

WHEREAS, Cherokee Park, Inc., is willing to convey said parcel subject to the payment by the Town of any back taxes on said premises which they state amounts to approximately \$3,300.00, and

WHEREAS, the Town Engineer has recommended the purchase of the same.

NOW, THEREFOR,

BE IT RESOLVED, that the Town Attorney be, and he hereby is authorized and directed to obtain the necessary legal documents to affect this purchase by the Town, and be it further

RESOLVED, that the Supervisor be, and he hereby is authorized to make payment for the same in accordance with communication from Cherokee Park, Inc. attached hereto.

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

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

AYES: -7-

NOES: -0-

ABSENT: -0-

CHEROKEE PARK, INC.  
160 Keystone Street  
Buffalo 11, New York

March 27, 1961

Mr. Thomas E. Delahunt  
Deputy Attorney for  
Town of Cheektowaga  
Erie County Bank Building  
Buffalo 2, New York

Dear Sir:

Please be advised that Cherokee Park, Inc. is willing to convey to the Town of Cheektowaga that parcel of land located in the Town of Cheektowaga, County of Erie and State of New York being part of Farm Lot 17, Township 11, which parcel consists of approximately 5.28 acres, bounded on the North by lands owned by the Town of Cheektowaga (drainage ditch), bounded on the East by lands owned by the State of New York (Ontario Thruway), bounded on the West by lands owned by the N. L. & O. Power Co. and by lands owned by the Iroquois Gas Corp. and on the South by lands owned by the State of New York (Parcel 226). Cherokee Park, Inc. is willing to convey that parcel to the Town of Cheektowaga, subject to any past taxes on that parcel being paid by the Town of Cheektowaga. Up-to-dated survey and metes and bounds description to be furnished by Cherokee Park, Inc.

It is the understanding from the Erie County Treasurers' Office and the Town of Cheektowaga Tax Collectors' Office that past taxes are as follows: 1958-\$905.21; 1959-\$886.35; 1960-\$762.11; current year-\$749.18 (plus interest)

Yours truly,  
Cherokee Park, Inc.  
By:  
Steve Yeager, President

SY/b1

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

RESOLVED, that the New York State Electric and Gas Corporation be authorized to make the following changes in the street lighting in Rossler Street between Clinton and Griswold Street:

Install four (4) 4000 lumen glass units on existing Poles Nos. 27, 28, 29, and 30.

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 Kaczmarek	Voting AYE
Councilman Bystrak	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

27

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

WHEREAS, emergency sewer repairs were required on 350 Cayuga Creek Road and 300 Cayuga Creek Road in Sanitary Sewer District No. 3 which repairs were ordered by the Town Engineer, and

WHEREAS, the cost of the work and materials amounted to \$407.56 (350 Cayuga Creek Rd.) and \$817.33 (300 Cayuga Creek Rd.).

BE IT RESOLVED, that the vouchers of Straco, Inc. in the amounts of \$407.56 and \$817.33, to do the work and furnish the materials be approved and ordered paid.

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 Trojanoski	Voting AYE
Councilman Fath	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Kaczmarek	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

6  
24

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

WHEREAS, emergency sewer repairs were required on Kensington at Liberty Terrace in Sanitary Sewer District No. 5, which repairs were ordered by the Town Engineer, and

WHEREAS, the cost of the work and materials amounted to \$595.89.

BE IT RESOLVED, that the vouchers of Straco, Inc. in the amount of \$595.89 to do the work and furnish the materials be approved and ordered paid.

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

AYES: -7-

NOES: -0-

ABSENT: -0-

6  
24

Item No. 21 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, it has recently been brought to our attention that a large number of reputable residents in Western New York have received severe penalties from the New York State Alcoholic Beverage Control Board for the sale of intoxicating beverages to a married girl who happened to be only 17 years of age, but who appeared to be much older, and

WHEREAS, there are more than 100 business places in the Town of Cheektowaga which serve alcoholic beverages to the public for on-premises and off-premises consumption, which establishments are operated legally and respectably, and in which hundreds of thousands of dollars are invested, and which provide employment and earnings for hundreds of town residents, and

WHEREAS, delinquent and wayward youngsters by the borrowing of draft cards and birth records, and by devious other means, may procure alcoholic drinks and jeopardize the licenses of these business places and cause the loss of income and employment and even life savings in many instances, and

WHEREAS, the majority of penalties result from circumstances of which the owner or license holder has no proper control, and

WHEREAS, the laws as presently constituted, in the opinion of this Board, are unfair and confiscatory, to say the least, and

WHEREAS, violation of any laws are not to be condoned.

NOW, THEREFORE,

BE IT RESOLVED, this Board goes on record as recommending a complete revision of the New York State Alcoholic Beverage Control Laws including therein penalties against the unlawful purchasers of alcoholic beverages so that the honest, respectable liquor license holders in the Town of Cheektowaga and elsewhere will not be at the mercy of unscrupulous or unlawful youngsters to the end, that the license holders will be more readily able to abide by the laws governing the operation of their businesses, and be it further

RESOLVED, that the Town Clerk be, and he hereby is directed to submit certified copies of this resolution to Governor Rockefeller, Senate Majority Leader Walter J. Mahoney, Senate Minority Leader Joseph Zaretzki, Assemblyman Majority Leader George L. Ingalls, and Assemblyman Minority Leader Anthony Travia.

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

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

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 22 Councilman Trojanoski offered the following resolution and moved its adoption:

BE IT RESOLVED, that the following changes in all liability insurance coverages for this Town be effected immediately:

1. That the present limits of liability of 50/100 bodily injury and 25/25 property damage be increased to 200/500 bodily injury, and 50/50 property damage.

Item No. 22-Cont'd.

2. That liability coverage be afforded in connection with issuance of construction and/or demolition permits.

3. That automatic contractual liability coverage pertaining to liability assumed in all written contracts outstanding and entered into by the Town during the current policy period be afforded, on the basis that the Town will agree to allow the insurance carrier to review copies of all outstanding contracts and to furnish the carrier with copies of new ones within thirty days of their signing.

4. That exclusions (l) and (m) of the comprehensive liability policy be eliminated, which presently exclude damage to property resulting from the use of explosives and the collapse of buildings or structures from digging, moving, etc. if performed by the Towns' employees.

5. That the expression "caused by accident" be eliminated from all liability policies.

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

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

14

Item No. 23 Councilman Fath offered the following resolution and moved its adoption:

WHEREAS, a drainage problem exists on Mafalda Drive which has been studied by the Town Engineer and the Superintendent of Highways, who recommend the installation of a drain along the west line of Sublot 25, located on the south side of Mafalda Drive, and through cemetery lots of Mt. Calvary Cemetery to connect with a cemetery drain presently existing, which will convey storm waters from Mafalda Drive to the Harlem Road drain at Maryvale Drive, and

WHEREAS, the owners of Sublot 25 have agreed to give a 5-foot easement through this Sublot to permit the laying of said drain, and the United German and French Roman Catholic Cemetery Association of the City of Buffalo has agreed to convey to the Town of Cheektowaga the right to construct and connect said drain as aforementioned to the existing drain in said Mt. Calvary Cemetery, which the said Association owns, for the sum of \$2,355.00; NOW, THEREFORE,

BE IT RESOLVED, that the construction of the drain as aforementioned be approved, and the Supervisor be and he hereby is authorized to pay from the General Fund the sum of \$2,355.00 to the United German and French Roman Catholic Cemetery Association of the City of Buffalo, for the drainage rights as above set forth, and to execute on behalf of the Town of Cheektowaga any instruments which may be required in connection therewith.

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

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

33  
06

Item No. 24 Councilman Michael J. Kaczmarek offered the following resolution and moved its adoption:

WHEREAS, the sponsor of this resolution has on numerous occasions been advised by parents and parent groups that certain drive-in theaters in the Town of Cheektowaga have at times shown motion pictures described to be in bad taste, and

WHEREAS, it is the duty of this Town Board, as it is of every citizen, to protect and help promote the moral fiber of our youth, and

WHEREAS, the selection of motion pictures shown by these establishments plays an important part in the entertainment of our population; NOW, THEREFORE,

Item No. 24-Cont'd.

BE IT RESOLVED, that the owners and operators of the drive-in theaters located within the boundaries of the Town of Cheektowaga be and they hereby are requested to refrain from the showing of any pictures at their theaters which are obscene, pornographic or in bad taste, and confine the pictures shown to those which are in good taste and properly viewable by all age groups; and be it further

RESOLVED, that the Town Clerk be and he hereby is directed to send a certified copy of this resolution to each drive-in theater in the Town of Cheektowaga, with the request that receipt of same be acknowledged.

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

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

Item No. 25 Councilman Fath offered the following resolution and moved its adoption:

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to execute on behalf of the Town of Cheektowaga the attached agreement pertaining to sewer service to the property therein more particularly described, and the members of the Town Board to execute the same on behalf of Sanitary Sewer District No. 7, and the Town seal to be thereto affixed.

