

ITEM NO. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga New York, on the 5th day of October, 1953, at 2:30 o'clock P.M., Eastern Standard Time, there were:

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

ABSENT: -0-

Also present were: Town Clerk Kenneth T. Hanley; Town Attorney George B. Doyle; Town Engineer Albert Kamm; General Foreman John Eberl; Town Historian Julia Reinstein; Justice of the Peace Joseph J. Pyszczynski; Chief of Police John Mersmann and Building and Plumbing Inspector Ernest Roehm.

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

ITEM NO. 3 Petition presented bearing the signature of 882 persons requesting the Town Board, pursuant to Section 81 of the Town Law, for the submission of a proposition to be voted upon by ballot at the biennial Town Election to be held in the Town of Cheektowaga on the 3rd day of November, 1953, for the following purposes and in the following form to wit: The undersigned respectfully request that a vote be taken upon such propositions at such elections.

1- Shall the Town of Cheektowaga, New York, establish the Ward System for the election of Councilmen?

2- Shall the Town of Cheektowaga, New York, increase the number of Councilman from 4 to 6?

Ordered referred to the Board of Assessors for a property check by Councilman Wroblewski.

ITEM NO. 4 Communication read from the Board of Fire Commissioners, Pine Hill Fire District No. 5, requesting the Town Board to have NO PARKING signs erected on the south side of Kaufman Road. Ordered referred to the Chief of Police by Supervisor Holtz.

ITEM NO. 5 Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, the new Thruway has divided Oriole Place so that it no longer is a through street and

WHEREAS, more than fifty percent (50%) of the property owners on that portion of Oriole Place from the Thruway to George Urban Blvd. have requested the Town Board to change the name of Oriole Place to Cherokee Drive leaving the remainder of the street Oriole Place, be it

RESOLVED, that that portion of the present Oriole Place be changed to Cherokee Drive from the Thruway to George Urban Blvd. and that the remaining portion of Oriole Place be continued to be known as Oriole Place, and the Town maps, streets, and highways be amended so as to show this change and that appropriate street signs be erected by the Town Superintendent of Highways, and be it further

RESOLVED, that the Town Clerk notify the Board of Assessors, County Clerk, the Town Engineer, and the County Engineer of the County and the Post Office Department of the U. S. by mailing a certified copy of this resolution within ten days of its adoption.

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

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

AYES: 5

NOES: 0

ABSENT: 0

ITEM NO. 6 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the following construction and improvement accounts have been completed and that the cash on deposit at September 31, 1953 in each fund be transferred as follows:

To General Fund:	
Town House Repairs	\$4336.58
To Special Districts Fund:	
Drainage District No. 4	1959.62
Oleott Curbing	622.29
Cresthaven, etc. Lateral Sewers	6610.66

Seconded by Councilman Nagel.

CARRIED: AYES: -5-

ITEM NO. 7 Councilman Wroblewski presents the following resolution and moves its adoption:

RESOLVE, to authorize the New York State Gas and Electric Company to replace all 1,000 lumen lights to globe type 2500 lumen on the following streets: Shanley Street, Rossler, Colby, Hedley, Cass, Garland, Bright, Wabash and Iroquois Street.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-

ITEM NO. 8 Councilman Weibert presented the following resolution and moved its adoption:

RESOLVED, that the amended map of Cayuga Court Sub-Division, dated April 1, 1953, prepared by Krehbiel & Krehbiel Engineers, be approved and ordered filed in the Town Clerk's office.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-

ITEM NO. 9 Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, the Town Highway Superintendent has requested the transfer of the sum of one thousand dollars (\$1000.00) from item 4 to item 3 of the highway budget.

BE IT RESOLVED that the said request be granted and the sum of \$1000.00 be transferred from item 4 to item 3 of the highway budget.

Seconded by Councilman Wroblewski.

CARRIED: AYES: +5-

ITEM NO. 10 Councilman Weibert presented the following resolution and moved its adoption:

RESOLVED, that Hussbaumer, Clarke & Velzy Inc. Engineers be authorized to prepared necessary plans and specifications in connection with improvements at disposal plant in Sewer District No. 5 at a total fee of 4% less payment made for the preliminary plans.

The Town of Cheektowaga hereby accepts the grant of the State Post War Agency for (the) preparation of final plans.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-

ITEM NO. 11 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED that the Niagara Mohawk Power Company be authorized and directed to move Street Light Standard in front of No. 139 Eggert Road two (2) feet wouth from its present position.

Seconded by Councilman Weibert.

CARRIED: AYES: -5-

ITEM NO. 12 This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof was duly filed.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Merrymont Drive	Cleveland Drive	Wayne Terrace

TYPE OF STREET LIGHTING INSTALLATION

Y-20 Ornamental Standards-Underground Conduit

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

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

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

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Merrymont Drive	Cleveland Drive	Wayne Terrace

TYPE OF STREET LIGHTING INSTALLATION

Y-20 Ornamental Standards-Underground Conduit and heard all persons interested in the subject thereof.

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

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

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

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

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

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

<u>Supervisor Holtz</u>	VOTING	AYE
<u>Councilman Nagel</u>	VOTING	AYE
<u>Councilman Wroblewski</u>	VOTING	AYE
<u>Councilman Weibert</u>	VOTING	AYE
<u>Councilman Bystrak</u>	VOTING	AYE

AYES: -5-

NOES: -0-

ABSENT: -0-

STATE OF NEW YORK)
COUNTY OF ERIE) SS.

I, KENNETH T. HANLEY, Town Clerk of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town held on the 5th day of October, 1953 and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof; and that the resolutions and orders duly adopted by the said Town Board are on file in my office.

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

I FURTHER CERTIFY that a certified copy of such resolution and order was caused by me to be recorded in the Office of the Clerk of Erie County, New York, on the 13th day of October, 1953

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 13th day of October, 1953

Kenneth T. Hanley
Town Clerk

(SEAL)

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

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
McNaughton Avenue	Harlem Rd.	Tillotson Avenue

TYPE OF STREET LIGHTING INSTALLATION

Y-19 Ornamental Standards- Underground Conduit

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

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

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

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
McNaughton Avenue	Harlem Road	Tillotson Avenue

TYPE OF STREET LIGHTING INSTALLATION

Y-19 Ornamental Standards- Underground Conduit
and heard all persons interested in the subject thereof.

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

(a) that such petition is signed and acknowledged as required by law and is otherwise sufficient, and
(b) that it is in the public interest to grant in whole the relief sought,

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

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

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

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

Supervisor Holtz	VOTING	AYE
Councilman Nagel	VOTING	AYE
Councilman Wroblewski	VOTING	AYE
Councilman Neibert	VOTING	AYE
Councilman Bystrak	VOTING	Aye

AYES: -5-

NOES: -0-

ABSENT: -0-

STATE OF NEW YORK)
) SS.
COUNTY OF ERIE)

I, KENNETH T. HANLEY, Town Clerk of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town held on the 5th day of October, 1953, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof; and that the resolutions and orders duly adopted by the said Town Board are on file in my office.

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

I FURTHER CERTIFY that a certified copy of such resolution and order was caused by me to be recorded in the Office of the Clerk of Erie County, New York, on the 13th day of October, 1953

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 13th day of October, 1953.

Kenneth T. Hanley
Town Clerk

(SEAL)

ITEM NO. 14

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

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS.	FROM	TO
Chesterfield Drive	Burke Drive	Treehaven Drive

TYPE OF STREET LIGHTING INSTALLATION
Y-20 Ornamental Standards- Underground Conduit

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

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

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

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PUBLIC HIGHWAY TO BE IMPROVED

NAMES OF HIGHWAYS FROM TO
Chesterfield Drive Burke Drive Treehaven Drive

TYPE OF STREET LIGHTING INSTALLATION

Y-20 Ornamental Standards-Underground Conduit

and hear all persons interested in the subject thereof,

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

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

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

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

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

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

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

CARRIED: AYES: -5-

NOES: -0-

STATE OF NEW YORK)
COUNTY OF ERIE)

I, Kenneth T. Hanley, Town Clerk of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY, that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town held on the 5th day of October, 1953, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof; and that the resolutions and orders duly adopted by the Town Board are on file in my office.

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

I FURTHER CERTIFY that a certified copy of such resolution and order was caused by me to be recorded in the Office of the Clerk of Erie County, New York, on the 13th day of October, 1953.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 13th day of October, 1953.

Kenneth T. Hanley
Town Clerk.

SEAL

ITEM NO. 15 This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, by the installation of street lighting equipment

ITEM NO. 15 Cont'd

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

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
West Grande Blvd.	Central Blvd.	Southern Parkway

TYPE OF STREET LIGHTING INSTALLATION

Boulevard Type (Style 1348) Underground Conduit (Same as installed on Wayne Terrace).

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

Mr Bystrak offered the following resolution and moved its adoption:

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

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
West Grande Blvd.	Central Blvd.	Southern Parkway.

TYPE OF STREET LIGHTING INSTALLATION

Boulevard Type (Style 1348) Underground Conduit (Same as installed on Wayne Terrace)

and heard all persons interested in the subject thereof.

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

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

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

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

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

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

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

AYES: -5-

NOES: -0-

STATE OF NEW YORK)
COUNTY OF ERIE) SS.

I, Kenneth T. Hanley, Town Clerk of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town Held on the 5th day of October, 1953, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof; and that the resolutions and orders duly adopted by the Town Board are on file in my office.

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

I FURTHER CERTIFY that a certified copy of such resolution and order was caused by me to be recorded in the Office of the Clerk of Erie County, New York, on the 13th day of October, 1953.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 13th day of October, 1953

Kenneth T. Hanley
Town Clerk

(SEAL)

ITEM NO. 16

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

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Vegola Avenue	the creek north	Winston Road

TYPE OF STREET LIGHTING INSTALLATION
Y-19 Ornamental Standards-Underground Conduit

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

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

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

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Vegola Avenue	the creek north	Winston Road

TYPE OF STREET LIGHTING INSTALLATION
Y-19 Ornamental Standards-Underground Conduit

and heard all persons interested in the subject thereof,

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

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

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

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

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

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

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

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

AYES: -5-

NOES: -0-

ABSENT: -0-

STATE OF NEW YORK)
) SS.
COUNTY OF ERIE)

I, Kenneth T. Hanley, Town Clerk of the Town of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town held on the 5th day of October, 1953, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof; and that the resolutions and orders duly adopted by the Town Board are on file in my office.

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

I FURTHER CERTIFY that a certified copy of such resolution and order was caused by me to be recorded in the Office of the Clerk of Erie County, New York, on the 13th day of October, 1953.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 13th day of October, 1953

Kenneth T. Hanley
Town Clerk

(SEAL)

ITEM NO. 17 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the State of New York has indicated, pursuant to Chapter 660 of the Laws of 1943, that it will contribute 50 per cent of the cost of the plans of approved municipal projects within the limits set by such chapter, and

WHEREAS, THE Town of Cheektowaga wished to make application for a grant towards the cost of the preparation of the plans for the projects listed (estimated construction cost shown); Now, therefore, be it

RESOLVED, that Supervisor, Benedict Holtz submit these PROJECTS FOR CONSIDERATION BY THE New York State Postwar Public Works Commission with the request that an allocation be granted by such Commission for 50 per cent of the cost of the preparation of the plans of such projects, and be it further

RESOLVED, that when and if such Commission approves any or all of these projects, and when and if such Commission allocates one-half the cost of the preparation of the plans of such approved

projects, the TOWN OF CHEEKTOWAGA will make available a sum equal to that allocated by the Commission.

Signature Kenneth T. Hanley
Title Clerk
Address Town of Cheektowaga
Town Hall
Union and Broadway
Cheektowaga, New York

PRELIMINARY APPLICATION

County, City, Town, Village or District No. 5, Town of Cheektowaga, Erie Co.
New York

List below all projects towards the cost of the plans of which you are applying for a State grant. After each project indicate the status of any plans that may be available for the project. Furthermore, for our records, list any projects for which you have complete plans or for which you are preparing the plans and towards the cost of which you are not applying for a State grant. Indicate these clearly.

<u>Project</u>	<u>Status of Plans</u>	<u>Est. Contr. Cost</u>
Pumping Station Pump Sewer Force Main	None	\$175,000

In connection with the investigation of the improvements to the Sewage Treatment Plant, Sewer District #5, Post War Application #3601, it was found that pumping capacity in addition to that provided in the Pumping Station was needed. We propose to build a separate pumping station at the corner of Mildred Avenue and George Urban Boulevard to take the surplus sewage from the existing sanitary sewers in Mildred Avenue and Oriole Place, chlorinate the same and discharge the flow into the main branch of Senjaquada Creek south of George Urban Boulevard.

Signature Benedict T. Holtz
Title Supervisor
Address c/o Town Hall
Broadway & Union Road
Cheektowaga, New York

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

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

CARRIED: AYES: --5-

NOES: -0-

ITEM NO. 18

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, police patrol cars numbers 1 and 5 have been run continuously since they were purchased, are in a bad state of repair and it is advisable to trade them in for two new police cars, and

WHEREAS, MERNAN-CHEVROLET, INC., has agreed to sell to the Town of Cheektowaga two new police patrol cars, Model 1502, 2 door, together with the following equipment:

Directional Signals
Heater and Defroster - Fresh Air
R. H. Safety Light
Oil Filter
Seat Covers
Change over Siren, voltage regulator
ammeter and generator,

for the sum of \$3,790.60, less a trade -in allowance of \$850.00 for the two used police patrol cars, leaving a net balance due it of \$2,940.60, be it

RESOLVED, that the Supervisor be and he is hereby authorized to purchase the two police cars from Mernan-Chevrolet, Inc., for the sum of \$3,790.60, and is also authorized to sell and deliver to Mernan-Chevrolet, Inc., the used police patrol cars numbers 1 and 5 for the sum of \$850.00, leaving a balance due Mernan-Chevrolet, Inc., for the purchase price of the said two new police patrol cars the sum of \$2,940.60.

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

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

ITEM NO. 19

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

WHEREAS, the Public Utilities Committee requested the Niagara Mohawk Power Corporation to make a survey of the lighting requirements at the circle of Cleveland Drive and Century Road, and

WHEREAS, its recommendation records are hereto attached and made a part of this resolution, be it

RESOLVED, that said recommendations be approved that seven (7) lamp standards providing a mounting height of twenty-five (25) feet have pending type luminaires with 6000 lumens lamps to accommodate the traffic signal which will be installed at the intersection. Two of the seven new standard lamps should be constructed of heavier gage metal. The four (4) existing lamp standards (#118, 119, 120, 131) would be removed, and

THAT the Niagara Mohawk Power Corp. is hereby authorized to make the installation in accordance with the specifications hereto attached.

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

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

AYES: -5-

NOES: -0-

ABSENT: -0-

September 30, 1953

Mr. Benedict T. Holtz,
Supervisor, Town of
Cheektowaga, Town Hall
Cheektowaga 25, N. Y.

Dear Ben:

We are submitting the attached copy of our recommendations for installing modern street light in connection with the removal of the traffic island at Cleveland Drive and Century Road.

These recommendations call for the installation of seven (7) lamp standards providing a mounting height of twenty-five (25) feet for pendant type luminaires with 6000 lumens lamps. In order to accommodate the traffic signal to be installed at this intersection, we are suggesting that two (2) of the seven (7) new lamp standards should be constructed of heavier gage metal.

The four (4) existing lamp standards (#118, 119, 120, 131) would be removed.

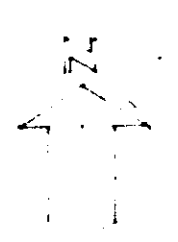
In event that you should require any additional information, do not hesitate to call us.

Yours very truly
NIAGARA MOHAWK POWER CORPORATION

William A. Grimm
Commercial Department

Cc - K. Hanley, Town Clerk
S. Bystrak, Councilman

KEYSINGTON AL



230
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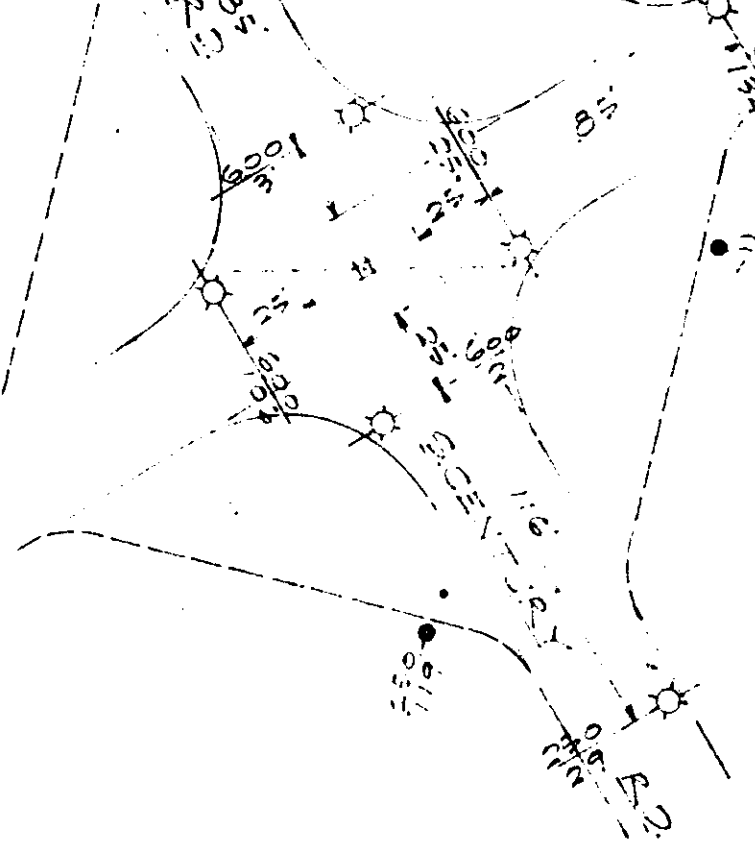
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Mr. Bystrak offered the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 21st day of September, 1953

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Mafalda Drive	Harlem Road	Nina Place

TYPE OF STREET LIGHTING INSTALLATION
Y-200 Ornamental Standard Standards-Underground Conduit

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

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 19th day of October, 1953, at 7:30 P.M. Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

<u>Supervisor Holtz</u>	voting	<u>Aye</u>
<u>Councilman Nagel</u>	voting	<u>Aye</u>
<u>Councilman Wroblewski</u>	voting	<u>Aye</u>
<u>Councilman Nelbert</u>	voting	<u>Aye</u>
<u>Councilman Bystrak</u>	voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

Posted as follows on the 9th day of October, 1953;

- 1- Telephone Pole at the corner of Mafalda Drive and Harlem Rd;
- 2- Building at the south-west corner of Mafalda Drive and Harlem Road;
- 3- Post on the north side of Mafalda Drive, 15 feet west of Harlem Road;
- 4- Post at the corner of Mafalda Drive and Fontaine Avenue;
- 5- Post at the corner of Mafalda Drive and Nina Place;

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

NOTICE OF HEARING
Street Lighting Petition

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, in said Town of Cheektowaga, on the 5th day of October, 1953, at 2:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT:

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

ABSENT: 0

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

WHEREAS, a petition for the improvement of both sides of the public highways situate in Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 21st day of September, 1953.

PUBLIC HIGHWAYS
TO BE IMPROVED

Mafalda Drive from Harlem Road to Nina Place.

TYPE OF STREET LIGHTING
INSTALLATION

Y-20 Ornamental Standard Standards—Underground Conduit.

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

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 19th day of October, 1953, at 7:30 o'clock P.M., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject hereof concerning the same and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Cheektowaga Times, the official newspaper of the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five (5) public places on each of the said highways to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

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

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

Aye

Councilman Neibert, voting Aye
Councilman Bystrak, voting Aye

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks: first publication OCT 8 1953; last publication OCT 8 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

OCT 9 1953, 19.....
day of

Eve J. Allis

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

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

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 5th day of October, 1953, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereto set my hand and affixed the seal of said Town this 5th day of October, 1953.

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

(SEAL)

(Oct. 8)

Councilman Wroblewski presented the following resolution and moved its adoption:

Town Board meet at the Town Hall, corner of Union and Broadway, Cheektowaga, New York, on the 5th of October, 1953 at 2:30 P.M. Eastern Standard Time for the purpose of considering the advisability of amending Section 14A of the Zoning Ordinances of the Town of Cheektowaga, to include the following:

New or second hand materials and articles of a similar kind or character including lumber, building materials, sand, gravel, cinders, pieces of machinery or equipment, or any type of waste material and new or used personal property of any kind or description, and

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

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York met on the 5th day of October, 1953, at 2:30 P.M. Eastern Standard Time at the Town Hall in the Town of Cheektowaga, New York for the purpose of considering the advisability of amending said ordinance as hereinbefore stated, and

WHEREAS, all persons interested in the subject matter thereof were given an opportunity to be heard, and at the conclusion of the said public hearing, the Town Board decided that it was in the public interest that the Zoning Ordinances of the Town of Cheektowaga, New York be amended by adding to Section 14A the following:

New and second hand materials and articles of a similar kind or character including lumber, building materials, sand, gravel, cinders, pieces of machinery or equipment, or any type of waste material and new or used personal property of any kind or description, and

RESOLVED, that said amendment be granted and that Section 14A be amended read as follows:

SECTION 14-A OF THE ZONING ORDINANCES OF THE TOWN OF CHEEKTOWAGA, NEW YORK
"Restrictions as to Use of Property for Business Purposes"

"1. It shall be unlawful for any person, firm, or corporation to use property in a business district for industrial purposes. It shall be unlawful for any person, firm, or corporation to expose for sale or exchange or to give away or store upon any property located in a business district on vacant land or within a temporary enclosure any article of machinery, equipment, automobile, truck, or automobile accessory, either new or used; or junk; or used or second-material of any kind or description, new or second hand materials and articles of a similar kind or character, including lumber, building materials, sand, gravel, cinders, pieces of machinery or equipment or any type of waste materials and new or used personal property of any kind or description without first obtaining a permit to do so, duly issued by the Town Clerk, with the approval of the Town Board.

"2. For the purpose of this Section, land not actually occupied by buildings shall be regarded as vacant land.

"3. The conduct of any business on vacant land or within a temporary enclosure, as herein provided, shall be subject to the provisions of this Section, if the property is now

under this Section, shall not be regarded as any admission on the part of the Town that the property is zoned for business purposes or located within a business district.

"4. A temporary enclosure, within the meaning of this Section, shall be any structure or building in which there is installed any article of machinery, equipment, automobile, truck, or automobile accessory, either new or used; or junk; or used or second-material of any kind or description, new or second hand materials and articles of a similar kind or character, including lumber, building materials, sand, gravel, cinders, pieces of machinery or equipment or any type of waste materials and new or used personal property of any kind or description, and

which has no covering of a permanent nature for the openings in the same; or, apart from the land upon which it is located, said enclosure or building is assessed for less than \$2,000.00.

"5. Vacant land, as herein defined, in a business district may be used for business purposes, provided a permit therefor is granted by the Town Board, as hereinafter provided. The owner of such vacant land shall make application to the Town Board for a permit to use the premises, which application shall specify the name and address of the owner, the name of the lessee, if any, and a detailed description of the property and the use to be made of it; such application shall be made in writing. The Town Clerk shall have the power to grant such a permit, after the application has been approved by the Town Board. The fee for issuing such permit shall be \$100.00 per annum, and no permit shall be issued for a period of more than one year. All permits shall expire on the 30th day of June of each year.

"6. This ordinance is not intended to apply to fruit stands selling vegetables and farm products; or to stores generally exposing articles for sale in the open on their own property, where the same are taken in at night into an enclosed building or structure; nor to persons, firms or corporations engaged in selling monuments, which have been finished and are ready for sale, provided the area of the vacant property used to display the same does not exceed an area equal to the area occupied by permanent buildings devoted to such use. Nor shall this Section apply to any

automobile trucks or machinery does not exceed an area equal to the area occupied by permanent buildings on the same or adjoining property.

"7. Any person, firm, or corporation violating any of the provisions of this Section shall be liable to a fine or penalty not exceeding \$250.00 for each offense."

BE IT FURTHER RESOLVED, that a copy of this resolution certified by the Town Clerk, shall be entered in the minutes and published at least twice in the CHEEKTOWAGA TIMES, a newspaper having general circulation within the Township, and being the official newspaper of said Township; and that printed copies thereof be posted conspicuously in at least six (6) public places in the Town; and that a copy of this ordinance be posted on the signboard maintained by the Town Clerk, pursuant to Subdivision 6 of Section 30 of the Town Law; and affidavits of the publication and posting thereof shall be filed with the Town Clerk.

This ordinance shall take effect ten (10) days after such publication and posting, but such ordinance shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the town and showing the date of its passage and entry into the minutes.

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

Supervisor Benedict T. Holtz, voting Aye.
Councilman Joseph A. Neibert, voting Aye.
Councilman Felix Wroblewski,

Posted as follows on the 15th day of October, 1953;

- 1- Town Hall Bulletin Board;
- 2- U-Crest Fire Hall, Evergreen Street and Clover Place;
- 3- Telephone Pole at the corner of Harlem Road and Cleveland Drive;
- 4- Rescue Fire Hall Bulletin Board, Pine Ridge Road;
- 5- Pine Hill Fire House Bulletin Board, Genesee Street and Normandy Avenue;
- 6- Doyle Fire House No. 1, William and Alaska Street.

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

LEGAL NOTICE

Amendment to Ordinance

At a regular meeting of the Town Board of the Town of Cheektowaga, held in the Town Hall in said Town of Cheektowaga, Erie County, New York, October 5th, 1953 at 2:30 o'clock P.M., Eastern Standard Time. There were

PRESENT:

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

ABSENT: None.

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board at a regular meeting held at the Town Hall, Town of Cheektowaga, New York on the 21st day of September at 7:30 P.M. Eastern Daylight Saving Time adopted a resolution that the Town Board meet at the Town Hall, corner of Union and Broadway, Cheektowaga, New York, on the 5th day of October, 1953 at 2:30 P.M. Eastern Standard Time for the purpose of considering the advisability of amending Section 14A of the Zoning Ordinances of the Town of Cheektowaga, to include the following:

New or second hand materials and articles of a similar kind or character including lumber, building materials, sand, gravel, cinders, pieces of machinery or equipment, or any type of waste material and new or used personal property of any kind or description, and

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

WHEREAS, pursuant to said resolution, the Town Board of the Town of Cheektowaga, New York met on the 5th day of October, 1953, at 2:30 P.M. Eastern Standard Time at the Town Hall in the Town of Cheektowaga, New York for the purpose of considering the advisability of amending said ordinance as hereinbefore stated, and

WHEREAS, all persons interested in the subject matter thereof were given an opportunity to be heard, and at the conclusion of the said public hearing. The Town Board decided that it was in the public interest that the Zoning Ordinances of the Town of Cheektowaga, New York be amended by adding to Section 14A the following:

New and second hand materials and articles of a similar kind or character including lumber, building materials, sand, gravel, cinders, pieces of machinery or equipment, or any type of waste material and new or used personal property of any kind or description, be it

RESOLVED, that said amendment be granted and that Section 14A be amended read as follows:

SECTION 14-A OF THE ZONING ORDINANCES OF THE TOWN OF CHEEKTOWAGA, NEW YORK "Restrictions as to Use of Property for Business Purposes"

"1. It shall be unlawful for any person, firm, or corporation to use property in a business district for industrial purposes. It shall be unlawful for any person, firm, or corporation to expose for sale or exchange or to give away or store upon any property located in a business district on vacant land or within a temporary enclosure any article of machinery, equipment, automobile, truck, or automobile accessory, either new or used; or junk; or used or second-material of any kind or description, new or second hand materials and articles of a similar kind or character, including lumber, building materials, sand, gravel, cinders, pieces of machinery or equipment or any type of waste materials and new or used personal property of any kind or description

"4. A temporary enclosure, within the meaning of this Section, shall mean any structure or building in which there is installed no means for heating the interior in cold weather, either in whole or in part; or which has no roof; or which has a roof and an open side or sides; or which has no covering of a permanent nature for the openings in the same; or, apart from the land upon which it is located, said enclosure or building is assessed for less than \$2,000.00.

"5. Vacant land, as herein defined, in a business district may be used for business purposes, provided a permit therefor is granted by the Town Board, as hereinafter provided. The owner of such vacant land shall make application to the Town Board for a permit to use the premises, which application shall specify the name and address of the owner, the name of the lessee, if any, and a detailed description of the property and the use to be made of it; such application shall be made in writing. The Town Clerk shall have the power to grant such a permit, after the application has been approved by the Town Board. The fee for issuing such permit shall be \$100.00 per annum, and no permit shall be issued for a period of more than one year. All permits shall expire on the 30th day of June of each year.

"6. This ordinance is not intended to apply to fruit stands selling vegetables and farm products; or to stores generally exposing articles for sale in the open on their own property, where the same are taken in at night into an enclosed building or structure; nor to persons, firms or corporations engaged in selling monuments, which have been finished and are ready for sale, provided the area of the vacant property used to display the same does not exceed an area equal to the area occupied by permanent buildings devoted to such use. Nor shall this Section apply to any person, firm, or corporation holding a franchise to sell new automobiles, automobile trucks and machinery, to the extent that the vacant land devoted to the display for sale or exchange or storage of new and used automobiles or automobile trucks or machinery does not exceed an area equal to the area occupied by permanent buildings on the same or adjoining property.

"7. Any person, firm, or corporation violating any of the provisions of this Section shall be liable to a fine or penalty not exceeding \$250.00 for each offense."

BE IT FURTHER RESOLVED, that a copy of this resolution certified by the Town Clerk, shall be entered in the minutes and published at least twice in the CHEEKTOWAGA TIMES, a newspaper having general circulation within the Township, and being the official newspaper of said Township; and that printed copies thereof be posted conspicuously in at least six (6) public places in the Town; and that a copy of this ordinance be posted on the signboard maintained by the Town Clerk, pursuant to Subdivision 6 of Section 30 of the Town Law; and affidavits of the publication and posting thereof shall be filed with the Town Clerk.

This ordinance shall take effect ten (10) days after such publication and posting, but such ordinance shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the town and showing the date of its passage and entry into the minutes.

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

Supervisor Benedict T. Holtz, voting Aye.

Councilman Joseph A. Neibert, voting Aye.

Councilman Felix Wroblewski voting Aye.

Councilman Stanley Bystrak, voting Aye.

Councilman Henry Nagel, voting Aye.

ss.
Town of Cheektowaga,
being duly sworn,
I, _____,
the publisher of the
Cheektowaga Times,
a newspaper published
in Cheektowaga,
that the notice, of
the above, taken from said
newspaper, was
printed and published
on two weeks:
8, 1953;
15, 1953;
_____ days intervened be-

P. Allis
_____ 5th _____
_____, 1953
Allis
_____ Erie County, N. Y.

NEW YORK
County
30, 1953

ITEM NO. 22

Councilman Weibert presented the following resolution and ¹⁷² moved its adoption:

WHEREAS, it became necessary in July, 1953 to clean out the channel of Scajaquada Creek and

WHEREAS, the performance of said work requires the use of a crain, trucks, and boom with operators, and the same were furnished by Herbert F. Darling and the cost of labor and equipment amounted to six hundred seventy-five dollars and sixty-four cents (\$675.64) and

WHEREAS, said work was performed under the supervision of Albert J. Kama, Town Engineer, who has approved payment of said sum of six hundred seventy-five dollars and sixty-four cents (\$675.64) to Herbert F. Darling, 131 California Drive, Williamsville 21, New York, be it

RESOLVED, that payment of the voucher of Herbert F. Darling in the amount of six hundred seventy-five dollars and sixty-four cents (\$675.64) be approved and that amount transferred from the General Fund to the Highway Fund.

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

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

AYES: -5-

NOES: -0-

ABSENT: -0-

ITEM NO. 23

TOWN OF CHEEKTOWAGA, NEW YORK
PRELIMINARY BUDGET FOR YEAR 1954

As prepared and approved by Town Board - October, 5, 1953

(Except Special Districts spreading costs on Benefit Basis)

DETAIL OF ESTIMATED EXPENDITURES

	ESTIMATED AMOUNTS	
	DETAIL	TOTAL
<u>OFFICE OF TOWN CLERK</u>		
Salary of Town Clerk	\$ 5,400.00	
Salary of Deputy Town Clerk	3,000.00	
Salary of Clerk	2,950.00	
Senior Stenographer	2,700.00	
Telephone Operator	2,500.00	
Postage, stationery, etc.	1,500.00	
Equipment	150.00	\$ 18,200.00
<u>OFFICE OF RECEIVER OF TAXES</u>		
Salary of Receiver of Taxes	\$ 5,400.00	
Salary of Senior Account Clerk	3,050.00	
Senior Account Clerk	2,800.00	
Compensation of Extra Clerks	3,000.00	
Equipment	1,207.20	
Service contracts (Office machines)	252.60	
Supplies	400.00	
Expense relating to County tax rolls:		
Postage	\$500.00	
Supplies	222.00	722.00
Expense relating to School tax rolls:		
Postage	\$450.00	
Supplies	640.00	1,090.00
		17,921.80

Posted as follows on the 15th day of October, 1953;

- 1- Town Hall Bulletin Board;
- 2- U-Crest Fire Hall, Evergreen Street and Clover Place;
- 3- Telephone Pole at the corner of Harlem Road and Cleveland Drive;
- 4- Rescue Fire Hall Bulletin Board, Pine Ridge Road;
- 5- Pine Hill Fire House Bulletin Board, Genesee Street and Normandy Avenue;
- 6- Doyle Fire House No. 1, William and Alaska Street.

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

public hearing. The Town Board decided that it was in the public interest that the Zoning Ordinances of the Town of Cheektowaga, New York be amended by adding to Section 14A the following:

New and second hand materials and articles of a similar kind or character including lumber, building materials, sand, gravel, cinders, pieces of machinery or equipment, or any type of waste material and new or used personal property of any kind or description, be it

RESOLVED, that said amendment be granted and that Section 14A be amended read as follows:

SECTION 14-A of the ZONING ORDINANCES OF THE TOWN OF CHEEKTOWAGA, NEW YORK
"Restrictions as to Use of Property for Business Purposes"

"1. It shall be unlawful for any person, firm, or corporation to use property in a business district for industrial purposes. It shall be unlawful for any person, firm, or corporation to expose for sale or exchange or to give away or store upon any property located in a business district on vacant land or within a temporary enclosure any article of machinery, equipment, automobile, truck, or automobile accessory, either new or used; or junk; or used or second-material of any kind or description, new or second hand materials and articles of a similar kind or character, including lumber, building materials, sand, gravel, cinders, pieces of machinery or equipment or any type of waste materials and new or used personal property of any kind or description without first obtaining a permit to do so, duly issued by the Town Clerk, with the approval of the Town Board.

