

MEETING NO. 11

Cheektowaga, New York
April 6, 1953

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 6th day of April, 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-

Also present were: Town Clerk Kenneth T. Hanley; Town Attorney George B. Doyle; Town Engineer Albert J. Kamm; Town Historian Julia B. Reinstein; Chairman of the Zoning Board of Appeals Leo H. Kurnick; Chief of Police John J. Mersmann; Chairman of the Board of Assessors Edward B. Jerzewski; Highway Superintendent John J. Zablotny; General Foreman John Eberl; Assistant Building Inspector Carl Trafalski and Receiver of Taxes and Assessments Edward Pfohl.

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 the New York State Traffic Commission relating to the erection of Stop Signs at a number of streets intersecting Genesee Street, Route 33, Town of Cheektowaga. Ordered received and filed.

ITEM NO. 4 Communication read from Gertrude Marshall relating to foul tasting and smelling water conditions in the Cleveland Hill area of the Town. Ordered referred to the Town Engineer; Town Health Doctor and the Town Board Public Utility Committee.

ITEM NO. 5 Petition presented for the rezoning of property from Residential Zone to Business Zone, south side of Genesee Street adjacent to the Sky Harbor Airport. Ordered referred to the Zoning Board of Appeals.

ITEM NO. 6 Petition presented for the rezoning of property from Residential Zone to First Industrial Zone, north side of George Urban Boulevard, 871.63 feet east of Union Road. Ordered referred to the Zoning Board of Appeals.

ITEM NO. 7 Petition presented for the rezoning of property from Residential Zone to Business Zone, north-east corner of Clinton Street and Pleasant Parkway. Ordered referred to the Zoning Board of Appeals.

ITEM NO. 8 This being the time and the 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 the Town Board will, at this time, 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 the State 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 Supervisor directed the Town Clerk to present proof of publication of the Notice of the Hearing.

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing, and no person or persons appearing in opposition to the proposed improvement, the following order and resolution was offered by Mr. Nagel who moved its adoption, seconded by Mr. 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 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 March 2, 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 include any lateral sewer main authorized to be constructed pursuant to Section 199 of the Town Law of New York; and

WHEREAS, the Town Board did on the 16th day of March, 1953, duly adopt an order which provided that the Town Board should meet at the Town Hall, corner Broadway and Union Road, in said Town on the 6th day of April, 1953, at 2:30 o'clock P.M., Eastern Standard Time, on that day, to consider said map and general plan and estimate and the improvements therein described, and to hear all persons interested therein concerning the same, and to take such action on the part of said Town Board with relation to said improvements as may be authorized and required by law; and

WHEREAS, a notice of said public hearing in the form prescribed by said resolution was published on the 19th day of March, 1953, in the Cheektowaga Times, the official newspaper published in said Town, and copies of said notice were posted conspicuously in five public places within said District on the 19th day of March, 1953, all as shown by affidavits submitted to the Town Board; and

WHEREAS, said Town Board has, at the time and place specified in said order, considered said map and general plan and estimate and the making of the improvements therein described, and has heard all persons interested who have desired to be heard concerning the same, and has considered all evidence submitted at said time and place which will enable said Town Board to make the determinations hereinafter made; NOW, THEREFORE,

BE IT ORDERED by the Town Board of the Town of Cheektowaga, as follows:

(1) It is hereby determined that (a) all the property and property owners within said Sewer District No. 5 will be benefitted by the construction of said improvements; (b) all the property and property owners benefitted by the construction of said improvements are included in said Sewer District No. 5; and (c) it is in the public interest to authorize the construction of the improvements described in said map and general plan as set forth in said map and general plan.

(2) The improvements described in said map and general plan shall be constructed in accordance with said map and general plan, at a cost not exceeding Eighty Thousand Dollars (\$80,000.00).

(3) The Town Clerk is hereby directed to record a certified copy of this order in the office of the Clerk of the County of Erie pursuant to and in accordance with Section 195 of the Town Law.

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-

ABSENT: -0-

NOES: -0-

ITEM NO. 9 Councilman Wroblewski moved, seconded by Councilman Bystrak, that the Town Clerk be authorized and directed to issue Building Permits on all applications processed by the Petitions Committee on March 28, 1953, April 4, 1953 and April 6, 1953, after same have been approved by the Building Inspector.

CARRIED: AYES: -5-

ITEM NO. 10 Councilman Bystrak presented the following resolution and moved its adoption: 41

WHEREAS, Arthur Molik of No. , Sloan, New York, successfully passed a Civil Service Examination for Police Dispatcher and has been certified as eligible for appointment, be it

RESOLVED, that said Arthur Molik be and he hereby is appointed Police Dispatcher effective May 1, 1953, at an annual salary of \$3,100.00, payable in semi-monthly payments.

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

CARRIED: AYES: -5-.