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

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

AGREEMENT

Agreement made as of this 22nd day of May, 1961, between NUNCIO CARDARELLI, residing at Cheektowaga, New York, and GILDO BALDASSI, residing at Buffalo, New York, herein-after called "Subdividers", and the TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, STATE OF NEW YORK, acting on behalf of Sanitary Sewer District #7, hereinafter called "Town Board", and TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK, a domestic municipal corporation,

WITNESSETH:

WHEREAS, Subdividers are the owners of certain lands situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 74, Township 12, Range 7 of the Holland Land Company's Survey, and being more particularly described as follows:

COMMENCING at the intersection of the northerly line of Lydia Lane as shown on a certain map filed in the Erie County Clerk's Office under Cover No. 2148, as extended, and the easterly line of the lands of Niagara Mohawk Power Corporation, which point is 90 feet east of the westerly line of said Lot 74 measured at right angles thereto; running thence northerly and along the easterly line of said lands of Niagara Mohawk Power Corporation, 1220.24 feet to a point; running thence easterly and parallel with said northerly line of Lydia Lane as extended, 294.91 feet to a point; running thence southerly along a line forming an interior angle of 90° 28' 13" for a distance of 1109.97 feet to a point; running thence westerly and parallel with said northerly line of Lydia Lane as extended, 35.44 feet to a point; running thence southerly along a line forming an interior angle of 270° 49' 56" for a distance of 280.0 feet to a point; thence easterly and parallel with said northerly line of Lydia Lane as extended, 33.67 feet to a point; which point is on a projection southerly in a straight line of the third course hereinabove described; running thence southerly along a line forming an interior angle of 90° 28' 13" for a distance of 168.0 feet to a point; running thence westerly and parallel with the northerly line of Lydia Lane as extended, 275.22 feet to a point on the easterly line of said lands of Niagara Mohawk Power Corporation; running thence northerly along the easterly line of said lands of Niagara Mohawk Power Corporation, 338.0 feet to the point of beginning, containing 9.973 acres more or less.



Item No. 25-Cont'd.

and

WHEREAS, Subdividers have undertaken the subdivision of said lands into 53 building lots to be designated Bel-Aire Estates, Part I; and

WHEREAS, it is necessary that sanitary sewer facilities for said subdivision be provided; and

WHEREAS, said lands are not presently in a Sanitary Sewer District and are presently without provision for sanitary sewer facilities; and

WHEREAS, said lands are situate 90 feet east of the east boundary of Sanitary Sewer District #7; and

WHEREAS, Sanitary Sewer District #7 is a duly formed sanitary sewer district of the Town of Cheektowaga pursuant to law; and

WHEREAS, Sanitary Sewer District #7 has available full and adequate facilities for the discharge and disposal of sanitary sewage of said proposed subdivision; and

WHEREAS, there is pending a proceeding to extend Sanitary Sewer District #7 to include said lands, among others, which proceeding may not be determined for a considerable period of time; and

WHEREAS, said proceeding has been undertaken at considerable expense and effort, including the preparation of full engineering plans, maps, and estimates, and the performance of those measures required by law to be taken upon a proceeding for the extension of a Sanitary sewer district; and

WHEREAS, a separate petition to extend Sanitary Sewer District #7 to include only Subdividers' said lands, if granted, would frustrate said pending extension proceeding; and

WHEREAS, Subdividers are desirous of proceeding with the subdivision of said lands, and will suffer grievous financial damage if sanitary sewer facilities for said lands cannot be expeditiously provided; and

WHEREAS, Subdividers are ready, willing and able to install in said lands approved sewer facilities at their own expense to empty into the sewer system of Sanitary Sewer District #7; and

WHEREAS, Sanitary Sewer District #7 is willing and able to accept into its sewer system such sanitary sewage upon a rental basis,

NOW THEREFORE, in consideration of the mutual covenants and agreements herein contained, the parties hereto do hereby agree as follows:

1. Subdividers agree that upon approval and filing of a subdivision map embracing said lands hereinbefore described and designated as Bel-Aire Estates, Part I, they will construct at their own expense all sanitary sewer facilities within said subdivision to connect with and discharge into the existing sanitary trunk sewer of Sanitary Sewer District #7 at its present easterly terminus in Lydia Lane, formerly Coverdale Road.
2. Town Board hereby grants unto Subdividers the right to connect said facilities to be installed into the existing sanitary trunk sewer in Lydia Lane, formerly Cloverdale Road, and to discharge into said existing sanitary trunk sewer, sanitary sewage of said proposed subdivision.
3. Subdividers agree that they will pay to Sanitary Sewer District #7 such sums as shall be determined from time to time by Town Board acting on behalf of Sanitary Sewer District #7, as Town Board shall determine to be fair and reasonable charges for the right to use the sanitary sewer facilities of Sanitary Sewer District #7. Such charges shall be apportioned among the several building lots in the subdivision in proportion to the amount of benefit which the right herein granted by Town Board shall confer upon each such building lot.

Item No. 25-Cont'd.

4. Subdividers agree that upon the proper installation of sanitary sewer facilities in the streets of said subdivision they will convey to the Town of Cheektowaga said facilities, when said Town shall request such conveyance. Upon acceptance by the Town of Cheektowaga of said facilities, and thereafter, Sanitary Sewer District #7 shall maintain said facilities, and the cost thereof shall be charged and apportioned as hereinbefore set forth.

5. Such charges as made and apportioned shall be a lien upon the individual building lots in said subdivision, and may be assessed, levied, and collected against and from said building lots and the owners thereof.

6. Subdividers agree that upon request of Town Board, they will execute and file a proper petition for the extension of Sanitary Sewer District #7, or the creation of a sanitary sewer district, to include said lands hereinbefore described, and Town Board is and shall be Subdividers' attorney-in-fact, hereby irrevocably designated, to execute and file in their behalf such petition.

7. This agreement shall terminate upon said lands becoming a part of a sanitary sewer district, excepting that all such charges accrued or made hereunder prior to termination shall remain lawful obligations until satisfied or discharged.

8. Subdividers agree that they will, at their own expense, cause a duplicate of this agreement to be recorded in the Office of the Clerk of Erie County, and this agreement shall be of no force or effect until so recorded.

9. This agreement shall attach to and run with said lands, and any and all interests in any or all of said lands shall be subject to this agreement.

10. This agreement shall inure to the benefit of, and bind the parties hereto, their grantees, successors and assigns.

IN WITNESS WHEREOF, we have hereunto set our hands and seals the date and year first above written.

/s/ Nuncio Cardarelli

/s/ Gildo Baldassi

TOWN BOARD OF THE TOWN OF  
CHEEKTOWAGA, ACTING ON BEHALF OF  
SANITARY SEWER DISTRICT #7

by /s/ Benedict T. Holtz  
/s/ Alancin M. Fath  
/s/ Felix T. Wroblewski  
/s/ Joseph Trojanoski

TOWN OF CHEEKTOWAGA

By /s/ Benedict T. Holtz  
Supervisor

STATE OF NEW YORK) SS.:  
COUNTY OF ERIE )

On this 22 day of May, 1961, before me, the subscriber, personally appeared NUNCIO CARDARELLI and GILDO BALDASSI, to me personally known and known to me to be the same persons described in and who executed the within Instrument, and they severally acknowledged to me that they executed the same.

/s/ Bernard Silverman  
Commissioner of Deeds, Buffalo, N.Y.  
Expires 12/31/62

Item No. 25-Cont'd.

STATE OF NEW YORK )  
 COUNTY OF ERIE ) SS.:

On this 15 day of June, 1961, before me, the subscriber, personally appeared BENEDICT T. HOLTZ, who, being by me duly sworn, did depose and say that he resides in the Town of Cheektowaga, Erie County, New York; that he is the Supervisor of said Town of Cheektowaga, the municipal corporation described in and which executed the above instrument; that he knows the seal of said municipal corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Town Board of said corporation; and that he signed his name thereto by like order.

/s/ Kenneth T. Hanley  
 Comm. expires 3/30/63

STATE OF NEW YORK )  
 COUNTY OF ERIE ) SS.:

On this 17 day of June, 1961, before me, the subscriber, personally appeared:

Alancin M. Fath  
 Felix T. Wroblewski  
 Joseph M. Trojanoski

to me known to be the Councilmen of the Town of Cheektowaga, Erie County, New York, and a majority of the Town Board of said Town, and known to me to be the persons described in and who executed the within instrument, and they severally acknowledged to me that they executed the same.

/s/ Kenneth T. Hanley

STATE OF NEW YORK )  
 COUNTY OF ERIE ) SS.:

I, ROBERT W. GRIMM, Clerk of said County, and also Clerk of the Supreme and County Courts of said County, the same being Court of Record, do hereby certify that I have compared the annexed copy with the original AGREEMENT filed in my office, and that the same is a correct transcript therefrom and of the whole of said original.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County and Courts at Buffalo this 19th day of June, 1961.