"2. For the purpose of this Section, land not actually occupied by buildings shall be regarded as vacant land.

"3. The conduct of any business on vacant land or within a temporary enclosure, as herein provided, shall be subject to the provisions of this Section, if the property is now used for any business purposes, regardless of whether it was zoned residential or for business use, or was used for business purposes prior to the enactment of the Zoning Ordinances of the Town of Cheektowaga, New York; and a prosecution under this Section, shall not be regarded as any admission on the part of the Town that the property is zoned for business purposes or located within a business district.

tion violating any of the provisions of this Section shall be liable to a fine or penalty not exceeding \$250.00 for each offense."

BE IT FURTHER RESOLVED, that a copy of this resolution certified by the Town Clerk, shall be entered in the minutes and published at least twice in the CHEEKTOWAGA TIMES, a newspaper having general circulation within the Township, and being the official newspaper of said Township; and that printed copies thereof be posted conspicuously in at least six (6) public places in the Town; and that a copy of this ordinance be posted on the signboard maintained by the Town Clerk, pursuant to Subdivision 6 of Section 3C of the Town Law; and affidavits of the publication and posting thereof shall be filed with the Town Clerk.

This ordinance shall take effect ten (10) days after such publication and posting, but such ordinance shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the town and showing the date of its passage and entry into the minutes.

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

- Supervisor Benedict T. Holtz, voting Aye.
- Councilman Joseph A. Neffert, voting Aye.
- Councilman Felix Wroblewski, voting Aye.
- Councilman Stanley Bystrak, voting Aye.
- Councilman Henry Nagel, voting Aye.

AYES: 5 NOES: 0 ABSENT: 0
STATE OF NEW YORK
ERIE COUNTY
OFFICE OF THE CLERK SS:
OF THE TOWN OF
CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 5th day of October, 1953, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 5th day of October, 1953.

KENNETH T. HANLEY,
Clerk of the Town Board.
Town of Cheektowaga, N. Y.
(SEAL) (Oct. 8, 15)

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the notice, of
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two weeks:
1953
5, 1953;
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C. Allis
5th
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Allis
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S
OF NEW YORK
County
rch 30, 1955
5029

ITEM NO. 22

Councilman Neibert presented the following resolution and ¹⁷² moved its adoption:

WHEREAS, it became necessary in July, 1953 to clean out the channel of Scajaquada Creek and

WHEREAS, the performance of said work requires the use of a crain, trucks, and boom with operators, and the same were furnished by Herbert F. Darling and the cost of labor and equipment amounted to six hundred seventy-five dollars and sixty-four cents (\$675.64) and

WHEREAS, said work was performed under the supervision of Albert J. Kamm, Town Engineer, who has approved payment of said sum of six hundred seventy-five dollars and sixty-four cents (\$675.64) to Herbert F. Darling, 131 California Drive, Williamsville 21, New York, be it

RESOLVED, that payment of the voucher of Herbert F. Darling in the amount of six hundred seventy-five dollars and sixty-four cents (\$675.64) be approved and that amount transferred from the General Fund to the Highway Fund.

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

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

AYES: -5-

NOES: -0-

ABSENT: -0-

ITEM NO. 23

TOWN OF CHEEKTOWAGA, NEW YORK
PRELIMINARY BUDGET FOR YEAR 1954

As prepared and approved by Town Board - October, 5, 1953

(Except Special Districts spreading costs on Benefit Basis)

DETAIL OF ESTIMATED EXPENDITURES

	ESTIMATED AMOUNTS	
	DETAIL	TOTAL
<u>OFFICE OF TOWN CLERK</u>		
Salary of Town Clerk	\$ 5,400.00	
Salary of Deputy Town Clerk	3,000.00	
Salary of Clerk	2,950.00	
Senior Stenographer	2,700.00	
Telephone Operator	2,500.00	
Postage, stationery, etc.	1,500.00	
Equipment	150.00	\$ 18,200.00
<u>OFFICE OF RECEIVER OF TAXES</u>		
Salary of Receiver of Taxes	\$ 5,400.00	
Salary of Senior Account Clerk	3,050.00	
Senior Account Clerk	2,800.00	
Compensation of Extra Clerks	3,000.00	
Equipment	1,207.20	
Service contracts (Office machines)	252.60	
Supplies	400.00	
Expense relating to County tax rolls:		
Postage	\$500.00	
Supplies	222.00	722.00
Expense relating to School tax rolls:		
Postage	\$450.00	
Supplies	640.00	1,090.00
		<u>17,921.80</u>

1953;

d. Cover Place;
and Cleveland Drive
Ridge Road;
Seneca Street and
Main Street.

published in the

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for *two* weeks: first publication *Oct. 8, 1953*: last publication *Oct. 15, 1953*: and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this *15th*

day of *October*, 19*53*

Eve J. Allis

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

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

BOARD OF ASSESSORS**Salary of Assessors:**

Chairman	\$ 4,700.00	
2 Assessors @ \$4,000.00 each	8,000.00	
Salary - Addressograph Operator	3,000.00	
Salary - Stenographer	2,800.00	
Salary - Senior Clerk - Special Assessments	3,250.00	
Salary of Clerk to Assessors	3,800.00	
Salary of Draftsman	1,900.00	
Extra Clerks - Special Assessments	800.00	
Office Equipment	3,000.00	
Office Expense	500.00	
Traveling Expense	300.00	\$ 32,050.00

JUSTICES OF THE PEACE

Salary of Justices - 2 at \$3,900.00 each	\$ 7,800.00	
Dockets, postage, legal forms, etc.	300.00	
Stenographic services	300.00	
Jurors fees	200.00	8,600.00

POLICE DEPARTMENT

Fees in criminal proceedings	\$ 100.00	
Town Police force salaries	61,500.00	
Telephone operators salaries	10,650.00	
Mechanic's salary	3,750.00	
Gasoline and oil	8,000.00	
Maintenance of cars and cycles	4,000.00	
Printing and stationery	500.00	
Materials and supplies	600.00	
Purchase of equipment	9,000.00	
Medical examinations	500.00	
Special traffic guards	75.00	
Maintenance - Radio station	3,000.00	
Traveling expenses	200.00	
Meals to prisoners	500.00	
Services of matron	1,100.00	\$203,675.00

RECREATION DEPARTMENT

Park and Recreation Director	\$ 3,800.00	
Secretary to Board	850.00	
Extra labor	9,600.00	
Supplies	4,000.00	
Umpires and referees	3,000.00	
Purchase of equipment	3,500.00	
Maintenance of parks, etc.	5,000.00	
Traveling expense	600.00	
Playground supervisors	4,000.00	
Equipment operators	7,600.00	
Real estate taxes	4,600.00	
	\$ 46,550.00	
Less: Estimated State Aid	4,206.75	42,343.25

ENGINEERING DEPARTMENT

Engineer's salary	\$ 4,800.00	
Draftsman	1,900.00	
Junior engineering aides	7,600.00	
Stenographic services	2,800.00	
Supplies	1,000.00	
Gasoline and oil	500.00	
Station wagon	2,200.00	20,800.00

INCINERATION PLANT

Salary of Superintendent	\$ 4,200.00	
Wages of operators	19,000.00	
Extra labor	1,000.00	
Supplies	3,000.00	
Power, gas and water	3,000.00	
Repairs	1,500.00	31,700.00

	ESTIMATED AMOUNTS	
	DETAIL	TOTAL
TOWN HISTORIAN		
Maps, records, supplies, etc.		1,300.00
TOWN BOARD		
Salaries of Councilman	\$ 12,000.00	
Salary of Town Attorney	6,300.00	
Senior Stenographer	2,800.00	
Printing briefs, cost of litigation and expense of Town Attorney	1,000.00	
Printing and publishing reports	500.00	
Office and other expense of Councilman	500.00	\$ 23,100.00
CONTINGENT FUND		
Extraordinary legal actions, expenses in legislative matters and other special and professional services		10,000.00
ADVERTISING AND PUBLISHING NOTICES		2,700.00
SUPERVISOR		
Salary of Supervisor	\$ 6,800.00	
Salary of Secretary to Supervisor	3,600.00	
Senior Stenographer	2,800.00	
Payroll Clerk	2,800.00	
Office and other expense	1,800.00	
Equipment	300.00	18,100.00
ELECTIONS		
Compensation of election inspectors	\$ 8,500.00	
Rent of polling places	1,300.00	
Moving of booths, etc.	2,500.00	
Five new voting machines	6,190.92	
Payment of capital note and interest	3,535.00	22,025.32
TOWN HOUSE		
Gas, light, power and water	\$ 3,500.00	
Telephone	6,000.00	
Supplies	2,000.00	
Purchase of equipment	1,500.00	
Repairs	500.00	
Cleaning wages	7,300.00	
Window cleaning	675.00	21,475.00
TRAFFIC REGULATION EXPENSE		
Traffic signal lights	\$ 6,000.00	
Street marking and paint	3,100.00	
School crossing guards	16,725.00	25,825.00
INSURANCE AND SURETY BONDS		38,000.00
DOG WARDENS		
Salaries (2)	\$ 5,500.00	
Equipment	1,700.00	
Other expense	400.00	7,600.00
ATTENDANCE OFFICERS		
Salaries (2)	\$ 2,800.00	
Supplies	100.00	2,900.00
MISCELLANEOUS REPAIRS AND MINOR IMPROVEMENTS		\$ 1,000.00
CONTRIBUTION TO NEW YORK STATE RETIREMENT SYSTEM		33,000.00

DEPARTMENT OF PUBLIC WORKS

Miscellaneous Functions:

General Foreman	\$ 4,000.00	
Principal Clerk	3,900.00	
Maintenance men (2)	6,800.00	
Supplies	200.00	\$ 14,900.00

SHADE TREE FUND

8,000.00

BUILDING AND PLUMBING DEPARTMENT

Building and plumbing inspector	\$ 4,000.00	
Assistant building inspector	3,700.00	
Department expense	900.00	8,600.00

ZONING BOARD OF APPEALS

Fees of members		1,200.00
-----------------	--	----------

INTEREST ON TEMPORARY LOANS

500.00

REIMBURSEMENT OF ERIE COUNTY TREASURER

Current chargebacks for erroneous taxes	\$ 1,436.78	
Amortized portion of prior chargebacks relating to cemetery property	16,345.18	17,781.96

VETERANS OBSERVANCE

800.00

MISCELLANEOUS

Including expense in connection with paying bonds, coupons, fire wardens, etc,		2,000.00
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PROVISION FOR CIVIL DEFENSE AID

3,000.00

REPAYMENT OF CAPITAL NOTE AND INTEREST

Damage claim		7,575.00
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GENERAL TOWN BOND DEBT

Principal due in 1954	\$ 17,000.00	
Interest due in 1954	3,871.50	20,871.50
TOTAL ESTIMATED GENERAL FUND EXPENDITURES		\$667,543.83

LESS: ESTIMATED REVENUE AND REDISTRIBUTED CHARGES

Revenue other than taxes levied:

Fees of Town Officers	\$ 3,000.00
Mortgage tax	10,000.00
Dog tax	5,000.00
Licenses, permits, etc.	12,000.00
Fines	5,000.00
Per capita assistance for the support of local government	161,006.70
	<u>\$196,006.70</u>

	<u>ESTIMATED AMOUNTS</u>	
	<u>DETAIL</u>	<u>TOTAL</u>
LESS: ESTIMATED REVENUE AND REDISTRIBUTED CHARGES CONT'D:		
<u>Redistributed charges:</u>		
<u>Chargebacks by Erie County</u>		
Treasurer -- Payable by:		
Town Health Fund	\$ 3.19	
Highway Fund	227.33	
Lighting District	185.95	
Water Hydrant Districts	46.52	
Consolidated Garbage District	29.23	
Sewer Districts	7,211.45	
Lateral Sewer Districts	312.74	
Sidewalk Districts	53.15	
Storm Sewer Districts	9,229.06	
Payment from Consolidated Garbage District for:		
Services of foreman	2,000.00	
Services of Principal Clerk	1,950.00	
Payment from Sewer Districts for services of Engineer		
District No. 3	1,000.00	
District No. 5	3,000.00	
Payment from Consolidated Garbage District for incineration	55,000.00	80,248.62
		<u>\$276,255.32</u>
Estimated surplus: December 31, 1953		35,000.00
TOTAL OF ESTIMATED REVENUE AND REDISTRIBUTED CHARGES AVAILABLE FOR GENERAL TOWN PURPOSES IN 1954		<u>\$311,255.32</u>
NET ESTIMATED EXPENSE FOR GENERAL TOWN GOVERNMENT		<u>\$356,288.51</u>

TOWN HEALTH FUND

Salary of Health Officer	\$ 3,500.00	
Expenses of Health Officer	350.00	
Erie County Chargebacks	3.19	
Registrar for Vital Statistics - Fees	100.00	
AMOUNT TO BE LEVIED		\$ 3,953.19

HIGHWAY DEPARTMENT

ITEM NO. 1 - PRIMARY FUND

Labor	\$ 68,200.00
Road oil	22,000.00
Stone, gravel and cement	22,500.00
Gasoline, oil and grease	6,000.00
Ready-mix cold patch	20,000.00
Culvert and sluice pipe	1,500.00
Hire of machinery	2,500.00
Erie County chargebacks - Current	18.10
Erie County chargebacks - Cemeteries	123.00
	<u>\$142,841.10</u>
Less: Estimated State Aid	2,800.00
NET ESTIMATED REQUIREMENT FOR ITEM NO. 1	<u>\$140,041.10</u>

ITEM NO. 2 - BRIDGE FUND

Bridge work	\$ 1,000.00
Bond principal and interest due in 1954	3,324.00
NET ESTIMATED REQUIREMENT FOR ITEM NO. 2	<u>\$ 4,324.00</u>

HIGHWAY DEPARTMENT CON'T

ITEM NO. 3 - MACHINERY FUND

Mechanic and extra labor	\$ 5,000.00
Tires, tubes and repairs	10,000.00
Repayment of capital notes and interest	12,609.75
Down payment on machinery	6,000.00
NET ESTIMATED REQUIREMENT FOR ITEM NO.	
3	<u>\$ 33,609.75</u>

ITEM NO. 4 - MISCELLANEOUS FUND

Salary - Superintendent of highways	\$ 5,900.00
Salary - Principal clerk	4,200.00
Snow removal	10,000.00
Miscellaneous labor	17,100.00
Weed cutting	600.00
Snow fence - setting and removeing	1,000.00
Fuel for heating plant	800.00
Gasoline and oil	1,600.00
Purchase of signs, paint and repair	1,200.00
Salt and sand	1,500.00
Transportation expenses	200.00
Erie County chargebacks - Current	61.63
Erie Coutny chargebacks - Cemeteries	24.60
Office supplies	50.00
Repairs to Curbs and Sidewalks	10,000.00
	<u>\$ 54,236.23</u>
Less: Estimated revenue from County	2,500.00

NET ESTIMATED REQUIREMENT FROM ITEM NO. 4

TOTAL FOR ALL HIGHWAY FUNDS

\$ 51,736.23

\$229,711.08

ESTIMATED AMOUNTS
DETAIL TOTAL

SPECIAL DISTRICTS

SPREADING COSTS ON AD VALOREM BASIS

WATER HYDRANT DISTRICTS

District No. 1 - Doyle	\$ 7,640.18
District No. 2 - Walden	3,015.15
District No. 3 - Fofks	2,722.91
District No. 4 - U-Crest	9,562.86
District No. 5 - Pine Hill	4,957.51
District No. 6 - Cleveland Hill	16,589.66
District No. 7 - French Road	1,455.25
District No. 8 - Hyland Road	342.50
District No 10 - Bellevue	1,370.00

AMOUNT TO BE ASSESSED \$ 47,656.02

WATER SUPPLY DISTRICT

Borden Road - (No. 9)	
Bond principal and interest due in 1954	3,824.00

GENERAL LIGHTING DISTRICT

Estimated cost of service	\$ 93,500.00
Repairs to standards, etc.	1,000.00
Erie County chargebacks - Current	12.08
Erie County chargebacks- Cemeteries	173.90
	<u>\$ 94,685.95</u>

Less: Charge to Village of Sloan \$ 300.00

Estimated surplus as of 12-31-

53 11,500.00 11,800.00

AMOUNT TO BE ASSESSED 82,885.95

SPECIAL DISTRICTS CONT'D

ESTIMATED AMOUNTS
DETAIL TOTAL

FIRE PROTECTION DISTRICTS

District No. 1 - Bowmansville		
Estimated payment to outside district for protection	\$	818.80
District No. 2 - Tic-run-da		
Payment to Cleveland Hill Fire District		
For protection service	\$4,500.00	
For hydrant rental	2,603.00	
Other expense	100.00	
	<u>\$7,203.00</u>	
Less: Estimated surplus as of 12-31-53	500.00	6,703.00
TOTAL TO BE ASSESSED FOR TWO DISTRICTS		\$ 7,521.80

CONSOLIDATED GARBAGE DISTRICT

Incineration	\$	55,000.00
Sanitation helpers		79,533.30
Sanitation drivers		27,518.40
Mechanic		4,050.00
Repair parts, tires, tubes, tools, gasoline, oil, etc.		15,000.00
Disposal site		1,500.00
Repayment of capitalnote and interest		6,375.00
Office expense		350.00
Erie County chargebacks		29.23
One extra helper		3,700.00
Payments to General Fund:		
For services of General Foreman		2,000.00
For services of Principal Clerk		1,950.00
Miscellaneous		1,000.00
		<u>\$198,005.93</u>
Less: Estimated surplus as of 12-31-53		15,000.00
TOTAL TO BE ASSESSED		\$183,005.93

EXTENSIONS TO WATER SUPPLY DISTRICT NO. 9 -

BORDEN ROAD

Como Park Extension		
Principal and interest due in 1954	\$1,900.00	
Strasmer Road Extension		
Principal and interest due in 1954	950.00	
TOTAL TO BE ASSESSED		2,850.00

FIRE DISTRICTS

District No. 1 - Doyle	\$	21,620.43
District No. 2 - Walden		14,745.00
District No. 3 - Forks		8,660.56
District No. 4 - U-Crest		21,614.87
District No. 5 - Pine Hill		20,900.00
District No. 6 - Cleveland Hill		13,012.20
District No. 8 - Hyland (Urban)		605.00
TOTAL TO BE ASSESSED FOR THE SEVEN DISTRICTS		101,158.06
OMITTED 1953 TAX		1,643.06

TOTAL ANNUAL ESTIMATE FOR 1954 FOR ALL TOWN PURPOSES, EXCEPT SPECIAL DISTRICTS SPREADING COSTS ON BENEFIT BASIS \$1,020,497.60

Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that this Town Board does hereby prepare and approve as the Preliminary Budget of this Town for the fiscal year beginning on the 1st day of January, 1954, the itemized statement of the estimated revenues and expenditures hereto attached and made part of this resolution and be it further,

RESOLVED, that such Preliminary Budget shall be filed in the Office of the Town Clerk, where it shall be available for inspection by any interested person at all reasonable hours, and be it further

RESOLVED, that this Board shall meet at 7:30 o'clock P.M.,

Eastern Standard Time, on the 19th day of October, 1953, for the purpose of holding a hearing upon such Preliminary Budget, and be it further

RESOLVED, that the Town Clerk give notice of such public hearing in the manner provided in Section 113 of the Town Law and that such notice be published in substantially the following form:

The preliminary budget of the Town of Cheektowaga for the fiscal year beginning January 1st, 1954, has been completed and filed in the office of the Town Clerk at the Town Hall, Cheektowaga, New York, where it is available for inspection by any interested person at all reasonable hours.

Further notice is hereby given that the Town Board of the Town of Cheektowaga will meet and review said preliminary budget and hold a public hearing thereon, at the Town Hall at 7:30 o'clock P.M., Eastern Standard Time, on the 19th day of October, 1953, and that at such hearing any person may be heard in favor of or against the preliminary budget as compiled for or against any item or items therein contained.

Pursuant to Section 113 of the Town Law, the proposed salaries of the following Town Officers are hereby specified as follows:

Supervisor	\$6,800.00
Councilmen (4)....each	3,000.00
Town Clerk	5,400.00
Town Superintendent of Highways	5,900.00
Town Attorney	6,300.00
Town Engineer	4,800.00

BY ORDER OF THE
TOWN BOARD

Dated: October 5th, 1953.

Kenneth T. Hanley, Town Clerk.
(Oct. 8)

Posted as follows on the 9th day of October, 1953;

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

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

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

**NOTICE OF HEARING ON
PRELIMINARY BUDGET**

NOTICE IS HEREBY GIVEN that the preliminary budget of the Town of Cheektowaga for the fiscal year beginning January 1st, 1954, has been completed and filed in the office of the Town Clerk at the Town Hall, Cheektowaga, New York, where it is available for inspection by any interested person at all reasonable hours.

Further notice is hereby given that the Town Board of the Town of Cheektowaga will meet and review said preliminary budget and hold a public hearing thereon, at the Town Hall at 7:30 o'clock P.M., Eastern Standard Time, on the 19th day of October, 1953, and that at such hearing any person may be heard in favor of or against the preliminary budget as compiled for or against any item or items therein contained.

Pursuant to Section 113 of the Town Law, the proposed salaries of the following Town Officers are hereby specified as follows:

- Supervisor \$6,800.00
- Councilmen (4).....each 3,000.00
- Town Clerk 5,400.00
- Town Superintendent of Highways 5,900.00
- Town Attorney 6,300.00
- Town Engineer 4,800.00

BY ORDER OF THE
TOWN BOARD
Dated: October 5th, 1953.
Kenneth T. Hanley, Town Clerk.
(Oct. 8)

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 OCT 8 1953; last publication OCT 8 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of OCT 16 1953 19.....

Eve J. Allis

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

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

ITEM NO. 24 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented to this meeting for audit be approved, and that the Town Clerk be authorized and directed to draw warrants on the Supervisor for payment of same.

(Warrants No. 1859 to No. 2045, inclusive, drawn on the Supervisor.)

ITEM NO. 25 Councilman Neibert moved, seconded by Councilman Wroblewski, to adjourn.

Kenneth T. Hanley

Town Clerk.

SEAL.

ITEM NO. 1 At a special meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 8th day of October, 1953, at 3:00 o'clock P.M., Eastern Standard Time, there were:

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

ABSENT: -0-

Also present were: Town Clerk Kenneth T. Hanley and Town Attorney George B. Doyle.

ITEM NO. 2 Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a petition subscribed and acknowledged by electors of the Town qualified to vote upon a proposition to raise and expend money in number equal to at least 5% of the total vote cast for Governor in said Town at the last general election held for the election of State offices was duly filed with the Town Clerk on the 3rd day of October, 1953, requesting that the following propositions be submitted to the bi-annual Town Election to be held November, 1953;

BE IT RESOLVED, that the following propositions, as requested in said petitions, be submitted to the voters of the Town of Cheektowaga, New York at the bi-annual election to be held November 3, 1953:

PROPOSITION NO. 1

SHALL THE TOWN OF CHEEKTOWAGA, NEW YORK ESTABLISH THE WARD SYSTEM FOR THE ELCTION OF COUNCILMEN?

PROPOSITION NO. II

SHALL THE TOWN OF CHEEKTOWAGA, NEW YORK, INCREASE THE NUMBER OF COUNCILMEN FROM FOUR (4) TO SIX (6) ?

and,

BE IT FURTHER RESOLVED, that the Board of Elections of Erie County, New York, be requested to place the said propositions upon the voting machine ballots for the Town of Cheektowaga, New York.

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

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

CARRIES: AYES: -5-

NOES: -0-

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

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Cheektowaga CHIEFTAIN

public newspaper published at Depew, Town of Cheek-

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

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

inserted and published therein once a week for

..... week, the first insertion being on the

8th day of *October*, 19*53* and

last insertion being on the day of

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

more than six days intervened between any two publi-

cations thereof

Richard G. Bennett

Sworn to before me this *4th* day of

Nov., 19*53*

Anthony J. Krieger

Notary Public in and for Erie County

hn 9108

ANTHONY J. KRIEGER
Notary Public in and for Erie County, New York
My Commission Expires Mar. 30, 19*54*
Reg. No. 2706

ITEM NO. 3

Councilman Nagel moved, seconded by Councilman Wroblewski, to adjourn.

Kenneth T. Hanley

Town Clerk.

ITEM No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 10th day of October, 1953, at 10:30 A.M., Eastern Standard Time, there were:

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

ABSENT: -0-

Also present was Town Clerk Kenneth T. Hanley.

ITEM NO. 2 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board has heretofore determined it to be in the public interest to make an improvement on both sides of Abeles Avenue extending from Tillotson Avenue west to Harlem Road and that portion of Vincent Avenue extending from Abeles Avenue south to Lena Avenue and that portion of Lena Avenue extending from Vincent Avenue west to Harlem Road by the construction of a lateral sewer in said highways, and

WHEREAS, this Town Board has decided after such public hearing and upon the evidence given thereat, that it is in the public interest to improve the highways above mentioned by the construction of a lateral sewer therein as hereinafter described, and

WHEREAS, this Board has heretofore directed Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, competent Civil Engineers duly licensed by the State of New York, to prepare definite plans and specifications and make a careful estimate of the expense, and with the assistance of the Town Attorney, prepare a proposed contract for the execution of the work, and such plans, specifications, estimate, and proposed contract having been duly prepared and presented to the Town Board and likewise filed with the Town Clerk, and the same having been carefully examined and approved by this Town Board,

NOW, THEREFORE,

BE IT RESOLVED, that the estimate for said improvement in the sum of Eighty five hundred dollars (\$8,500.00) be, and hereby is, approved; and

BE IT RESOLVED, that sealed proposals be invited for the furnishing of labor and materials necessary for the doing of the work for the construction of said improvement in Abeles Avenue and Vincent Avenue also Lena Avenue in accordance with said plans, specifications, estimates, and proposed contract heretofore approved, by the publication of notice thereof at least once in the Cheektowaga Times, the official newspaper of the Town, requiring each person who shall offer to do said work to file a sealed proposal or offer to do the work with certified check in the sum of Four Hundred Twenty-Five Dollars (\$425.00), payable to the order of the Supervisor, or a bond with sufficient sureties to be approved by the Town Attorney, in a penal sum of Four Hundred Twenty-Five Dollars (\$425.00), conditioned that if his proposal shall be accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract, and

BE IT FURTHER RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga at the Town Hall in said Town of Cheektowaga on the 26th day of October, 1953, at 7:30 o'clock P.M., Eastern Standard Time, and

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

NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board, Town of Cheektowaga, New York, sealed proposals shall be received and considered by said Town Board on the 26th day of October, 1953, at 7:30 o'clock P.M., Eastern Standard Time at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, New York, for the furnishing of all materials and equipment, together with all labor for the construction of certain improvements to the Sanitary Sewer System of District No. 5, to consist of the installation of Sanitary sewers and appurtenances on the following streets:

ABELES AVENUE

VINCENT AVENUE

LENA AVENUE

STATE OF NEW YORK
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER of the

The Cheektowaga CHIEFTAIN

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

week the first insertion being on the 8th day of October, 1953 and the last insertion being on the 19th day of

1953, and that not more than six days intervened between any two publications thereof

Richard G. Bennett

ANTHONY J. KRUEGER
Notary Public in and for Erie County, New York
My Commission Expires Mar. 28, 1954
Exp. No. 2706

Sworn to before me this 4th day of Nov. 1953

Anthony J. Krueger
Notary Public in and for Erie County
In 9109

Councilman Nagel moved, seconded by Councilman Wroblewski, to adjourn.

ITEM NO. 3

Kenneth T. Hanley
Town Clerk.

LEGAL NOTICE

At a Special Meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, on October 8th, 1953, at 8 o'clock P.M., Eastern Standard Time, there were

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

ABSENT: None

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a petition subscribed and acknowledged by electors of the Town qualified to vote upon a proposition to raise and expend money in number equal to at least 5% of the total vote cast for Governor in said Town at the last general election held for the election of state offices was duly filed with the Town Clerk on the 3rd day of October, 1953 requesting that the following propositions be submitted at the bi-annual Town election to be held November 3, 1953.

BE IT RESOLVED, that the following propositions, as requested in said petitions, be submitted to the voters of the Town of Cheektowaga, New York at the bi-annual Town election to be held November 3, 1953:

PROPOSITION NO. 1

SHALL THE TOWN OF CHEEKTOWAGA, NEW YORK ESTABLISH THE WARD SYSTEM FOR THE ELECTION OF COUNCILMEN?

PROPOSITION NO. II

SHALL THE TOWN OF CHEEKTOWAGA, NEW YORK INCREASE THE NUMBER OF COUNCILMEN FROM FOUR (4) TO SIX (6)?

and BE IT FURTHER RESOLVED, that the Board of Elections of Erie County, New York, be requested to place the said propositions upon the voting machine ballots for the Town of Cheektowaga, New York.

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

Supervisor Holtz, voting AYE
Councilman Neibert, voting AYE
Councilman Wroblewski, voting AYE
Councilman Bystrak, voting AYE
Councilman Nagel, voting AYE

State of New York
Erie County
Town of Cheektowaga

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 8th day of October, 1953, 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 8th day of October, 1953.
KENNETH T. HANLEY,
Clerk of the Town Board, Town of Cheektowaga, N. Y.

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, Consulting Engineers for the Town of Cheektowaga and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where the same may be examined during the usual business hours. Copies of the proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may also be examined at the office of Nussbaumer and Clarke, Consulting Engineers of the Town of Cheektowaga, New York, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$25.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contracts or the rejections of bid of such bidder, will be refunded \$25.00, and any non-bidder upon return of such copy, will be refunded \$10.00.

Each proposal shall be accompanied by a certified check payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney, in the sum of Four Hundred Twenty-Five Dollars (\$425.00). If a bond is submitted, the same shall be conditioned that, if the bidders' proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract. The Town Board reserves the right to reject any and all bids and proposals and to advertise anew and to award one contract for the entire work or separate contracts for portions thereof, if in its judgment it shall deem it to be for the best interests of the Town to do so.

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

Kenneth T. Hanley
Town Clerk.

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

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

CARRIED: AYES: -5-

NOES: -0-

ITEM NO. 3 Posted as follows on the 16th day of October, 1953;

- 1- Town Hall Bulletin Board;
- 2- Rescue Fire Hall Bulletin Board, Pine Ridge Road;
- 3- Forks Fire House Bulletin Board, Broadway at Union Road;
- 4- U-Crest Fire Hall, Evergreen Street and Clover Place;
- 5- Doyle Fire House No. 1, William and Alaska Street.

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

NOTICE TO CONTRACTORS

At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 10th day of October, 1953 at 10:30 a.m. Eastern Standard Time, there were:

PRESENT:

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

ABSENT: None

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board has heretofore determined it to be in the public interest to make an improvement on both sides of Abeles Avenue extending from Tiltotson Avenue west to Harlem Road and that portion of Vincent Avenue extending from Abeles Avenue south to Lena Avenue and that portion of Lena Avenue extending from Vincent Avenue west to Harlem Road by the construction of a lateral sewer in said highways, and

WHEREAS, this Town Board has decided after such public hearing and upon the evidence given thereat, that it is in the public interest to improve the highways above mentioned by the construction of a lateral sewer therein as hereinafter described, and

WHEREAS, this Board has heretofore directed Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, competent Civil Engineers duly licensed by the State of New York, to prepare definite plans and specifications and make a careful estimate of the expense, and with the assistance of the Town Attorney, prepare a proposed contract for the execution of the work, and such plans, specifications, estimate, and proposed contract having been duly prepared and presented to the Town Board and likewise filed with the Town Clerk, and the same having been carefully examined and approved by this Town Board,

NOW, THEREFORE,

BE IT RESOLVED that the estimate for said improvement in the sum of Eighty-five Hundred Dollars (\$8500.00) be, and hereby is, approved; and,

BE IT RESOLVED that sealed proposals be invited for the furnishing of labor and materials necessary for the doing of the work for the construction of said improvement in Abeles Avenue and Vincent Avenue also Lena Avenue in accordance with said plans, specifications, estimates and proposed contract heretofore approved, by the publication of notice thereof at least once in the **CHEEKTOWAGA TIMES**, the official newspaper of the Town, requiring each person who shall offer to do said work to file a sealed proposal or offer to do the work with certified check in the sum of Four Hundred Twenty-five Dollars (\$425.00), payable to the order of the Supervisor, or a bond with sufficient sureties to be approved by the Town Attorney, in a penal sum of Four Hundred Twenty-five Dollars (\$425.00), conditioned that if his proposal shall be accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract, and

BE IT FURTHER RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga at the Town Hall in said Town of Cheektowaga on the 26th day of October, 1953, at 7:30 o'clock P.M., Eastern Standard Time, and

BE IT FURTHER RESOLVED that said Notice to Contractors be in substantially the following form,

to wit:

Notice to Contractors

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board, Town of Cheektowaga, N. Y., sealed proposals shall be received and considered by said Town Board on the 26th day of October, 1953, at 7:30 o'clock P.M., Eastern Standard Time at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, N. Y., for the furnishing of all materials and equipment, together with all labor for the construction of certain improvements to the Sanitary Sewer System of District No. 5, to consist of the installation of sanitary sewers and appurtenances on the following streets:

Abeles Avenue
Vincent Avenue
Lena Avenue

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, consulting engineers for the Town of Cheektowaga and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where the same may be examined during the usual business hours. Copies of the proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may also be examined at the office of Nussbaumer and Clarke, consulting engineers of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$25.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contracts or the rejection of bid of such bidder, will be refunded \$25.00, and any non-bidder upon return of such copy, will be refunded \$10.00.

Each proposal shall be accompanied by a certified check payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney, in the sum of Four Hundred Twenty-five Dollars (\$425.00). If a bond is submitted, the same shall be conditioned that, if the bidder's proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract. The Town Board reserves the right to reject any and all bids and proposals and to advertise anew and to award one contract for the entire work or separate contracts for portions thereof, if in its judgment it shall deem it to be for the best interests of the Town to do so.

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

KENNETH T. HANLEY
Town Clerk

Dated: October 13, 1953.

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

Supervisor Benedict T. Holtz, voting Aye

Councilman Henry Nagel, voting Aye

Councilman Felix Wroblewski, voting Aye

Councilman Joseph A. Neibert, voting Aye

Councilman Stanley Bystrak, voting Aye

AYES: 5 NOES: 0 ABSENT: 0

Carried.

By order of the Town Board of the Town of Cheektowaga, N. Y.

KENNETH T. HANLEY
Town Clerk

Dated: October 13, 1953.