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

RESOLVED, that the period of May 4th to 16th, inclusive, be designated as annual Fix-Up, Paint Up time for the Town of Cheektowaga, and be it further

RESOLVED, that John Eberl of the Department of Sanitation be authorized to have posters printed and place same in conspicuous places to remind our people of this campaign.

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-.

ITEM NO. 12 Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that the position now held by George Burst, of Cheektowaga, New York, in the Sanitation Department, be reclassified as " General Mechanic " and that the salary of general mechanic be fixed in the sum of Thirty-seven hundred and fifty dollars (\$3,750.00) yearly, payable in semi-monthly installments; and be it further

RESOLVED, that the title of the position held by Edward Snyder, of , Cheektowaga, New York, in the Sanitation Department, be changed to " Mechanic " at the annual salary of Thirty-four hundred and fifty dollars (\$3,450.00), payable in semi-monthly installments; and be it further

RESOLVED, that the Personnel Director of Erie County, be forwarded a copy of this resolution.

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

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

CARRIED: AYES: -5-.

ITEM NO. 13 Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, Paul Stephany filed a claim with the Town Board for damages which he claims he sustained on the 30th day of December, 1951, due to the negligence of the Town in its operation of a sewer system which caused the sewer to back up at 4931 Union Road on said date and as a result thereof certain property stored in the cellar was damaged and destroyed of the value of \$500.00, and

WHEREAS, he has agreed to settle the claim for the sum of \$250.00, and

ITEM NO. 13 Cont'd

WHEREAS, the Town Attorney has recommended the compromise of said claim for the said sum of \$250.00, be it

RESOLVED, that the Supervisor be and he is hereby authorized to pay Paul Stephany the sum of \$250.00 upon his executing and delivering a general release to the Town of Cheektowaga, New York, and be it further

RESOLVED, that the amount of said settlement be charged against Sewer District No. 5.

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

CARRIED: AYES: -5-.

ITEM NO. 14 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, there has been duly presented to this Town Board a written petition in due form, with the necessary map and plan, for the extension of existing Fire Protection District # 2, in the Town of Cheektowaga, New York, by annexing thereto the territory situated in such Town as is hereinafter described; and an order of the Town Board reciting the filing of said petition and specifying the time when, and the place where, said Town Board would meet to consider said petition, and to hear all persons interested in the subject thereof concerning the same, be published and posted as required by law, and the hearing having taken place at the Town Hall, corner of Broadway and Union Road, Town of Cheektowaga, New York, on the 14th day of November, 1949, at 7:30 o'clock P.M., Eastern Standard Time, at which hearing all persons interested in the subject matter were given an opportunity to be heard, and the Town Board having given due consideration thereon; and

WHEREAS, the petition presented to the Town Board on the 24th day of October, 1949, for the extension of said existing Fire Protection District #2, of the Town of Cheektowaga, New York, is signed, approved and acknowledged, as required by law, and is otherwise sufficient, and there is attached to said petition a map and plan prepared by Newell L. Nussbaumer and Irving Clarke, Engineers, duly licensed by the State of New York, showing the boundaries of the existing Fire Protection District, as well as the boundaries of the proposed extension; and

WHEREAS, it is not proposed or required that the Town shall finance the cost of the extension by the issuance of bonds, notes, certificates or other evidences of indebtedness of the Town therefor; and

NOW, THEREFORE, after due deliberation, it is

RESOLVED AND DETERMINED:

First. That the petition is signed and acknowledged, and approved as required by law, and is otherwise sufficient.

Second. That it is in the public interest to grant the relief sought.

Third. That all property and property owners included within the proposed District are benefited thereby.

Fourth. That all the property owners benefited are included therein, and that no property or property owners or persons benefited thereby have been excluded therefrom; and

BE IT FURTHER RESOLVED, that the petition for the extension of the existing Fire Protection District #2 be and the same is hereby granted, and the said existing Fire Protection District #2 is hereby extended to embrace the following described territory:

ON THE SOUTH SIDE OF MARYVALE DRIVE, AT THE POINT WHERE THE SAME IS INTERSECTED BY THE EAST SIDE OF HARLEM ROAD IN THE TOWN OF CHEEKTOWAGA, COUNTY OF ERIE, AND STATE OF NEW YORK, AND RUNNING THENCE EASTERLY A DISTANCE OF 1073 FEET; THENCE SOUTHERLY 275 FEET; THENCE WESTERLY 1073 FEET; THENCE NORTHERLY ON THE EAST SIDE OF HARLEM ROAD 265.90 FEET TO THE PLACE OF BEGINNING.

And, be it further RESOLVED, that the Town Clerk be and he is hereby authorized and directed to file with the Clerk of the County of Erie, New York, a certified copy of this resolution, within ten (10) days after its adoption and that he also cause a certified copy of this resolution to be filed in the State Department of Audit and Control, at Albany, New York, within ten (10) days of its adoption.