/s/ Robert W. Grimm  
 County Clerk

B No. 10698

23  
 57

Item No. 26 Councilman Kaczmarek offered the following resolution and moved its adoption:

WHEREAS, the United States Post Office Branch at the Airport Plaza has a sign stating "United States Post Office Cheektowaga Branch, Buffalo 25" and

WHEREAS, L. B. Schoonover, Acting Director Postal Installations Division at Washington, D.C., has advised that it is entirely proper for town residents to use Cheektowaga as their mailing address, together with their proper zone number, and

WHEREAS, the use of Cheektowaga as a mailing address by all its residents will assist in securing to the volunteer fire companies of the town all payments which they are entitled under the provisions of the Insurance Law of the State of New York.

NOW, THEREFORE, BE IT RESOLVED, that the U.S. Post Office Department be requested to have the aforementioned sign changed by removing therefrom the reference to Buffalo, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be sent to the U.S. Post Office at Buffalo, New York, to the attention of Mr. James Collins, with a request that there be an acknowledgment thereof.

Seconded by Councilman Fath.

AYES: -7-                      NOES: -0-                      ABSENT: -0-                      8  
42

Item No. 27 Moved by Councilman Wroblewski, seconded by Councilman Kornecki, that the subdivision map of Gilbert Subdivision, Part 3 Part of Lot 24 T 11 R 7, prepared by Herthe and Sonnenberger, Engineers and Surveyors, dated March 6, 1961, be approved and ordered filed in the Assessors Office.                      30

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

Item No. 28 Moved by Councilman Trojanoski, seconded by Councilman Wroblewski, that the subdivision map of Rosedale Heights parts of Lots 67 and 68, T 10 R 7, prepared by Herthe and Sonnenberger, Engineers and Surveyors, dated November 14, 1960, be approved and ordered filed in the office of the Board of Assessors.                      30

AYES: -6-                      NOES: -1-                      ABSENT: -0-  
(Kaczmarek)

Item No. 29 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the request of Arthur Musarra to change the name of the highway from Powell Drive to Poinciana Parkway, be granted.                      13

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

Item No. 30 Councilman Fath presented the following resolution and moved its adoption:

WHEREAS, Arthur F. Musarra and others have requested the Town Highway Superintendent to abandon the following described highways in the Town of Cheektowaga:

The balance of Eastfield Road a distance of 75.63 feet; also Meadowlawn Road between a line 120 feet west of and parallel with the easterly line of Lot 4, T 11, R 7;

BE IT RESOLVED, that the request of Arthur F. Musarra and others, that the hereinabove said highways are hereby abandoned.

Seconded by Councilman Kornecki                      13  
33

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

Item No. 31 Moved by Councilman Wroblewski, seconded by Councilman Kaczmarek, that the request of the Town Historian to attend the Seminars on American History at Cooperstown, N. Y. on July 2, 1961 to July 15, 1961, be granted.

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

Item No. 32 Moved by Councilman Kaczmarek, seconded by Councilman Fath, that the request of Town Engineer Kamm that he and Frank Lunz be authorized to attend the New York Water Pollution Control Association meeting at Rochester, N. Y. on June 12 and 13, 1961, be granted.

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

Item No. 33 The following resolution was moved by Councilman Kornecki and seconded by Councilman Bystrak:

That the following claims be approved as presented:

General Fund	Nos.	4296	to	4361	inclusive
Highway Fund		1244		1268	inclusive
Special Districts		1590		1624	inclusive
Part Town Fund		485		493	inclusive
C & I		272			

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

Item No. 34 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski:

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 Mary Kiliszewski 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

Tract of land, located on the southwest corner of Union Road and William Street, Town of Cheektowaga, commencing from a point in the center of Union Road and William Street running westerly along the center line of William Street about 1171.04 feet to a point; thence southerly about 440 feet to Cayuga Creek; thence easterly along Cayuga Creek to the center line of Union Road; thence northeasterly along the center line of Union Road, about 381.17 feet to the point of beginning; being about 9.73 acres.

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

The above notice was posted on the Town Hall Bulletin Board on June 12, 1961.

Item No. 35 Moved by Councilman Kaczmarek, seconded by Councilman Fath, to adjourn to June 8, 1961, at 6:30 o'clock P.M., E.D.S.T.

SEAL

*Kenneth T. Hanley*  
KENNETH T. HANLEY  
Town Clerk

Item No. 1 At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, on 8th day of June, 1961, at 6:30 o'clock P.M., E.D.S.T., there were:

- |          |                      |            |
|----------|----------------------|------------|
| PRESENT: | Benedict T. Holtz    | Supervisor |
|          | Felix T. Wroblewski  | Councilman |
|          | Alancin M. Fath      | Councilman |
|          | Michael J. Kaczmarek | Councilman |
|          | Joseph M. Trojanoski | Councilman |
|          | Stanley R. Bystrak   | Councilman |
|          | Joseph Kornecki      | Councilman |

ABSENT: -0-

Also present were: Town Clerk Hanley; Town Attorney Kitzinger; Deputy Town Attorney Delahunt; Building & Plumbing Inspector Trafalski; Assistant Recreational Director Rutkowski, and General Foreman Banko.

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

Item No. 3 The Chairman announced that this meeting was called for the purpose of ascertaining the status of the Park Lane Subdivision.

The Chairman requested that the subdivision map be filed for the whole area and not piece-meal.

Councilman Wroblewski presented certified copies of Town Board Resolutions where extensions were approved by the Board on February 6, 1956, August 6, 1956, and June 4, 1958.

The Chairman related to the Board that he had requested different building permit applications to be tabled due to the fact that maps have not been recorded for Joanne Lane, Constance Lane, and Little Lane, and that said maps have not been recorded in the Erie County Clerk's Office.

Mr. Ziegfried Pieczynski, President of the Cayuga Construction Company, was granted the floor and explained to the Board that the subdivision maps were approved by the State on November 11, 1955, and that he offered curbs to the residents at \$3.00 per foot, but they would not accept.

Councilman Wroblewski said that the Highway Superintendent should accept the streets if they are in good shape.

The Chairman said that the Highway Superintendent would not approve on account of no grades, and that the lots were sold on a metes and bounds description, and that no bond has been filed for Constance Lane, Little Lane, and Joanne Lane.

The Chairman requested Mr. Pieczynski to contact the Highway Superintendent and his own engineer in order to get this matter straightened out.

Item No. 4 Moved by Councilman Wroblewski, seconded by Councilman Kornecki, to adjourn.

SEAL

*Kenneth T. Hanley*  
KENNETH T. HANLEY  
Town Clerk

30

MEETING NO. 14CHEEKTOWAGA, NEW YORK  
June 19, 1961

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 19th day of June, 1961, at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: Benedict T. Holtz	Supervisor
Felix T. Wroblewski	Councilman
Joseph Kornecki	Councilman
Alancin M. Fath	Councilman
Michael J. Kaczmarek	Councilman
Joseph M. Trojanoski	Councilman
Stanley R. Bystrak	Councilman

ABSENT: -0-

Also present were: Town Clerk Hanley; Deputy Town Attorney Delahunt; Chief of Police Mersmann; Town Engineer Kamm; General Foreman Banko, and Justice of the Peace Pyszczynski.

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

Item No. 3 Referred to the Town Attorney communication from the Cheektowaga Improvement Association, Inc., requesting information for the adoption of the Ward System for the election of Town Councilmen.

11  
33

Item No. 4 Ordered received and filed communication from the State Department of Audit and Control approving the Extension of Fire District No. 8.

2  
-

Item No. 5 Referred to the Supervisor and the Town Engineer petition bearing the signatures of approximately 500 names complaining about an open drainage ditch and tributary located generally south of Gardenvale Drive.

17  
26

Item No. 6 Referred to the Chief of Police communication from the Board of Fire Commissioners of Cleveland Hill Fire District No. 8 requesting various signs opposite the Fire Hall to be replaced.

18  
41

Item No. 7 Ordered received and filed communication from Richard J. Piontek, Republican Town Chairman, and Town Clerk Kenneth T. Hanley calling the Town Board's attention to over-loaded election districts in the Town.

11  
35

Item No. 8 Referred to the Deputy Town Attorney communication from Paul Real Estate Company relating to a plot of land situate at the juncture of Richard Drive, South Ogden and William Street, to be sewered into the Buffalo Sewer Authority line situate on William Street.

16  
4-

Item No. 9 Referred to the Assessors for a property check petition for street lighting equipment in Joseph Street from Wellington to Bernice Drive.

17  
27

Item No. 10 Received and filed communication from Milton Rabow, Attorney at Law, requesting that the Town withdraw his application for a building permit to erect a gasoline filling station at the northwest corner of Walden Avenue and Gualbert Street.