(10-15)

All in accordance with proposed contract documents, plans, profiles, drawings, instructions to bidders, specifications, and estimates for said construction, prepared by Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, Consulting Engineers for the Town of Cheektowaga and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where the same may be examined during the usual business hours. Copies of the proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may also be examined at the office of Nussbaumer and Clarke, Consulting Engineers of the Town of Cheektowaga, New York, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$25.00. Any bidder, upon returning such copy in good condition within thirty days following the award of the contracts or the rejections of bid of such bidder, will be refunded \$25.00, and any non-bidder upon return of such copy, will be refunded \$10.00.

Each proposal shall be accompanied by a certified check payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney, in the sum of Four Hundred Twenty-Five Dollars (\$425.00). If a bond is submitted, the same shall be conditioned that, if the bidders' proposal is accepted, he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract. The Town Board reserves the right to reject any and all bids and proposals and to advertise anew and to award one contract for the entire work or separate contracts for portions thereof, if in its judgment it shall deem it to be for the best interests of the Town to do so.

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

Kenneth T. Hanley
Town Clerk.

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

follows:

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

CARRIED: AYES: -5-

NOES: -0-

ITEM NO. 3

Posted as follows on the 16th day of October, 1953;

- 1- Town Hall Bulletin Board;
- 2- Rescue Fire Hall Bulletin Board, Pine Ridge Road;
- 3- Forks Fire House Bulletin Board, Broadway at Union Road;
- 4- U-Crest Fire Hall, Evergreen Street and Clover Place;
- 5- Doyle Fire House No. 1, William and Alaska Street.

Times;

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

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for *one* weeks; first publication OCT 15 1953; last publication OCT 15 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of OCT 15 1953 19.....

Eve J. Allis

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

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

**LEGAL NOTICE
REZONING GRANTED**

WHEREAS, the Zoning Board of Appeals held a public hearing on the 9th day of September, 1953, for the purpose of considering the application of Gordon P. Brown for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and,

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

WHEREAS, the Zoning Board of Appeals on the 23rd day of September, 1953, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a special meeting thereon on the 10th day of October, 1953.

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

NOW, THEREFORE

BE IT RESOLVED, by this Town Board that the ordinance adopted

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 NOV 12 1953
last publication NOV 12 1953
and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

NOV 12 1953
day of, 19.....

Eve J. Allis

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

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

Posted as follows on the 14th day of November, 1953;

- 1- Town Hall Bulletin Board.

ITEM NO. 5 The Town Clerk then proceeded to reading the minutes of the previous meetings held on September 24, 1953; September 28, 1953; October 5, 1953 and October 8, 1953, and there being no corrections or alterations, Councilman Nagel moved, seconded by Councilman Neibert that the same be placed on file in the Town Clerks' Office.

ITEM NO. 6 Councilman Bystrak moved, seconded by Councilman Wroblewski, to adjourn.

SEAL

Kenneth T. Hanley
Town Clerk.

At a regular meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 19th day of October, 1953, at 7:30 o'clock P.M., Eastern Standard Time, there were:

<u>ITEM NO. 1</u>	PRESENT: Benedict T. Holtz Henry J. Nagel Felix T. Wroblewski Joseph A. Neibert Stanley R. Bystrak	Supervisor Councilman Councilman Councilman Councilman
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ABSENT: -0-

Also present were: Town Clerk Kenneth T. Hanley; Town Attorney George B. Doyle; Tax Collector Edward Pfohl; Highway Superintendent John J. Zablotny; Building Inspector Ernest J. Roehm; Town Engineer Albert J. Kamm and Town Historian Julia Reinstein.

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

ITEM NO. 3 Communication read from Joseph E. Owczarczak; Secretary of the Cheektowaga Republican Town Committee requesting permission to display fireworks at a rally to be held in the vicinity of Harlem Road and Walden Avenue on Sunday November 1, 1953. Ordered referred to the Town Board by Supervisor Holtz.

ITEM NO. 4 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board on the 16th day of March, 1953, authorized the issuance of a Bond Anticipation Note to be dated March 16, 1953, in the sum of Twenty Eight Thousand Dollars (\$28,000) to finance the cost of the extension of Water District No. 9 Como Park Extension, and

WHEREAS, the Bonds in connection with the improvement mentioned and described in said Bond Resolution, have not as yet been sold and the Bond Anticipation Note issued pursuant to said resolution became due and payable September 16, 1953, and it is necessary to renew the same for a period of three (3) months, be it

RESOLVED, that the Supervisor be and he is hereby authorized to execute a renewal note in the sum of Twenty Eight Thousand Dollars (\$28,000) with accrued interest together with interest thereon from the date hereof at the rate of 2% per annum, payable at maturity,

That, attached hereto and made a part of this resolution is the renewal note.

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

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

CARRIED: AYES: -5-

NOES: -0-

No. 2

\$28,000.00

UNITED STATES OF AMERICA
STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this renewal note the sum of

- TWENTY EIGHT THOUSAND DOLLARS (\$28,000.00 -

three months from the date hereof, with accrued interest, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable at maturity.

Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

**LEGAL NOTICE
REZONING GRANTED**

WHEREAS, the Zoning Board of Appeals held a public hearing on the 9th day of September, 1953, for the purpose of considering the application of Gordon P. Brown for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and,

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

WHEREAS, the Zoning Board of Appeals on the 23rd day of September, 1953, having rendered its decision granting the application of petitioner to rezone from Residence District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a special meeting thereon on the 10th day of October, 1953.

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

NOW, THEREFORE.

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

DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga County of Erie and State of New York being part of Farm Lot No. 25, Township 11 and Range 7 of the Holland Land Company's Survey and which on a certain Subdivision map and survey made by Straley Bros., Surveyors, filed in Erie County Clerk's Office under Cover No. 1317, are distinguished as Subdivision Lots Nos. 62, 63, and 64 bounded and described as follows:

BEGINNING at a point in the center line of Genesee Street 180 feet northeasterly from the point of intersection of said center line of Genesee Street with the west line of premises conveyed to Anthony Guenther by Henry C. Steul by deed dated April 18, 1924 recorded in Erie County Clerk's Office in Liber 1684 of Deeds at Page 98; thence northeasterly in said center line of Genesee Street, 103 feet; thence northerly parallel with the west line of premises conveyed to Anthony Guenther by Henry C. Steul by deed aforesaid, 224.12 feet to the north line of said Farm Lot No. 25; thence westerly along the north line of said Farm Lot, 102 feet; thence southerly parallel with said eastern boundary line, 258.33 feet to the center line of Genesee Street, at the place of beginning.

Dated: November 5, 1953.

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

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for ^{one} week; first publication NOV 12 1953; last publication NOV 12 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of NOV 12 1953, 19.....

Eve J. Allis

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

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

ITEM NO. 4 Cont'd

This renewal note is one of an authorized issue, the aggregate principal amount of which is Thirty Thousand Dollars (\$30,000.00) and is issued pursuant to the Local Finance Law of New York and a bond anticipation note resolution duly adopted by the Town Board of the Town of Cheektowaga, New York, on the 16th day of March, 1953, in anticipation of the sale of Serial Bonds, to finance the cost of the extension of Water District No. 9 Como Park Extension so called, as more fully set forth in said resolution of the Town Board adopted March 16, 1953, and resolution of the Town Board adopted October 19, 1953.

The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Statutes of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this note, exist, have happened and have been performed, and that this renewal note, together with all other indebtedness of said Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this note to be signed by its Supervisor and its corporate seal to be hereunto affixed and attested by its Town Clerk and this renewal note to be dated as of the 16th day of September, 1953.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

By: Benedict T. Holtz

Supervisor

Attest:

Kenneth T. Hanley
Town Clerk.

SEAL.

ITEM NO. 5
adoption:

Councilman Bystrak presented the following resolution and moved its

BOND RESOLUTION DATED OCTOBER 19, 1953, AUTHORIZING THE ISSUANCE OF \$5,500.00 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF A LATERAL SEWER.

WHEREAS, Sewer District No. 5 hereinafter referred to, is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, pursuant to and in accordance with the provisions of the Town Law of New York, and said Sewer District has constructed and now maintains a trunk system of sewers in said District in accordance with Article 12 of the Town Law of New York, and the lateral sewer hereinafter described is to be connected with said trunk system of sewers and will be entirely within said District, and the purpose, hereinafter described, is a special improvement authorized by said Article 12;

NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$5,500.00, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as " purpose ") to be financed pursuant to this resolution is the construction of a lateral sewer, in Floral Place with an outlet through private property to Wellsworth Place so as to serve both sides of said highway in accordance with a resolution adopted by the Town Board of said Town of Cheektowaga on the 20th day of July, 1953.

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$5500 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 4 of paragraph A of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

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

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

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

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

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

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

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

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

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 OCT 22 1953
last publication OCT 22 1953;
and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of OCT 22 1953 19.....

Eve J. Allis

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

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

BOND ANTICIPATION NOTE RESOLUTION DATED OCTOBER 19, 1953
AUTHORIZING THE ISSUANCE OF \$5500 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, in the
County of Erie, as follows:

Section 1. The Board of the Town of Cheektowaga, in the County of Erie,
shall issue its Bond Anticipation Notes of the aggregate principal amount of \$5500,
pursuant to the Local Finance Law of New York, in order to finance in Sewer District
No. 5 of the Town of Cheektowaga the construction of a lateral sewer in Floral Place,
on both sides of the highway for the entire length of the street, in anticipation of
the sale of \$5500 Serial Bonds authorized by the Bond Resolution entitled " Bond
Resolution dated October 19, 1953, authorizing the issuance of \$5500 Serial Bonds
of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law,
to finance the construction of a lateral sewer", adopted by the Town Board on October
19, 1953.

Section 2. As required by the Local Finance Law, it is hereby stated that
(a) there are no outstanding Bond Anticipation Notes issued in anticipation of the sale
of said Serial Bonds, and (b) the notes authorized by this resolution are not renewal
notes, and (c) the notes described in this resolution shall mature within one year
from date of their issue, and (d) such notes are issued in anticipation of bonds for an
assessable improvement.

Section 3. Notes issued pursuant to this resolution shall be payable
not later than one year from the date of said notes, and shall bear interest at a rate
which shall not exceed five per cent (5%) per annum, payable at maturity. The power
to prescribe the terms, form and contents of such notes, subject to the provisions of this
resolution, and to sell and deliver said notes, is hereby delegated to the Town Supervisor.
The Town Supervisor and the Town Clerk are hereby directed to sign any notes issued
pursuant to this resolution and to affix to such notes the corporate seal of the Town
of Cheektowaga.

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

AYES: -5-

NOES: -0-

ABSENT: -0-

UNITED STATES OF AMERICA
STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

BOND ANTICIPATION NOTE

\$5500.00

The Town of Cheektowaga, in the County of Erie, a municipality of the
State of New York, hereby acknowledges itself indebted and for value received promises
to pay to the bearer of this note the sum of

-----FIFTY-FIVE HUNDRED DOLLARS - \$5500.00 -----

on the 1st day of March, 1954, together with interest thereon from the date hereof at the
rate of Two Per Cent (2%) per annum, payable March 1, 1954, and annually thereafter.

Both principal of and interest on this note will be paid in lawful money
of the United States of America, at the main office of the Manufacturers and Traders
Trust Company, Buffalo, New York.

This note is one of an authorized issue, the aggregate principal amount
of which is Fifty-five Hundred Dollars (\$5500.00).

This note is issued pursuant to the provisions of a bond anticipation
note resolution, dated October 19, 1953, authorizing the issuance of bond anticipation
notes of the Town of Cheektowaga, New York, in the amount of Fifty-five Hundred Dollars
(\$5500.00) in anticipation of the sale of Serial Bonds authorized to finance improvements
in Sewer District No. 5 by the construction of a Sanitary Sewer in Floral Place in the
Town of Cheektowaga, New York.

The faith and credit of such Town of Cheektowaga are hereby irrevocably
pledged for the punctual payment of the principal of and interest on this note according
to its terms.

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 OCT 22 1953; last publication OCT 22 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of OCT 22 1953, 19.....

Eve J. Allis

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

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

ITEM NO. 6 Cont'd

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Statutes of the State of New York, to exist, to have happened and to have been performed precedent to and in the issuance of this note, exist, have happened and have been performed, and that this note, together with all other indebtedness of such Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this note to be signed by its Supervisor, and its corporate seal to be hereunto affixed and attested by its Town Clerk and this note to be dated as of the 19th day of October, 1953.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BY: Benedict T. Holtz
Supervisor

Attest:

Kenneth T. Hanley
Town Clerk.

ITEM NO. 7. Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, certain persons, firms and corporations engaged in the business of collecting garbage and refuse transport the same over streets and highways in the Town of Cheektowagam New York, and

WHEREAS, it is determined that it is in the public interest that the transportation of garbage and refuse be regulated, be it

RESOLVED, that this Town Board meet at the Town Hall corner of Union Road and Broadway, Cheektowaga, New York, on the 2nd day of November, 1953, at 2:30 o'clock, P.M., for the purpose of considering the advisability of adopting a general ordinance of the Town of Cheektowaga, New York, to be known as General Town Ordinance No. 18 to read as follows:

It shall be unlawful for any person, firm or corporation to transport refuse and/or garbage for hire on public streets and highways in the Town of Cheektowaga, New York, without first obtaining a permit to do so duly issued by the Town Clerk. The Town Clerk shall have the power to grant such a permit after the application has been approved by the Town Board. The fee for issuing such a permit shall be the sum of One Hundred Dollars (\$100.00) per annum for each garbage truck or vehicle used to transport garbage and/or refuse, and no permit shall be issued for a period for more than one (1) year. All permits shall expire on the 31st day of December of each year. Applications for such permit shall be in writing and shall state the name and address of the applicant, the number and type of trucks or vehicles used by him in the transportation of garbage and/or refuse, and the place where the same is to be delivered or otherwise disposed of. This Ordinance is not intended to apply to the garbage and refuse trucks owned, operated, leased or engaged by the Sanitation Department of the Town of Cheektowaga in the collection of garbage and refuse within the Township; nor shall it apply to the hauling of feed used entirely for animal or agricultural purposes providing the owner of the truck has had issued to him a certificate of registration pursuant to the provisions of the Agriculture and Markets Law of the State of New York.

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

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

AYES: -5-

NOES: -0-

Posted as follows on the 23rd day of October, 1953;

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

Times;

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



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

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

first publication OCT 27 1953
 last publication OCT 22 1953

and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of OCT 27 1953, 19.....

Eve J. Allis

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

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

Councilman Nagel presented the following resolution, which was seconded by Councilman Wroblewski, to wit:

WHEREAS, the Town Board of the Town of Cheektowaga, in the County of Erie, has determined it to be necessary for the proper maintenance and service of the existing trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, to increase, improve, or reconstruct the facilities of such trunk sewer system and the appurtenances thereto and, at the request of the Town Board, Nussbaumer Clarke and Velzy, who are competent Civil Engineers duly licensed by the State of New York, have prepared a map and a general plan for the improvement of such trunk sewer system and for the increase of the facilities thereof and also an estimate of the expense thereof, and said map and general plan and estimate are dated October 19, 1953, and have been presented to the Town Board and have been filed in the Office of the Town Clerk; and

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

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

NOW, THEREFORE,

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

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

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, in the County of Erie and State of New York, will meet at Town Hall, corner of Broadway and Union Road, in said Town, on the 2nd day of November, 1953, at 2:30 o'clock P.M., Eastern Standard Time, and hold a public hearing for the purpose of considering a map and general plan describing proposed improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, and an estimate of the cost thereof, and that the Town Board will, at said time and place, here all persons interested in the subject of such hearing and will receive all evidence offered which will enable the Town Board to determine pursuant to the provisions of the Town Law of New York, whether it is in the public interest to make the improvements described in said map and general plan and estimate, either in whole or in part, and whether the property located within the boundaries of said District will be benefitted by the making of such improvements.

The Improvements hereinbefore referred to are described in a map and general plan dated October 19, 1953, prepared at the request of the Town Board by Nussbaumer Clarke and Velzy, Consulting Engineers, now on file in the office of the Town Clerk of the Town of Cheektowaga, and consist of improvements to the Sewage and Treatment Plant and site of Sewer District No. 5 by construction of about 40,000 square feet of sludge drying beds, construction of access roads to new sludge beds, necessary drainage facilities for roads, installation of piping from present sludge control building to new sludge beds, together with necessary pumps.

The estimated expense of making said improvements is One Hundred Twenty Thousand Dollars (\$120,000.00).

By order of the Town of Cheektowaga.

Dated: October 19, 1953.

Kenneth T. Hanley
Town Clerk of the Town of Cheektowaga.

(2) Such notice shall be published once in the Cheektowaga Times, a newspaper published in the Town of Cheektowaga and circulating in said Sewer District No. 5, and which is the official newspaper of said Town, and a copy of such notice shall be posted conspicuously in not less than five public places within said district, such publication and posting to be made not less than ten nor more than twenty days prior to the date fixed for such public hearing.

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

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

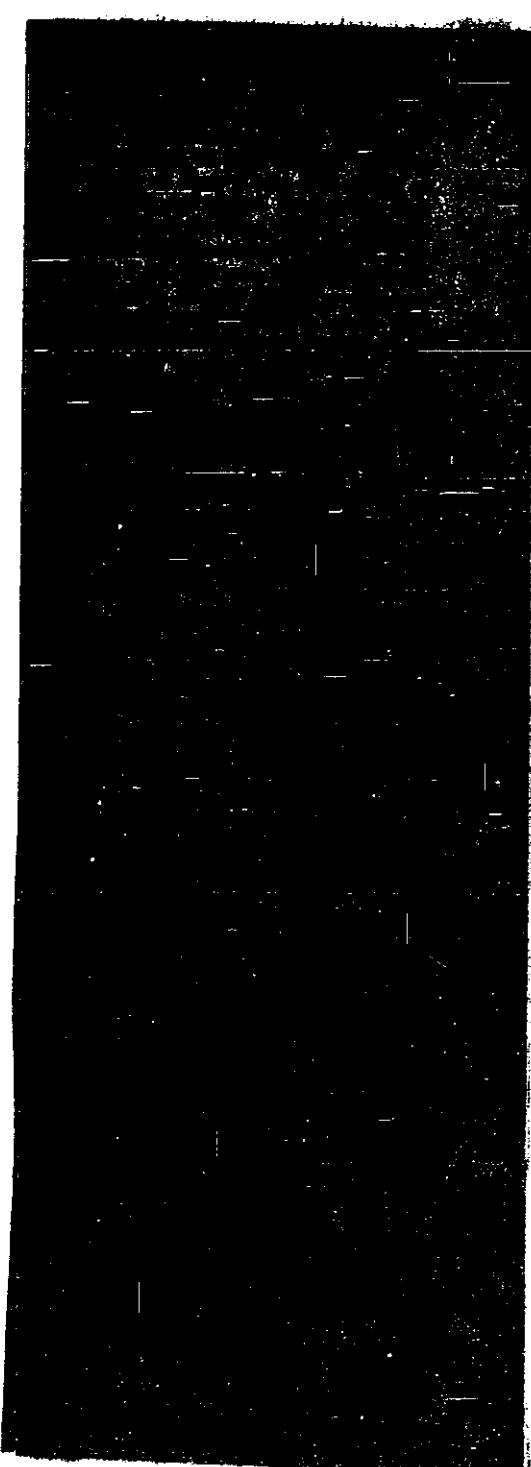
Councilman Nagel	Voting AYE
Councilman Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

Posted as follows on the 23rd day of October, 1953;

- 1- Telephone Pole at the corner of Kensington Avenue and Century Road;
- 2- Telephone Pole at the corner of Genesee Street and Union Road;
- 3- Telephone Pole at the corner of Cleveland Drive and Beach Road;
- 4- Telephone Pole at the corner of Maryvale Drive and Harlem Road;
- 5- Telephone Pole at the corner of Harlem Road and Geo. Urban Blvd.

Times:

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



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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication OCT 22 1953; last publication OCT 22 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of OCT 22 1953, 19.....

Eve J. Allis

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

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

ITEM NO. 8 Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, Peinkofer Construction Corporation, with offices in the Town of Cheektowaga, Erie County, New York, and the Niagara Frontier Development Company, Inc., with offices at 69 Chateau Terrace, Snyder, Erie County, New York, both domestic corporations organized and existing under the Laws of the State of New York, have constructed homes on Norine Drive, commencing at Beach Road, west to a circle, a distance of about five hundred (500) feet, thence southeast to another circle a distance of about five hundred (500) feet to another circle as shown under map cover 1802, filed in Erie County Clerks' Office, and have constructed the foundation for the highway on said street in accordance with specifications of the Town Highway Department and Town regulations, but have not placed the topping thereon, because heavy trucks are still operating on said street in connection with the construction of the homes, and it is the desire of the Town Highway Department that the topping not be placed on said street until the construction of homes on said street have been completed, and

WHEREAS, it has been estimated by the Town Highway Superintendent that the cost of placing topping on said street would not exceed the sum of Eight Thousand Dollars (\$8,000.00), and

WHEREAS, Peinkofer Construction Corporation and Niagara Frontier Development Company, Inc., have agreed to place topping on said highway and complete the same in accordance with specifications of the Town Highway Department and Town regulations, be it

RESOLVED, that the Town of Cheektowaga enter into a contract with the Peinkofer Construction Corporation and the Niagara Frontier Development Company, Inc., which contract is to provide that the said Peinkofer Construction Corporation and the Niagara Frontier Development Company, Inc., will place the topping on said street and complete same in accordance with the specifications of the Town Highway Department and regulations of the Town of Cheektowaga, on or before September 1, 1954.

That the annexed contract is hereby approved and the Supervisor is authorized to execute same on behalf of the Town of Cheektowaga, New York, and be it further

RESOLVED, that Peinkofer Construction Corporation and the Niagara Frontier Development Company, Inc., execute and deliver to the Town of Cheektowaga, a surety bond in the sum of Eight Thousand Dollars (\$8,000.00) as security for the faithful performance of the aforementioned contract; and be it further

RESOLVED, that said contract contain a provision that in the event the said sum of Eight Thousand Dollars (\$8,000.00) is insufficient to pay the cost of the completion of said highway then the said Peinkofer Construction Corporation and the Niagara Frontier Development Company, Inc., agree to pay any sum required in excess of that amount.

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

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

AYES: -5-

NOES: -0-

ABSENT: -0-

-AGREEMENT-

THIS AGREEMENT, made this 21st day of September, 1953, by and between the TOWN of CHEEKTOWAGA, a municipal corporation of the State of New York, with its office and principal place of business in the County of Erie, New York, party of the first part, and PEINKOFER CONSTRUCTION CORPORATION of 750 Maryvale Drive, Cheektowaga, New York, and the Niagara Frontier Development Company, Inc., of 69 Chateau Terrace, Snyder, New York, both domestic corporations organized and existing under the laws of the State of New York, parties of the second part, WITNESSETH;

WHEREAS, the parties of the second part have constructed homes on Norine Drive, commencing at Beach Road, west to a circle, a distance of about five hundred (500) feet, thence southeast to another circle a distance of about five hundred (500) feet, thence to another circle as shown under Map Cover 1802 filed in the Erie County Clerks' Office, and have constructed the foundation for the highway on said street in accordance with specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, and

WHEREAS, the party of the first part has requested the parties of the second part not to place topping on said street until all construction on said street have been completed, and

IT IS AGREED that parties of the second part agree to place topping on Norine Drive, commencing at Beach Road, west to a circle, a distance of about five hundred (500) feet, thence southeast to another circle a distance of about five hundred (500) feet to another circle, in the Town of Cheektowaga, and where necessary reconstruct the foundation of said highway and complete the same so that it will conform in every respect with the requirements of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, on or before September 1, 1954.

IT IS FURTHER AGREED that the parties of the second part will deposit with the party of the first part a surety company bond, executed by the bonding company authorized to do business in the State of New York in the sum of Eight Thousand Dollars (\$8,000.00) said bond to be worded that the parties of the second part will in all respects comply with the terms and conditions of this agreement and the accompanying resolution of the Town Board on or before September 1, 1954. In the event the parties of the second part fail to live up to the terms of this agreement, then the party of the first part is authorized to complete said highway so that in every respect same complies with the minimum requirements of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, and all expense incurred by it in completing said highways in the event the said sum of Eight Thousand Dollars (\$8,000.00) is insufficient to pay such cost then the parties of the second part hereby agree to pay any sum required in excess of that amount. It is, however, agreed that the maximum liability of the surety company is limited to the sum of Eight Thousand Dollars (\$8,000.00).

IN WITNESS WHEREOF, the parties hereto have caused their corporate seals to be hereunto affixed and this agreement to be subscribed by their duly authorized officers the day and year first above written.

TOWN OF CHEEKTOWAGA, NEW YORK

BY: Benedict T. Holtz
Supervisor

PEINKOFER CONSTRUCTION CORPORATION
BY: Alois Peinkofer

NIAGARA FRONTIER DEVELOPMENT COMPANY, INC.
BY: George T. Helbig

STATE OF NEW YORK)
COUNTY OF ERIE) SS
CITY OF BUFFALO)

On this 16th day of September, 1953, before me personally came Alois Peinkofer to me known, who being by me duly sworn, did depose and say that he resides in the Town of Amherst, New York, that he is the President of Peinkofer Construction Corporation, one of the corporations described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation, and that he signed his name thereto by like order.

Robert B. Ledger
Notary Public

STATE OF NEW YORK)
COUNTY OF ERIE) SS.
CITY OF BUFFALO)

On this 16th day of September, 1953, before me personally came George Helbig, to me known, who being by me duly sworn, did depose and say that he resides in the Village of Snyder, Erie County, New York, that he is the President of the Niagara Frontier Development Company, Inc., one of the corporations described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation, and that he signed his name thereto by like order.

Robert B. Ledger
Notary Public.

ITEM NO. 9
adoption:

Councilman Wroblewski presented the following resolution and moved its

WHEREAS, Caritas Corporation and Marijo Inc., both domestic corporations organized and existing under the laws of the State of New York with an office in the Liberty Bank Building, City of Buffalo, New York, have constructed homes on Delray Drive and Dania Drive for their entire length as shown on Map filed in the Erie County Clerks' Office under Cover No. 1785 and have constructed the foundation for the highways on both of said streets, in accordance with specifications of the Town Highway Department and Town regulations, but have not placed the topping thereon, because heavy trucks are still operating on said streets in connection with the construction of the homes and it is the desire of the Town Highway Department that the topping not be placed on said streets until the weather permits and the construction of homes on said streets has been completed, and

WHEREAS, it has been estimated by the Town Highway Superintendent that the cost of placing topping on said streets would not exceed the sum of Twenty Thousand Dollars (\$20,000.00), and

WHEREAS, Caritas Corporation and Maryjo Inc., have agreed to place the topping on said highways and complete the same in accordance with specifications of the Town Highway Department and Town regulations, be it

RESOLVED, that the Town of Cheektowaga enter into a contract with Caritas Corporation and Maryjo Inc., which contract is to provide that the said Caritas Corporation and Maryjo Inc., will place the topping on said street and complete the highway in all respects in accordance with the specifications of the Town Highway Department and regulations of the Town of Cheektowaga, on or before October 1, 1954.

That the annexed contract is hereby approved and the Supervisor is authorized to execute the same of the Town of Cheektowaga, New York, and be it further

RESOLVED, that the said Caritas Corporation and the Maryjo Inc., execute and deliver to the Town of Cheektowaga, a surety bond in the sum of Twenty Thousand Dollars (\$20,000.00) as security for the faithful performance of the aforementioned contract; and be it further

RESOLVED, that said contract contain a provision that in the event the said sum of Twenty Thousand Dollars (\$20,000.00) is insufficient to pay the cost of the completion of said highways then the said Caritas Corporation and Maryjo Inc., agree to pay any sum required in excess of that amount.

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

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

AYES: -5-

NOES: -0-

--AGREEMENT--

THIS AGREEMENT, made this 19th day of October, 1953 by and between the Town of Cheektowaga, a municipal corporation of the State of New York, with its office and principal place of business in the County of Erie, New York, and Caritas Corporation and Maryjo Inc., both domestic corporations organized and existing under the laws of the State of New York, parties of the second part, WITNESSETH:

WHEREAS, the parties of the second part have constructed homes on Delray Avenue and Dania Drive for their entire length as shown on map filed in the Erie County Clerks' office under Cover No. 1785 have constructed the foundation for the highways on said streets in accordance with specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, and

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

IT IS AGREED, that parties of the second part agree to place topping on Delray Drive and Dania Drive for their entire length as shown on Subdivision Map filed in the Erie County Clerks' Office under Cover No. 1785 and where necessary reconstruct the foundation of said highway and complete the entire highway so that the same will conform in every respect with the requirements of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, on or before September 1, 1954.

IT IS FURTHER AGREED that the parties of the second part will deposit with the party of the first part a surety bond, in the sum of Twenty Thousand Dollars (\$20,000.00) said bond to provide that the parties of the second part will in all respects comply with the terms and conditions of this agreement and the accompanying resolution of the Town Board on or before September 1, 1954. In the event the parties of the second part fail to live up to the terms of this agreement, then the party of the first part is authorized to complete said highway so that in every respect same

will comply with the minimum requirements of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, and all expenses incurred by it in completing said highways in the event the said sum of Twenty Thousand Dollars (\$20,000.00) is insufficient to pay such cost then the parties of the second part hereby agrees to pay any sum required in excess of that amount. It is, however, agreed that the maximum liability of the surety is limited to the sum of Twenty thousand Dollars (\$20,000.00).

IN WITNESS WHEREOF, the parties hereto have caused their corporate seals to be hereunto affixed and this agreement to be subscribed by their duly authorized officers the day and year first above written.

TOWN OF CHEEKTOWAGA

BY: Benedict T. Holtz
Supervisor.

CARITAS CORPORATION

BY: Arthur H. Steimiller

MARIJO INC.

BY: Arthur H. Steimiller

STATE OF NEW YORK)
COUNTY OF ERIE) SS.
CITY OF BUFFALO)

On this 19th day of October, 1953, before me personally came Arthur H. Steimiller to me known, who being by me duly sworn, did depose and say that he resides in the Town of Amherst, New York, that he is the President of Caritas Corporation, one of the corporations described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Kenneth T. Hanley
Notary Public.

STATE OF NEW YORK)
COUNTY OF ERIE) SS.
CITY OF BUFFALO)

On this 19th day of October, 1953, before me personally came Arthur H. Steimiller to me known, who being by me duly sworn, did depose and say that he resides in the Town of Amherst, New York, that he is the President of Marijo Inc., one of the corporations described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Kenneth T. Hanley
Notary Public.

STATE OF NEW YORK)
COUNTY OF ERIE) SS.
TOWN OF CHEEKTOWAGA)

On this 19th day of October, 1953, before me personally came Benedict T. Holtz, to me known, who being by me sworn did depose and say that he resides in the Town of Cheektowaga, New York, that he is the Supervisor of the Town of Cheektowaga, New York, one of the corporations described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Town Board of said corporation, and that he signed his name thereto by like order.

Kenneth T. Hanley
Notary Public

ITEM NO. 10

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

WHEREAS, a petition for the improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 24th day of September, 1953

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Verdun Place	Genesee Street	End of Street

TYPE OF STREET LIGHTING INSTALLATION
Y-20 Ornamental Standards- Underground Conduit

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

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

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 2nd day of November, 1953, at 2:30 P.M. Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

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

AYES: 5 NOES: 0 ABSENT: 0

Posted as follows on the 23rd day of October, 1953;

- 1- Telephone Pole at the corner of Verdun Place and Genesee Street;
- 2- Telephone Pole at the foot of Verdun Place;
- 3- Fence at the foot of Verdun Place;
- 4- Post at the foot of Verdun Place;
- 5- Post in front of No. 29 Verdun Place.

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

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for *one* week:
first publication OCT 22 1953
last publication OCT 22 1953
and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of OCT 22 1953 19.....

Eve J. Allis

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

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

ITEM NO. 11 This being the time and the place advertised for a public hearing on the proposed improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon order of the Supervisor, such proof was duly filed.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Mafalda Drive	Harlem Road	Nina Place

TYPE OF STREET LIGHTING INSTALLATION

Y-20 Ornamental Standards-Underground Conduit.

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

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

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

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Mafalda Drive	Harlem Road	Nina Place

TYPE OF STREET LIGHTING EQUIPMENT

Y-20 Ornamental Standards-Underground Conduit,

and heard all persons interested in the subject thereof,

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

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

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

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

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

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

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

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

AYES: 5

NOES: 0

ABSENT: 0

STATE OF NEW YORK)
) SS.
COUNTY OF ERIE)

I, Kenneth T. Hanley, Town Clerk of Cheektowaga, Erie County, New York, DO HEREBY CERTIFY that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town held on the 19 day of October, 1953, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof; and that the resolutions and orders duly adopted by the Town Board are on file in my office.

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

I FURTHER CERTIFY that a certified copy of such resolution and order was caused by me to be recorded in the Office of the Clerk of Erie County, New York, on the 26th day of October, 1953.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 26th day of October, 1953.

Kenneth T. Hanley
Town Clerk

SEAL

ITEM NO. 12

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the New York State Gas & Electric Company be authorized and directed to install 1 2500 lumen street light on pole in front of No. 104 Elliott Road, in the Town of Cheektowaga, New York.
Seconded by Councilman Nagel.

CARRIED: AYES: -5-

ITEM NO. 13

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Niagara Mohawk Power Corporation be authorized and directed to install 1 2500 lumen street light on Pole No. 18 on Herbert Place in the Town of Cheektowaga, New York.
Seconded by Councilman Nagel.

CARRIED: AYES: 5

ITEM NO. 14

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVE, to authorize Town Attorney George B. Doyle to draw up an ordinance to prohibit storing of old ice boxes and refrigerators dismantled on the premises of business and private outdoor yards, unless the doors are permanently removed to safeguard any child fatality while at play.
Seconded by Councilman Nagel.

CARRIED: AYES: 5

ITEM NO. 15

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board has requested the County Highway Superintendent to construct school signs at Borden Road and Como Park Boulevard and its request was refused and,

WHEREAS, several residents of the area has petitioned that the school signs be erected at the intersection of the two County Highways, be it

RESOLVED, that this Board again request the erection of school signs by the County Highway Department and that a copy of this resolution together with the petition be forwarded to the County Highway Superintendent.
Seconded by Councilman Neibert.

CARRIED: AYES: 5

ITEM NO. 16

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Board of Fire Commissioners of Pine Hill Fire District No. 5 requested that this Board prohibit parking on the south side of Kaufman Road because of the difficulty of answering fire calls on said highway, and

WHEREAS, this Board has investigated the request and believe it to be in the public interest to restrict parking on said highway, be it

RESOLVED, that parking of automobiles and vehicles on the south side of Kaufman Road for its entire length be prohibited and that the Chief of Police be authorized to erect suitable signs along said highway.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-

ITEM NO. 17

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board, on the 16th day of March, 1953, authorized the issuance of a Bond Anticipation Note to be dated March 16, 1953 in the sum of Fifteen Thousand Dollars (\$15,000.00) to finance the cost of the extension of Water District No. 9, and

WHEREAS, the Bonds in connection with the improvement mentioned and described in said Bond Resolution, have not as yet been sold and the Bond Anticipation Note issued pursuant to said resolution became due and payable September 16, 1953, and it is necessary to renew the same for a period of three (3) months, be it,

RESOLVED, that the Supervisor be and he is hereby authorized to execute a renewal note in the sum of Fourteen Thousand Dollars (\$14,000.00) with accrued interest together with interest thereon from the date hereof at the rate of 2% per annum, payable at maturity,

THAT attached hereto and made a part of this resolution is the renewal note.

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

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

AYES: 5

NOES: 0

ABSENT: 0

NO. 2

\$14,000.00

UNITED STATES OF AMERICA
STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this renewal note the sum of

- - - - FOURTEEN THOUSAND DOLLARS - - - -

three months from the date hereof, with accrued interest, together with interest thereon, from the date hereof at the rate of Two Per Cent (2%) per annum, payable at maturity.

Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This renewal note may be called for redemption on any date prior to maturity upon the giving of at least five days notice of the date of redemption by filing at the office of the Manufacturers and Traders Trust Co. a written notice to such effect, and interest shall cease to be paid hereon after such date of redemption.

This renewal note is one of an authorized issue, the aggregate principal amount of which is Fifteen Thousand Dollars (\$15,000.00) and is issued pursuant to the Local Finance Law of New York and a bond anticipation note resolution duly adopted by the Town Board of the Town of Cheektowaga, New York, on the 16th day of March, 1953, in anticipation of the sale of Serial Bonds, to finance the cost of the extension of Water District No. 9, Strassmer Road Extension, so called, as more fully set forth in said resolution of the Town Board adopted March 16, 1953, and in resolution of the Town Board adopted October 19, 1953.

The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this renewal note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Statutes of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this renewal note, exist, have happened and have been performed, and that this note, together with all other indebtedness of said Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laes of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York has caused this note to be signed by its Supervisor and its corporate seal to be hereunto affixed and attested by its Town Clerk and this note to be dated as of the 16th day of September, 1953.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

Attest:

BY: Benedict T. Holtz

Kenneth T. Hanley
Town Clerk

SEAL

ITEM NO. 18

Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that Howard Frier of Park Street be appointed a temporary School Guard at an hourly pay of \$1.05 and that he be direct to report to Chief Mersmann for assignment of duties.

Seconded by Councilman Bystrak.

CARRIED: AYES: 5

ITEM NO. 19

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, to authorize the Town to install Boulevard Stop Signs at the following intersections;

Oehman Blvd. at Huth Road;
Glidden Street at Hurd;
Merrymont at Wayne Terrace;

Seconded by Councilman Nagel.

CARRIED: AYES: 5

ITEM NO. 20

Supervisor Holtz stated that a notice has been published in the Cheektowaga Times calling for a public hearing on the annual estimates of revenue and expenditures for the year 1954, by the various department heads of the Town of Cheektowaga and declared that the hearing was now open to any person or persons favoring or objecting to the said estimates or expenditures.

The Town Clerk then presented proof of publication and posting of the notice of hearing and followed by reading the proposed budget by the various departments in the Town of Cheektowaga.

The Chairman then asked if there were any objections to the estimates and expenditures as read.

Dr. Victor Reinstein was granted the floor and related to the Town Board, that in his opinion, the budget should be cut down somewhat.

The Chairman ordered the hearing closed and decision was reserved.

ITEM NO. 20 Cont'd Councilman Neibert moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit, be approved, and that the Town Clerk be authorized and directed to draw orders and warrants on the Supervisor for payment of same. (Warrants No. 1944 to No. 2045, inclusive, drawn on the Supervisor).

ITEM NO. 22 Councilman Neibert moved, seconded by Councilman Bystrak, to adjourn to October 23, 1953, at 2:30 P.M., Eastern Standard Time.

Kenneth T. Hanley

Town Clerk

SEAL.

ITEM NO. 1 At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 23rd day of October, 1953, at 3:00 o'clock P.M., E.S.T., there were:

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

ALSO present were: Town Clerk, Kenneth T. Hanley; Chief of Police, John Mersman; Town Engineer Albert J Kamm; Highway Superintendent, John Zablotny, and Dog Warden Benjamin Kraska.

ITEM NO. 2 Councilman Wroblewski moved:

WHEREAS, in the 1954 Budget there is provided for in Highway Item No. 4 \$10,000 for repair of side walks and curbs, be it
RESOLVED, that the amount of \$5000.00 for side-walk repairs be transferred to the 1954 General Fund Budget, leaving a balance of \$5000.00 in Highway Item No. 4 for the repair of curbs.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-

ITEM NO. 3 Councilman Nagel moved:

RESOLVED that in the 1954 Budget under recreation, Item Extra Labor, that the proposed amount of \$9600 be reduced to \$7600.

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

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

Seconded by Councilman Wroblewski.
Motion Lost-

NAYE: -3- AYES: -2-

ITEM NO. 4

BUDGET FOR THE YEAR 1954

TOWN OF CHEEKTOWAGA

Cheektowaga, New York
November 17, 1953

I, the undersigned, Town Clerk of the Town of Cheektowaga, Erie County, New York, do hereby certify that at a meeting of the Town Board of the Town of Cheektowaga New York, held October 23, 1953, resolutions were adopted directing the Supervisor to make application to the Erie County Board of Supervisors to have levied and spread against taxable property liable therefor the following amounts for the purposes stated, said sums when collected to be paid to said Supervisor.

SUMMARY

General Town Government		\$361,288.51
Town Health Fund		3,953.19
Highway		
Item No. 1 - Primary Fund	\$11,004.10	
Item No. 2 - Bridge Fund	4,324.00	
Item No. 3 - Machinery Fund	33,609.75	
Item No. 4 - Miscellaneous Fund	46,736.23	224,711.08
General Lighting District		82,885.95
Water Hydrant Districts		47,656.02
Water Supply District - No. 9		3,824.00
Extensions to Water Supply District No. 9		2,850.00
Fire Protection Districts		7,521.80
Consolidated Garbage District		183,005.93

SUMMARY CONT'D

Sewer Districts	270,988.02
Storm Sewer Districts	27,064.33
Lateral Sanitary Sewer Districts	23,784.67
Sidewalk Districts	9,971.07
Curbing Districts	3,155.60
Paving Districts	5,395.00
Street Lighting Improvement Districts	5,806.28
Fire Districts	101,158.06
Omitted 1953 Assessments	1,837.22
TOTAL TO BE LEVIED	<u>\$1,366,850.73</u>

And, I do hereby further certify that the following is a true and complete copy of that portion of the Minutes of the Town Board at said meeting of October 23, 1953, relating to the final adoption of the Budget for the year 1954.

"On motion of Councilman Bystrak, seconded by Councilman Neibert, the following resolution was adopted and carried.

WHEREAS, Benedict T. Holtz and persons in charge of the various departments of the Town Government have submitted estimated of revenues and expenditures for the year 1954; and whereas the Town Board has adopted certain estimates as its preliminary budgets; and whereas public hearings have been duly held in relation to such preliminary budgets as provided by law.

NOW THEREFORE, BE IT RESOLVED that the following estimates of revenues and expenditures be adopted as the 1954 Budget for the Town of Cheektowaga and the respective districts therein."

TOWN OF CHEEKTOWAGA
DETAIL OF ESTIMATED EXPENDITURES
Year 1954

	<u>ESTIMATED AMOUNTS</u>	
	<u>DETAIL</u>	<u>TOTAL</u>
<u>OFFICE OF TOWN CLERK</u>		
Salary of Town Clerk	\$ 5,400.00	
Salary of Deputy Town Clerk	3,000.00	
Salary of Clerk	2,950.00	
Senior Stenographer	2,700.00	
Telephone Operator	2,500.00	
Postage, stationery, etc.	1,650.00	\$ 18,200.00
<u>OFFICE OF RECEIVER OF TAXES</u>		
Salary of Receiver of Taxes	\$ 5,400.00	
Salary of Senior Account Clerk	3,050.00	
Senior Account Clerk	2,800.00	
Compensation of Extra Clerks	3,000.00	
Equipment	1,207.20	
Service Contracts	252.60	
Supplies	400.00	
Expense relating to County Taxrolls:		
Postage	\$500.00	
Supplies	222.00	722.00
Expense relating to School tax rolls:		
Postage	\$450.00	
Supplies	640.00	1,090.00
<u>BOARD OF ASSESSORS</u>		
Salary of Assessors:		
Chairman	\$ 4,700.00	
2 Assessors @ \$4,000.00 each	8,000.00	
Salary - Addressograph Operator	3,000.00	
Salary - Stenographer	2,800.00	
Salary - Senior Clerk - Special assessments	3,250.00	
Salary of Clerk to Assessors	3,800.00	
Salary of Draftsman	1,900.00	
Extra Clerks - Special assessments	800.00	
Office equipment	3,000.00	
Office expense	500.00	
Traveling expense	300.00	32,050.00

DETAIL OF ESTIMATED EXPENDITURES - CON'D

	ESTIMATED AMOUNTS	
	DETAIL	TOTAL
<u>JUSTICES OF THE PEACE</u>		
Salary of Justices - 2 @ \$3,900.00 each	\$ 7,800.00	
Dockets, postage, legal forms, etc.	300.00	
Stenographic services	300.00	
Jurors' fees	200.00	
		8,600.00
<u>POLICE DEPARTMENT</u>		
Town police force salaries	161,500.00	
Telephone operators salaries	10,650.00	
Mechanic's salary	3,750.00	
Gasoline and oil	8,000.00	
Maintenance of cars and cycles	4,000.00	
Printing and stationery	500.00	
Materials and supplies	600.00	
Purchase of equipment	9,000.00	
Medical examinations	500.00	
Fees in criminal proceedings	100.00	
Special traffic guards	75.00	
Special investigations	200.00	
Maintenance - Radio station	3,000.00	
Traveling expenses	200.00	
Meals to prisoners	500.00	
Services of matron	1,100.00	
		\$203,675.00
<u>RECREATION DEPARTMENT</u>		
Park and Recreation Director	\$ 3,800.00	
Secretary to Board	850.00	
Extra labor	9,600.00	
Supplies	4,000.00	
Umpires and referees	3,000.00	
Purchase of equipment	3,500.00	
Maintenance of parks, etc.	5,000.00	
Traveling expense	600.00	
Playground supervisors	4,000.00	
Equipment operators	7,600.00	
Real estate taxes	4,600.00	
	\$ 46,550.00	
Less: Estimated State Aid	4,206.75	
		42,343.25
<u>ENGINEERING DEPARTMENT</u>		
Engineer's salary	\$ 4,800.00	
Draftsman	1,900.00	
Junior engineering aides	7,600.00	
Stenographic services	2,800.00	
Supplies	1,000.00	
Station Wagon	2,200.00	
Gasoline and oil	500.00	
		20,800.00
<u>TOWN HISTORIAN</u>		
Maps, records, supplies, etc.		1,300.00
<u>TOWN BOARD</u>		
Salaries of Councilmen (4)	\$ 12,000.00	
Salary of Town Attorney	6,300.00	
Senior Stenographer	2,800.00	
Printing briefs, cost of litigation and expense of Town Attorney	1,000.00	
Printing and publishing reports	500.00	
Office and other expense of Councilman	500.00	
		23,100.00
<u>CONTINGENT FUND</u>		
Estraordinary legal actions, expenses in legislative matters and other special and professional services		10,000.00
<u>ADVERTISING AND PUBLISHING NOTICES</u>		
		2,700.00

<u>SUPERVISOR</u>		
Salary of Supervisor	\$ 6,600.00	
Salary of Secretary to Supervisor	3,600.00	
Senior Stenographer	2,800.00	
Payroll Clerk	2,800.00	
Office and other expense	1,800.00	
Equipment	300.00	\$ 18,100.00
<u>ELECTIONS</u>		
Compensation of election inspectors	\$ 8,500.00	
Rent of polling places	1,300.00	
Moving booths, etc.	2,500.00	
Five new voting machines	6,190.32	
Payment of capital note and interest	3,535.00	22,025.32
<u>TOWN HOUSE</u>		
Gas, light, power and water	\$ 3,500.00	
Telephone	6,000.00	
Supplies	2,000.00	
Purchase of equipment	1,500.00	
Repairs	500.00	
Cleaning wages	7,300.00	
Window cleaning	675.00	21,475.00
<u>TRAFFIC REGULATION EXPENSE</u>		
Traffic signal lights	\$ 6,000.00	
Street marking and paint	3,100.00	
School crossing guards	16,725.00	25,825.00
<u>INSURANCE AND SURETY BONDS</u>		
		38,000.00
<u>DOG WARDENS</u>		
Salaries (2)	\$ 5,500.00	
Equipment	1,700.00	
Other expense	400.00	7,600.00
<u>ATTENDANCE OFFICERS</u>		
Salaries (2)	\$ 2,800.00	
Supplies	100.00	2,900.00
<u>MISCELLANEOUS REPAIRS AND MINOR IMPROVEMENTS</u>		
Sidewalks	\$ 5,000.00	
Other repairs and improvements	1,000.00	6,000.00
<u>CONTRIBUTION TO NEW YORK STATE RETIREMENTS SYSTEM</u>		
		33,000.00
<u>DEPARTMENT OF PUBLIC WORKS</u>		
<u>Incineration Plant:</u>		
Salary of Superintendent	\$ 4,200.00	
Wages of operators	19,000.00	
Extra labor	1,000.00	
Supplies	3,000.00	
Power, gas and water	3,000.00	
Repairs	1,500.00	\$ 31,700.00
<u>Miscellaneous Functions:</u>		
General Foreman	\$ 4,000.00	
Principal Clerk	3,900.00	
Maintenance men (2)	6,800.00	
Supplies	200.00	14,900.00
<u>SHADE TREE FUND</u>		
		8,000.00
<u>BUILDING AND PLUMBING DEPARTMENT</u>		
Building and plumbing inspector	\$ 4,000.00	
Assistant building inspector	3,700.00	
Department expense	900.00	8,600.00
<u>ZONING BOARD OF APPEALS</u>		
Fees of members		1,200.00

<u>INTEREST ON TEMPORARY LOANS</u>		\$ 500.00
<u>REIMBURSEMENT OF ERIE COUNTY TREASURER</u>		
Current chargebacks for erroneous taxes	\$ 1,436.78	
Amortized portion of prior chargebacks relating to cemetery property	<u>16,345.18</u>	17,781.96
<u>VETERANS OBSERVANCE</u>		800.00
<u>MISCELLANEOUS</u>		
Including expense in connection with paying bonds, coupons, fire wardens, etc.		2,000.00
<u>PROVISION FOR CIVIL DEFENSE AID</u>		3,000.00
<u>REPAYMENT OF CAPITAL NOTE AND INTEREST</u>		
Damage claim		7,575.00
<u>GENERAL TOWN BONDED DEBT</u>		
Principal due in 1954	\$ 17,000.00	
Interest due in 1954	<u>3,871.50</u>	20,871.50
		<u>\$672,543.83</u>

LESS: ESTIMATED REVENUE AND REDISTRIBUTED CHARGES

Revenue other than taxes levied:

Fees of Town Officers	\$ 3,000.00
Mortgage tax	10,000.00
Dog tax	5,000.00
Licenses, permits, etc.	12,000.00
Fines	5,000.00
Per capita assistance for the support of local government	<u>161,006.70</u>
	\$ 196,006.70

Redistributed Charges:

Chargebacks by Erie County

Treasurer - Payable by:

Town Health Fund	\$ 3.19
Highway Fund	227.33
Lighting District	185.95
Water Hydrant Districts	46.52
Consolidated Garbage District	29.23
Sewer Districts	7,211.45
Lateral Sanitary Sewer Districts	312.74
Sidewalk Districts	53.15
Storm Sewer Districts	9,229.06

Payment from Consolidated

Garbage Districts for:

Services for foreman	2,000.00
Services of principal clerk	1,950.00

Payment from Sewer Districts

for services of Engineer	
District No. 3	1,000.00
District No. 5	3,000.00

Payment from Consolidated

Garbage District for incineration	<u>55,000.00</u>	80,248.62
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\$276,255.32

35,000.00

Estimated surplus at December 31, 1953

TOTAL OF ESTIMATED REVENUE AND REDISTRIBUTED CHARGES

AVAILABLE FOR GENERAL TOWN PURPOSES IN 1954

NET ESTIMATED EXPENSE FOR GENERAL TOWN GOVERNMENT

311,255.32

\$361,288.51

TOWN HEALTH FUND

Board of Health

Salary of Health Officer	\$ 3,500.00
Expense of Health Officer	350.00
Erie County chargebacks	3.19
Registrar of Vital Statistics	<u>100.00</u>

AMOUNT TO BE LEVIED

\$ 3,953.19

HIGHWAY DEPARTMENT

ESTIMATED AMOUNTS
DETAIL TOTAL

ITEM NO. 1 - PRIMARY FUND

Labor	\$ 68,200.00
Road oil	22,000.00
Stone, gravel, and cement	22,500.00
Gasoline, oil and grease	6,000.00
Ready-mix cold patch	20,000.00
Culvert and sluice pipe	1,500.00
Hire of machinery	2,500.00
Erie County chargebacks - Current	18.10
Erie County chargebacks - Cemeteries	123.00
	<u>\$112,841.10</u>
Less: Estimated State Aid	2,800.00
NET ESTIMATED REQUIREMENT FOR ITEM NO. 1	<u>\$110,041.10</u>

ITEM NO. 2 @ BRIDGE FUND

Bridge work	\$ 1,000.00
Bond principal and interest due in 1954	3,324.00
NET ESTIMATED REQUIREMENT FOR ITEM NO. 2	<u>\$ 4,324.00</u>

ITEM NO. 3 - MACHINERY FUND

Mechanic and extra labor	\$ 5,000.00
Tires, tubes and repairs	10,000.00
Repayment of capital note and interest	12,609.75
Down payment on machinery	6,000.00
NET ESTIMATED REQUIREMENT FOR ITEM NO. 3	<u>\$ 33,609.75</u>

ITEM NO. 4 - MISCELLANEOUS FUND

Salary - Superintendent of Highways	\$ 5,900.00
Salary - Principal Clerk	4,200.00
Snow removal	10,000.00
Miscellaneous labor	17,100.00
Weed cutting	600.00
Snow fence - Setting and removing	1,000.00
Fuel for heating plant	800.00
Gasoline and oil	1,600.00
Purchase of signs, paint and repair	1,200.00
Salt and sand	1,500.00
Transportation expenses	200.00
Erie County chargebacks - Current	61.63
Erie County chargebacks - Cemeteries	24.60
Office supplies	50.00
Repairs to curbs and sidewalks	5,000.00
	<u>\$ 49,236.23</u>
Less: Estimated revenue from County	2,500.00
NET ESTIMATED REQUIREMENT FOR ITEM NO. 4	<u>\$ 46,736.23</u>

TOTAL FOR ALL HIGHWAY FUNDS

\$224,711.08

GENERAL LIGHTING DISTRICT

Estimated cost of service	\$ 93,500.00
Repairs to standards, etc.	1,000.00
Erie County chargebacks - Current	12.05
Erie County chargebacks - Cemeteries	173.90
	<u>\$ 94,685.95</u>

Less: Charge to Village of Sloan \$ 300.00
Estimated surplus as of 12-31-53 11,500.00

AMOUNT TO BE ASSESSED

\$ 82,885.95

WATER HYDRANT DISTRICTS

District No. 1 - Doyle	\$ 7,640.18
District No. 2 - Walden	3,015.15
District No. 3 - Forks	2,722.91
District No. 4 - U-Crest	9,562.86
District No. 5 - Pine Hill	4,957.51
District No. 6 - Cleveland Hill	16,589.66
District No. 7 - French Road	1,455.25
District No. 8 - Hyland Road	342.50
District No. 10 - Bellevue	
	<u>47,656.02</u>

AMOUNT TO BE ASSESSED

47,656.02

WATER SUPPLY DISTRICT

Borden Road - (No. 9)
 Bond principal and interest due in 1954 \$ 3,824.00

EXTENSIONS TO WATER SUPPLY DISTRICT NO. 9 -
 BORDEN ROAD

Como Park Extension:
 Principal and interest due in 1954 \$ 1,900.00
 Strasmer Road Extension:
 Principal and interest due in 1954 950.00
 AMOUNT TO BE ASSESSED 2,850.00

FIRE PROTECTION DISTRICTS

District No. 1 - Bowmansville
 Estimated payment to outside district
 for protection \$ 818.80
 District No. 2 - Tio-runda
 Payment to Cleveland Hill Fire District
 For protection service \$ 4,500.00
 For hydrant rental 2,603.00
 Other expense 100.00
 \$ 7,203.00
 Less: Estimated surplus as of
 12-31-53 500.00 6,703.00
 TOTAL TO BE ASSESSED FOR THE TWO DISTRICTS 7,521.80

CONSOLIDATED GARBAGE DISTRICT

Incineration \$ 55,000.00
 Sanitation helpers 79,533.30
 Sanitation drivers 27,518.40
 Mechanic 4,050.00
 Repair parts, tires, tubes, tools,
 gasoline, oil etc. 15,000.00
 Disposal site 1,500.00
 Repayment of capital note and interest 6,375.00
 Office expense 350.00
 Erie County chargebacks 29.23
 One extra helper 3,700.00
 Payments to General Fund:
 For services of General Foreman 2,000.00
 For services of Principal Clerk 1,950.00
 Miscellaneous 1,000.00
 \$198,005.93
 Less: Estimated surplus as of December 31, 1953 15,000.00
 TOTAL TO BE ASSESSED \$183,005.93

SEWER DISTRICTS

District No. 1
 Rent to City of Buffalo \$ 586.08
 Installment on old balance 150.00
 Interest on old balance 42.39
 Deficit 12-31-53 3.25
 To be raised by assessment \$ 781.72

District No. 2
 Rent payable to District No. 5 \$ 3,000.00
 Maintenance 300.00
 TOTAL EXPENSE FOR 1954 \$ 3,300.00
 Less: Amount payable out of District's
 Reserve Fund 500.00
 To be raised by assessment \$ 2,800.00

SEWER DISTRICT CONT'D

District No. 3

Bond principal and interest due in 1954	\$ 27,165.08
Capital note and interest	900.00
Operation of Disposal Plant	31,475.00
Real estate taxes in 1954	2,600.00
Maintenance of sewers	1,000.00
Services of Superintendent	1,100.00
Services of Engineer	1,000.00
Erie County chargebacks - Current	60.09
TOTAL EXPENSE FOR 1954	<u>\$ 65,300.17</u>

Less: Rentals:

William Street tie-in	\$ 300.00	
Franklin Street tie-in	1,000.00	
Amount payable out of District's Reserve Fund	<u>\$ 22,000.00</u>	23,300.00
To be raised by assessment		<u>\$ 42,000.17</u>

District No. 4

Rent payable to District No. 5	\$ 3,500.00	
Operation of pump station	1,700.00	
Maintenance	500.00	
TOTAL EXPENSE FOR 1954	<u>\$ 5,700.00</u>	
Less: Amount payable out of District's Reserve Fund		500.00
To be raised by assessment		<u>\$ 5,200.00</u>

District No. 5

Bond principal and interest due in 1954	\$101,743.17	
Capital note and interest	2,758.93	
Operation of disposal plant	101,725.00	
Maintenance of sewers	10,000.00	
Services of Superintendent	3,100.00	
Services of Engineer	3,000.00	
Erie County chargebacks - Current	764.93	
Erie County chargebacks - Cemeteries	6,386.43	
TOTAL EXPENSE FOR 1954	<u>\$229,478.46</u>	
Less: Revenue from charges to:		
City of Buffalo	\$12,000.00	
Josephine Asmondus	75.00	
Sewer District No. 2	3,000.00	
Sewer District No. 4	3,500.00	
Sewer District No. 6	22,800.00	
To be raised by assessment		<u>41,375.00</u>
		<u>\$188,103.46</u>

District No. 5 - Extension

Bond principal and interest due in 1954 (This amount is payable in addition to regular Sewer District No. 5 charge)	<u>\$ 6,966.67</u>
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District No. 6

Bond principal and interest due in 1954	\$ 2,336.00
Rent - Payable to District No. 5	22,000.00
Maintenance - Payable to District No. 5	800.00
	<u>\$25,136.00</u>

TOTAL FOR ALL SIX SEWER DISTRICTS \$270,988.02

STORM SEWER DISTRICTS

District No. 1

Maintenance	\$ 200.00
Principial and interest	1,162.27
To be raised by assessment	<u>\$ 1,362.27</u>

District No. 2

Erie County chargebacks - Cemeteries	\$ 9,229.06
Maintenance	200.00
To be raised by assessment	<u>\$ 9,429.06</u>

STORM SEWER DISTRICTS CONT'D

ESTIMATED AMOUNTS
DETAIL TOTAL

District No. 3

Bond principal and interest due in 1954	\$ 7,188.00
Maintenance	200.00
To be raised by assessment	<u>\$ 7,388.00</u>

District No. 4

Bond principal and interest due in 1954	\$ 9,185.00
Maintenance	200.00
	<u>\$ 9,385.00</u>

Less: Amount payable out of District's Reserve Fund	500.00
To be raised by assessment	<u>\$ 8,885.00</u>

TOTAL FOR ALL FOUR STORM SEWER DISTRICTS \$ 27,064.33

LATERAL SANITARY SEWER DISTRICTS

Arthur Street	\$ 318.38
Roycroft Blvd.	231.50
Crestwood Place	995.50
Cleveland Drive	856.95
Commodore Terrace	942.66
Buell and W. Sobieski	1,371.12
Harlem Avenue	514.17
Maryvale Drive	693.43
W. Grand Blvd.	547.93
Cleveland Drive	767.35
S. Huxley	598.05
Woodland Ave. (formerly Commodore Terrace)	1,925.84
Darwin Drive	968.79
Homesgarth Avenue	920.40
Toelsin Road	3,447.10
Cresthaven	1,662.00
Sugnet	2,216.00
Walton	1,675.50
Able	(
Vincent	(1,955.00
Lena	(
Floral Place	1,150.00
To be raised by assessment	<u>\$ 23,784.67</u>

SIDEWALK DISTRICTS

Evergreen	\$ 1,926.43
Wellworth	638.32
Clover	937.25
Rosler	1,064.07
Woodridge	4,600.00
Peinkofer Drive	805.00
To be raised by assessment	<u>9,971.07</u>

CURBING DISTRICTS

Olcott	
Principal and interest due in 1954	\$ 3,155.60
To be raised by assessment	<u>3,155.60</u>

PAVING DISTRICTS

Darwin Drive	\$ 2,340.00
Walton Drive	975.00
Cresthaven Drive	975.00
Sugnet Road	1,105.00
To be raised by assessment	<u>5,395.00</u>

STREET LIGHTING IMPROVEMENT

GROUP (5)	
Principal and interest due in 1954:	
S. Huxley	\$ 505.00
Less: Amount payable out of District's Reserve Fund	103.91
To be raised by assessment	<u>401.09</u>

STREET LIGHTING IMPROVEMENT CONT'D

GROUP (6)

Principal and interest due in 1954:

Eastvale Court	\$ 208.02
Pinevale Drive	208.02
Martinvale Court	138.69
Fairvale Drive	832.10
To be raised by assessment	<u>\$ 1,386.83</u>

GROUP (7)

Principal and interest due in 1954:

Wayne Terrace	\$ 276.93
Westbrook Drive	1,224.03
To be raised by assesement	<u>\$ 1,500.96</u>

GROUP (8)

Principal and interest due in 1954:

Highview Court	\$ 149.35
S. Century Road	365.65
To be raised by assessment	<u>\$ 515.00</u>

GROUP (9)

Principal and interest due in 1954:

Cunard Avenue	\$ 654.00
Mapleview Road	368.00
Briarcliffe Road	576.00
To be raised by assessment	<u>\$ 1,598.00</u>

GROUP (10)

Principal and interest due in 1954:

South Roycroft Blvd.	\$ 404.40
To be raised by assessment	<u>\$ 404.40</u>

TOTAL FOR ALL SIX GROUPS \$ 5,806.28

FIRE DISTRICTS

District No. 1 - Doyle	\$ 21,620.43
District No. 2 - Wadden	14,745.00
District No. 3 - Forks	8,660.56
District No. 4 - U-Crest	21,614.87
District No. 5 - Pine Hill	20,900.00
District No. 6 - Cleveland Hill	13,012.20
District No. 8 - Hyland (Urban)	605.00

TOTAL TO BE ASSESSED FOR THE SEVEN DISTRICTS \$101,158.06

OMITTED ASSESSMENTS - 1953

TOTAL NET BUDGET FOR ALL TOWN PURPOSES \$ 1,837.22

\$1,366,856.73

and

BE IT FURTHER RESOLVED, that the Supervisor be and he hereby is directed to make application to the Board of Supervisors of the County of Erie to have levied and spread against the taxable property liable therefor, the amounts hereinbefore stated as that such sums when collected be paid to the Supervisor of the Town of Cheektowaga as provided by law.

ADOPTED: Ayes: Five Noes: None Absent: None

Kenneth T. Hanley
Town Clerk

ITEM NO. 5

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Erie County Highway Department be requested to issue to the Town of Cheektowaga, New York, a permit for the installation of a traffic signal light at the intersection of Eggert Road and East Delevan Avenue.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-

adoption: Councilman Wroblewski presented the following resolution and moved its
RESOLVED, that the Reynders Electric Company be authorized and directed
to install a traffic signal light at Dingens and Harlem Road, in the Town of Cheektowaga,
New York.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-

Councilman Nagel moved, seconded by Councilman Neibert to adjourn.

Kenneth T. Hanley
Town Clerk

SEAL.

ITEM NO. 1 At a special meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 26th day of October, 1953, at 7:30 P.M., E.S.T., there were:

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

ABSENT: -0-

Also present were: Town Clerk Kenneth T. Hanley; Town Attorney George B. Doyle; Town Engineer Albert J. Kamm and Chief of Police John J. Mersmann.

ITEM NO. 2 This being the time and the place advertised for the receiving of bids for the proposed construction of a lateral sewer on both sides of Abeles Avenue extending from Tillotson Avenue west to Harlem Road and that portion of Vincent Avenue extending from Abeles Avenue south to Lena Avenue and that portion of Lena Avenue extending from Vincent Avenue west to Harlem Road.

The Supervisor directed the Town Clerk to present proof of publication of the Notice to Contractors.

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

Councilman Nagel moved, seconded by Councilman Wroblewski, that the time for the receiving of sealed bids be closed.

Councilman Nagel moved, seconded by Councilman Wroblewski, that the Town Clerk be authorized and directed to open the sealed bids.

Hereto attached is a summary of the bids received;

**BID SUMMARY - TOWN OF CHEBTOWINGA, NY
SANITARY SEWER DISTRICT NO. 5 - ABLETT LANE & VINCENT AVE**

Opening Oct 26, 1988 - 1:30 P.M.

ITEM NO.	DESCRIPTION	UNIT PRICE		QUANTITY		TOTAL PRICE		TAXES		TOTAL		ESTIMATE		TOTAL			
		UNIT	PRICE	QTY	AMOUNT	UNIT	PRICE	QTY	AMOUNT	UNIT	PRICE	QTY	AMOUNT	UNIT	PRICE	QTY	AMOUNT
1	480 L.F. 8" V.P. 8'-8" DIA	\$2.40	\$1920.00	2.00	\$111.00	2.10	\$511.00	2.30	\$1058.00	2.50	\$1058.00	2.50	\$1157.50	2.50	\$1157.50	2.50	\$1157.50
2	830 L.F. 8" V.P. 8'-10" DIA	\$2.75	\$2282.50	2.75	\$755.00	3.00	\$832.50	3.00	\$832.50	3.00	\$832.50	3.00	\$832.50	3.00	\$832.50	3.00	\$832.50
3	2 Manholes 8'-8" DIA	200.00	\$400.00	1.00	\$200.00	1.00	\$200.00	1.00	\$200.00	1.00	\$200.00	1.00	\$200.00	1.00	\$200.00	1.00	\$200.00
4	3 Manholes 8'-10" DIA	\$13.00	\$390.00	1.00	\$130.00	1.00	\$130.00	1.00	\$130.00	1.00	\$130.00	1.00	\$130.00	1.00	\$130.00	1.00	\$130.00
5	50' L.F. 8" V.P. (Clean B)	30	\$1500.00	1.00	\$30.00	1.00	\$30.00	1.00	\$30.00	1.00	\$30.00	1.00	\$30.00	1.00	\$30.00	1.00	\$30.00
6	60' V.P. Connections all diam.	3.00	\$180.00	1.00	\$60.00	1.00	\$60.00	1.00	\$60.00	1.00	\$60.00	1.00	\$60.00	1.00	\$60.00	1.00	\$60.00
7	Connections to existing	15.00	\$225.00	1.00	\$15.00	1.00	\$15.00	1.00	\$15.00	1.00	\$15.00	1.00	\$15.00	1.00	\$15.00	1.00	\$15.00
Totals For Bids After 10% Inflation		\$	\$490.00	\$	\$111.00	\$	\$111.00	\$	\$111.00	\$	\$111.00	\$	\$111.00	\$	\$111.00	\$	\$111.00
BID TOTAL																	
Corrected Bid																	

RESOLVED, that the aforementioned map of Cherokee Park Part 2 insofar as street layout, lots and land planning be approved with the understanding that a final map will be submitted showing the exact dimensions of all lots and streets.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

ITEM NO. 6 Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that the Subdivision Map of Aurora Drive dated October 20, 1953, prepared by Nussbaumer Sharke and Velzy, Engineers, be approved and ordered filed in the Town Clerks' Office.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -5-.