13  
15





Item No. 13-Cont'd.

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE
Councilman Kaczmarek	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Bystrek	Voting AYE

State of New York     )  
 County of Erie        ) SS.:  
 Town of Cheektowaga )

I, KENNETH T. HANLEY, Town Clerk of the Town of Cheektowaga in the County of Erie, N. Y., do hereby certify that I have compared the preceding copy of a resolution with the original thereof, duly adopted by the Town Board of such town at a (regular) (special) meeting of such board held on June 19, 1961, and that the same is a true and correct copy of such resolution and of the whole thereof.

In Testimony Whereof I have hereunto set my hand and affixed the seal of said Town this 19th day of June, 1961.

/s/ Kenneth T. Hanley  
 Town Clerk

SEAL

12  
13

Item No. 14 Councilman Wroblewski offered the following resolution and moved its adoption:

CAPITAL NOTE RESOLUTION DATED JUNE 19, 1961, AUTHORIZING THE ISSUANCE OF \$27,000 CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE ACQUISITION OF HIGHWAY MACHINERY.

- - - - -

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 \$27,000, pursuant to the Local Finance Law of New York, in order to finance the specific object or purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") to be financed by the issuance of such Capital Notes is the acquisition of machinery or apparatus for highway construction or maintenance, and consists of one (1) Allis-Chalmers Model HD-11G Tracto-Shovel, at a maximum cost of \$28,050.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board is \$28,050, and (b) no money has heretofore been authorized to be applied to the payment of the cost of such purpose except the sum of \$1,050 from current budget appropriations, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Capital Notes except the sum of \$1,050 from current budget appropriations.

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 28 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years.

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

Item No. 11-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 are authorized in violation of the provisions of the Constitution of New York.

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

Seconded by Councilman Kornecki 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 Kornecki	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kaczmarek	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

Councilman Wroblewski offered 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 \$27,000 shall be issued pursuant to the Capital Note resolution entitled "Capital Note Resolution Dated June 19, 1961, Authorizing the Issuance of \$27,000 CAPITAL NOTES OF the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance the Acquisition of Highway Machinery". Said Capital Notes shall be designated "Highway Machinery Capital Notes, Series B of 1961". Said Capital Notes shall consist of two notes of the denominations of \$13,500 each, numbered 1 and 2, in the order of their maturity, and shall constitute an issue of Capital Notes payable in annual installments on April 1 in each of the years 1962 and 1963.

(2) Each of the said Capital Notes shall be dated as of a date subsequent to June 19, 1961, and shall bear interest from their date at the rate of Three Per Cent (3%) per annum. The interest on the Capital Notes shall be payable annually on April 1.

(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.

Item No. 14-Cont'd.

(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, in Buffalo, New York, at private sale and shall bear an interest rate of Three Per Cent (3%) per annum.

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

Seconded by Councilman Kornecki 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 Kornecki	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kaczmarek	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

Hereto attached is a copy of the Notice published in the DEPEW HERALD AND CHEEKTOWAGA NEWS:

12  
13

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

**P17**

---

6404 TRANSIT RD. N  
(OPPOSITE TR.)

**NORTHTON**

**\$3.95**

**NORWAY**

**SPRUCE**

**PRUNED**

5-Ton Load - \$14  
NURSERY SUPPLY CO.  
NF 2-3664

**RICHARD G. BENNETT**

being duly sworn, deposes and says that he is the

**PUBLISHER**

of the

Depew Cheektowaga  
**Herald and News**

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

*Richard G. Bennett*

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

JUL 3 1961, 19\_\_\_\_

*Kenneth Madley*  
Notary Public in and for Erie County

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

**LEGAL NOTICE**

CAPITAL NOTE RESOLUTION DATED JUNE 19, 1961, AUTHORIZING THE ISSUANCE OF \$27,000 CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE ACQUISITION OF HIGHWAY MACHINERY.

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 \$27,000, pursuant to the local Finance Law of New York, in order to finance the specific object or purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") to be financed by the issuance of such Capital Notes is the acquisition of machinery or apparatus for highway construction or maintenance, and consists of one (1) Allis-Chalmers Model TD-11G Tracto-Shovel, at a maximum cost of \$28,050.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board is \$28,050, and (b) no money has heretofore been authorized to be applied to the payment of the cost of such purpose except the sum of \$1,050 from current budget appropriations, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Capital Notes except the sum of \$1,050 from current budget appropriations.

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 28 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years.

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

Section 6. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 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 are 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 19th day of June, 1961, 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 if 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 newspaper with general circulation in the Towns of Cheektowaga and Lancaster, and published at Depew, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for \_\_\_\_\_ week, the first insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and the last insertion being on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that not more than six days intervened between any two publications thereof.

*Richard G. Bennett*

1961, 19\_\_\_\_  
*Admly*  
for Erie County

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

WHEREAS, this Town Board, at a meeting held on the 1st day of May, 1961, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 15th day of May, 1961 at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of adopting Local Ordinance No. 31, and

WHEREAS, notice of said public hearing was duly published and posted as required by law, not less than ten (10) days 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 15th day of May, 1961 at the Town Hall in said Town of Cheektowaga, for the purpose of considering the advisability of adopting an Ordinance to be known as Local Ordinance No. 31, 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 Ordinance to be known as Local Ordinance No. 31, and provide as follows:

TRAFFIC ORDINANCE  
TRAFFIC ON AIRPORTS  
AND AIRFIELDS

Pursuant to the authority of Section 130 Subdivision 22 of the Town Law of the State of New York (Laws of 1932 Chapter 634) the cruising or wandering about of a motor vehicle upon any publicly or privately owned airport, airport premises, or airfield or the roads, driveways, traffic circles and pavements thereof, without the consent and permission of the owner of said airport or airfields is hereby prohibited.

To effectuate the prohibition of such premises as above described, a conspicuous sign or signs shall be posted at each entrance to the airport premises and also at any other place in which motor vehicle traffic is likely or apt to congregate. A sign as hereinafter described shall be deemed substantial compliance with this section.

CRUISING ON ROADWAYS  
STRICTLY PROHIBITED  
POLICE ENFORCEMENT  
UNDER PENALTY OF LAW  
ORDINANCES OF  
TOWN OF CHEEKTOWAGA

but any other words or phraseology prohibiting the cruising or wandering about of motor vehicles shall suffice.

The words "police enforcement" and "under penalty of Law" on such signs shall be construed among other things to mean that the police, special patrolmen, or any law enforcement officers shall enforce the provisions of this Section against persons cruising or wandering about on the premises without the consent of the owner and that the police and other law enforcement officers are authorized to enter upon such premises to enforce the provisions of this Ordinance.

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

This Ordinance shall apply to all motor vehicles, whether commercial, or privately owned.

Item No. 15-Cont'd.

Any person who shall violate any provision of this Ordinance, shall, upon conviction, be guilty of an offense and be subject to a fine or penalty of not more than Fifty (\$50.00) dollars.

BE IT RESOLVED, that a copy of this resolution, certified by the Town Clerk, shall be entered into the minutes and published at least once in the DEPEW HERALD AND CHEEKTOWAGA NEWS and the CHEEKTOWAGA TIMES, newspapers having a general circulation in said Town, and

That the Town Clerk post or cause to be posted conspicuously, on a signboard maintained by him at the entrance of the Town 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 Trojanoski and duly put to a vote, which resulted as follows:

Supervisor Holtz	Voting AYE
Councilman Fath	Voting NO
Councilman Bystrak	Voting NO
Councilman Kaczmarek	Voting NO
Councilman Kornecki	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Wroblewski	Voting AYE

AYES: -4-

NOES: -3-

ABSENT: -0-

Posted as follows on the 22nd day of June, 1961:

1 - Town Hall Bulletin Board

Hereto attached is a copy of the Notice published in the DEPEW HERALD AND CHEEKTOWAGA NEWS and 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 <sup>one</sup> weeks:  
first publication JUN 22 1961;  
last publication JUN 22 1961;  
and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....  
day of JUL 11 1961 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, 1965  
Registered No. 5029

... on the 10th day of June, 1961,  
and that the...

**NOT E**



**TRAFFIC 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 18th day of June, 1961 at 7:30 o'clock p.m., Eastern Daylight Saving Time, there were:

**PRESENT:**  
BENEDICT T. HOLTZ,  
Supervisor.  
ALANCLIN M. FATH,  
Councilman.  
STANLEY BYSTRAK,  
Councilman.  
MICHAEL KACZMAREK,  
Councilman.  
JOSEPH KORNECKI,  
Councilman.  
JOSEPH TROJANOSKI,  
Councilman.  
FELIX WROBLEWSKI,  
Councilman.

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

WHEREAS, this Town Board, at a meeting held on the 1st day of May, 1961, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Rd., Cheektowaga, New York, on the 15th day of May, 1961 at 7:30 o'clock p.m., Eastern Daylight Saving Time, for the purpose of considering the advisability of adopting Local Ordinance No. 31, and

WHEREAS, notice of said public hearing was duly published and posted as required by law, not less than ten (10) days 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 15th day of May, 1961 at the Town Hall in said Town of Cheektowaga, for the purpose of considering the advisability of adopting an Ordinance to be known as Local Ordinance No. 31, 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 Ordinance to be known as Local Ordinance No. 31, and provide as follows:

**TRAFFIC ORDINANCE  
TRAFFIC ON AIRPORTS  
AND AIRFIELDS**

Pursuant to the authority of Section 130 Subdivision 22 of the Law of the State of New York of 1932 Chapter

of the roads, driveways, traffic circles and pavements thereof, without the consent and permission of the owner of said airport or airfield is hereby prohibited.

To effectuate the prohibition of such premises as above described, a conspicuous sign or signs shall be posted at each entrance to the airport premises and also at any other place in which motor vehicle traffic is likely or apt to congregate. A sign as hereinafter described shall be deemed substantial compliance with this section.

**CRUISING ON ROADWAYS  
STRICTLY PROHIBITED  
POLICE ENFORCEMENT  
UNDER PENALTY OF LAW  
ORDINANCES OF**

**TOWN OF CHEEKTOWAGA** but any other words or phraseology prohibiting the cruising or wandering about of motor vehicles shall suffice.

The words "police enforcement" and "under penalty of Law" on such signs shall be construed among other things to mean that the police, special patrolmen, or any law enforcement officers shall enforce the provisions of this Section against persons cruising or wandering about on the premises without the consent of the owner and that the police and other law enforcement officers are authorized to enter upon such premises to enforce the provisions of this Ordinance.

This Ordinance may be enforced by the police or by special patrolmen or other law enforcement officers and they may use such procedure as is authorized by law, including towing and enforcement.

This Ordinance shall apply to all motor vehicles, whether commercial, or privately owned.

Any person who shall violate any provision of this Ordinance, shall, upon conviction, be guilty of an offense and be subject to a fine or penalty of not more than Fifty (\$50.00) dollars.

**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 FREE PRESS.

and that the same was duly adopted on June, 1961.

**NOT E**

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 and the CHEEKTOWAGA TIMES, newspapers having a general circulation in said Town, and

That the Town Clerk post or cause to be posted conspicuously, on a signboard maintained by him at the entrance of the Town 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 Trojanowski and duly put to a vote which resulted as follows:

Supervisor Holtz            Voting AYE  
Councilman Fath             Voting NO  
Councilman Bystrak         Voting NO  
Councilman Kaczmarek      Voting NO  
Councilman Kernecki        Voting AYE

AYES: 4 NOES: 3 ABSENT: 0  
Dated: June 19, 1961  
STATE OF NEW YORK        )  
ERIE COUNTY                )  
OFFICE OF THE CLERK        ) ss:  
OF THE TOWN OF             )  
CHEEKTOWAGA                )

This is to certify that I, Kenneth T. Hanley, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 10th day of June, 1961, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 19th day of June, 1961.

(SEAL)

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

(Pub: June 22)

and that the 19th day of June, 1961,

**NOT E**

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

NOTICE OF ADOPTION

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 19th day of June, 1961 at 7:30 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT:

- Benedict T. Holtz, Supervisor
- Alancin Fath, Councilman
- Stanley Bystrak, Councilman
- Michael Kaczmarek, Councilman
- Joseph Kornecki, Councilman
- Joseph Trojanoski, Councilman
- Felix Wroblewski, Councilman

ABSENT: —0—

Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS, this Town Board, at a meeting held on the 1st day of May, 1961, adopted a resolution that the Town Board meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 15th day of May, 1961 at 7:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of adopting Local Ordinance No. 31, and

WHEREAS, notice of said public hearing was duly published and posted as required by law, not less than ten (10) days 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 15th day of May, 1961 at the Town Hall in said Town of Cheektowaga, for the purpose of considering the advisability of adopting an Ordinance to be known as Local Ordinance No. 31, 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 Ordinance to be known as Local Ordinance No. 31, and provide as follows:

TRAFFIC ORDINANCE  
TRAFFIC ON AIRPORTS  
AND AIRFIELDS

Pursuant to the authority of Section 130 Subdivision 22 of the Town Law of the State of New York (Laws of 1932 Chapter 634) the cruising or wandering about of a motor vehicle upon any publicly or privately owned airport, airport premises, or airfield or the roads, driveways, traffic circles and pavements thereof, without the consent and permission of the owner of said airport or airfields is hereby prohibited.

To effectuate the prohibition of such premises as above described, a conspicuous sign or signs shall be posted at each entrance to the airport premises and also at any other place in which motor vehicle traffic is likely or apt to congregate. A sign as hereinafter described shall be deemed substantial compliance with this section.

CRUISING ON ROADWAYS  
STRICTLY PROHIBITED  
POLICE ENFORCEMENT  
UNDER PENALTY OF LAW  
ORDINANCES OF  
TOWN OF CHEEKTOWAGA

but any other words or phraseology prohibiting the cruising or wandering about of motor vehicles shall suffice.

The words "police enforcement" and "under penalty of Law" on such signs shall be construed among other things to mean that the police, special patrolmen, or any law enforcement officers shall enforce the provisions of this Section against persons cruising or wandering about on the premises without the consent of the owner and that the police and other law enforcement officers are authorized to enter upon such premises to enforce the provisions of this

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the  
PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

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

*Richard G. Bennett*

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

361

19\_\_\_\_

*[Signature]*  
for Erie County

CRUISING ON ROADWAYS  
STRICTLY PROHIBITED  
POLICE ENFORCEMENT  
UNDER PENALTY OF LAW  
ORDINANCES OF  
TOWN OF CHEEKTOWAGA

but any other words or phraseology prohibiting the cruising or wandering about of motor vehicles shall suffice.

The words "police enforcement" and "under penalty of Law" on such signs shall be construed among other things to mean that the police, special patrolmen, or any law enforcement officers shall enforce the provisions of this Section against persons cruising or wandering about on the premises without the consent of the owner and that the police and other law enforcement officers are authorized to enter upon such premises to enforce the provisions of this Ordinance.

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

This ordinance shall apply to all motor vehicles, whether commercial, or privately owned.

Any person who shall violate any provision of this ordinance, shall, upon conviction, be guilty of an offense and be subject to a fine or penalty of not more than Fifty (\$50.00) dollars.

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 and the CHEEKTOWAGA TIMES, newspapers having a general circulation in said Town, and

That the Town Clerk post or cause to be posted conspicuously, on a signboard maintained by him at the entrance of the Town 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 Trojanoski and duly put to a vote which resulted as follows:  
Supervisor Holtz, Voting Aye  
Councilman Fath, Voting No  
Councilman Bystrak, Voting No  
Councilman Kaczmarek, Voting No  
Councilman Kornecki, Voting Aye  
Councilman Trojanoski, Voting Aye  
Councilman Wroblewski, Voting Aye

AYES: 4; NOES: 3; ABSENT: 0.  
Dated: June 19, 1961  
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 19th day of June, 1961, 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

(Affidavit)

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga  
**Herald and News**

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

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

1961

19\_\_\_\_

\_\_\_\_\_ Clerk  
d for Erie County

\_\_\_\_\_ of said Town this 19th day of June 1961.

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

Notary Public in and for Erie County

*[Signature]*

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 1961

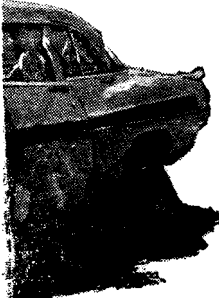
*[Signature]*  
between any two publications hereof

and that not more than six days intervened  
tion being on the \_\_\_\_\_ day of \_\_\_\_\_  
of \_\_\_\_\_, 19\_\_\_\_, and the last inser-  
week, the first insertion being on the \_\_\_\_\_ day  
serted and published therein once a week for \_\_\_\_\_ day  
slip taken from said newspaper, is a copy, was in-  
New York, that notice of which the annexed printed  
Cheekowaga and Lancaster, and published at Depew,  
a newspaper with general circulation in the Towns of

**Herald and News**  
Depew Cheekowaga

of the \_\_\_\_\_  
PUBLISHER  
being duly sworn, deposes and says that he is the  
RICHARD G. BENNETT

(Affidavit)



**WOMEN'S  
CLOTHING SERVICE  
NIGHT  
AT 4-2066**

### Authentic Statement

will win without war. Of course, President Kennedy in a manful manner said "We will not allow this." There it ended in a peaceful tie.

After he talked with Macmillan in London, they concluded that the only way to stop this Communist "glacier" would be by providing the backward nations with something better than Khrushchev could offer. Furthermore, to be effective, we must not only do it as free nations, but do it first with the United States carrying the burden of the load.