ITEM NO. 7 Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, this Town Board has heretofore determined it to be in the public interest to make an improvement on both sides of Woodridge Avenue for its entire length commencing at the south line of Huth Road to the north line of Maryvale Drive by the construction of a concrete sidewalk four (4) feet in width, of standard specifications, and four (4) inches in depth, to be laid on a cinder sub-base which shall be two (2) inches in depth, and

WHEREAS, the Board of Assessors of said Town of Cheektowaga has certified in writing to this Board that the above mentioned petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage on both sides of Woodridge Avenue, and

WHEREAS, said petition is signed by residents owning not less than one-half of the frontage owned by residents residing in or along the street or highway covered or reported by said petition, and

WHEREAS, said petition is signed and acknowledged in the same manner as a deed to be recorded, and

WHEREAS, the amount proposed to be expended for the improvements is the sum of Twenty Thousand Dollars (\$20,000), and

WHEREAS, this Town Board on the 8th day of September, 1953, adopted a resolution and ordered specified the time when and the place where said Board will meet to consider the petition and to hear all persons interested in the subject thereof concerning the same, and

WHEREAS, a public hearing was held on said petition on the 21st day of September, 1953, at 7:30 o'clock P.M., and notice of said public hearing having been duly published and posted as required by law, and

WHEREAS, the Town Board on the 21st day of September, 1953, duly adopted a resolution and order that it is in the public interest to grant the construction of sidewalks on both sides of Woodridge Avenue for its entire length, commencing at the south line of Huth Road to the north line of Maryvale Drive, and

WHEREAS, on the 21st day of September, 1953, Nussbaumer Clarke and Velzy, Consulting Engineers, were directed to make a survey of the portion of the highway to be improved and establish the lines and grade thereof, and to prepare definite plans and specifications, and to make a careful estimate of the expense and, with the assistance of the Town Attorney, prepare a proposed contract for the execution of the work to be performed, and

WHEREAS, a profile of the grade, survey and plans and specifications have been duly filed in the Town Clerks' Office,

NOW, THEREFORE,

BE IT RESOLVED, that the estimate of said improvement in the sum of Twenty Thousand Dollars (\$20,000) be, and the same is hereby approved. That sealed proposals be invited for the furnishing of labor and materials necessary for the doing of the work for the construction of said improvement in Woodridge Avenue in accordance with said plans, specifications, estimate and proposed contract here-tofore approved by the publication of a notice thereof at least once in the Cheektowaga Times, the official newspaper of the Town, requiring each person who shall offer to do the work to file a sealed proposal or offer to do the work with certified check in the sum of One Thousand Dollars (\$1,000) payable to the order of the Supervisor, or a bond with sufficient sureties to be approved by the Town Attorney in a penal sum of One Thousand Dollars (\$1,000), conditioned that if his proposal shall be accepted he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract, and be it further

RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga, New York, at the Town Hall in the said Town of Cheektowaga on the 9th day of November, 1953, at 7:30 o'clock P.M., Eastern Standard Time, and be it further

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

Board of the Town of Cheektowaga, Erie County, New York, sealed proposals shall be received and considered by said Town Board on the 9th day of November, 1953, at 7:30 o'clock P.M., Eastern Standard Time at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, New York, for the furnishing of all the materials and equipment, together with all labor for the construction of a certain improvement on the both sides of Woodridge Avenue, to wit: the construction of a concrete sidewalk four (4) feet in width, of standard specifications, and four (4) inches in depth, to be laid on a cinder sub-base which shall be two (2) inches in depth, which sidewalk shall be so constructed to serve the properties on both sides of Woodridge Avenue for a distance of 100 feet, commencing at the intersection of Woodridge Road to the south and ending at Woodridge Drive, in accordance with proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates prepared by Nussbaumer & Clarke, consulting engineers of the Town of Cheektowaga, and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where the same may be examined during the usual business hours. Copies of the proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates may also be examined at the office of Nussbaumer & Clarke, consulting engineers of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$15.00. Any bidder returning such copy in good condition within thirty days following the award of the contract or the rejection of his bid at such time as he

Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney in a penal sum of One Thousand Dollars (\$1,000.00), 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. The Town Board reserves the right to reject any and all bids and proposals, and to advertise anew and to award one contract for the entire work or separate contracts for portions thereof if in its judgment it shall deem it to be for the best interests of the Town to do so.

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

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

CARRIED: AYES: -5-

NOES: -0-

The notice to contractors was published on the 29th day of October, 1953 and posted in the following places on the 30th day of October, 1953:

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

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

NOTICE TO CONTRACTORS

Construction of Sidewalk

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 26th day of October, 1953, at 7:30 o'clock P.M., there were:

PRESENT:

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

ABSENT: None.

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, this Town Board has heretofore determined it to be in the public interest to make an improvement on both sides of Woodridge Avenue for its entire length commencing at the south line of Huth Road to the north line of Maryvale Drive by the construction of a concrete sidewalk four (4) feet in width, of standard specifications, and four (4) inches in depth, to be laid on a cinder sub-base which shall be two (2) inches in depth, and WHEREAS, the Board of Assessors of said Town of Cheektowaga has certified in writing to this Board that the above mentioned petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage on both sides of Woodridge Avenue, and

WHEREAS, said petition is signed by residents owning not less than one-half of the frontage owned by residents residing in or along the street or highway covered or reported by said petition, and

WHEREAS, said petition is signed and acknowledged in the same manner as the deed to be recorded, and

WHEREAS, the amount proposed to be expended for the improvements is the sum of Twenty Thousand Dollars (\$20,000.00), and

WHEREAS, this Town Board on the 8th day of September, 1953, adopted a resolution and ordered specified the time when and the place where said Board will meet to consider the petition and to hear all persons interested in the subject thereof concerning the same, and

WHEREAS, a public hearing was held on said petition on the 21st day of September, 1953 at 7:30 o'clock P.M., and notice of said public hearing having been duly published and posted as required by law, and

WHEREAS, the Town Board on the 21st day of September, 1953 duly adopted a resolution and order that it is in the public interest to grant the construction of sidewalks on both sides of Woodridge Avenue for its entire length, commencing at the south line of Huth Road to the north line of Maryvale Drive, and

WHEREAS, on the 21st day of September, 1953 Nussbaumer & Clarke, Consulting Engineers, were directed to make a survey of the portion of the highway to be improved and establish the lines and grade thereof, and to prepare definite plans and specifications, and to make a careful estimate of the expense and, with the assistance of the Town Attorney, prepare a proposed contract for the execution of the work to be performed, and

WHEREAS, a profile of the grade, survey and plans and specifications have been duly filed in the Town Clerk's Office,

NOW, THEREFORE,

BE IT RESOLVED, that the estimate of said improvement in the sum of Twenty Thousand Dollars (\$20,000.00) be, and the same is hereby approved. That sealed proposals be invited for the furnishing of labor and materials necessary for the doing of the work for the construction of said improvement in Woodridge Avenue in accordance with said plans, specifications, estimate and proposed contract heretofore approved by the publication of a notice thereof at least once in the Cheektowaga Times, the official newspaper

the Town Attorney in a penal sum of One Thousand Dollars (\$1,000.00), conditioned that if his proposal shall be accepted he will enter into a contract for the same and that he will execute such further security as may be required for the faithful performance of the contract, and be it further

RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga, New York at the Town Hall in the said Town of Cheektowaga on the 9th day of November, 1953, at 7:30 o'clock P.M., Eastern Standard Time, and be it further

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

Notice to Contractors

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York, sealed proposals shall be received and considered by said Town Board on the 9th day of November, 1953, at 7:30 o'clock P.M., Eastern Standard Time at a meeting of the Town Board in the Town Hall in the Town of Cheektowaga, Erie County, New York, for the furnishing of all the materials and equipment, together with all labor for the construction of a certain improvement on the both sides of Woodridge Avenue, to wit: the construction of a concrete sidewalk four (4) feet in width, of standard specifications, and four (4) inches in depth, to be laid on a cinder sub-base which shall be two (2) inches in depth, which sidewalk shall be so constructed to serve the properties on both sides of Woodridge Avenue for its entire length commencing at the south line of Huth Road to the north line of Maryvale Drive, in accordance with proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates prepared by Nussbaumer & Clarke, consulting engineers of the Town of Cheektowaga, and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall of said Town, where the same may be examined during the usual business hours. Copies of the proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates may also be examined at the office of Nussbaumer & Clarke, consulting engineers of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$15.00. Any bidder upon returning such copy in good condition within thirty days following the award of the contract or the rejection of bid of such bidder, will be refunded \$15.00, and any non-bidder, upon return of such copy, will be refunded \$5.00.

Each proposal must be accompanied by a certified check in the sum of One Thousand Dollars (\$1,000.00), payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney in a penal sum of One Thousand Dollars (\$1,000.00), 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. The Town Board reserves the right to reject any and all bids and proposals, and to advertise anew and to award one contract for the entire work or separate contracts for portions thereof if in its judgment it shall deem it to be for the best interests of the Town to do so.

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

KENNETH T. HANLEY,

Town Clerk

Dated: October 26, 1953.

Seconded by Councilman Wroblewski and

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N. Y.

RESOLVED, that this Town Board meet at the Town Hall corner of Union Road and Broadway, Cheektowaga, New York, on the 9th day of November, 1953, at 7:30 o'clock P.M., for the purpose of considering the advisability of adopting the general ordinance of the Town of Cheektowaga to be known as General Town Ordinance No. 19, to read as follows:

" No person, firm or corporation shall leave outside of any building, in a place accessible to children any abandoned unattended, discarded ice-box, refrigerator, freezing unit, chest or any other container of a similar kind and size equipped with tight-fitting door or doors and door-locking or latching devices unless such door or latching devices have first been removed in such a manner that the said ice box or container would thereby become so dismantled as to be harmless to children who might otherwise become locked or trapped within."

Any person violating this Ordinance shall be guilty of a misdemeanor.

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

RESOLVED and ORDERED that the Town Clerk be, and he is hereby ordered and directed to publish a certified copy of this resolution and order in the Cheektowaga Times, a newspaper having general circulation in the said Town, not less than ten (1) nor more than twenty (20) days prior to the date of hearing, and that on or before said date he post conspicuously or cause to be posted conspicuously certified copies of this order in six (6) public places within the Township.

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

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

CARRIED: AYES: -5-

NOES: -0-

Posted as follows on the 30th day of October, 1953;

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

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

The notice to contractors was published on the 29th day of October, 1953 and posted in the following places on the 30th day of October, 1953:

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

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

P.M., and notice of said public hearing having been duly published and posted as required by law, and

WHEREAS, the Town Board on the 21st day of September, 1953 duly adopted a resolution and order that it is in the public interest to grant the construction of sidewalks on both sides of Woodridge Avenue for its entire length, commencing at the south line of Huth Road to the north line of Maryvale Drive, and

WHEREAS, on the 21st day of September, 1953 Nussbaumer & Clarke, Consulting Engineers, were directed to make a survey of the portion of the highway to be improved and establish the lines and grade thereof, and to prepare definite plans and specifications, and to make a careful estimate of the expense and, with the assistance of the Town Attorney, prepare a proposed contract for the execution of the work to be performed, and

WHEREAS, a profile of the grade, survey and plans and specifications have been duly filed in the Town Clerk's Office,

NOW, THEREFORE,

BE IT RESOLVED, that the estimate of said improvement in the sum of Twenty Thousand Dollars (\$20,000.00) be, and the same is hereby approved. That sealed proposals be invited for the furnishing of labor and materials necessary for the doing of the work for the construction of said improvement in Woodridge Avenue in accordance with said plans, specifications, estimate and proposed contract heretofore approved by the publication of a notice thereof at least once in the Cheektowaga Times, the official newspaper of the Town, requiring each person who shall offer to do the work to file a sealed proposal or offer to do the work with certified check in the sum of One Thousand Dollars (\$1,000.00) payable to the order of the Supervisor, or a bond with sufficient sureties to be approved by

baumer & Clarke, consulting engineers of the Town of Cheektowaga, at 327 Franklin Street, Buffalo, New York. One copy of said proposed contract, plans, profiles, drawings, instructions to bidders, specifications and estimates may be obtained upon payment of \$15.00. Any bidder upon returning such copy in good condition within thirty days following the award of the contract or the rejection of bid of such bidder, will be refunded \$15.00 and any non-bidder, upon return of such copy, will be refunded \$5.00.

Each proposal must be accompanied by a certified check in the sum of One Thousand Dollars (\$1,000.00), payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by the Town Attorney in a penal sum of One Thousand Dollars (\$1,000.00), 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. The Town Board reserves the right to reject any and all bids and proposals, and to advertise anew and to award one contract for the entire work or separate contracts for portions thereof if in its judgment it shall deem it to be for the best interests of the Town to do so.

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

KENNETH T. HANLEY,
Town Clerk

Dated: October 26, 1953.

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

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

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

AYES: 5 NOES: 0 ABSENT: 0

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

resolution and moved its adoption:

RESOLVED, that this Town Board meet at the Town Hall corner of Union Road and Broadway, Cheektowaga, New York, on the 9th day of November, 1953, at 7:30 o'clock P.M., for the purpose of considering the advisability of adopting the general ordinance of the Town of Cheektowaga to be known as General Town Ordinance No. 19, to read as follows:

" No person, firm or corporation shall leave outside of any building, in a place accessible to children any abandoned unattended, discarded ice-box, refrigerator, freezing unit, chest or any other container of a similar kind and size equipped with tight-fitting door or doors and door-locking or latching devices unless such door or latching devices have first been removed in such a manner that the said ice box or container would thereby become so dismantled as to be harmless to children who might otherwise become locked or trapped within."

Any person violating this Ordinance shall be guilty of a misdemeanor.

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

RESOLVED and ORDERED that the Town Clerk be, and he is hereby ordered and directed to publish a certified copy of this resolution and order in the Cheektowaga Times, a newspaper having general circulation in the said Town, not less than ten (1) nor more than twenty (20) days prior to the date of hearing, and that on or before said date he post conspicuously or cause to be posted conspicuously certified copies of this order in six (6) public places within the Township.

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

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

CARRIED: AYES: -5-

NOES: -0-

Posted as follows on the 30th day of October, 1953;

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

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

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, 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 OCT 29 1953
last publication OCT 29 1953
and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of OCT 30 1953 19.....

Eve J. Allis

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

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

RESOLVED, that this Town Board meet at the Town Hall corner of Union Road and Broadway, Cheektowaga, New York, on the 9th day of November, 1953, at 7:30 o'clock P.M., for the purpose of considering the advisability of adopting the general ordinance of the Town of Cheektowaga to be known as General Town Ordinance No. 19, to read as follows:

" No person, firm or corporation shall leave outside of any building, in a place accessible to children any abandoned unattended, discarded ice-box, refrigerator, freezing unit, chest or any other container of a similar kind and size equipped with tight-fitting door or doors and door-locking or latching devices unless such door or latching devices have first been removed in such a manner that the said ice box or container would thereby become so dismantled as to be harmless to children who might otherwise become locked or trapped within."

Any person violating this Ordinance shall be guilty of a misdemeanor.

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

RESOLVED and ORDERED that the Town Clerk be, and he is hereby ordered and directed to publish a certified copy of this resolution and order in the Cheektowaga Times, a newspaper having general circulation in the said Town, not less than ten (1) nor more than twenty (20) days prior to the date of hearing, and that on or before said date he post conspicuously or cause to be posted conspicuously certified copies of this order in six (6) public places within the Township.

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

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

CARRIED: AYES: -5-

NOES: -0-

Posted as follows on the 30th day of October, 1953;

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

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

NOTICE OF HEARING
Adoption of Ordinance

At a special meeting of the Town Board of the Town of Cheektowaga, held in the Town Hall in said Town of Cheektowaga, Erie County, New York, October 26, 1953 at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT:

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

ABSENT: None.

Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that this Town Board meet at the Town Hall, corner of Union and Broadway, Cheektowaga, New York on the 9th day of November, 1953, at 7:30 o'clock P.M. for the purpose of considering the advisability of adopting a general ordinance of the Town of Cheektowaga to be known as General Town Ordinance No. 19, to read as follows:

"No person, firm or corporation shall leave outside of any building, in a place accessible to children any abandoned unattended, discarded icebox, refrigerator, freezing unit, chest or any other container of a similar kind and size equipped with tight-fitting door or doors and door-locking or latching devices unless such door or latching devices have first been removed in such a manner that the said icebox or container would thereby become so dismantled as to be harmless to children who might otherwise become locked or trapped within."

Any person violating this Ordinance shall be guilty of a misdemeanor.

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

BE IT FURTHER RESOLVED and **ORDERED** that the Town Clerk be, and he is hereby **ORDERED** and **DIRECTED** to publish a certified copy of this resolution and order in the **CHEEKTOWAGA TIMES**, a newspaper having general circulation in the said Town, not less than ten (10) nor more than twenty (20) days prior to the date of hearing, and that on or before said date he post conspicuously certified copies of this order in six (6) public places within the Township.

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

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

AYES: 5 NOES: 0 ABSENT: 0

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 26th day of October, 1953, 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 26th day of October, 1953.

KENNETH T. HANLEY,
Clerk of the Town Board,
Town of Cheektowaga, N. Y.
(SEAL) (Oct. 29)

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication OCT 29 1953; last publication OCT 29 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

OCT 30 1953, 19.....
day of

Eve J. Allis

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

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

ITEM NO. 9
to adjourn.

Councilman Neibert moved, seconded by Councilman Bystrek,

200

SEAL.

Kenneth T. Hanley

Town Clerk.

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, New York held at the Town Hall in the said Town of Cheektowaga, New York, on the 2nd day of November, 1953 at 2.30 P.M. o'clock E.S.T.

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

ABSENT: -0-

Also present was Deputy Town Clerk Elizabeth Biniasz.

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

Item No. 3 This being the time and place advertised for a public hearing for the purpose of considering a map and general plan describing proposed improvements to the trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, and an estimate of the cost thereof, and that the Town Board will hear all persons interested in the subject of such hearing and will receive all evidence offered which will enable the Town Board to determine pursuant to the provisions of the Town Law of New York, whether it is in the public interest to make the improvements described in said map and general plan and estimate, either in whole or in part, and whether the property located within the boundaries of said District will be benefitted by the making of such improvements,

The improvements hereinbefore referred to are described in a map and general plan dated October 19, 1953, prepared at the request of the Town Board by Nussbaumer, Clarke and Velzy, Consulting Engineers, now on file in the office of the Town Clerk of the Town of Cheektowaga, and consist of improvements to The Sewage and Treatment Plant and site of Sewer District No. 5 by construction of about 40,000 square feet of sludge drying beds, construction of access road to new sludge beds, necessary drainage facilities for roads, installation of piping from present sludge control building to new sludge beds, together with necessary pumps.

The estimated expense of making said improvements is one hundred twenty thousand dollars (\$120,000.00)

The Supervisor directed the Town Clerk of present proof of publication of the notice of hearing.

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

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

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, this Town Board has heretofore determined it to be in the public interest for the proper maintenance and service of the existing trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, New York, to increase, improve and re-construct the facilities of such trunk sewer system and the appurtenances thereto, and

WHEREAS, This Town Board directed Nussbaumer, Clark & Velzy, competent civil engineers duly licensed by the State of New York to prepare a map and general plan for the improvement, which map and general plan have been presented to the Town Board and have been filed in the Town Clerk's office, and said map and plan having been carefully examined by this Board and approved, and

WHEREAS, this Town Board on the 19th day of October, 1953, adopted a resolution and order that the Town Board hold a public hearing on the 2nd day of November, 1953, at 2.30 o'clock P.M., for the purpose of considering the map and general plan describing the proposed improvements to the trunk sewer system in Sewer District No. 5, and notice of said meeting having been duly published and posted as required by law, and

WHEREAS, a public hearing was held on the 2nd day of November, 1953, at 2.30 o'clock P.M., at the time and place designated in the notice of public hearing, and

WHEREAS, The Town Board on the 2nd day of November, 1953, after said public hearing determined it to be in the public interest to make the improvements, described in said map, general plan and estimate, be it

RESOLVED, that sealed proposals be invited for the furnishing of labor and materials for the doing of the work in connection with the proposed improvements to the trunk sewer system maintained by Sewer District No.5 by the publication of a notice thereof at least once in the Cheektowage Times, the official newspaper of the Town, requiring each person who shall offer to do said work, to file a sealed proposal or offer to do the work with a certified check or bid bond in the amount of 5% of the amount of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, New York, or a bond with sufficient sureties to be approved by the Supervisor of equal amount, conditioned that if his proposal is accepted he will enter into a contract for the same and that he will execute such further securities as may be required for the faithful performance of the contract, and be it further

RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga, New York, in the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on the 16th day of November 1953, at 7.30 o'clock P.M. and be it further

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

NOTICE TO CONTRACTORS

Notice is hereby given that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York, adopted on the 2nd day of November, 1953, sealed proposals will be received and considered by said Town Board on the 16th day of November 1953, at 7.30 P.M., Eastern Standard Time, in the Town Hall, Town of Cheektowaga, New York, for furnishing all materials, equipment and together with all labor for the construction of improvements and extensions to the Sewage Treatment Plant, Sanitary Sewer District No.5, Cheektowaga, New York, to include sixteen sludge beds, piping, drains, roadways and appurtenances. All work is to be in accordance with the contract documents, therefor, including plans, specifications, instructions to bidders, etc., prepared by Nussbaumer, Clarke & Velsy, Consulting Engineers for the Town of Cheektowaga, New York, and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall, Cheektowaga, New York, where they may be examined during the usual business hours.

Copies of the proposed contract documents, plans, specifications and instructions to bidders may be obtained from the Town Clerk at the office in the Town Hall, Cheektowaga, New York, or from the office of Nussbaumer, Clarke & Velsy 327 Franklin Street, Buffalo, New York, upon the payment of \$35.00 for each such set. Any bidder upon returning such plans and contract documents in good condition within twenty days following the taking of bids, will be refunded the full amount of their deposit: non-bidders will similarly be refunded only one-half of their deposit.

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

Each proposal must be accompanied by a certified check for a sum equal to not less than 5% of the amount of the bid for the improvement, payable to the order of the Supervisor, or a bond with sufficient sureties, to be approved by the Supervisor, of equal amount, conditioned that if his proposal is accepted he will enter into a contract for the same, and that he will execute such further securities as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within thirty (30) 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.

SECONDED BY Councilman Wroblewski and duly put to a vote which resulted as follows:

Supervisor Holtz	voting aye
Councilman Bys trak	voting aye
Councilman Nagel-	voting aye
Councilman Neibert	oting aye
Councilman Wroblewski	voting aye

CARRIED

AYES 5 NOES 0

Posted as follows on the 6th day of November, 1953;

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

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

**NOTICE TO CONTRACTORS
Sewer District 5 Improvements**

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 2nd day of November, 1953, at 2:30 o'clock P.M., Eastern Standard Time, there were:

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

ABSENT: None
Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, this Town Board has heretofore determined it to be in the public interest for the proper maintenance and service of the existing trunk sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, New York, to increase, improve and re-construct the facilities of such trunk sewer system and the appurtenances thereto, and

WHEREAS, this Town Board directed Nussbaumer, Clarke & Velzy, competent civil engineers duly licensed by the State of New York to prepare a map and general plan for the improvement, which map and general plan have been presented to the Town Board and have been filed in the Town Clerk's Office, and said map and plan having been carefully examined by this Board and approved, and

WHEREAS, this Town Board on the 19th day of October, 1953, adopted a resolution and order that the Town Board hold a public hearing on the 2nd day of November, 1953, at 2:30 o'clock P.M., for the purpose of considering the map and general plan describing the proposed improvements to the trunk sewer system in Sewer District No. 5, and notice of said meeting having been duly published and posted as required by law, and

WHEREAS, a public hearing was held on the 2nd day of November, 1953, at 2:30 o'clock P.M., at the time and place designated in the notice of public hearing, and

WHEREAS, the Town Board on the 2nd day of November, 1953, after said public hearing determined it to be in the public interest to make the improvement described in said map, general plan and estimate, be it

RESOLVED, that sealed proposals be invited for the furnishing of labor and materials for the doing of the work in connection with the proposed improvements to the trunk sewer system maintained by Sewer District No. 5 by the publication of a notice thereof at least once in the **CHEEKTOWAGA TIMES**, the official newspaper of the Town, requiring each person who shall offer to do said work to file a sealed proposal to offer to do the work with a certified check or bid bond in the amount of 5% of the amount of the bid, payable to the order of Benedict T. Holt, Supervisor of the Town of Cheektowaga, New York, or a bond with sufficient sureties to be approved by the Supervisor, of equal amount conditioned that if his proposal is accepted he will enter into a contract for the same and that he will execute such further securities as may be required for the faithful performance of the contract, and be it further

RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga, New York, in the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on the 10th day of November, 1953, at 7:30 o'clock P.M., and be it further

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

NOTICE TO CONTRACTORS

Notice is hereby given that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York, adopted on the 2nd day of November, 1953,

sealed proposals will be received and considered by said Town Board on the 16th day of November, 1953, at 7:30 p.m., Eastern Standard Time, in the Town Hall, Town of Cheektowaga, New York, for furnishing all materials, equipment and together with all labor for the construction of improvements and extensions to the Sewage Treatment Plant, Sanitary Sewer District No. 5, Cheektowaga, New York, to include sixteen sludge beds, piping, drains, roadways and appurtenances. All work is to be 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 of said Town, all of which are on file with the Town Clerk at his office in the Town Hall, Cheektowaga, New York, where they may be examined during the usual business hours.

Copies of the proposed contract documents, plans, specifications and instructions to bidders may be obtained from the Town Clerk at the office in the Town Hall, Cheektowaga, New York, or from the office of Nussbaumer, Clarke & Velzy, 327 Franklin Street, Buffalo, New York, upon the payment of \$35.00 for each such set. Any bidder upon returning such plans and contract documents in good condition within twenty days following the taking of bids, will be refunded the full amount of their deposit; non-bidders will similarly be refunded only one-half of their deposit.

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

Each proposal must be accompanied by a certified check for a sum equal to not less than 5% of the amount of the bid for the improvement, payable to the order of the Supervisor, or a bond with sufficient sureties, to be approved by the Supervisor, of equal amount, conditioned that if his proposal is accepted he will enter into a contract for the same, and that he will execute such further securities as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within thirty (30) 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
Town of Cheektowaga, New York
Dated: October 26, 1953
Seconded by Councilman Wroblewski and duly put to a vote which resulted as follows:
Supervisor Holt, voting Aye.
Councilman Bystrak, voting Aye.
Councilman Nagel, voting Aye.
Councilman Neibert, voting Aye.
Councilman Wroblewski, voting Aye.

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

This is to certify that I, **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 2nd day of November, 1953, 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 2nd day of November, 1953.

KENNETH T. HANLEY,
Clerk of the Town Board,
Town of Cheektowaga, N. Y.
(SEAL.) (Nov. 5)

Cheektowaga
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, N. Y.

WHEREAS, a public hearing was held on the 2nd day of November, 1953, at 2.30 o'clock P.M., at the time and place designated in the notice of public hearing, and

WHEREAS, The Town Board on the 2nd day of November, 1953, after said public hearing determined it to be in the public interest to make the improvements, described in said map, general plan and estimate, be it

RESOLVED, that sealed proposals be invited for the furnishing of labor and materials for the doing of the work in connection with the proposed improvements to the trunk sewer system maintained by Sewer District No.5 by the publication of a notice thereof at least once in the Cheektowage Times, the official newspaper of the Town, requiring each person who shall offer to do said work, to file a sealed proposal or offer to do the work with a certified check or bid bond in the amount of 5% of the amount of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, New York, or a bond with sufficient sureties to be approved by the Supervisor of equal amount, conditioned that if his proposal is accepted he will enter into a contract for the same and that he will execute such further securities as may be required for the faithful performance of the contract, and be it further

RESOLVED, that sealed proposals be received and considered publicly at a meeting of the Town Board of the Town of Cheektowaga, New York, in the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, on the 16th day of November 1953, at 7.30 o'clock P.M. and be it further

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

NOTICE TO CONTRACTORS

Notice is hereby given that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York, adopted on the 2nd day of November, 1953, sealed proposals will be received and considered by said Town Board on the 16th day of November 1953, at 7.30 P.M., Eastern Standard Time, in the Town Hall, Town of Cheektowaga, New York, for furnishing all materials, equipment and together with all labor for the construction of improvements and extensions to the Sewage Treatment Plant, Sanitary Sewer District No.5, Cheektowaga, New York, to include sixteen sludge beds, piping, drains, roadways and appurtenances. All work is to be in accordance with the contract documents, therefor, including plans, specifications, instructions to bidders, etc., prepared by Nussbaumer, Clarke & Velsy, Consulting Engineers for the Town of Cheektowaga, New York, and approved by the Town Board of said Town, all of which are on file with the Town Clerk at his office in the Town Hall, Cheektowaga, New York, where they may be examined during the usual business hours.

Copies of the proposed contract documents, plans, specifications and instructions to bidders may be obtained from the Town Clerk at the office in the Town Hall, Cheektowaga, New York, or from the office of Nussbaumer, Clarke & Velsy 327 Franklin Street, Buffalo, New York, upon the payment of \$35.00 for each such set. Any bidder upon returning such plans and contract documents in good condition within twenty days following the taking of bids, will be refunded the full amount of their deposit: non-bidders will similarly be refunded only one-half of their deposit.

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

Each proposal must be accompanied by a certified check for a sum equal to not less than 5% of the amount of the bid for the improvement, payable to the order of the Supervisor, or a bond with sufficient sureties, to be approved by the Supervisor, of equal amount, conditioned that if his proposal is accepted he will enter into a contract for the same, and that he will execute such further securities as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within thirty (30) 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.

SECONDED BY Councilman Wroblewski and duly put to a vote which resulted as follows:

Supervisor Holtz	voting aye
Councilman Bys trak	voting aye
Councilman Nagel-	voting aye
Councilman Neibert	oting aye
Councilman Wroblewski	voting aye

CARRIED

AYES 5 NOES 0

Road;
and Clover Place;
and Normandy

Ch

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 NOV 5 1953; last publication NOV 5 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of NOV 5 1953 19.....

Eve J. Allis

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

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

ITEM NO. 4 This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof was duly filed.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Verdun Place	Genesee Street	End of Street

TYPE OF STREET LIGHTING INSTALLATION

Y-20 Ornamental Standards-Underground Conduit

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

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

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

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Verdun Place	Genesee Street	End of Street

TYPE OF STREET LIGHTING INSTALLATION

Y-20 Ornamental Standards - Underground Conduit and heard all persons interested in the subject thereof,

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

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

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

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

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

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

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

	Benedict T. Holtz	voting aye	
	Henry J. Nagel	voting aye	
	Felix T. Wroblewski	voting aye	
	Joseph A. Neibert	voting aye	
	Stanley R. Bystrak	voting aye	
AYES	5	NOES	0
			CARRIED

ABSENT 0

STATE OF NEW YORK)
 COUNTY OF ERIE) SS.

I, KENNETH T. HANLEY, TOWN CLERK of the Town of Cheektowaga, Erie County, New York, do hereby certify that I have compared the foregoing with the original minutes of the meeting of the Town Board of the said Town held on the 2nd day of November, 1953, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof; and that the resolutions and orders duly adopted by the said Town Board are on file in my office.

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

I FURTHER CERTIFY that a certified copy of such resolution and order was caused by me to be recorded in the Office of the Clerk of Erie County, New York, on the 10th day of November 1953.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 10th day of November 1953.

Kenneth T. Hanley
 Town Clerk

ITEM NO. 5 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED that the Supervisor be authorized to execute on behalf of the Town of Cheektowaga the annexed application to the Erie County Highway Department for permission to erect 2 school bus station signs in the intersection of Como Parl Blvd. and Borden Road.

SECONDED BY Councilman Nagel and duly put to a vote which resulted as follows:

CARRIED AYES 5 NOES 0

ITEM NO. 6 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED that the Supervisor be authorized to purchase thru Westinghouse Electric Co 8 Y 20 Standards for Merrymont Drive the cost thereof to be charged against the lighting District.

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

CARRIED AYES 5 NOES 0

ITEM NO. 7 Councilman Wroblewski presents the following resolution and moves its adoption:

RESOLVED to authorize the New York State Gas & Electric Co. to change all street lights from 1000 lumen to globe type 2500 lumen on the following streets.

Colton, Charles, Wagner, Medina, Alaska, Glidden, Warsaw, Mansion, Peoria, Kennedy Rd. Helen, Frederick, Henry, Andrew and Dingen Sts.

Also to install additional 2500 lumen on Pole 4-Glidden St. Pole 8 Frederick Street, Andrew St. Pole 7, Pole 6 Henry Street.

SECONDED BY COUNCILMAN BYSTRAK and duly put to a vote which resulted as follows:

CARRIED AYES 5 NOES 0

ITEM NO. 8 Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, the owner of Birkdale Road, Delray Drive and Dania Drive, as shown on a subdivision map filed in the Erie County Clerk's Office under Cover No. 1785, has entered into a contract with the Town of Cheektowaga to complete the aforementioned highways in accordance with the minimum specifications of the Town Highway Department and the regulations of the Town of Cheektowaga, New York and has filed the undertaking as required by said agreement, be it

RESOLVED, that Birkdale Road, Delray Drive and Dania Drive as laid out upon said subdivision map be accepted as Town Highways and the Town Attorney is authorized and directed to record in the Erie County Clerk's Office the deed to said highways,

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

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

CARRIED AYES 5

ITEM. NO 9 Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, this Town Board granted a permit to Main Construction Corp., to remove soil from the premises of Joseph Nero and Helen M. Lutz, at al in the To n of Cheektowaga, New York, and there was issued in connection with said permit a surety bond in the sum of \$2,000.00 by the American Surety Co. of New York, that the removal of said soil would be done in accordance with the Ordinances of the Town of Cheektowaga, New York, and

WHEREAS, said soil has been removed in accordance with the Town Ordinances and the term of said permit has expired, be it,

RESOLVED, that the surety bond dated August 16, 1949 in the sum of \$2,000.00 issued on behalf of the Main Construction Corp., be discharged and the said American Surety Co. and the Main Construction Corp. be relieved from any responsibility or accountability in connection therewith.

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

	Supervisor Holtz	voting aye	
	Councilman Bystrak	voting aye	
	Councilman Nagel	Voting aye	
	Councilman Neibert	voting aye	
	Councilman Wroblewski	voting aye	
CARRIED	AYES 5	NOES 0	ABSENT 0

ITEM NO 10 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, bids wre opened on October 26, 1953 at 7.30 o'clock P.M., at the Town Hall, Town of Cheektowaga, New York, that being the tie and place advertised for bids to construct a lateral sewer in Sewer District No. 5, on Abeles, Lana and Vincent Avenues in accordance with plans and specifications prepared by Nussbaumer, Clarke & Velzy, Engineers, and

WHEREAS, the R & R Company was low bidder and agreed to perform the work in accordance wit the plans and specifications for the sum of \$4,501.50, which was the lowest bid submitted, be it

RESOLVED, that the said offer to construct the lateral sanitary sewer in Abeles, Lena dnd Vincent Avenues in the sum of \$4,501.50, made by R. R. & Company be accepted, and be it further

RESOLVED, that Nussbaumer, Clarke & Velzy, Engineers, with the assistance of the Town Attorney, prepare and have executed the contract documents.