#### What the Backward Nations Need

President Kennedy refers to the need for education, new industries, more healthful living conditions and food; but this is looking ahead ten or more years. The people in these poor countries which Communism plans to take over, one by one, cannot wait for food. Therefore, the fight between Communism and freedom will depend largely upon which side will first supply these poor people with food and the ability to immediately raise more crops.

**POTTED FLOWERING  
SHRUBS**

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

WHEREAS, the Town Board, having deemed it advisable that Fire District No. 8 of the Town of Cheektowaga be extended to include the territory situated in such Town and hereinafter described, and a public hearing, following due notice, having been duly held on May 1, 1961 at the Town Hall, corner of Broadway and Union Road in said Town, by the Town Board of said Town, to hear all persons interested in the matter of the extension of said Fire District, and this Town Board having by resolution duly adopted on May 1, 1961, following the said public hearing and upon the evidence given thereat, duly determined that it was in the public interest to extend the existing Fire District No. 8 of said Town to include the territory hereinafter described, that all of the property, property owners, and interested persons within the proposed extension of said Fire District are benefited thereby, and that all of the property and property owners benefited are included within the proposed extension of said Fire District, and duly resolved to extend such Fire District to embrace the additional territory hereinafter described, subject, however, to the approval of the State Comptroller, and the Town Clerk of the Town having duly filed a certified copy of such resolution, in duplicate, in the office of the State Department of Audit and Control at Albany, New York, together with an application in due form and duly executed, in duplicate, for permission to extend such District, and the State Comptroller having made an order, in duplicate, under date of June 9, 1961, granting permission for the extension of the District, one copy of such order having heretofore been filed in the office of the State Department of Audit and Control at Albany, New York, and the other copy thereof filed in the office of the Town Clerk of this Town, and the Town Clerk having duly presented such order to this Town Board; NOW, THEREFORE,

BE IT RESOLVED AND ORDERED, that the said existing fire district known as Fire District No. 8 be and it hereby is extended to embrace the territory described in and containing the following boundaries, to wit:

DESCRIPTION OF TERRITORY PROPOSED TO BE ANNEXED TO FIRE DISTRICT NO. 8

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

BEGINNING at the point of intersection of the easterly line of the New York Central Railroad right-of-way, which is also the east line of the existing district, with a north line of the Village of Depew, which is also the south line of the existing district.

Running thence northerly and northeasterly along the said easterly line of the New York Central Railroad right-of-way to the westerly line of the Lehigh Valley Railroad right-of-way.

Thence northerly along the westerly line of the Lehigh Valley Railroad right-of-way to the northerly line of the West Shore Railroad right-of-way.

Thence easterly along the northerly line of the West Shore Railroad right-of-way to the easterly line of the Lehigh Valley Railroad right-of-way.

Thence southerly along the easterly line of the Lehigh Valley Railroad right-of-way to a point formed by the intersection of a north line of the Village of Depew extended westerly.

Thence easterly along said extended line to a northwest corner of the Village of Depew.

Thence southerly along a westerly line of the Village of Depew to a north line of the Village of Depew.

Thence westerly along a northerly line of the Village of Depew to the point or place of beginning.

Item No. 16-Cont'd.

AND IT IS FURTHER ORDERED, that the Town Clerk shall cause a certified copy of this resolution and order to be duly recorded in the office of the Clerk of the County of Erie, New York, and shall likewise cause a certified copy thereof to be duly filed in the office of the State Department of Audit and Control at Albany, New York.

Seconded by Councilman Kornecki 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 Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Kaczmarek	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

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

BOND RESOLUTION, DATED JUNE 19, 1961, AUTHORIZING THE ISSUANCE OF \$74,000 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

- - - - -

WHEREAS, Sewer District No. 7, hereinafter described, is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, and, as such, has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York, and the purpose hereinafter described is a special improvement authorized by said Article 12; NOW, THEREFORE,

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$74,000, pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") is the construction of additional facilities for the sewage disposal system maintained by Sewer District No. 7 of said Town, to consist of the construction of a 12-inch diameter main sanitary trunk sewer on proposed North Creek Drive, from an existing manhole on said proposed North Creek Drive and located about 235 feet west of the center line of proposed Ellsworth Drive, and running thence easterly about 860 feet to a manhole; also, to construct in said proposed North Creek Drive from said last mentioned manhole, a 10-inch main sanitary trunk sewer to run easterly about 2230 feet to proposed Pauline Lane, together with necessary manholes and syphon chambers, in accordance with a resolution authorizing said improvement adopted by the Town Board of said Town on November 21, 1960, pursuant to the provisions of Section 202-b of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$74,000, 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.

Item No. 17-Cont'd.

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

Section 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will 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 in the Town of Cheektowaga and circulating in said Sewer District No. 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 7. This resolution shall take effect immediately upon its adoption.

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 Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Kaczmarek	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

Councilman Wroblewski presented the following resolution and moved its adoption:

BOND ANTICIPATION NOTE RESOLUTION, DATED JUNE 19, 1961, AUTHORIZING THE ISSUANCE OF \$74,000 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 \$74,000, 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 \$74,000 Serial Bonds authorized by the bond resolution entitled "Bond Resolution, Dated June 19, 1961, Authorizing the Issuance of \$74,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law."

Section 2. The specific purpose (hereinafter referred to as "purpose") is the construction of additional facilities for the sewage disposal system maintained by Sewer District No. 7 of said Town, to consist of the construction of a 12-inch diameter main sanitary trunk sewer on proposed North Creek Drive, from an existing manhole on said proposed North Creek Drive and located about 235 feet west of the center line of proposed Ellsworth Drive, and running thence easterly about 860 feet to a manhole; also, to construct in said proposed North Creek Drive from said last mentioned manhole, a 10-inch main sanitary trunk sewer to run easterly about 2230 feet to proposed Pauline Lane, together with necessary manholes and syphon chambers, in accordance with a resolution authorizing said improvement adopted by the Town Board of said Town on November 21, 1960, pursuant to the provisions of Section 202-b of the Town Law of New York.



Item No. 17-Cont'd.

Section 3. As required by said Local Finance Law, it is hereby stated that (a) there are no outstanding Bond Anticipation Notes issued in anticipation of the sale of said Serial Bonds, and (b) the notes authorized by this resolution are not renewal notes, and (c) the notes authorized by this resolution shall mature within one year from the date of their issue, and (d) such notes are not issued in anticipation of bonds for an assessable improvement.

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

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

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 Fath	Voting AYE
Councilman Trojanoski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Kaczmarek	Voting AYE

AYES: -7-

NOES: -0-

ABSENT: -0-

Hereto attached is a copy of the Notice published in the DEPEW HERALD AND CHEEKTOWAGA NEWS:

12  
20

Notary Public in and for Erie County  
 Sworn to before me this JUL 3 1961 day of July 1961

between any two publications hereof  
 and that not more than six days intervened  
 1961 day of July  
 tion being on the 3rd day of July  
 of July, 1961, and the last inser-  
 week, the first insertion being on the 3rd day  
 setted and published therein once a week for 7  
 slip taken from said newspaper, is a copy, was in-  
 New York, that notice of which the annexed printed  
 Cheektowaga and Lancaster, and published at Depew,  
 a newspaper with general circulation in the Towns of

**Herald and News**  
 Depew  
 Cheektowaga

PUBLISHER  
 of the  
 RICHARD G. BENNETT  
 being duly sworn, deposes and says that he is the

... was a rather disconcerting thing.

**YELLOW PIKE**  
**Fish Din**  
**A TASTE Broast**  
**TREAT**  
 By The Bucket To Go \$  
 8-Piece Family Portion

**T E X A S**  
**Hot Dr**

that this new program. Most Congress-  
 men are glad to help the farmers, 1  
 and all Congressmen know that c  
 American mothers would rather be  
 taxed more than send their sons  
 to fight in guerrilla warfare.  
**Farm Prices and Prosperity**  
 A study of economic history shows  
 that general prosperity (including n  
 stock prices) is basically deter-n  
 mined by the condition of the f  
 farmers. The farmers' prosperity is g  
 usually determined by the price  
 before school closes.  
 He announced that the schoo  
 will aid youngsters in preparin  
 their applications for standard en  
 ployment certificates or vacatio  
 or farm work permits, and woul  
 arrange appointments with th  
 school physician for the necessar

STATE OF NEW YORK  
 COUNTY OF ERIE  
 ss. }

(Affidavit)

Item No. 17-Cont'd.

LEGAL NOTICE  
BOND RESOLUTION, DATED  
JUNE 19, 1961, AUTHORIZING  
THE ISSUANCE OF \$74,000 SERIAL  
BONDS OF THE TOWN OF  
CHEEKTOWAGA, IN THE COUNTY  
OF ERIE, PURSUANT TO THE  
LOCAL FINANCE LAW.