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

	Supervisor Holtz	voting aye	
	Councilman Bystrak	voting aye	
	Councilman Nagel	voting aye	
	Councilman Neibert	voting aye	
	Councilman Wroblewski	voting aye	
CARRIED	AYES 5	NOES 0	ABSENT 0

ITEM NO 11

Councilman Neibert presented the following resolution and moves its adoption.

RESOLVED that the Town Enginner be authorized to attend a conference on Sewage treatment Plants at Columbus Ohio on Nov 9 1953, at town expense.

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

CARRIED	AYES 5	NOES 0	ABSENT 0
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ITEM NO 12 Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, owners of taxable real property situated within the Town of Cheektowaga, in the County of Erie, have presented to the Town Board of said Town, at a meeting of said Town Board held on the 2nd day of November 1953, a petition requesting that Sewer District No. 5 of said Town be extended so that it shall include the territory in said Town bounded and described as follows:

Beginnin g at a point in the westerly line of Union Road distant 21.33 feet southerly of the southerly line of Oriole Place, said point being in the southeasterly line of the U-Crest Drain;

Thence southwesterly and westerly along the southeasterly and southerly boundary line of the U-Crest Drain to a point distant 380.00 feet westerly from the westerly line of Union Road drawn at right angles thereto;

Thence southerly and along a line drawn parallel to and distant 380.00 feet westerly from the westerly line of Union Road, drawn at right angles there-

to, to apoint in the northwesterly line of the West Shore Railroad;

THENCE SOUTHWESTERLY and along the northwesterly line of the West Shore Railroad to its intersection with the southerly line of lands now, or formerly owned by Alois Peinkofer and One and as described in Liber 52195, at Page 457, Erie County Clerk's Office:

Thence westerly and along the southerly line of lands as so described and now, or formerly owned by Alois Peinkofer and One to apoint in the easterly line of the Ontario Thruway:

Thence northerly and along the easterly line of the Ontario Thruway to a point in the southerly line now, or formerly owned by Alois Peinkofer and as described in Liber 5108, at Page 390, Erie County Clerk's Office;

Thence westerly and along the southerly line of lands as so described and now, or formerly owned by Alois Peinkofer, extended westerly to a point in the easterly line of lands owned by the Nigara-Mohawk Power Co;

Thence northerly and along the easterly line of lands owned by Niagara-Mohawk Power Co., said line being the easterly line of Sanitary Sewer District No 5, t a apoint in southerly line of Sanitary Sewer District No. 5;

Thence easterly and northerly and along the southerly boundary line of Sanitary Sewer District Number 5, t a point in the southerly line of Oriole Place;

Thence easterly and along the southerly line of Oriole Place, being also the southerly boundary line of Sanitary Sewer District Number 5, toaapoint in the westerly line of Union Road;

Thence south rly and along the westerly line of Union Road for a distance of 21.33 feet to the place, or point, of beginning.

The above described lands being proposed as an extension or addition to Sanitary B sewer District Number 5, Town of Cheektowaga, Erie County, State of New York.

and

WHEREAS, said petition also requests that there be constructed in said territory proposed to be added to said sewer district a sewer system in accordance with a map and plan attached to such petition, wholly at the expense of said district; and

WHEREAS, such sewer system as shown by said map and plan, is to consist of sewer lines and the appurtenances necessary for their operation to be constructed at the locations specified in said map and plan; and

WHEREAS, it is estimated that the expense of constructing such sewer system will be To Sixty Thousand Dollats and such sum is the maximum amount proposed to be expended for such purpose:

NOW, THEREFORE,

BE IT ORDERED by the Town board of the Town of Cheektowaga that said Town Board shall meet at the Town Hall corner of Broadway and Union Road, Cheektowaga, New York, on the 16th day of November, 1953 at 7.30 o'clock P.M. Eastern Standard Time, to consider said petition and to hear all persons interested in the subject thereof concerning the same and,

BE IT FURTHER ORDERED that said Town Board shall at said time and place hear all evidence offered which will enable it to determine, purusuant to the provisions of Section 194 of the Town Law of New York (a) whether the petition is signed and acknowledged or proved as required by law and is otherwise sufficient, (b) wheter all the property and property owners within the proposed extension of said district are benefited thereby, (c) whether all the property and property owners benefited are included within the limits of thr proposed extension of said district, and (d) whether it is in the public interest to grant in whole or in part the relief sought, and

BE IT FURTHER ORDERED, that the Town Clerk be and he hereby is directed to publish and post certified copies of this order, at the time and in the manner provided by law.

SECONDED BY Councilman Nagel and duly put to a vote which resulted as follows:

	Supervisor Holtz	voting aye	
	Councilman Nagel	voting aye	
	Councilman Bystrak	voting aye	
	Councilman Wroblewski	voting aye	
	Councilman Neibert	voting aye	
CARRIED	AYES 5	NOES 0	ABSENT 0

Posted as follows on the 6th day of November, 1953;

- 1- Telephone Pole No. 3 George Urban Boulevard;
- 2- Telephone Pole No. 4 George Urban Boulevard;
- 3- Telephone Pole No. 5 George Urban Boulevard;
- 4- Telephone Pole No. 8 George Urban Boulevard;
- 5- Post at the corner of George Urban Boulevard and Cherrokee Drive;

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

NOTICE OF HEARING

Extension of Sewer District 5

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 Rd., Cheektowaga, New York, in said Town on the 2nd day of November, 1953, at 2:30 o'clock P.M., Eastern Standard Time, there were:

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

ABSENT: None
Mr. Neibert presented the following resolution and moved its adoption:

WHEREAS, owners of taxable real property situated within the Town of Cheektowaga, in the County of Erie, have presented to the Town Board of said Town, at a meeting of said Town Board held on the 2nd day of November, 1953, a petition requesting that Sewer District No. 5 of said Town be extended so that it shall include the territory in said Town bounded and described as follows:

DESCRIPTION OF BOUNDARIES OF AN EXTENSION TO SANITARY SEWER DISTRICT NO. 5 IN THE ORIOLE PLACE AREA TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK

BEGINNING at a point in the westerly line of Union Road distant 21.33 feet southerly of the southerly line of Oriole Place, said point being in the southeasterly line of the U-Crest Drain;

Thence southwesterly and westerly along the southeasterly and southerly boundary line of the U-Crest Drain to a point distant 380.00 feet westerly from the westerly line of Union Road drawn at right angles thereto;

Thence southerly and along a line drawn parallel to and distant 380.00 feet westerly from the westerly line of Union Road, drawn at right angles thereto, to a point in the northwesterly line of the West Shore Railroad;

Thence southwesterly and along the northwesterly line of the West Shore Railroad to its intersection with the southerly line of lands now, or formerly owned by Alois Peinkofer and One and as described in Liber 5295, at Page 457, Erie County Clerk's Office;

Thence westerly and along the southerly line of lands as so described and now, or formerly owned by Alois Peinkofer and One to a point in the easterly line of the Ontario Thruway;

Thence northerly and along the easterly line of the Ontario Thruway to a point in the southerly line now, or formerly owned by Alois Peinkofer and as described in Liber 5108, at Page 390, Erie County Clerk's Office;

Thence westerly and along the southerly line of lands as so described and now, or formerly owned by Alois Peinkofer, extended westerly to a point in the easterly line of lands owned by the Niagara-Mohawk Power Co.;

Thence northerly and along the easterly line of lands owned by the Niagara-Mohawk Power Co., said line being the easterly line of Sanitary Sewer District No. 5, to a point in southerly line of Sanitary Sewer District Number 5;

Thence easterly and northerly and along the southerly boundary line of Sanitary Sewer District Number 5, to a point in the southerly line of Oriole Place;

Thence easterly and along the southerly line of Oriole Place, being also the southerly boundary line of Sanitary Sewer District Number 5, to a point in the westerly line of Union Road;

Thence southerly and along the westerly line of Union Road for a distance of 21.33 feet to a place, or point, of beginning.

The above described lands being proposed as an extension or addition to Sanitary Sewer District Number 5, Town of Cheektowaga, County of Erie, State of New York.

and WHEREAS, said petition also requests that there be constructed in said territory proposed to be added to said sewer district a sewer system in accordance with a map and plan attached to such petition, wholly at the expense of said district; and

WHEREAS, such sewer system, as shown by said map and plan, is to consist of sewer lines and the appurtenances necessary for their operation to be constructed at the locations specified in said map and plan; and

WHEREAS, it is estimated that the expense of constructing such sewer system will be Sixty Thousand Dollars (\$60,000.00) and such sum is the maximum amount proposed to be expended for such purpose;

NOW, THEREFORE, BE IT ORDERED by the Town Board of the Town of Cheektowaga that said Town Board shall meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 16th day of November, 1953, at 7:30 o'clock P.M., Eastern Standard Time, to consider said petition and to hear all persons interested in the subject thereof concerning the same, and

BE IT FURTHER ORDERED that said Town Board shall at said time and place hear all evidence offered which will enable it to determine, pursuant to the provisions of Section 194 of the Town Law of New York, (a) whether the petition is signed and acknowledged or proved as required by law and is otherwise sufficient, (b) whether all the property and property owners within the proposed extension of said district are benefitted thereby, (c) whether all the property and property owners benefitted are included within the limits of the proposed extension of said district, and (d) whether it is in the public interest to grant in whole or in part the relief sought, and

BE IT FURTHER ORDERED that the Town Clerk be and he hereby is directed to publish and post certified copies of this order, at the time and in the manner provided by law.

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

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

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 2nd day of November, 1953, 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 2nd day of November, 1953.

KENNETH T. HANLEY,
Clerk of the Town Board
Town of Cheektowaga, N. Y.
(SEAL) (Nov. 5)

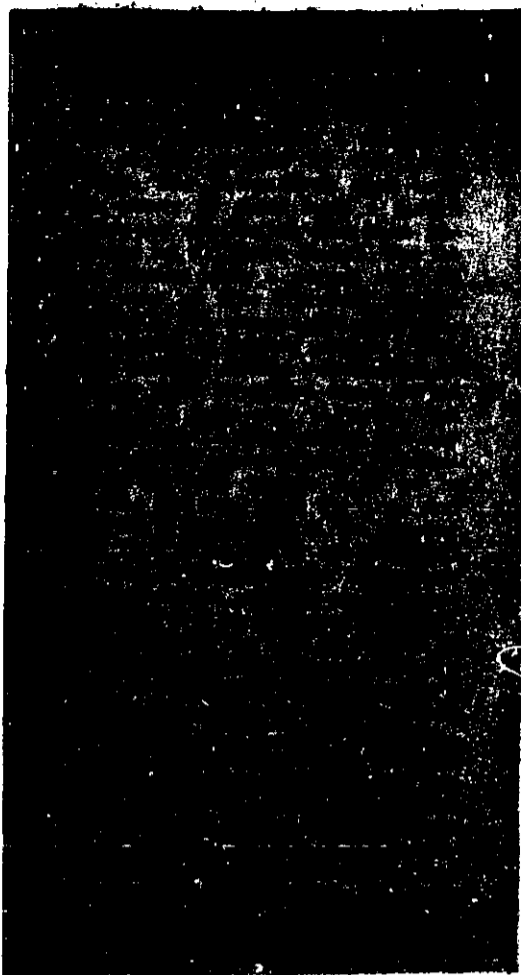
ss.
A }
Town of Cheektowaga
being duly sworn,
I, the publisher of the
Cheektowaga newspaper pub-
lished, that the notice, of
the same, taken from said
newspaper, printed and published
for one week:
5 1953
5 1953
days intervened be-

C. Allis
.....
....., 19.....
Allis.....
Erie County, N. Y.

NEW YORK
County
Nov. 30, 1953
29

Item No. 13 This being the time and the place advertised for a public hearing for the purpose of considering the advisability of adopting a general ordinance of the Town of Cheektowaga, New York, to be known as General Town Ordinance No. 13, to read as follows:

205



The Supervisor directed the Town Clerk to present proof of publication of the Notice of Hearing.

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

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

The following persons spoke in opposition to the proposed ordinance:

B. Monin, French Road:

N. Miller, Maple Road, Williamsville, New York:

Benj. Chittenden representing W. Wikleman, Transit Road.

The Supervisor ordered the hearing closed and decision was reserved.

1953;

and Cherrokee Drive;
in the Cheektowaga

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication NOV 5 1953; last publication NOV 5 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of NOV 5 1953, 19.....

Eve J. Allis

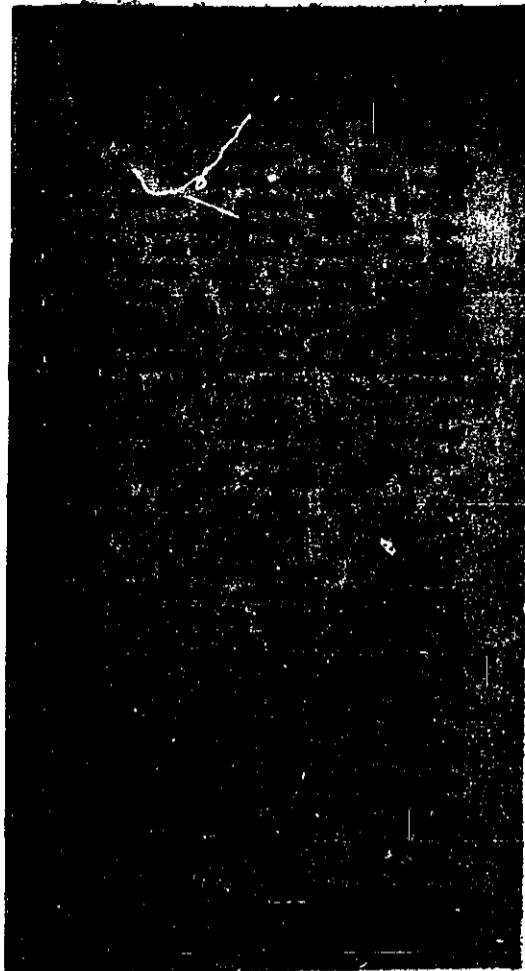
Notary Public in and for Erie County, N. Y.

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

Item No. 13

This being the time and the place advertised for a public hearing for the purpose of considering the advisability of adopting a general ordinance of the Town of Cheektowaga, New York, to be known as General Town Ordinance No. 13, to read as follows:

235



The Supervisor directed the Town Clerk to present proof of publication of the Notice of Hearing.

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

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

The following persons spoke in opposition to the proposed ordinance:

B. Monin, French Road:

N. Miller, Maple Road, Williamsville, New York:

Benj. Chittenden representing W. Wikleman, Transit Road.

reserved.

The Supervisor ordered the hearing closed and decision was

ITEM NO. 7 Mr. Glenn Ball No. _____ was granted the floor and complained about water and sewer solids backing up in his basement. Ordered referred to the Town Engineer by Supervisor Holtz.

ITEM NO. 8 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved, and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same.
(Warrants No. 2135 to No. 2283, inclusive, drawn on the Supervisor).

ITEM NO. 9 Councilman Wroblewski moved, seconded by Councilman Nagel, to adjourn.

Kenneth T. Hanley

SEAL.

Town Clerk.

ITEM NO. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 16th day of November, 1953, at 7:30 o'clock P.M., Eastern Standard Time, there were:

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

ABSENT: Supervisor Benedict T. Holtz

Also present were: Town Clerk Kenneth T. Hanley;
Town Attorney George B. Doyle; General Foreman John Eberle;
Chief of Police John Mersmann and Town Historian Julia Reinstein.

ITEM NO. 2 Councilman Wroblewski moved, seconded by Councilman Neibert, that due to the absence of Supervisor Holtz, Councilman Nagel be designated to act as Chairman for this meeting.

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

ITEM NO. 4 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Supervisor be and he is hereby authorized to execute on behalf of the Town of Cheektowaga, New York, a petition to the Water Power and Control Commission pursuant to the provisions of Article 11 of the Conservation Law for approval of its acquisition of a source of water supply, and its financial and engineering plans for the construction of a water supply system to Water District No. 9 and its two extensions, Strasmere Road Extension and Como-Park-Transit Road Extension, in the Town of Cheektowaga, New York.

Seconded by Councilman Neibert. CARRIED: AYES: -4-

ITEM NO. 5 Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, the State Traffic Commission has amended its permit dated November 7, 1952, which authorizes the Town of Cheektowaga to erect, maintain and operate a 2-head school signal at the intersection of Peinkofer and Hunter Drives, on Union Road, in the Town of Cheektowaga, New York, so as to permit addition of a fourth face to the southerly head located on Union Road at its intersection with Hunter Drive, with instructions that the fourth face shall face pedestrians crossing Union Road from west to east, which face shall operate on the same part-time, fixed-time and part-time flashing operation schedule as the other east and west faces of Signal 159-S, as specified in the Commission's permit dated November 7, 1952, and the Commission's rider dated May 7, 1953.

BE IT RESOLVED, that the changes approved by the New York State Traffic Commission be made and the Chief of Police be authorized to order the changes made in compliance with this resolution, and

BE IT FURTHER RESOLVED, that the letter from the State Traffic Commission dated November 5, 1953, as well as the rider attached thereto, become a part of the Commission's permit dated November 7, 1952 and its rider dated May 7, 1953.

Seconded by Councilman Neibert. CARRIED: AYES: -4-

ITEM NO. 6 Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that Eleanor Frey, Anna Orlikowski, Frank Lawniczak and Mrs. Edward Slisz, be appointed Dog Enumerators in the Town of Cheektowaga, New York.

Seconded by Councilman Wroblewski. CARRIED: AYES: -4-

ITEM NO. 7 Councilman Bystrak presented the following resolution and moved its adoption:
WHEREAS, it is the obligation of the Town Board to approve expenditures of the funds of the Town,
BE IT RESOLVED, that all Department Heads and Employees of the Town must first obtain approval of the Town Board before making any contracts to purchase property or to incur any obligations of any kind on behalf of the Town where the amount involved exceeds the sum of Fifty Dollars (\$50.00).
Seconded by Councilman Wroblewski. CARRIED: AYES: -4-.

ITEM NO. 8 Councilman Neibert presented the following resolution and moved its adoption:
RESOLVED, that the Annual Highway Estimate and Budget for the year 1954, as submitted by the Town Highway Superintendent, be approved.
Seconded by Councilman Wroblewski. CARRIED: AYES: -4-

ITEM NO. 9 Councilman Bystrak presented the following resolution and moved its adoption:
RESOLVED, that the Supervisor be authorized to purchase through Westinghouse Electric Company the following light standards:
West Grand Boulevard 5 No. 1348 (Charge against Special District.)
McNaughton Avenue 5 No. Y-19 (Charge against Special District).
2-Y 19 standards for replacements costs thereof to be charged to General Lighting District.
Seconded by Councilman Neibert. CARRIED: AYES: -4-.

ITEM NO. 10 Councilman Wroblewski presented the following resolution and moved its adoption:
RESOLVED, that the Highway Department be authorized and directed to restrict Henry Street to a six-ton limit.
Seconded by Councilman Neibert. CARRIED: AYES: -4-.

ITEM NO. 11 Councilman Wroblewski presented the following resolution and moved its adoption:
RESOLVED, that the bid of L.A. Paolini to construct sidewalks on Woodridge Avenue, in accordance with the plans and specifications prepared by Nussbaumer Clarke and Velzy, Engineers, in the sum of \$6,547.20, be accepted, and be it further
RESOLVED, that the Engineers and Town Attorney be authorized to prepare necessary contract documents.
Seconded by Councilman Neibert. CARRIED: AYES: -4-.

ITEM NO. 12 This being the time and the place advertised for a public hearing on a petition requesting that Sewer District No. 5 be extended so that it shall include the territory in said Town bounded and described as follows:

Faded header text, possibly containing a title or reference number.

in the southeasterly line of the U-Crest Drain;

Thence southwesterly and westerly along the southeasterly and southerly boundary line of the U-Crest Drain to a point distant 380.00 feet westerly from the westerly line of Union Road drawn at right angles thereto;

Thence southerly and along a line drawn parallel to and distant 380.00 feet westerly from the westerly line of Union Road, drawn at right angles thereto, to a point in the northwesterly line of the West Shore Railroad;

Thence southwesterly and along the northwesterly line of the West Shore Railroad to its intersection with the southerly line of lands now, or formerly owned by Alois Peinkofer and One and as described in Liber 5295, at Page 457, Erie County Clerk's Office;

Thence westerly and along the southerly line of lands as so described and now, or formerly owned by Alois Peinkofer and One to a point in the easterly line of the Ontario Thruway;

Thence northerly and along the easterly line of the Ontario Thruway to a point in the southerly line now, or formerly owned by Alois Peinkofer and as described in Liber 5108, at Page 380, Erie County Clerk's Office;

Thence westerly and along the southerly line of lands as so described and now, or formerly owned by Alois Peinkofer, extended westerly to a point in the easterly line of lands owned by the Niagara-Mohawk Power Co.;

Thence northerly and along the easterly line of lands owned by the Niagara-Mohawk Power Co., said line being the easterly line of Sanitary Sewer District No. 5, to a point in southerly line of Sanitary Sewer District Number 5;

Thence easterly and northerly and along the southerly boundary line of Sanitary Sewer District Number 5, to a point in the southerly line of Oriole Place;

Thence easterly and along the southerly line of Oriole Place, being also the southerly boundary line of Sanitary Sewer District Number 5, to a point in the westerly line of Union Road;

Thence southerly and along the westerly line of Union Road, a distance of 11.25 feet to a place, or place, of beginning.

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

The Chairman announced that the Town Board would hear all persons interested in the subject of the hearing. No person appeared in opposition to the proposed extension, the Chairman ordered the hearing closed and decision was reserved.

ITEM NO. 13. This being the time and the place advertised for the receiving of sealed bids for the furnishing of labor and materials for the doing of the work in connection with the proposed improvements to the trunk Sewer System maintained by Sewer District No. 5. The Chairman directed the Town Clerk to present proof of publication of Notice to Contracts.
(Copy of same hereto attached)

NOTICE TO CONTRACTORS
Notice is hereby given that pursuant to a resolution of the Town Board of the Town of Cheektowaga, Erie County, New York, adopted on the 2nd day of November, 1953,

sealed proposals will be received and considered by said Town Board on the 16th day of November, 1953, at 7:30 p.m., Eastern Standard Time, in the Town Hall, Town of Cheektowaga, New York, for furnishing all materials, equipment and together with all labor for the construction of improvements and extensions to the Sewage Treatment Plant, Sanitary Sewer District No. 5, Cheektowaga, New York, to include sixteen sludge beds, piping, drains, roadways and appurtenances. All work is to be 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 of said Town, all of which are on file with the Town Clerk at his office in the Town Hall, Cheektowaga, New York, where they may be examined during the usual business hours.

Copies of the proposed contract documents, plans, specifications and instructions to bidders may be obtained from the Town Clerk at the office in the Town Hall, Cheektowaga, New York, or from the office of Nussbaumer, Clarke & Velzy, 327 Franklin Street, Buffalo, New York, upon the payment of \$35.00 for each such set. Any bidder upon returning such plans and contract documents in good condition within twenty days following the taking of bids, will be refunded the full amount of their deposit; non-bidders will similarly be refunded only one-half of their deposit.

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

Each proposal must be accompanied by a certified check for a sum equal to not less than 5% of the amount of the bid for the improvement, payable to the order of the Supervisor, or a bond with sufficient sureties, to be approved by the Supervisor, of equal amount, conditioned that if his proposal is accepted he will enter into a contract for the same, and that he will execute such further securities as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within thirty (30) 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.

WILLIAM T. STANLEY
Town Clerk
Town of Cheektowaga, New York

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

Councilman Neibert moved, seconded by Councilman Wroblewski, that the time for the receiving of sealed bids be closed.

Councilman Neibert moved, seconded by Councilman Wroblewski, that the Town Clerk be authorized and directed to open the sealed bids received.

Hereto is a summary of the bids received;

Brunner Asphalt and Construction Company.....	\$76,600.00
Cedric W. Wood.....	92,114.00
C.E. Knowles Company.....	93,331.00

Councilman Neibert moved, seconded by Councilman Wroblewski, that the bids be submitted to Nussbaumer Clarke and Velzy, Consulting Engineers for the Town of Cheektowaga, for analysis and tabulation, and that the same Nussbaumer Clarke and Velzy, report back to the Town Board their recommendations as soon as possible.

Item No. 13 ORDINANCE ADOPTED-Discarded Ice-boxes, etc.,

ORDINANCE ADOPTED
Discarded Iceboxes, Etc.

At a regular meeting of the Town Board of the Town of Cheektowaga, held in the Town Hall in said Town of Cheektowaga, Erie County, New York, November 16, 1953 at 7:30 o'clock P.M. Eastern Standard Time, there were:

- PRESENT:**
Joseph A. Neibert, Councilman
Felix Wroblewski, Councilman
Stanley Bystrak, Councilman
Henry Nagel, Councilman
- ABSENT:** (1) Benedict T. Holtz, Supervisor

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board at a special meeting held at the Town Hall on October 16, 1953, adopted a resolution that the Town Board meet at the Town Hall, corner of Union and Broadway, Cheektowaga, New York on the 9th day of November, 1953 at 7:30 o'clock P.M. for the purpose of considering the advisability of enacting an Ordinance to be known as General Town Ordinance No. 19, and

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

WHEREAS, pursuant to the said resolution the Town Board of the Town of Cheektowaga did meet on the 9th day of November, 1953 at 7:30 o'clock P.M. at the Town Hall in the Town of Cheektowaga, New York, to consider the advisability of enacting said Ordinance, and

WHEREAS, an opportunity was afforded to 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 the aforementioned Ordinance, be it

RESOLVED, that the following Ordinance to be known as General Town Ordinance No. 19, be adopted.

**GENERAL ORDINANCE No. 19
ABANDONED AND DISCARDED
ICEBOXES, FREEZING UNITS,
ETC.**

"No person, firm or corporation shall leave outside of any building, in a place accessible to children any abandoned, unattended, discarded icebox, refrigerator, freezing unit, chest, or any other container of a similar kind and size equipped with tight-fitting door or doors and door-latching or latching devices unless such door or latching devices have

first been removed in such a manner that the said icebox or container would thereby become so dismantled as to be harmless to children who might otherwise become locked or trapped within."

BE IT FURTHER RESOLVED, that a copy of this resolution, certified by the Town Clerk, shall be entered in the minutes and published in the CHEEKTOWAGA TIMES, a newspaper having general circulation within the Township, and being the official newspaper of said Township; and that printed copies thereof be posted conspicuously in at least six (6) public places in the Town; and that a copy of this Ordinance be posted on the signboard maintained by the Town Clerk, pursuant to Subdivision 6 of Section 30 of the Town Law; and affidavits of the publication and posting thereof shall be filed with the Town Clerk.

This ordinance shall take effect ten days (10) after such publication and posting, but such Ordinance shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes

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

- Councilman Neibert voting Aye.
Councilman F. Wroblewski voting Aye.
Councilman Bystrak voting Aye.
Councilman Nagel voting Aye.
AYES: 4 NOES: 0 ABSENT: 1

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 16th day of November, 1953, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 16th day of November, 1953.

KENNETH T. HANLEY,
Clerk of the Town Board,
Town of Cheektowaga, N. Y.
(SEAL) (11-19, 26)

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

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

in said paper once a week for *two* weeks;

first publication NOV 19 1953

last publication NOV 25 1953

and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of NOV 25 1953, 19.....

Eve J. Allis

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

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

The foregoing notice was posted on the 24th day of November, 1953, in the following places;

- 1- Town Hall Bulletin Board;
- 2- Forks Fire Hall Bulletin Board, Broadway and Union Road;
- 3- U-Crest Fire Hall, Evergreen Street and Clover Place;
- 4- Pine Hill Fire House Bulletin Board, Genesee Street and Normandy Avenue;
- 5- Rescue Fire Hall Bulletin Board, Pine Ridge Road;
- 6- Telephone Pole at the corner of Maryvale Drive and Union Road.

Item No. 14 Councilman Neibert moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. (Warrant No. 2284 to No. 2406, inclusive, drawn on the Supervisor).

ITEM No. 15 Councilman Neibert moved, seconded by Councilman Bystrak, to adjourn.

Kenneth T. Hanley

Town Clerk

SEAL

At a special meeting of the Town Board held at 80 Ellicott Brook Road, Cheektowaga, New York, November 23, 1953 at 7.30PM.

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

Also present: Town Clerk Kenneth T. Hanley
Town Attorney George B. Doyle

Appearances: Frances R. Galletta, in person, and her attorney
Louis A. Del Cotto
Lawrence O. Galletta
John Galletta
Pearl Galletta
Chester Klosin
Elizabeth Klosin

The meeting was called to order by Supervisor Holtz.

Mr. Del Cotto presented in writing duly executed by the property owners and by Mr. And Mrs. Aristedes Villa (Agnes Villa), who are tenants of property belonging to Frances R. Galletta, the petitioner.

Mr. Del Cotto explained to the members of the Town Board the reasons why petitioner seeks to have the property described in the petition annexed to and made part of the Village of Williamsville:

The purpose of the petition submitted to the Town Board of the Town of Cheektowaga is to have certain land described therein annexed to the Village of Williamsville in order to procure necessary water supply and facilitate a building development of which is in progress by the petitioner. Furthermore, the land concerned is cut off from the rest of the Town of Cheektowaga by the New York State Thruway.

Doyle: I see no reason why any witnesses need to be called because all the property owners within the area have filed a written consent to the proposed annexation.

The meeting then adjourned.

Kenneth Hanley
Town Clerk

ITEM NO. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 7th day of December, 1953, at 2:30 o'clock P.M., Eastern Standard Time, there were:

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

Also present were: Town Clerk Kenneth T. Hanley; Town Attorney George B. Doyle; Plumbing Inspector E.J. Rohem; General Foreman John Eberle; Assessor Edward B. Jerzewski; Chief of Police John Mersmann; Recreational Director Edward Janiak; Town Historian Julia B. Reinstein; and Town Highway Superintendent John J. Zablotny.

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

ITEM NO. 3 Petition presented for the construction of a lateral sewer in Mapleview Drive. Ordered referred to the Board of Assessors for a property check by Supervisor Holtz.

ITEM NO. 4

EXTRACT OF MINUTES

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 7th day of December, 1953, at 2:30 o'clock P.M., Eastern Standard Time, there were:

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

ABSENT: None.
Councilman Neibert presented the following resolution and moved its adoption:

BOND RESOLUTION DATED DECEMBER 7, 1953, AUTHORIZING THE ISSUANCE OF \$5500.00 SERIAL BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE CONSTRUCTION OF A LATERAL SEWER.

WHEREAS, Sewer District No. 3, hereinafter referred to, is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town, pursuant to and in accordance with the provisions of the Town Law of New York, and said Sewer District has constructed and now maintains a trunk system of sewers in said District, in accordance with Article 12 of the Town Law of New York, and the lateral sewer hereinafter described is to be connected with said trunk system of sewers and will be entirely within said District, and the purpose, hereinafter described, is a special improvement authorized by said Article 12:

NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose, hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$5500.00, pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a lateral sewer, on both sides of Abeles Avenue extending from Tilton Avenue west to Harlem Road and that portion of Vincent Avenue extending from Abeles Avenue south to Lena Avenue and that portion of Lena Avenue extending from Vincent Avenue west to Harlem Road in accordance with a resolution adopted by the Town Board of said Town on the 21st day of September, 1953.

Section 3. The expense of making the improvement described in Section 2 of this resolution shall be borne by local assessment upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefitted by such improvement. An amount sufficient to pay the principal of and interest on said Serial Bonds, as the same shall become due, shall be annually apportioned and assessed upon the several lots and parcels of land especially benefitted by such improvement, in proportion to the amount of benefit which such improvement shall confer upon the same, in accordance with Subdivision 2 of Section 231 of the Town Law

of New York.

Section 4. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$5500 and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 5. It is hereby determined that said purpose is an object or purpose described in Subdivision 4 of paragraph A of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

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

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

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

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

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

AYES: 5 NOES: 0 ABSENT: 0
STATE OF NEW YORK
ERIE COUNTY
OFFICE OF THE CLERK SS:
OF THE TOWN OF
CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 7th day of December, 1953, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 7th day of December, 1953.

KENNETH T. HANLEY
Clerk of the Town Board,
Town of Cheektowaga, N. Y.
(SEAL) Dec. 10)

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, 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 DEC 10 1953; last publication DEC 10 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of DEC 10 1953, 19.....

Eve J. Allis

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

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

Councilman Neibert presented the following resolution and moved its adoption:

BOND ANTICIPATION NOTE RESOLUTION, DATED DECEMBER 7, 1953, AUTHORIZING THE ISSUANCE OF \$5500 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, in the County of Erie, as follows:

Section 1. The Board of the Town of Cheektowaga, in the County of Erie, shall issue its bond anticipation notes of the aggregate principal amount of \$5500, pursuant to the local Finance Law of New York, in order to finance in Sewer District No. 5 of the Town of Cheektowaga the construction of a lateral sewer of Abeles Avenue, Vincent Avenue, Lena Avenue, on both sides of the highways for the entire length of the street, in anticipation of the sale of \$5500 Serial Bonds authorized by the bond resolution entitled "Bond Resolution dated December 7, 1953, authorizing the issuance of \$5500 Serial Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the construction of a lateral sewer", adopted by the Town Board on December 7, 1953.

Section 2. As required by the Local Finance Law, it is hereby stated that (a) there are no outstanding Bond Anticipation Notes issued in anticipation of the sale of said Serial Bonds, and (b) the notes authorized by this resolution are not renewal notes, and (c) the notes described in this resolution shall mature within one year from the date of their issue, and (d) such notes are issued in anticipation of bonds for an assessable improvement.

Section 3. Notes issued pursuant to this resolution shall be payable not later than one year from the date of said notes, and shall bear interest at a rate which shall not exceed five per cent (5%) per annum, payable at maturity. The Power to prescribe the terms, form and contents of such notes, subject to the provisions of this resolution, and to sell and deliver said notes, is hereby delegated to the Town Supervisor. The Town Supervisor and the Town Clerk are hereby directed to sign any notes issued pursuant to this resolution and to affix to such notes the corporate seal of the Town of Cheektowaga.

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

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

CARRIED: AYES: -5-

NOES: -0-

UNITED STATES OF AMERICA
STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

BOND ANTICIPATION NOTE OF 1953

\$5500.00

-----FIFTY-FIVE HUNDRED DOLLARS (\$5500.00) -----

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this note the sum of

-----Fifty-Five Hundred Dollars (\$5500)-----
on the 7th day of December, 1954, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable December 7, 1954 and annually thereafter.

Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the manufacturers and Traders Trust Company, Buffalo, New York.

This note is one of an authorized issue, the aggregate principal amount of which is Fifty Five Hundred Dollars (\$5500.00).

This note is issued pursuant to the provisions of a bond anticipation note resolution, dated December 7, 1953, authorizing the issuance of bond anticipation notes of the Town of Cheektowaga, New York, in the amount of Fifty-five Hundred Dollars (\$5500.00) in anticipation of the sale of serial bonds authorized to finance improvements in Sewer District No. 5 by the construction of a Sanitary Sewer in Abeles Avenue, Vincent Avenue, Lena Avenue, in the Town of Cheektowaga, New York.

The faith and credit of such Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Statutes of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this note, exist, have happened and have been performed, and that this note, together with all other indebtedness of such Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this note to be signed by its Supervisor, and its corporate seal to be hereunto affixed and attested by its Town Clerk and this note to be dated as of the 7th day of December, 1953.

TOWN OF CHEEKTOWAGA, NEW YORK,
BY: Benedict T. Holtz
Supervisor

Attest:
Kenneth T. Hanley
Town Clerk.

ITEM NO. 5 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, Leonard Amadore, an infant, and Joseph Amadore, his father, have instituted an action for personal injuries claimed to have been sustained by Leonard Amadore on or about November 10, 1949, due to a defect in the highway on Heather Road, and

WHEREAS, at a pre-trial conference held before Honorable Robert E. Noonan on December 2, 1953, the matter of the injuries to plaintiff and the liability of the Town of Cheektowaga were considered, and at said conference it was agreed to compromise the aforementioned action against the Town of Cheektowaga, New York, for the sum of \$4,750.00, subject to the approval of the court, be it

RESOLVED, that the Town Attorney, George B. Doyle, be authorized to apply to the court for an order approving the settlement of the claims of Leonard Amadore and Joseph Amadore against the Town of Cheektowaga, New York, for the sum of \$4,750.00, and that he take such steps as may be necessary in order to obtain approval of such compromise or settlement, and be it further

RESOLVED, that funds to pay such compromise or settlement when and if approved by the court be made available pursuant to the provisions of the Local Finance Law.

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

ITEM NO. 6 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Como Park Boulevard & Union Road Citizens and Tax-payers Association presented to the Town Board a petition with approximately one hundred and ten signatures requesting the creation of a 35 mile an hour speed zone on the following streets:

- Como Park Boulevard beginning at Union Road, east to Transit Road;
- Bennett Road beginning at Union Road, east to Como Park Boulevard;
- Indian Road beginning at Bellevue Boulevard north to the Village of Depew Line;
- Rowley Road, beginning at Indian Road east to the Village of Depew Line;
- Borden Road beginning at the Village of Depew Line south to the Town of West Seneca Line, and

WHEREAS, the aforementioned highways are under the jurisdiction of the County Highway Superintendent, be it
RESOLVED, that a request be made of the County Highway Superintendent to create a 35 mile an hour speed zone on the aforementioned highways.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

ITEM NO. 7 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Town Attorney be authorized to attend the County and Town Attorney Conference at Albany, New York, on December 16, 1953, and that his expenses be paid from the General Fund.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

ITEM NO. 8 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, this Town Board previously authorized the construction of sixteen open sludge beds, the necessary driveways to serve the beds and the necessary sludge piping from the existing sludge pumping station to the beds and drains from the beds to the recently constructed trunk sewer leading back to the pump station in Cheektowaga Sanitary Sewer District No. 5 Sewage Treatment Plant and advertised for bids to furnish the necessary material and labor to do the work in accordance with the plans and specifications prepared by Nussbaumer Clarke and Velzy, Consulting Engineers for the Town of Cheektowaga, and

WHEREAS, the bids were received and opened at a Town Board meeting held November 16, 1953, and the lowest bids submitted was that of the Brunner Asphalt and Construction Company, Inc., 237 Kensington Avenue, Buffalo 14, New York, in the sum of \$76,600.00, and

WHEREAS, the Consulting Engineers have recommended that the award be made to the low bidder, the Brunner Asphalt and Construction Company, Inc., be it

RESOLVED, that the bid submitted by Brunner Asphalt and Construction Company, Inc., 237 Kensington Avenue, Buffalo, New York, in the sum of \$76,600.00 be accepted, and that the Town Attorney and Town Engineers are authorized and directed to prepare the necessary contract documents.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

ITEM NO. 9 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the New York Telephone Company has filed with the Public Service Commission a request that telephone rates be increased in the State of New York, which increase, if granted, will require home owners to pay approximately seventy-five cents (75 cents) per month more for a residence telephone. The rate on business telephones will be increased substantially, and there is a serious doubt as to the necessity therefor,

BE IT RESOLVED, that the Town Attorney and the Supervisor be authorized to represent the Town of Cheektowaga, New York, and oppose the granting of any increase in the telephone rates.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

ITEM NO. 10 Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, there has been duly presented to this Town Board a petition in due form, together with necessary plan and map for the extension of Sewer District No. 5, in the Town of Cheektowaga, New York, and an order of the Town Board reciting the filing of said petition and specifying the time when and the place where the said Town Board would meet to consider said petition and to hear all persons interested in the subject thereof concerning the same having been published and posted as required by law, the hearing having taken place at the Town Hall corner of Broadway and Union Road, Cheektowaga, New York, on the 16th day of November, 1953, at which hearing an opportunity was afforded all persons to be heard in favor and in opposition to the proposed extension of Sewer District No. 5, and the Town Board having given due deliberation thereon; and

WHEREAS, the said petition for the extension of said Sewer District No. 5 in the Town of Cheektowaga, New York, is signed, approved, and acknowledged as required by law, and is otherwise sufficient; and there is annexed to said petition a map and plan prepared by Newell L. Nussbaumer

and Irving Clarke, competent engineers, duly licensed by the State of New York, showing the boundaries of the said proposed extension of Sewer District No. 5, and the sanitary sewer system to be constructed therein. Said map shows all outlets and the terminus of each proposed main sewer, and

WHEREAS, it is proposed that the expense of the extension of said Sanitary Sewer District No. 5 shall be assessed, levied, and collected from the several lots and parcels of land within the proposed extension in the same manner and at the same time as other Town charges, except as otherwise provided by Law,

NOW, THEREFORE, after due deliberation thereon, it is hereby, RESOLVED, that this Town Board does hereby determine as follows:

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

B) That all the property and property owners within the proposed extension are benefitted thereby, and

C) That all the property and property owners benefitted are included within the limits of the proposed extension, and

D) That it is in the public interest to grant in whole the relief sought, by the extension of Sanitary Sewer No. 5 of the Town of Cheektowaga, New York, to include the following described property:

DESCRIPTION OF BOUNDARIES OF AN
EXTENSION TO SANITARY SEWER DISTRICT
NO. 5, IN THE ORIOLE PLACE, NOW
CHEROKEE DRIVE AREA, TOWN OF
CHEEKTOWAGA, NEW YORK.

BEGINNING at a point in the westerly line of Union Road distant 21.33 feet southerly of the southerly line of Oriole Place, now Cherokee Drive, said point being in the southeasterly line of the U-Crest Drain;

THENCE, southwesterly and westerly along the southeasterly and southerly boundary line of the U-Crest Drain to a point distant 380.00 feet westerly from the westerly line of Union Road drawn at right angles thereto;

THENCE, southerly and along a line drawn parallel to and distant 380.00 feet westerly from the westerly line of Union Road, drawn at right angles thereto, to a point in the north-westerly line of the West Shore Railroad;

THENCE, southwesterly and along the north-westerly line of the West Shore Railroad to its intersection with the southerly line of lands now, or formerly owned by Alois Peinkofer and One, and as described in Liber 5295; at Page 457, Erie County Clerks' Office;

THENCE, westerly and along the southerly line of lands as so described and now, or formerly owned by Alois Peinkofer and One to a point in the easterly line of the Ontario Thruway;

THENCE, northerly and along the easterly line of the Ontario Thruway to a point in the southerly line now, or formerly owned by Alois Peinkofer and as described in Liber 5108, at Page 390, Erie County Clerks' Office;

THENCE, westerly and along the southerly line of lands as so described and now, or formerly owned by Alois Peinkofer; extended westerly to a point in the easterly line of lands owned by the Niagara Mohawk Power Company;

THENCE, northerly and along the easterly line of lands owned by the Niagara Mohawk Power Company, said line being the easterly line of Sanitary Sewer District No. 5, to a point in the southerly line of Sanitary Sewer District No. 5;

THENCE, easterly and northerly and along the southerly boundary line of Sanitary Sewer District No. 5, to a point in the southerly line of Oriole Place, now Cherokee Drive;

THENCE, easterly and along the southerly line of Oriole Place, now Cherokee Drive;

THENCE, easterly and along the southerly line of Oriole Place, now Cherokee Drive being also the southerly boundary line of Sanitary Sewer District No. 5, to a point in the westerly line of Union Road;

THENCE, southerly and along the westerly line of Union Road for a distance of 21.33 feet to the place, or point of beginning.

The above described lands being proposed as an extension or addition to Sanitary Sewer District No. 5, Town of Cheektowaga, Erie County, State of New York, and

BE IT FURTHER RESOLVED, that the Supervisor of the Town of Cheektowaga be and he hereby is authorized to make application to the State Comptroller for the approval of the extension of Sanitary Sewer District No. 5, in accordance with provisions of Paragraph 3 of Section 194 of the Town Law.

Seconded by Councilman Wroblewski.

CARRIED: AYES:-5-

ITEM NO. 11 Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that Nussbaumer Clarke and Velzy, Consulting Engineers of the Town of Cheektowaga, New York, be authorized to prepare necessary plans in connection with repairs to Sanitary Sewer District No. 5, Sanitary Sewer Relief Pumping Station Post War Project No. 3617 as outlined in letter of Nussbaumer Clarke and Velzy, Engineers, dated December 7, 1953, copy of which is hereto annexed.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-./

(COPY)

NUSSBAUMER, CLARKE AND VELZY

Engineers

December 7, 1953

Buffalo

RE: Sanitary Sewer District
5 Sanitary Sewer
Relief Pumping Station
Post-War 3617
Town of Cheektowaga,
New York.

Mr. Benedict T. Holtz, Supervisor
Town of Cheektowaga
Town Hall
Broadway and Union Road
Buffalo 25, N.Y.

Dear Sir:

Mr. Kamm is in the office reviewing the scope of the above work which has been approved by the Bureau of Municipal Public Works of the State of New York.

One of the principal reasons for doing this work is to relieve the flooding conditions in the beach Road-Maryvale Drive area. A review of the existing trunk sanitary sewer indicates that at an exceedingly small cost, a connection could be made from the beach Road sewer approximately opposite Huth Road to an existing 10" sewer at Huth Road, so that part of the flow in the Beach Road sewer, particularly the peaks from the Union Road pumping station, could be diverted into the Huth Road sewer. This was originally designed for a connection to Beach Road on account of the extra size pipe, but, I believe, these connections were never made. The work would involve about 300' of 10" sewer with the necessary connections and, we believe, would cost in the neighborhood of \$3,500.

In connection with this analysis, we checked on the flows and pipe sizes in the Seaton Road existing sewer in the neighborhood of Woodridge Avenue where the sewers are overloaded at storm periods, resulting in a backing up in Woodridge Avenue as far as Huth Road.

We believe that a relief can be taken from the man-hole at the end of Woodridge Avenue to connect into an existing 8" sewer in Seaton Road. This work would involve the construction of approximately 200' of 8" sewers and the building of a man-hole for overflows. We estimate the cost of this work at possibly \$2,500 to \$3,000.

These sewers could be constructed as a part of the relief project and arrangements made to finance their construction this Fall, which would have then in service by next Spring when most of the difficulty occurs. 214

If this suggestion meets with your approval and it is endorsed by both Mr. Kamm and ourselves, we would suggest that you authorize the preparation of these plans at once for an early bidding.

Very truly yours,

Nussbaumer Clarke and Velzy

Newell L. Nussbaumer.

ITEM NO. 12 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVE to authorize the New York State Gas & Electric Company to remove 2-1000 lumen lights from Pole 2 and 4, and install 3-2500 lumen lights on Sunset Road Poles 1-3-5, also install 1-2500 lumen light on Pole 1 Crisfield Street and 1-1000 lumen light on Pole 2 Gerard Street.

Secended by Councilman Bystrak.

CARRIED: AYES: -5--.

ITEM NO. 13 Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that the sum of \$446.60 be transferred from the Election Fund in budget to Highway Fund, to reimburse Highway Department for expense in distributing and returning voting machines.

Secended by Councilman Wroblewski.

CARRIED: AYES: -5--.

ITEM NO. 14 Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that the request of the U-Grant Fire Commissioners to move fire hydrant located on the south side of Genesee Street, east of Dick Road, from its present location to a position 27 feet to the west be granted, without any expense to the Town of Cheektowaga.

Secended by Councilman Wroblewski.

CARRIED: AYES: -5--.

ITEM NO. 15 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Subdivision Map of North Hill Estates prepared by Herthe and Sonnenberger, Engineers, dated November 16, 1953, be approved and ordered filed in the Town Clerks' Office.

Secended by Councilman Nagel.

CARRIED: AYES: -5--.

ITEM NO. 16 Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, the Town Board has approved the petition of Alois Peinkofer and Lillian Balbach to extend Sewer District No. 5, so as to embrace the territory mentioned and described in the petition and resolution proving the extension, and

WHEREAS, street lateral sewers and highways must be constructed before homes can be built within the proposed sub-division, and the said Alois Peinkofer and Lillian Balbach have agreed, in writing, at their own expense, to construct said sewer lines and highways and have agreed to file with the Town Board a surety bond, conditioned upon the faithful performance of the said contract, be it

RESOLVED, that the annexed contract be approved and the Supervisor authorized to execute the same on behalf of the Town of Cheektowaga, be it further

RESOLVED, that the bond required by the annexed agreement be approved as to form and sufficiency by the Town Attorney, and filed with the contract in the Town Clerks' Office.

Secended by Councilman Nagel.

CARRIED: AYES: -5--.

A G R E E M E N T

THIS AGREEMENT, made this 7th day of December, 1953, by and between Lillian Balbach and Alois Peinkofer, both residing in the Town of Cheektowaga, New York, parties of the first part, and the Town of Cheektowaga, a municipal corporation located in Erie County, New York, party of the second part, WITNESSETH:

WHEREAS, the parties of the first part are the owners of the following described property in the Town of Cheektowaga:

BEGINNING at a point in the westerly line of Union Road distant 21.33 feet southerly of the southerly line of Oriole Place, now Cherokee Drive, said point being in the southeasterly line of the U-Crest Drain;

Thence southwesterly and westerly along the southeasterly and southerly boundary line of the U-Crest Drain to a point distant 380.00 feet westerly from the westerly line of Union Road drawn at right angles, thereto;

Thence southerly and along a line drawn parallel to and distant 380.00 feet westerly from the westerly line of Union Road, drawn at right angles thereto, to a point in the northwesterly line of the West Shore Railroad;

Thence southwesterly and along the north westerly line of the West Shore Railroad to its intersection with the southerly line of lands now, or formerly owned by Alois Peinkofer and One and as described in Liber 5295, at Page 457, Erie County Clerks' Office;

Thence westerly and along the southerly line of lands as so described and now, or formerly owned by Alois Peinkofer and One to a point in the easterly line of the Ontario Thruway;

Thence northerly and along the easterly line of the Ontario Thruway to a point in the southerly line now, or formerly owned by Alois Peinkofer and as described in Liber 5108, at Page 390, Erie County Clerks' Office;

Thence westerly and along the southerly line of lands as so described and now, or formerly owned by Alois Peinkofer, extended westerly to a point in the easterly line of lands owned by the Niagara-Mohawk Power Company.

Thence northerly and along the easterly line of lands owned by the Niagara-Mohawk Power Company, said line being the easterly line of Sanitary Sewer District No. 5, to a point in the southerly line of Sanitary Sewer District No. 5;

Thence easterly and northerly and along the southerly boundary line of Sanitary Sewer District No. 5, to a point in the southerly line of Oriole Place, now Cherokee Drive;

Thence easterly and along the southerly line of Oriole Place, now Cherokee Drive, being also the southerly boundary line of Sanitary Sewer District No. 5, to a point in the westerly line of Union Road;

Thence southerly and along the westerly line of Union Road for a distance of 21.33 feet to the place, or point of beginning.

The above described lands being proposed as an extension or addition to Sanitary Sewer District No. 5, Town of Cheektowaga, County of Erie, State of New York.

WHEREAS, the parties of the first part petitioned the Town Board to extend Sewer District Number 5, of the Town of Cheektowaga, New York, so as to embrace the territory above described, and

WHEREAS, it is the intention of the parties of the first part, alone, or with others to start immediate construction of homes within the above described property, and

WHEREAS, tentative maps of the area have been prepared by Herthe and Sonneberger, licensed engineers, which maps subdivide the area into Two Hundred and Ninety - Five (295) building lots, leaving three small areas still to be subdivided, which map also shows the location of all highways to be constructed within the subdivision, as well as the location of the lateral sewers to be connected with the trunk sewer, and

WHEREAS, the parties of the first part has estimated that it will cost Seventy-Eight Thousand, Nine Hundred, Sixty Nine Dollars (\$78,969.00) to lay the necessary sewer tile and provide the necessary manholes and to construct the highways shown on said subdivision map in accordance with the minimum requirements of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, relating to town highways, and

WHEREAS, the Town Highway Superintendent and the Town Engineer of the Town of Cheektowaga, New York, have informed the Town Board that the cost of construction of sewer lines and highways shown on said maps will not exceed the sum of One Hundred Thousand Dollars (\$100,000.00);

THIS AGREEMENT WITNESSETH:

The parties of the first part hereby agree to install in a good and workmanlike manner, under the Supervision of the Town Engineers and the Town Highway Superintendent the lateral sewers in the highways as shown on the annexed subdivision map and to construct the highways under the supervision of the Town Engineer and the Town Highway Superintendent the highways, in accordance with specifications of the Town Highway Superintendent and the regulations of the Town of Cheektowaga, New York, relating to highways within three (3) years from the date of this agreement.

It is understood and agreed that all materials used in the construction of the sewers and highways must be approved by the Town Engineer.

It is further understood and agreed that the parties of the first part will execute and deliver to the party of the second part, a surety bond duly executed by a Surety Company authorized to do business in the State of New York, in the sum of One Hundred Thousand Dollars (\$100,000.00) conditioned that parties of the first part will, in all respects, comply with the terms and conditions of this agreement, and in the event of their failure to do so the party of the second part may proceed to construct sewers and highways as shown on the annexed maps and the cost thereof to be paid by the parties of the first part and in the event the cost exceeds the sum of One Hundred Thousand Dollars (\$100,000.00), then the parties of the first part agree to pay any amount in excess of One Hundred Thousand Dollars (\$100,000.00). The liability of the Surety executing the bond shall be limited to the sum of One Hundred Thousand Dollars (\$100,000.00). The parties of the first part agree to execute any other documents that may be required by the party of the second part, setting forth in more detail the exact work required to be performed under this contract by the parties of the first part.

IN WITNESS WHEREOF, the parties hereto have caused their corporate seals to be hereunto affixed and this agreement to be subscribed by their duly authorized officers, the day and year first above written.

Lillian Balbach, LS

Alois Peinkofer, LS

TOWN OF CHEEKTOWAGA

**BY: Benedict T. Holtz
Supervisor**

SEAL

STATE OF NEW YORK }
COUNTY OF ERIE } SS.
CITY OF BUFFALO }

On this 7th day of December, 1953, before me personally came Lillian Balbach and Alois Peinkofer, to me known, who being by me duly sworn, did depose and say that they are the same persons described in and who executed the above instrument, and they acknowledged to me that they executed the same.

Robert B. Ledger
Notary Public.

STATE OF NEW YORK)
COUNTY OF ERIE)
CITY OF BUFFALO)

On the 7th day of December, 1953, before me personally came Benedict T. Heltz, to be known, who being by me duly sworn did depose and say that he resides in the Town of Cheektowaga, New York, that he is the Supervisor of the Town of Cheektowaga, New York, the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Town Board of the Town of Cheektowaga, New York, and that he signed his name thereto by like order.

George B. Doyle
Notary Public

ITEM NO. 17

DECISION OF THE TOWN OF
CHEEKTOWAGA, ERIE COUNTY,
NEW YORK, CONSENTING TO
EXTENSION OF BOUNDARIES OF
VILLAGE OF WILLIAMSVILLE,
NEW YORK.

WHEREAS, a petition on the application of Frances R. Galletta for the annexation of certain territory to the Incorporated Village of Williamsville, New York, as more fully appears in the petition was filed with the Supervisor of the Town of Cheektowaga, New York, on the 1st day of November, 1953, and

WHEREAS, the Supervisor, pursuant to statute, did on the 10th day of November, 1953, execute and on the 12th day of November, 1953, caused to be duly posted a notice of hearing in the matter, to be held at 80 Ellicott Creek Road, Cheektowaga, New York, in said Territory to be annexed, said meeting to be held on November 23rd, 1953, at 7:30 o'clock P.M., and

WHEREAS, proof of the posting of said notice has been duly filed, and

WHEREAS, Supervisor Benedict T. Holtz, Joseph A. Heibert, Henry Nagel, and Felix Wroblewski, four of the qualified members of the Town Board of the Town of Cheektowaga, did attend in a body at 80 Ellicott Creek Road, Cheektowaga, New York, at the time specified in said notice for the purpose of holding a public hearing as required by statute, and

WHEREAS, there appeared before the said Town Board, the petitioner, Frances R. Galletta, and her attorney, Louis A. Del Cotto, her attorney, in favor of the petition, and no one appeared in opposition thereto, and

WHEREAS, there was filed with the Town Board the written consent of all the property owners and inhabitants owning property within the territory sought to be annexed to the Village of Williamsville, New York, consenting to the extension of the boundaries of said village of Williamsville, New York, and

WHEREAS, the Town Board has examined said petition as required by law, and

WHEREAS, the petition complies with the provisions of Section 348 of the Village Law,

NOW, THEREFORE,

The undersigned, being a majority of the members of the Town Board of the Town of Cheektowaga, New York, qualified to act in this proceeding, do hereby consent that the territory hereinafter described be annexed to the Village of Williamsville, Erie County, New York, to wit:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie, and State of New York, being part of Lot number seven (7), Township Eleven (11) and Range 7th of the Holland Land Company's Survey, more particularly bounded and described as follows:

BEGINNING at a point where the westerly line of said Lot number Seven (7) is intersected by the center line of Ellicott Creek; running thence southerly along the westerly line of said lot number seven (7), about nine (9) chains and eighty-eight (88) links to the center of a public road leading through said lot number seven (7) from Williamsville and known as the Garrison Road,

thence southeasterly along the center of said road, five (5) chains and twenty- one and one-third (21 1/3) links to a gas pipe in the center of said highway] thence north fifty-three (53) degrees, thirty (30) minutes east about three (3) chains and thirty- five (35) links to the center of said Ellicott Creek; and thence northwesterly in the center or middle of said creek to the said point of beginning. Subject to all public and private rights, if any, in and to the bed and waters of Ellicott Creek, also subject to the rights of the public in and to any portion of the above described premises lying and being in Ellicott Creek Road, (formerly Garrison Road), also subject to an easement and right-of-way of a water pipe line of record, containing four (4) acres of land approximately.

EXCEPTING from the above described parcel of land premises heretofore conveyed by deeds recorded in the Erie County Clerks' Office, to wit: lands conveyed to Joseph D. Thumann and Grace B. Thumann, his wife, by deed recorded in the Erie County Clerks' Office in Liber 3603 of Deeds at Page 100; lands conveyed to Carl Ratz by deed recorded in the Erie County Clerks' Office in Liber 3603 of Deeds at Page 93.

Dated: Cheektowaga, New York
December 7, 1953.

Benedict T. Holtz
Supervisor

Henry J. Nagel
Councilman

Felix T. Wroblewski
Councilman

Joseph A. Neibert
Councilman

SEAL

ITEM NO. 18. Councilman Nagel moved, seconded by Councilman Bystrak, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. (Warrant No, 2407 to 2541, inclusive, drawn on the Supervisor).

ITEM NO. 19. Councilman Nagel moved, seconded by Councilman Bystrak to adjourn this meeting with respect to Charles A. Lauer, a Cheektowaga Policeman for many years who recently passed away.

SEAL

Kenneth T. Hanley

Item No. 1. At a regular meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga on the 21st day of December, 1953, at 7:30 P.M., E.S.T., there were:

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

ABSENT: -0-

Also present were: Town Clerk Kenneth T. Hanley; Town Attorney George B. Doyle; Chairman of the Board of Assessors Edward B. Jerzewski; General Foreman John Eberl; Town Engineer Albert J. Kamm; Building & Plumbing Inspector Ernest Roehm; Recreational Director Edward Janiak; Chief of Police John Mersmann and Dog Warden Benjamin Kraska.

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

Item No. 3. Petition presented for the improvement of Carol Drive by the installation of Ornamental Street Lights with under-ground conduit. Ordered referred to the Assessors for a property check by Supervisor Holtz.

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

WHEREAS, this Town Board on the 16th day of March, 1953, authorized the issuance of a Bond Anticipation Note to be dated March 16, 1953 in the sum of Fifteen Thousand Dollars (\$15,000.00) to finance the cost of the extension of Water District No. 9, and

WHEREAS, the bonds in connection with the improvement mentioned and described in said Bond Resolution, have not as yet been sold and it is necessary to renew the note issued pursuant to said resolution and the resolution of the Town Board duly adopted the 19th day of October, 1953, for a further period of three months, be it

RESOLVED, that the Supervisor be and he is hereby authorized to execute a renewal note in the sum of Fourteen Thousand Dollars (\$14,000.00) with accrued interest together with interest thereon from the date hereof at the rate of 2% per annum, payable at maturity,

THAT, attached hereto and made a part of this resolution is the renewal note.

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

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

CARRIED: AYES: -5-

\$14,000.00

UNITED STATES OF AMERICA
STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this renewal note the sum of

****FOURTEEN THOUSAND DOLLARS****

three months from the date hereof, with accrued interest, together with interest thereon from the date hereof at the rate of Two Percent (2%) per annum, payable at maturity.

Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This renewal note may be called for redemption on any date prior to maturity upon the giving of at least five days notice of the date of redemption by filing at the office of the Manufacturers and Traders Trust Company a written notice to such effect, and interest shall cease to be paid hereon after such date of redemption.

This renewal note is one of an authorized issue, the aggregate principal amount of which is Fifteen Thousand Dollars (\$15,000.00) and is issued pursuant to the Local Finance Law of New York and a bond anticipation note resolution duly adopted by the Town Board of the Town of Cheektowaga, New York, on the 16th day of March, 1953, in anticipation of the sale of Serial Bonds, to finance the cost of the extension of Water District No. 9, Strasmere Road Extension, so called, as more fully set forth in said resolution of the Town Board dated March 16, 1953, and in resolutions of the Town Board adopted October 19, 1953 and December 21, 1953.

The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this renewal note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Statutes of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this renewal note, exist, have happened and have been performed, and that this note, together with all other indebtedness of said Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this note to be signed by its Supervisor and its corporate seal to be hereunto affixed and attested by its Town Clerk and this note to be dated as of the 21st day of December, 1953.

TOWN OF CHEEKTOWAGA, NEW YORK

BY: Benedict T. Holtz
Supervisor

ATTEST:
Kenneth T. Hanley
Town Clerk.

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

WHEREAS, this Town Board on the 16th day of March, 1953, authorized the issuance of a Bond Anticipation Note to be dated March 16, 1953, in the sum of Twenty-eight Thousand Dollars (\$28,000.00) to finance the cost of the extension of Water District No. 9 Como Park Extension, and

WHEREAS, the bonds in connection with the improvement mentioned and described in said Bond Resolution have not as yet been sold and it is necessary to renew the note issued pursuant to said resolution and the resolution of the Town Board duly adopted the 19th day of October, 1953, for a further period of three months, be it

RESOLVED, that the Supervisor be and he is hereby authorized to execute a renewal note in the sum of Twenty-eight Thousand Dollars (\$28,000.00) with accrued interest together with interest thereon from the date hereof at the rate of 2% per annum, payable at maturity,

THAT, attached hereto and made part of this resolution is the renewal note.

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

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

CARRIED: AYES: -5-

UNITED STATES OF AMERICA
STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this renewal note the sum of

--Twenty - Eight Thousand Dollars (\$28,000.00)--

three months from the date hereof, with accrued interest, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable at maturity.

Both principal of and interest in this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This renewal note is one of an authorized issue, the aggregate principal amount of which is Thirty Thousand Dollars (\$30,000.00) and is issued pursuant to the Local Finance Law of New York and a bond anticipation note resolution duly adopted by the Town Board of the Town of Cheektowaga, New York, on the 16th day of March, 1953, in anticipation of the sale of Serial Bonds, to finance the cost of the extension of Water District No. 9 Como Park Extension, so called, as more fully set forth in said resolution of the Town Board adopted March 16, 1953 and resolutions of the Town Board adopted October 19, 1953 and December 21, 1953.

The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Statutes of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this note, exist, have happened and have been performed, and that this renewal note, together with all other indebtedness of said Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this note to be signed by its Supervisor and its corporate seal to be hereunto affixed and attested by its Town Clerk and this renewal note to be dated as of the 21st day of December, 1953.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

By: Benedict T. Holtz
Supervisor

Attest:

Kenneth T. Hanley
Town Clerk.

Item No. 6. The following resolution was offered by Mr. Neibert who moved its adoption, seconded by Mr. Bystrak, to wit:

WHEREAS, this Town Board has heretofore authorized certain bond anticipation notes hereinafter set forth, which notes are presently held by the Manufactruers and Traders Trust Company of Buffalo, New York, and which notes are payable January 1st, 1954, and

WHEREAS, the bonds, in anticipation of which said notes were issued, will not be sold and the proceeds from the same available until after January 1st, 1954,

NOW, THEREFORE,
BE IT RESOLVED AS FOLLOWS:

That the Supervisor be and he hereby is authorized and directed to issue renewal bond anticipation notes maturing March 1st, 1954, and to be attested by the Town Clerk and sealed with the seal of said Town as follows:

- 1. Sewer District No. 5-Extension of District \$40,000.00
- 2. Sewer District No. 5-Increase of facilities \$40,000.00
- 3. Olcott Place Curbing \$10,500.00
- 4. Walton Drive Paving \$ 6,748.00
- 5. Sugnet Road Paving \$ 7,538.00
- 6. Darwin Drive Paving \$16,526.00
- 7. Cresthaven Drive Paving \$ 6,209.00

AND BE IT FURTHER RESOLVED, that such renewal notes are to be sold to the Manufacturers and Traders Trust Company of Buffalo, New York, to bear interest at two percentum (2%) per annum, and the Supervisor be and he hereby is authorized to prescribe the other terms, form and contents of said renewal bond anticipation notes, subject to the provisions of this resolution, and to sell and deliver the same,

AND BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon its adoption. CARRIED: AYES: -5-

\$40,000.00

UNITED STATES OF AMERICA
STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this renewal note the sum of

—Forty Thousand Dollars (\$40,000.00)—

on March 1, 1954, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable at maturity.

Both principal of and interest on this renewal note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This renewal note may be called for redemption on any date prior to maturity upon the giving of at least five days notice of the date of redemption by filing at the office of the Manufacturers and Traders Trust Company a written notice to such effect, and interest shall cease to be paid hereon after such date of redemption.

This renewal note is one of an authorized issue the aggregate amount of which is One Hundred Ten Thousand Dollars (\$110,000.00) and is issued pursuant to the Local Finance Law of New York and a bond anticipation note resolution duly adopted by the Town Board of the Town of Cheektowaga, New York, on the 1st day of June, 1953, in anticipation of the sale of Serial Bonds to finance the construction of a sanitary sewer system consisting of the sewer lines and the appurtenances necessary for their operation in the territory included in the extension of Sewer District No. 5, by order adopted by the Town Board of said Town on May 18, 1953.

The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this renewal note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this renewal note, exist, have happened and have been performed, and that this renewal note, together with all other indebtedness of said Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this renewal note to be signed by its Supervisor, and its corporate seal to be hereunto affixed and attested by its Town Clerk and this note to be dated as of the 21st day of December, 1953.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

By: Benedict T. Holts
Supervisor

SEAL

ATTEST:

Kenneth T. Hanley
Town Clerk.

UNITED STATES OF AMERICA
STATE OF NEW YORK
TOWN OF CHEEKTOWAGA

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this renewal note the sum of

—Forty Thousand Dollars (\$40,000.00)—

on March 1, 1954, together with interest thereon from the date hereof at the rate of Two Percent (2%) per annum, payable at maturity.

Both principal of and interest on this note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This renewal note may be called for redemption on any date prior to maturity upon the giving of at least five days notice of the date of redemption by filing at the office of the Manufacturers and Traders Trust Company a written notice to such effect, and interest shall cease to be paid hereon after such date of redemption.

This renewal note is one of an authorized issue the aggregate principal amount of which is Eighty Thousand Dollars (\$80,000.00) and is issued pursuant to the Local Finance Law of New York and a bond anticipation note resolution duly adopted by the Town Board of the Town of Cheektowaga, New York, on the 1st day of June, 1953, in anticipation of the sale of Serial Bonds to finance the construction of a trunk sewer to be connected with the existing disposal plant maintained by Sewer District No. 5 and extending from such plant in an easterly direction approximately parallel and to south of Scajaquada Creek to a point near the easterly boundary line of the Pine Hill Union School District site and thence in a southerly direction to the north side of the West Shore Railroad right-of-way, and the manholes and other appurtenances suitable for the operation of such trunk sewer, in accordance with an order of resolution authorizing said improvements made by the Town Board of said Town on April 6, 1953, pursuant to the provisions of Article 12 of the Town Law of New York.

The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this renewal note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this renewal note, exist, have happened and have been performed, and that this note, together with all other indebtedness of said Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this note to be signed by its Supervisor, and its corporate seal to be hereunto affixed and attested by its Town Clerk and this renewal note to be dated as of the 21st day of December, 1953.

TOWN OF CHEEKTOWAGA, ERIE COUNTY,
NEW YORK.

By: Benedict T. Holtz
Supervisor

Attest:

Kenneth T. Hanley
Town Clerk.

\$10,500.00

UNITED STATES OF AMERICA
STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this renewal note the sum of

—Ten Thousand Five Hundred Dollars (\$10,500.00)

on March 1, 1954, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable at maturity.