WHEREAS, Sewer District No. 7,  
hereinafter described, is a sewer  
district of the Town of Cheektow-  
aga, in the County of Erie, duly es-  
tablished by the Town Board of  
said Town, and, as such, has con-  
structed, maintained and operated  
a sanitary trunk sewer system for  
the collection and disposal of sew-  
age within said District in accord-  
ance with Article 12 of the Town  
Law of New York, and the purpose  
hereinafter described is a special  
improvement authorized by said  
Article 12; NOW, THEREFORE,  
BE IT RESOLVED, by the Town  
Board of the Town of Cheektow-  
aga, in the County of Erie, as fol-  
lows:

Section 1. The Town of Cheek-  
towaga, in the County of Erie, shall  
issue its Serial Bonds of the aggre-  
gate principal amount of \$74,000,  
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 "pur-  
pose") is the construction of addi-  
tional facilities for the sewage dis-  
posal system maintained by Sewer  
District No. 7 of said Town, to con-  
sist of the construction of a 12-inch  
diameter main sanitary trunk  
sewer on proposed North Creek  
Drive, from an existing manhole on  
said proposed North Creek Drive  
and located about 235 feet west of  
the center line of proposed Ells-  
worth Drive, and running thence  
easterly about 860 feet to a man-  
hole; also, to construct in said pro-  
posed North Creek Drive from  
said last mentioned manhole, a 10-  
inch main sanitary trunk sewer to  
run easterly about 2230 feet to  
proposed Pauline Lane, together  
with necessary manholes and sy-  
phon chambers, in accordance  
with a resolution authorizing said  
improvement adopted by the Town  
Board of said Town on Novem-  
ber 21, 1960, pursuant to the pro-  
visions of Section 202-b of the  
Town Law of New York.

Section 3. It is hereby stated that  
(a) the maximum cost of said pur-  
pose, as estimated by the Town  
Board, is \$74,000, 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 assess-  
ments upon benefited real proper-  
ty in an area less than the area of  
said Town.

Section 4. It is hereby deter-  
mined that said purpose is an ob-  
ject or purpose described in Sub-  
division 4 of Paragraph a of Sec-  
tion 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 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 pub-  
lication shall be in the DEPEW  
HERALD AND CHEEKTOWAGA  
NEWS, a newspaper published in  
the Town of Cheektowaga and cir-  
culating in said Sewer District No.  
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 con-  
tested only if such obligations are  
authorized for an object or pur-  
pose 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 com-  
menced within twenty days after  
the date of such publication; or  
if said obligations are authorized in  
violation of the provisions of the  
Constitution of New York.

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

The bond resolution published  
herewith has been adopted on the  
19th day of June, 1961, and the  
validity of the obligations author-  
ized 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 Coun-  
ty of Erie, is not authorized to ex-  
pend 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 con-  
testing 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 newspaper with general circulation in the Towns of  
Cheektowaga and Lancaster, and published at Depew,  
New York, that notice of which the annexed printed  
slip taken from said newspaper, is a copy, was in-  
serted and published therein once a week for \_\_\_\_\_  
week, the first insertion being on the \_\_\_\_\_ day  
of \_\_\_\_\_, 1961, and the last inser-  
tion being on the \_\_\_\_\_ day of \_\_\_\_\_,  
1961, and that not more than six days intervened  
between any two publications thereof.

*Richard G. Bennett*

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

1961

19

*T. Hanley*  
for Erie County

Item No. 18 Moved by Councilman Fath, seconded by Councilman Kornecki, that present resolution on vacations for employees be amended to permit ten (10) working days vacation after three years service.

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

Item No. 19 Moved by Councilman Fath, seconded by Councilman Wroblewski, that the following recommendations of the Chief of Police be granted:

- 1 - Stop Sign at the southeast corner of Kokomo and Meadow.
- 2 - Stop Sign at the northwest corner of Kokomo and Evergreen.
- 3 - Stop Sign at the southeast corner of Kokomo and Evergreen.
- 4 - Stop Sign at the northwest corner of Kokomo and Cherokee.
- 5 - Stop Sign at the northwest corner of Wellington and Joseph.
- 6 - Stop Sign at the southwest corner of Bernice and Joseph.
- 7 - Stop Sign at the northwest corner of Parker and Colby.
- 8 - Stop Sign at the northwest corner of Wellworth and Meadow.

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

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

WHEREAS, the Town of Cheektowaga needs recreational and picnic facilities for residents in the southerly portion of Town, and

WHEREAS, the Town of Cheektowaga owns approximately 10 acres of land commonly known as the Dingens Street Park.

BE IT RESOLVED, that the Town Engineering Department be authorized and directed to make a survey and study of the Dingens Street Park and prepare plans and specifications to improve these premises, particularly approximately 5 acres adjoining the comfort station, so that the same may be filled in, topsoil applied, grading, seeded, shrubbery planted, and a number of quick growing large trees for shade areas, so that picnicking and other recreational activities may be provided at the earliest possible date, which report of the Town Engineering Department is to be submitted to the Town Board within 30 days so that bids and contracts for Fall planting and seeding may be undertaken, which expenses may be provided for by means of a bond issue, if necessary.

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

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

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

Item No. 21 Moved by Councilman Kaczmarek, seconded by Councilman Kornecki,

WHEREAS, sealed proposals were received on June 5, 1961 for the purchase of one new Industrial Tractor for use in plowing, mowing, etc., at Sewage Treatment Plant No. 5.

WHEREAS, four bids were received and opened, and

WHEREAS, the Town Engineer recommends that the bid of Cameron Equipment Company in the amount of \$1,954.83 be accepted due to the fact that their bid satisfies specifications in all details; BE IT

RESOLVED, that the said bid be awarded to Cameron Equipment Company in the amount of \$1,954.83.

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

Item No. 22 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the following recommendations of the Chief of Police be granted:

- 1 - NO PARKING AT ANYTIME on the west side of Gualbert Avenue from Walden Avenue to Straley Street.
- 2 - NO PARKING AT ANYTIME on the west side of Pine Ridge Road from Walden Avenue to a point directly across from Wildy Street.
- 3 - NO PARKING FROM HERE TO CORNER on the south side of Parker Street from Harlem Road to a point 200 feet east of Harlem Road.

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

13  
41

Item No. 23 Moved by Councilman Fath, seconded by Councilman Kaczmarek, that the Supervisor be authorized and directed to have the State and County erect signs on State and County Highways to read as follows:

"\$50.00 Fine for Litter-bugging"

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

2  
3  
41

Item No. 24 Councilman Kornecki presented the following resolution and moved its adoption:

BE IT RESOLVED, that all bond anticipation notes presently outstanding and which will mature on July 1, 1961, shall be renewed for a further period of five (5) months, and such notes shall be sold to the Manufacturers and Traders Trust Company by the Supervisor, who is hereby directed to sign such renewal bond anticipation notes, and the Town Clerk is hereby directed to affix to such notes the corporate seal of the Town of Cheektowaga and to attest thereto.

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

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

12

Item No. 25 Councilman Trojanoski offered the following resolution and moved its adoption:

RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED JUNE 19, 1961, DETERMINING THAT IT IS NECESSARY TO INCREASE THE MAXIMUM AMOUNT TO BE EXPENDED FOR THE ORIGINAL IMPROVEMENT IN ERIE COUNTY SEWER DISTRICT NO. 1, REQUESTING THE BOARD OF SUPERVISORS OF SAID COUNTY TO INCREASE SUCH MAXIMUM AMOUNT AND AUTHORIZING THE SUPERVISOR OF SAID TOWN TO PETITION SAID BOARD OF SUPERVISORS THEREFOR ON BEHALF OF SAID TOWN.

Recitals

WHEREAS, the Board of Supervisors of the County of Erie, New York, has heretofore duly established Erie County Sewer District No. 1 in portions of the Towns of Cheektowaga and West Seneca, in said County, and has appropriated the amount of \$2,400,000 for the original improvement in said Erie County Sewer District No. 1, said amount being the maximum amount to be expended for such improvement in said Sewer District, and

WHEREAS, said Board of Supervisors has been duly advised by the Board of Managers of said District that such original improvement cannot be constructed in said Sewer District within said maximum amount, and

WHEREAS, said Board of Supervisors has advised the Town Board of the Town of Cheektowaga that it will be necessary to increase the maximum amount to be expended for such original improvement, now, therefore, be it

Item No. 25-Cont'd.

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Board of the Town of Cheektowaga, in the County of Erie, New York, hereby determines that it is necessary to increase the maximum amount heretofore duly authorized to be expended for the original improvement in Erie County Sewer District No. 1 from \$2,400,000 to \$3,650,000, as hereinabove referred to in the Recitals hereof and said Town Board hereby requests the Board of Supervisors of said County to initiate proceedings to so increase such maximum amount to be expended pursuant to the provisions of Section 294-a of the County Law, constituting Chapter 11 of the Consolidated Laws of the State of New York.