Both principal of and interest on this renewal note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This renewal note may be called for redemption on any date prior to maturity upon the giving of at least five days notice of the date of redemption by filing at the office of the Manufacturers and Traders Trust Company a written notice to such effect, and interest shall cease to be paid hereon after such date of redemption.

This renewal note is one of an authorized issue, the aggregate principal amount of which is Eleven Thousand Two Hundred and Seventy Dollars (\$11,270.00) and is issued pursuant to the Local Finance Law of New York and a bond anticipation note resolution duly adopted by the Town Board of the Town of Cheektowaga, New York, on the 17th day of November, 1952, in anticipation of the sale of Serial Bonds, to finance the construction of curbs on Olcott Place, as more fully set forth in said resolution of the Town Board adopted November 17, 1952. This note is a renewal note of notes previously issued for the same purpose and is issued pursuant to a resolution of the Town Board adopted December 21, 1953.

The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this renewal note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and of the State of New York, to exist, to have happened and to have been performed precedent to and in the issuance of this renewal note, exist, have happened and have been performed, and that this renewal note, together with all other indebtedness of said Town of Cheektowaga is within every debt and other limit prescribed by the constitution and laws of such state.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this renewal note to be signed by its Supervisor, and its corporate seal to be hereunto affixed and attested by its Town Clerk and this note to be dated as of the 21st day of December, 1953.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

By: Benedict T. Holtz
Supervisor.

Attest:
Kenneth T. Hanley
Town Clerk.

\$6,748.00

UNITED STATES OF AMERICA
STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this renewal note the sum of

—Six Thousand Seven Hundred Forty-Eight Dollars (\$6,748.00)

on March 1, 1954, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable at maturity.

Both principal of and interest on this renewal note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This renewal note may be called for redemption on any date prior to maturity upon the giving of at least five days notice of the date of redemption by filing at the office of the Manufacturers and Traders Trust Company a written notice to such effect, and interest shall cease to be paid hereon after such date of redemption.

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This renewal note is one of an authorized issue, the aggregate principal amount of which is Six Thousand Seven Hundred and Forty-Eight Dollars (\$6,748.00) and is issued pursuant to the Local Finance Law of New York, and a bond anticipation note resolution duly adopted by the Town Board of the Town of Cheektowaga, New York, on the 8th day of September, 1953, in anticipation of the sale of Serial Bonds, to finance the construction of permanent pavement with all accessory work on Walton Drive, both sides, extending from the Geib property, located on Walton Drive in a northerly direction to the north line of the Town of Cheektowaga, New York.

The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this renewal note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and State of New York, to exist, to have happened and to have been performed precedent to and in the issuance of this renewal note, exist, have happened and have been performed, and that this note, together with all other indebtedness of said Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this renewal note to be signed by its Supervisor, and its corporate seal to be hereunto affixed and attested by its Town Clerk and this renewal note to be dated as of the 21st day of December, 1953.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK

BY: Benedict T. Holtz
Supervisor

ATTEST;

Kenneth T. Hanley
Town Clerk.

\$7,538.00

United States of America
State of New York
Town of Cheektowaga

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this renewal note the sum of

-Seven Thousand Five Hundred Thirty-Eight Dollars (\$7,538.00)-

on March 1, 1954, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable at maturity.

Both principal of and interest on this renewal note will be paid in lawfully money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This renewal note may be called for redemption on any date prior to maturity upon the giving of at least five days notice of the date of redemption by filing at the office of the Manufacturers and Traders Trust Company a written notice to such effect, and interest shall cease to be paid hereon after such date of redemption.

This renewal note is one of an authorized issue, the aggregate principal amount of which is Seven Thousand Five Hundred Thirty-Eight Dollars (\$7,538.00) and is issued pursuant to the Local Finance Law of New York, and a bond anticipation note resolution duly adopted by the Town Board of the Town of Cheektowaga, New York, on the 8th day of September, 1953, in anticipation of the sale of Serial Bonds, to finance the construction of permanent pavement with all accessory work on Sugnet Road, both sides, extending from the south line of Cleveland Drive to the north line of Fontaine Drive.

The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this renewal note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this renewal note, exist, have happened and have been performed, and that this renewal note, together with all other indebtedness of said Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this renewal note to be signed by its Supervisor, and its corporate seal to be hereunto affixed and attested by its Town Clerk and this note to be dated as of the 21st day of December, 1953.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK

BY: Benedict T. Holtz
Supervisor

ATTEST:

Kenneth T. Hanley

Town Clerk.

\$16,526.00

UNITED STATES OF AMERICA
STATE OF NEW YORK
TOWN OF CHEEKTOWAGA

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this renewal note the sum of

-SIXTEEN THOUSAND FIVE HUNDRED TWENTY-SIX DOLLARS (\$16,526.00)-

on March 1, 1954, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable at maturity.

Both principal of and interest on this renewal note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This renewal note may be called for redemption on any date prior to maturity upon the giving of at least five days notice of the date of redemption by filing at the office of the Manufacturers and Traders Trust Company a written notice to such effect, and interest shall cease to be paid hereon after such date of redemption.

This renewal note is one of an authorized issue, the aggregate principal amount of which is Sixteen Thousand Five Hundred and Twenty-Six Dollars (\$16,526.00) and is issued pursuant to the Local Finance Law of New York, and a bond anticipation note resolution duly adopted by the Town Board of the Town of Cheektowaga, New York, on the 8th day of September, 1953, in anticipation of the sale of Serial Bonds, to finance the construction of permanent pavement which all accessory work on Darwin Drive, extending from the north curb line of Cleveland Drive, 1512 feet north to the Amherst Cheektowaga Town Line, both sides.

The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged and for the punctual payment of the principal of and interest on this renewal note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and States of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this renewal note, exist, have happened and have been performed, and that this note, together with all other indebtedness of said Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this note to be signed, by its Supervisor, and its corporate seal to be hereunto affixed and attested by its Town Clerk and this renewal note to be dated as of the 21st day of December, 1953.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK

BY: Benedict T. Holtz
Supervisor

ATTEST:

Kenneth T. Hanley

Town Clerk.

UNITED STATES OF AMERICA
STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

The Town of Cheektowaga, in the County of Erie, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay the bearer of this renewal note the sum of

-SIX THOUSAND TWO HUNDRED AND NINE DOLLARS (\$6,209.00)-

on March 1, 1954, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable at maturity.

Both principal of and interest on this renewal note will be paid in lawful money of the United States of America, at the main office of the Manufacturers and Traders Trust Company, Buffalo, New York.

This renewal note may be called for redemption on any date prior maturity upon the giving of at least five days notice of the date of redemption by filing at the office of the Manufacturers and Traders Trust Company a written notice to such effect, and interest shall cease to be paid hereon after such date of redemption.

This renewal note is one of an authorized issue, the aggregate principal amount of which is Six Thousand Two Hundred and Nine Dollars (\$6,209.00) and is issued pursuant to the Local Finance Law of New York, and a bond anticipation note resolution duly adopted by the Town Board of the Town of Cheektowaga, New York, on the 8th day of September, 1953, in anticipation of the sale of Serial Bonds, to finance the construction of permanent pavement with all accessory work on Cresthaven Drive, both sides, extending from the north line, sub-division Lot #220, under Map Cover #1445, approximately 642.84 feet to the Amherst-Cheektowaga Town Line.

The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged for the punctual payment of the principal of and interest on this renewal note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and State of New York to exist, to have happened and to have been performed precedentto and in the issuance of this renewal note, exist, have happened and have been performed, and that this renewal note, together with all other indebtedness of said Town of Cheektowaga is within every debt and other limit prescribed by the Constitution and Laws of such State.

IN WITNESS WHEREOF, the Town of Cheektowaga, New York, has caused this renewal note to be signed by its Supervisor, and its corporate seal to be affixed and attested by its Town Clerk and this renewal note to be dated as of the 21st day of December, 1953.

Town of Cheektowaga, Erie County, New York.

By: Benedict T. Holtz
Supervisor

Attest:

Kenneth T. Hanley
Town Clerk.

Item No. 7 Councilman Wroblewski moved, seconded by Councilman Bystrak, that the V.F.W. Post located at the corner of Genesee Street and Harlem Road, be allowed to play and sing Christmas Carols. CARRIED: AYES: -5-.

Item No. 8 Councilman Nagel moved, seconded by Councilman Wroblewski, that the amount of \$1,000.00 be transferred from Item No. 4 to Item No. 3 of the Highway Fund. CARRIED: AYES: -5-.

Item No. 9 Councilman Bystrak moved, seconded by Councilman Nagel, that the New York State Gas & Electric Company be authorized and directed to install 1-1000 lumen light on Pole No. 157-1 William Street, to move present lamp on Pole No. 94 to No. 93 on Transit Road, install new lamps on Poles No. 91 and 98 on Transit Road. CARRIED: AYES: -5-.

Item No. 10

NOTICE OF HEARING
CRESTHAVEN DRIVE PAVEMENT

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of Cresthaven Drive, extending from the north line of Sublot No. 220, Cover 1445, to the Amherst-Cheektowaga town line, by the construction of a permanent paving along said highway was filed in the Town Clerks' Office on March 12, 1953, and

WHEREAS, Edward B. Jerzewski, Andrew H. Schwenk and Eugene A. Rudzynski, Assessors of said Town of Cheektowaga, have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and also by resident owners owning more than one-half of the frontage owned by resident owners residing along both sides of the said highway proposed to be improved, and

WHEREAS, the maximum amount proposed to be expended for the improvement aforesaid is the sum of Nine Thousand Six Hundred Dollars (\$9,600.00), and

WHEREAS, the portion of said highway to be improved is situated entirely in said Town outside of any incorporated village or city therein,

NOW, THEREFORE,

IT IS HEREBY ORDERED, that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 4th day of January, 1954, at 2:30 o'clock P.M., Eastern Standard Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

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

CARRIED: AYES: -5-

NOES: -0-

ABSENT: -0-

Posted as follows on the 24th day of December, 1953;

- 1- Post in front of No. 90 Cresthaven Drive;
- 2- Post 50 feet north of No. 90 Cresthaven Drive;
- 3- Post 100 feet north of No. 90 Cresthaven Drive;
- 4- Post 150 feet north of No. 90 Cresthaven Drive;
- 5- Post in front of No. 130 Cresthaven Drive.

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

NOTICE OF HEARING

Cresthaven Drive

At a regular meeting of the Town Board of the Town of Cheektowaga, in Erie County, New York, held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, N. Y. in said Town on the 21st day of December, 1953, at 7:30 o'clock P.M., Eastern Standard Time. There were

PRESENT:

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

ABSENT: None

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS a petition for the improvement of both sides of Cresthaven Drive, extending from the north line of Sublot No. 220, Cover 1445, to the Amherst-Cheektowaga town line, by the construction of a permanent paving along said highway was filed in the Town Clerk's Office on March 12, 1953, and

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

WHEREAS, the maximum amount proposed to be expended for the improvement aforesaid is the sum of Nine Thousand Six Hundred Dollars (\$9,600.00), and

WHEREAS, the portion of said highway to be improved is situated entirely in said Town outside of any incorporated village or city therein.

NOW, THEREFORE, IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall in said Town of Cheektowaga on the 4th day of January, 1954, at 2:30 o'clock P.M., Eastern Standard Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

- Benedict T. Holtz voting Aye.
- Joseph A. Neibert voting Aye.
- Felix Wroblewski voting Aye.
- Stanley Bystrak voting Aye.
- Henry J. Nagel voting Aye.

AYES: 5 NOES: 0 ABSENT: 0
The resolution was thereupon declared duly adopted.

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 21st day of December, 1953, 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 21st day of December, 1953.

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

(SEAL)

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for two weeks: first publication DEC 24 1953 last publication DEC 24 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of DEC 24 1953, 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, 1954
Registered No. 5029

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

RESOLVED, that Rosemary Ohl be provisionally appointed Counting Machine Operator in the Office of the Receiver of Taxes & Assessments at an annual salary of \$2,600.00, payable in semi-monthly installments, and be it further

RESOLVED, that a copy of this resolution be forwarded to the Personnel Director of Erie County with the request that he hold a competitive examination for said position.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

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

RESOLVED, that the Supervisor be authorized to purchase from Mernan Chevrolet, Inc., 2751 Bailey Avenue, Buffalo, 15, New York, 1 1954 Chevrolet Sedan delivery truck with spot light, fresh air heater, signals, prestone and lettering, to replace Dog Warden Truck for the sum of \$1,912.95, and be it further

RESOLVED, that the Supervisor be authorized to sell and deliver to Mernan Chevrolet, Inc., a 1951 Chevrolet Sedan delivery truck for the sum of \$612.95 leaving a cash balance due to Mernan Chevrolet, Inc., the sum of \$1,300.00.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

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

RESOLVED, by the Town Board of the Town of Cheektowaga, that Edward H. Pfohl, Receiver of Taxes & Assessments, be and he hereby is authorized to dispose of records Item #2, #3, #4, #5 and #8, on the Local Records Disposition Request List #20 issued pursuant to Section 114 of the Regulations of the Commissioner of Education, and be it further

RESOLVED, that the Clerk of this Board be and hereby is directed to furnish a certified copy of this resolution to Edward H. Pfohl, Receiver of Taxes & Assessments, to be forwarded to the Commissioner of Education.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-.

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

WHEREAS, the Niagara Mohawk Power Corporation has made a survey of street lights on West Grande Boulevard, between Northern Parkway and George Urban Boulevard, and also on Maryvale Drive and Community Drive, and has recommended the installation of two (2) 2500 lumens overhead system street lights between the existing street light and George Urban Boulevard, and the installation of two (2) 2500 lumens overhead system street lights on poles 379 R and 379 R-1 Community Drive south of Maryvale Drive, and also the relocation of an existing 4000 lumens overhead system street light from pole #397 to pole #391 Maryvale Drive, and the installation of a 4000 lumens overhead system street light on pole #409, and that the existing 2500 lumens overhead system street light on the southeast corner of Maryvale Drive and Community Drive be changed to 4000 lumens to conform with the other street lights on Maryvale Drive, and that the charge for the five (5) additional lights described above will amount to \$140.00 per year, be it

RESOLVED, that the recommendations made by the Niagara Mohawk Power Corporation as above set-forth be adopted and installations made in accordance with said recommendations as contained in its communication to Councilman Bystrak, Chairman of the Utilities Committee, dated December 18, 1953, which is hereto attached and made a part of this resolution.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

NIAGARA MOHAWK POWER CORPORATION



BUFFALO 3, N. Y.

December 18, 1953

Mr. Stanley Bystrak, Councilman
Town of Cheektowaga, Town Hall
Cheektowaga 25, New York

Dear Stan:

In compliance with your recent request, we are furnishing the following recommendations for the installation of additional street lights at the following locations.

West Grand Boulevard - between Northern Parkway and Geo. Urban Blvd.

There is an existing 2500 lumens overhead system street light approximately 150 feet south of Northern Pkwy on the west side of West Grand Blvd. We recommend the installation of two (2) 2500 lumens overhead system street lights between this existing street light and George Urban Blvd.

Maryvale Drive and Community Drive.

At this location we recommend the installation of two (2) 2500 lumens overhead system street lights on poles #379 R and #379R-1 Community Drive south of Maryvale Drive. In addition to this we recommend the relocation of an existing 4000 lumens overhead system street light from pole #397 to pole #391 Maryvale Drive and the installation of a 4000 lumens overhead system street light on pole #409. The existing 2500 lumens overhead system street light on the southeast corner of Maryvale Drive and Community Drive should be changed to a 4000 lumens to conform with the other street lights on Maryvale Dr.

The charges for the five (5) additional street lights described above will amount to \$140.00 per year.

Yours very truly

NIAGARA MOHAWK POWER CORPORATION

William A. Grimm
Commercial Department

WAG/F

Cc - Mr. K. T. Hanley
Town Clerk

Item No. 15 Councilman Wroblewski moved, seconded by Councilman Niebert, that the following decision of the Zoning Board of Appeals be upheld.

DECISION
OF THE
ZONING BOARD OF APPEALS

In the Matter of the Application
of
BRODIE INDUSTRIAL TRUCKS, INC.,
AND
BUFFALO AUTO SPRING COMPANY, INC.
FOR THE PURPOSE OF CONSIDERING A REQUEST
FOR A VARIANCE AND USE PERMIT IN A FIRST
INDUSTRIAL ZONE.

Brodie Industrial Trucks, Inc., and Buffalo Auto Spring Company, Inc., have applied to the Zoning Board of Appeals to zone the property hereinafter described as First Industrial with a variance of the Industrial Zone Ordinances so as to permit the use of the premises to fabricate, repair and re-set springs. There is involved in connection with the operation of its business the necessity to stock steel, cut same, heat treat it and form it. The operation requires a small amount of hammering by a blacksmith, and light welding is necessary at times.

The Buffalo Auto Spring Company, Inc., installs fifth wheels, dump bodies, hydraulic tail gates, front end alignments and brake work.

The Brodie Industrial Trucks, Inc., of New York is distributor for Clark Equipment Company, manufacturers of industrial lift truck equipment. It also has Coles Cranes and Whiting Trackmobile franchises. The premises are to be used to exhibit this equipment and to distribute them to industries in New York State. The company will store parts and make necessary repairs to customers' equipment on the property.

Members of the Zoning Board of Appeals inspected the operations of these companies at their present location on November 23, 1953.

The property sought to be zoned is located in a restricted First Industrial Zone. We recommend that the application to zone this property as First Industrial with variances as to the use of the same be granted so as to permit the petitioner to use the property for the purposes outlined above, and more specifically set forth in a written communication addressed to the Zoning Board of Appeals by the Petitioner, dated the 3rd day of September, 1953, which is hereto attached.

The property sought to be zoned is described as follows:

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

BEGINNING at the point of intersection of the southerly line of New Walden Road (Ontario Thruway) and the easterly line of Good Road; running thence southerly along the said easterly line of Good Road, a distance of Three Hundred (300) feet; running thence easterly at right angles to the said easterly line of Good Road Two Hundred (200) feet; running thence northerly on a line parallel with the easterly line of Good Road Three Hundred Fifty-five and Eighty-nine one-hundredths (355.89) feet to the southerly line of New Walden Road (Ontario Thruway); running thence westerly along the said southerly line of New Walden Road (Ontario Thruway) a distance of One Hundred Forty-one and Twenty-five one-hundredths (141.25) feet to a point; thence continuing in a southwesterly direction along the said southerly line of New Walden Road (Ontario Thruway) a distance of Sixty-six and Eighty-four one-hundredths (66.84) feet to the point or place of beginning.

Dated: December 11, 1953.

Leo Kurnick
Chairman

C.G. Hanson

Michael L. Henfling

Joseph P. Kubera

INDUSTRIAL TRUCKS, INC.

1450 Michigan Avenue

Buffalo 8, N.Y.

221

September 3, 1953

Town of Cheektowaga
The Zoning Board
Town Hall
Broadway and Union Road
Cheektowaga, New York

To The Honorable Members of the Zoning Board:

We hereby submit the following information for your approval and direction.

It is our desire to move our present industries from our present location, 1450 Michigan Avenue, Buffalo, New York, to a site now owned by William Zacker. This site has a frontage on new Walden Avenue at the intersection of the new private road known as Good Road. For exact location, see attachment.

We understand that the property herein described is at present zoned for first industrial. It is the opinion of many concerned that our operations come under the classification of first industrial. However, there are no specific cases listed in your manual on zoning that cover our particular operation and we are afraid same may be a border line case. We would like your review and notification as to whether we comply. If not, what steps should we take to get the necessary permission. We have a 30 day option on this property and we would be grateful for as prompt an action as possible on this matter.

The following paragraphs will explain our operations:

We have two distinct corporations. First corporation is known as Buffalo Auto Spring Company, Inc. In this operation, we remove, inspect and fabricate any necessary leaves needed to repair and reset springs. On occasions, it is necessary to build the entire new replacement springs. To accomplish the above, we have to stock steel, cut same, heat treat it and form it. We use an oil heat treat furnace and a quench tank. The operation does require a small amount of hammering by a Blacksmith. Under the name of Buffalo Auto Spring Company we stock and install fifth wheels, dump bodies and hydraulic tail gates. Light welding is necessary at times. We also do front end alignment and brake work.

The second corporation is known as Brodie Industrial Trucks, Inc., of New York. Under this name, we are the distributors for Clark Equipment Company, manufacturers of industrial lift truck equipment. We also have the Coles Cranes and Whiting Trackmobile franchises. We exhibit this equipment in our show room and distribute them to industries in the western half of New York State. We stock parts for these pieces of equipment and also make necessary repairs to customers' equipment on our property. The identical operation can be viewed by observing at our 1450 Michigan Avenue address.

The above information is necessary before we can close the property transaction and obtain the mortgage company's approval for a mortgage. Our architects are Backus, Crane and Love, located at 282 Delaware Avenue.

Any additional information may be obtained by telephoning the writer at Elmwood-4548 during the working day or East Aurora 824-R after working hours.

Very truly yours,

Brodie Industrial Trucks, Inc.
John T. Dooley
Manager.

JTD:hrt

Item No. 16 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same.
Warrant No. 2639 to No. 2681, inclusive, drawn on the Supervisor.

Item No. 17 Councilman Neibert moved, seconded by Councilman Bystrak, to adjourn.

Kenneth T. Hanley

SEAL

Town Clerk

ITEM NO. 1 At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 30th day of December, 1953, at 4:00 o'clock P.M., Eastern Standard Time, there were:

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

Also present were: Town Clerk Kenneth T. Hanley and Town Attorney George B. Doyle.

ITEM NO. 2 The Town Clerk then proceeded to read the minutes of the previous meetings held on October 10th, 1953; October 19th, 1953; October 23rd, 1953; October 26th, 1953; November 2nd, 1953; November 9th, 1953; November 16th, 1953; November 23rd, 1953; December 7th, 1953 and December 21, 1953, are there being no corrections or alterations, Councilman Neibert moved, seconded by Councilman Nagel, that same be placed on file in the Town Clerks' Office.

ITEM NO. 3 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the "Cheektowaga Times", the "Cheektowaga Chieftan" and the "Depew Herald", newspapers having general circulation throughout the Town of Cheektowaga, New York, be designated as the official newspapers of the Town of Cheektowaga.

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

ITEM NO. 4 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that Henry Gabryszak of Gierlach Street, Sloan, New York, be provisionally appointed Police Dispatcher and Telephone Operator at an annual salary of \$3,400.00, payable in semi-monthly installments, and be it further

RESOLVED, that a copy of this resolution be forwarded to the Personnel Director of Erie County with the request that he hold a competitive Civil Service examination for said position.

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

ITEM NO. 5 Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that Patrolman Daniel Weber be appointed Detective Sargarent at an annual salary of \$4,250.00, payable in semi-monthly payments.

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

ITEM NO. 6 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that the Town of Cheektowaga, New York, purchase badges for the Town Auxiliary Police.

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

ITEM NO. 7 Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, the revenues from all sources received by the Town of Cheektowaga during the year 1953 have exceeded the aggregate for the revenues estimated in the 1953 Budget and the taxes levied for the year; and

WHEREAS, the amounts provided for expenses in such Budget were insufficient in certain instances to meet expenditures approved by the Town Board; and

WHEREAS, the actual expenses were in some instances less than appropriations provided,

NOW, THEREFORE,

BE IT RESOLVED, that additional appropriations and transfers be made in the sums and from sources hereinafter indicated.

GENERAL FUND TRANSFERS

<u>FROM</u>		
Town Board-Senior Stenographer		\$ 892.96
" " -Printing briefs, etc.		1,475.85
" " -Office and other expense		18.97

FROM

Supervisor-Salary of Supervisor	\$.08
" -Office and other expense		1,076.54
Town Clerk-Salary-Telephone operator		.16
Justice of the Peace-Salary		159.93
" " " " -Stenographic services		258.50
" " " " -Jurors' Fees		100.00
Assessors-Salary-Chairman		.08
" -Salary-Assessor		.16
" -Salary-Assessor		.16
" -Salary-Stenographer		.16
" -Salary-Special Assessment Clerk		.16
" -Equipment		701.00
Receiver of Taxes-Salary-Senior Account Clerk		.08
" " " -Salary-Accounting Machiner Operator		451.42
" " " -Equipment		107.50
" " " -Supplies		264.52
Town House-Light, heat, power and water		208.66
Engineering Department-Salary-Draftsman		.08
" " -Supplies		342.06
Town Historian-Supplies		44.11
Advertising and publishing notices		75.27
Elections-Compensation Inspectors		461.00
" -Capital Note and Interest		10.50
Attendance Officers-Supplies		75.00
State Retirement System		1,011.40
Veterans Observance		200.00
Dog Wardens-Salary		.16
" " -Other expense		143.25
Department of Public Works:		
Miscellaneous Functions-General Foreman		.16
" " -Maintenance Men		38.94
" " -Supplies		390.40
Incinerator-Wages		951.98
" -Heat, light and power		1,112.03
" -Repairs		811.31
Building and Plumbing Department:		
Assistant Building Inspector		.16
Expense		285.02
Zoning Board of Appeals-Fees of members		148.67
Civil Defense Aid		907.89
Capital Note and Interest		918.75
Recreation-Salary-Director		.08
" -Salary-Secretary		58.37
" -Supplies		1,082.61
" -Umpires and Referees		1,935.00
" -Equipment		2,842.00
" -Maintenance		1,921.74
" -Travelling expense		151.04
" -Taxes		346.63
" -State Aid		1,576.15
Interest and Temporary Loans		1,000.00
Shade Tree Fund		399.66
Police Department-Fees in Criminal Proceedings		75.00
" " -Salaries-Telephone Operators		491.76
" " -Salary-Mechanic		12.80
" " -Medical examinations		95.00
" " -Special Traffic Guards		59.00
" " -Special Investigations		184.00
" " -Maintenance-Radio Station		1,267.57
" " -Travelling expense		120.30
" " -Meals to Prisoners		304.25
Miscellaneous		451.41
General Fund Surplus		47,294.24
	TOTAL	75,313.64

TO

Supervisor-Salary-Stenographer	1,117.72
" -Equipment	444.15
Town Clerk-Salary-Clerk	1,183.55
" " -Postage, Stationery, etc.	1,063.75
Justices of the Peace-Dockets, etc.,	432.22

TO

Assessors-Salary-Addressograph Operator	\$	1,149.96
" -Salaries-Extra Clerks		887.50
" -Office expense		1,507.95
" -Travelling expense		405.20
Receiver of Taxes-Salaries-Extra Clerks		383.75
" " " -Postage		21.50
Town House-Telephone		133.91
" " -Supplies		1,484.16
" " -Equipment		1,636.77
" " -Repairs		1,359.03
" " -Cleaning wages		353.54
" " -Window cleaning		250.00
Engineering Department-Salary-Engineer		3,000.00
" " -Salary-Instrument Men		1,134.14
Elections-Rent Polling Places		340.00
" -Move Booths, etc.		2,744.62
Insurance and Surety Bonds		2,819.46
Miscellaneous repairs and minor improvements		15,365.71
Contingent Fund		3,520.50
Traffic Regulation Expense:		
Traffic Signal Lights		6,836.22
Street marking and paint		3,608.02
School crossing guards		1,964.81
Traffic signs		1,922.64
Department of Public Works:		
Incinerator-Supplies		1,141.79
Building and Plumbing Department:		
Salary-Inspector		13.68
Recreation-Extra Labor		6,436.63
" -Equipment operators		3,225.75
" -Playground supervisors		1,288.26
Interest on Bonds-General Town		66.00
Police Department-Town Police Force Salaries		1,017.64
" " -Gasoline and Oil		1,737.98
" " -Maintenance-Cars and cycles		1,575.94
" " -Equipment		1,055.45
" " -Printing and stationery		102.04
" " -Materials and supplies		381.78
" " -Services of Matron		199.92
		<u>\$75,313.64</u>
	TOTAL	

FROM

Mortgage tax	\$53,585.21
Other licenses	14,594.50
Fines	3,576.50
Fees of Town Officers	504.58
Dog Tax	1,168.12
Miscellaneous receipts	15,788.82
	<u>\$89,217.73</u>
	TOTAL

TO

State Assistance	.02
General Fund Surplus-1953 excess revenue	89,217.71
	<u>\$89,217.73</u>
	TOTAL

TOWN HEALTH FUND

FROM

Salary-Health Officer	.08
Town Health Fund Surplus	410.46
	<u>\$410.54</u>

TO

Expense of Health Officer	390.79
Registrar of Vital Statistics	19.75
	<u>\$410.54</u>

ITEM NO. 7-Cont'd

BE IT FURTHER RESOLVED, that the Supervisor be, and he hereby is, instructed to make the transfer of balances and to give to the additional appropriations set forth above.

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

ITEM NO. 8

SUPERVISORS REPORT FOR 1953

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

Willard C. Allis, of the
Town of Cheektowaga, in said County of Erie, be-
ing duly sworn, deposes and says that *he* is
publisher of the
Cheektowaga Times, a public newspaper published
weekly in said Town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for *one* weeks; first
publication **FEB 4 1954**;
last publication **FEB 4 1954**;
and that no more than six days intervened be-
tween publications.

Willard C. Allis

Sworn to before me this

day of **FEB 25 1954**, 19.....

Eve J. Allis

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

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

ITEM NO. 9 The Town Clerk then proceeded to reading the minutes of this meeting and there being no changes or alterations, Councilman Nagel moved, Seconded by Councilman Neibert, that the same be placed on file in the Town Clerks Office.

ITEM NO 10 Councilman Wroblewski moved, seconded by Councilman Bystrak, to adjourn.

Kenneth T. Hanley,

SEAL.

ANNUAL REPORT of Supervisor Town of Cheektowaga

CHEEKTOWAGA, NEW YORK, DECEMBER 31, 1953

**MEMBERS OF THE TOWN BOARD
TOWN OF CHEEKTOWAGA, NEW YORK**

Gentlemen:

Pursuant to the provisions of Section 105 of the Town Law, I have prepared and submit herewith a full and complete statement of the moneys received and disbursed by me during the year 1953 for the account of the Town of Cheektowaga and funds properly entrusted to me in my capacity as Supervisor, as follows:

**DETAILED SUMMARY OF GENERAL FUND, HEALTH FUND
AND SPECIAL DISTRICTS FUND FOR THE YEAR 1953**

RECEIPTS

CASH ON DEPOSIT—JANUARY 1, 1953

General Fund	\$ 80,547.49	
Town Health Fund	585.63	
Special Districts Fund	84,627.02	
Construction and Improvement Funds:		
Water District No. 9 - Tapping and Meter Account	942.21	
Lateral Sewer - Homesgarth	502.14	
Lateral Sewer - Toelsin	330.91	
Drainage District No. 4	19,443.05	
Street Lights - Group 5	104.18	
Street Lights - Group 6	221.53	
Sewer District No. 3 - Disposal Plant Improvement - Account No. 2	321,502.09	
Town House Repairs	8,198.01	
Olcott Curbing	797.57	
Bridge	15,090.00	
Lateral Sewers - Crestwood, etc.	8,512.31	
		\$541,404.14

GENERAL PROPERTY TAXES

General Town Lighting	\$ 91,939.77	
Town Health Fund	3,403.19	
Town Tax	292,874.96	
		388,217.92

**SPECIAL DISTRICT TAXES
FIRE DISTRICTS**

District No. 1—Doyle	\$ 23,345.00	
District No. 2—Walden	15,895.00	
District No. 3—Forks	6,454.53	
District No. 4—U-Crest	16,477.92	
District No. 5—Pine Hill	15,425.00	
District No. 6—Cleveland Hill	21,408.78	
District No. 8—Hyland (Urban)	550.00	
		99,556.23

WATER HYDRANT DISTRICTS

District No. 1—Doyle	\$ 7,797.22	
District No. 2—Walden	3,425.52	
District No. 3—Forks	2,578.58	
District No. 4—U-Crest	10,849.50	
District No. 5—Pine Hill	5,880.07	
District No. 6—Cleveland Hill	13,291.60	
District No. 7—French Road	1,592.91	
District No. 8—Hyland (Urban)	307.58	
District No. 10—Bellevue	1,230.72	
		46,953.70

WATER SUPPLY DISTRICT

Borden Road—No. 9	4,172.00	
		\$165,446.99

**CONSOLIDATED GARBAGE DISTRICT
SEWER DISTRICTS**

District No. 1	\$ 1,088.98	
District No. 2	2,200.00	
District No. 3	33,706.62	
District No. 4	4,028.62	
District No. 5	177,923.21	

District No. 6	17,778.00	
		236,725.43

STORM SEWER DISTRICTS

District No. 1	\$ —0—	
District No. 2	9,229.06	
District No. 3	7,320.00	
District No. 4	11,033.33	
		27,582.39

LATERAL SANITARY SEWER DISTRICTS

Arthur	\$ 323.62	
Aberdeen	705.95	
Lincoln	746.29	
Huth	564.76	
Roycroft	247.33	
Crestwood	1,016.55	
Cleveland	872.99	
Commodore	960.31	
Buell and W. Sobieski	1,451.80	
Harlem	523.80	
Maryvale	708.67	
W. Grand	588.46	
Cleveland	754.62	
S. Huxley	612.59	
Commodore	1,653.12	
Darwin	1,028.79	
Homesgarth	1,512.00	
Toelsin	2,860.00	
		17,131.65

SIDEWALK DISTRICTS

Oehman	\$ 1,528.50	
Evergreen	1,955.90	
Wellworth	656.73	
Clover	952.28	
Rosler	1,023.51	
		6,123.92

CURBING DISTRICTS

Wanda	3,023.50	
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FIRE PROTECTION DISTRICTS

District No. 1	\$ 672.86	
District No. 2	6,903.00	
		7,535.86

STREET LIGHTING IMPROVEMENT - GROUP 2

Charnwood Drive	\$ 503.64	
Charnwood Court	62.88	
Campwood	188.63	
Coralwood	315.00	
Southgate	880.90	
Roswell	251.51	
Cedar	692.27	
Campbell	692.27	
Tudor	692.27	
Awood	315.00	
Woodridge	1,258.78	
Commodore	251.52	
		6,104.67

STREET LIGHTING IMPROVEMENT - GROUP 3

Unionvale	\$ 345.50	
Clearvale	542.92	
Burdette	445.86	
Huth	192.80	
Edge Park	49.36	
Wing Court	120.51	
South Huth	445.86	
Federal	296.14	
Donald	444.23	
		2,883.18

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19	Appointment of Dog Warden	3
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9	Police Department directed to install Stop signs	7
10	Increase in fee paid to Zoning Board Members for attending, hearing, and making investigations	7
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12	Authorization for Supervisor to purchase truck from Mernan Chevrolet	7
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