Section 2. The Supervisor of said Town of Cheektowaga, is hereby authorized to petition said Board of Supervisors on behalf of said Town Board to so increase the maximum amount to be expended for such original improvement in said Erie County Sewer District No. 1, which petition shall be executed and acknowledged in accordance with the provisions of Section 279 of said County Law.

Section 3. This resolution shall take effect immediately.

The adoption of the foregoing resolution was seconded by Councilman Wroblewski and duly put to a vote on roll call, which resulted as follows:

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

The resolution was declared unanimously adopted.

7  
24  
9

Item No. 26 Councilman Trojanoski offered the following resolution and moved its adoption:

BE IT RESOLVED, that there be transferred from surplus funds, \$4,951.00 to the budget item Miscellaneous Repairs and Minor Improvements - Sidewalk Repairs, and \$2,355.00 to the budget item Miscellaneous Repairs and Minor Improvements - Other Repairs and Minor Improvements.

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

AYES: -7-

NOES: -0-

ABSENT: -0-

2  
12

Item No. 27 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 Awood Place, a distance of about 700 feet, and Vern Lane north from William Street, a distance of about 1700 feet.

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

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

The bids were referred to the Consulting Engineers and the Town Engineer for analysis and tabulation.

Hereto attached is a summary of the bids opened and read aloud.

1  
13

HUBBARD, CLARK & VELEY  
Engineers

June 29, 1961

RE: Awood Place and Vern Lane Curbs  
Town of Cheektowaga, New York

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

Dear Sir:

Bids were received on the subject job on June 19, 1961; there were a total of four bidders for the project ranging in price from \$11,077.50 to \$14,367.50 for Awood Place and \$20,119.00 to \$22,596.55 for Vern Lane. A copy of the detailed tabulation of bids is enclosed.

The three low bidders in the order of their bids are as follows:

<u>Awood Place - Bid</u> - Petition Amount	\$9,500.00
Kloch Const. Co.	11,077.50
Transit Paving Inc.	12,074.35
H. G. Morgan Constr., Inc.	13,046.75
<u>Vern Lane - Bid</u> - Petition Amount	\$21,000.00
Blank Const. Co.	20,119.00
H. G. Morgan Constr. Inc.	22,468.25
Wojanow Builders	22,596.65

The above amounts cover construction costs only. In addition to these costs, it can be anticipated that there will be contingent costs during construction, and legal, engineering and administrative costs. The petition amount for each project is not sufficient, and should be increased as follows:

Bid Amount	<u>\$11,077.50</u>	Vern Lane	<u>\$20,119.00</u>
10% Contingencies	1,107.75	Engineering, Legal & Administrative Costs	2,011.00
	<u>\$12,185.25</u>	Petition Amount	<u>\$22,130.00</u>
	<u>\$13,293.00</u>	Additional Fund Required	<u>1,000.00</u>
	<u>\$14,391.00</u>		<u>\$3,000.00</u>





In the  
that the  
were done  
This amount  
additional

We are not familiar with the work of Black Construction Company, but they have been doing curb construction work for about eight years. They have done over 60,000 linear feet of curbing. Some of it being in the Village of Williamsville, Town of Ashcroft and the City of Lockport. They recently completed curb curbs in the Village of Geneva. We had occasion to talk with Bureau Inspectors, Superintendent of Public Works of Geneva, and he said that their work is satisfactory and would like them to bid future curb construction work being planned. On the basis of this record, we would recommend that an award of the contract in the amount of \$11,077.50 for Arund Place and \$20,119.00 for Vera Lane for the construction of curbs and shown curbs be made to Black Construction Company, contingent upon additional funds being authorized to complete the project.

Very truly yours,

**MUSGRAVE, CLARK & VELEY**

Vice Curves

W/As  
Sub-

Item No. 28 Moved by Councilman Fath, seconded by Councilman Kaczmarek, that the application of McDonald Corporation to erect a concrete restaurant on Union Road, be denied.

Duly put to a vote, which resulted as follows:

Councilman Wroblewski	Voting NO
Councilman Kornecki	Voting NO
Councilman Fath	Voting AYE
Councilman Kaczmarek	Voting AYE
Councilman Trojanoski	Voting NO
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

AYES: -4-

NOES: -3-

ABSENT: -0-

Item No. 29 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that this Town Board does hereby approve the application for a trampoline Center at the Airport Plaza and the Thruway Plaza.

Duly put to a vote, which resulted as follows:

Supervisor Holtz	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Kornecki	Voting AYE
Councilman Fath	Voting AYE
Councilman Kaczmarek	Voting NO
Councilman Trojanoski	Voting AYE
Councilman Bystrak	Voting NO

AYES: -5-

NOES: -2-

ABSENT: -0-

Item No. 30 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski:

WHEREAS, Building Permits Nos. 1776 and 1777 were issued to one Joseph A. Deck, Jr., for certain construction work at No. 268 and No. 262 East Treehaven Road.

WHEREAS, the applicant did not enter on his application whether or not there were deed restrictions on the above-mentioned highway.

WHEREAS, there are deed restrictions on the said highway, and the application does not conform thereto, be it

RESOLVED, that Building Permits Nos. 1776 and 1777 be and the same are hereby rescinded, without prejudice, and that no work on the above mentioned premises is to be started until further approved by the Cheektowaga Town Board.

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 31 Moved by Councilman Trojanoski, seconded by Councilman Bystrak, that the following building permit applications be approved:

Sigmund Kidowski	2871 Harlem Avenue	Store Building
A. P. Rowell	Genesee Street	Steel Sign
Frank Ziolkowski	1348 Harlem Road	Steel Sign

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 32 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that the Town Clerk be authorized and directed to issue building permits on applications approved by the Building Inspector in his communication dated June 19, 1961.

12  
35

Item No. 33 Moved by Councilman Wroblewski, seconded by Councilman Trojanoski, that this Town Board does hereby approve two building permit applications for Daniel Nawrocki on Jane Drive.

15

Item No. 34 The following resolution was moved by Councilman Kornecki and seconded by Councilman Bystrak.

That the following claims be approved as presented:

General Fund	Nos.	4363	to	4415	inclusive
Highway Fund		1270		1290	
Special Districts		1626		1658	
Part Town Fund		495		501	
C & I		274		281	

6

AYES: -7-

NOES: -0-

ABSENT: -0-

Item No. 35 Moved by Councilman Fath, seconded by Councilman Trojanoski, to adjourn.

SEAL

KENNETH T. HANLEY  
Town Clerk

*Kenneth T. Hanley*

CHEEKTOWAGA, NEW YORK  
June 24, 1961

MEETING NO. 15

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 24th day of June, 1961, at 12:30 o'clock P.M., Eastern Daylight Saving Time, there were:

- |          |                      |            |
|----------|----------------------|------------|
| PRESENT: | Benedict T. Holtz    | Supervisor |
|          | Felix T. Wroblewski  | Councilman |
|          | Alancin M. Fath      | Councilman |
|          | Michael J. Kaczmarek | Councilman |
|          | Joseph M. Trojanoski | Councilman |
|          | Stanley R. Bystrak   | Councilman |
| ABSENT:  | Joseph Kornecki      | Councilman |

Also present were: Town Clerk Hanley; Town Attorney Kitzinger; Deputy Town Attorney Delahunt; Town Engineer Kamm; General Foreman Banko, and Chief of Police Mersmann.

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

Item No. 3 Moved by Councilman Wroblewski, seconded by Councilman Kaczmarek,

WHEREAS, sealed proposals were received on the 17th day of April, 1961, for the furnishing of materials, tools, and equipment for the construction of approximately 330 square yards of pavement in Greenway Boulevard.

WHEREAS, the B & C Construction Company was the lowest bidder in the amount of \$15,711.00, meeting all specifications as required in the Notice to Bidders, be it

RESOLVED, that the bid in the amount of \$15,711.00 be awarded to the B & C Construction Company.

AYES: -6-

NOES: -0-

ABSENT: -1-

Item No. 4 Ordered referred to the Town Board communication from H.C. Olney, Executive Vice President of S.M. Flickinger Company, Inc., relating to premises located at the corner of William and Glidden Street.

Item No. 5 The request of Councilman Kaczmarek for the Town Board to vote on the application of Edward Szydlowski to rezone from a residential zone to business zone premises located at the corner of William and Glidden Street to be used as a Super Duper Market, was denied due to the fact that Councilman Kornecki requested that action on same be deferred to the July 17, 1961 Town Board Meeting, but Supervisor Holtz emphasized the fact that if Councilman Kornecki would withdraw his tabling action, a special meeting could be called for the purpose of acting on same.

Item No. 6 Moved by Councilman Kaczmarek, seconded by Councilman Wroblewski, to adjourn.

SEAL.

KENNETH T. HANLEY  
Town Clerk