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

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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-

ITEM NO. 15 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that Edward H. Pfohl, Receiver of Taxes and Assessments for the Town of Cheektowaga, New York, be authorized and directed to accept taxes from the County of Erie on County owned property for the year 1953 without fees or additions.

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

CARRIED: AYES: -5-.

ITEM NO. 16 Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, the Thruway Plaza Playland, Inc., has entered into a lease with the Thruway Super Plaza, Inc., for the space located between the Russel Jay Store and the Woodrow Haberdashery, on the Thruway Super Plaza property, located at Harlem Avenue and Walden Avenue, in the Town of Cheektowaga, New York,; and

WHEREAS, the said Thruway Plaza Playland, Inc., has applied to this Board for a permit to operate, not to exceed five (5) amusement rides for children, on the space leased by it; and

WHEREAS, said rides will be located on private property, a considerable distance from the public highways,

BE IT RESOLVED, that permission be granted to the Thruway Plaza Playland, Inc., to construct and operate five (5) amusement rides for children on the property leased by it from the Thruway Super Plaza, Inc., as above described, upon condition that the said Thruway Plaza Playland, Inc., procure a public liability insurance policy providing \$100,000.00 to \$300,000.00 coverage.

This permit shall expire December 31, 1953.

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-.

ITEM NO. 17 Councilman Bystrak offered the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of Darwin Drive, extending from the north curb line of Cleveland Drive 1512 feet north to the north line of the Town of Cheektowaga, New York, by the construction of a permanent pavement along said highway was filed in the Town Clerks' Office on February 24, 1953, which petition was presented to this Town Board on the 6th day of April, 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 Twenty-four thousand dollars (24,000), 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 20th day of April, 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 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 public places along the said highway to be improved not less than ten (1) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

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

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

CARRIED: AYES: -5-

NOES: -0-

Posted as follows on the 10th day of April, 1953;

- 1- Post corner of Darwin Drive and Cleveland Drive;
- 2- Tree in front of No. 30 Darwin Drive;
- 3- Tree 30 feet north of No. 30 Darwin Drive;
- 4- Post in front of No. 50 Darwin Drive
- 5- Tree across the street from No. 50 Darwin Drive.

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

EXTRACTS FROM MINUTES OF TOWN BOARD

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, New York, in said Town on the 6th day of April 1953, at 2:30 o'clock P.M., Eastern Standard Time.

The meeting was called to order by Supervisor Holtz and the roll being called, there were:

PRESENT:

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

ABSENT: None.

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

WHEREAS, a petition for the improvement of both sides of Darwin Drive, extending from the north curb line of Cleveland Drive 1512 feet north to the north line of the Town of Cheektowaga, New York, by the construction of a permanent pavement along said highway was filed in the Town Clerk's Office on February 24, 1953, which petition was presented to this Town Board on the 6th day of April, 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 Twenty-Four thousand dollars (\$24,000.00), 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 20th day of April, 1953, at 7:30 o'clock P.M., Eastern Standard Time, to consider the said petition and to hear all per-

sons interested in the subject thereof concerning the same, and

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

Supervisor Holtz, voting Aye
Councilman Wroblewski, voting Aye
Councilman Nagel, voting Aye
Councilman Bystrak, voting Aye
Councilman Neibert, voting Aye
AYES: 5 NOES: 0 ABSENT: 0

STATE OF NEW YORK)

TOWN OF CHEEKTOWAGA) ss.

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on April 6th, 1953, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 6th day of April, 1953.

KENNETH T. HANLEY,
Town Clerk.
(Apr. 9)

K
WAGA } ss.

the Town of Cheekto-

Erie, being duly sworn,

is the publisher of the

public newspaper pub-

own; that the notice, of

ed slip, taken from said

inserted and published

ek for.....ne weeks:

PR 9 1953

PR 9 1953

six days intervened be-

L. C. Allis

1953 19

L. Allis

for Erie County, N. Y.

ALLIS
STATE OF NEW YORK
Erie County
March 30, 1955
No. 5029

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 APR 9 1953; last publication APR 9 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of APR 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, 19 55
 Registered No. 5029

The following resolution was offered by Mr. Nagel who moved its adoption, seconded by Mr. Wroblewski, to wit:

CAPITAL NOTE RESOLUTION DATED
APRIL 6, 1953, AUTHORIZING THE
ISSUANCE OF \$1,600.00 LIGHTING
DISTRICT CAPITAL NOTE OF THE
TOWN OF CHEEKTOWAGA IN THE
COUNTY OF ERIE PURSUANT TO THE
LOCAL FINANCE LAW.

WHEREAS, the expense of making the improvements hereinafter described must be borne by local assessment upon the several lots and parcels of lands within the districts in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town law for the assessment of the cost of maintenance in a sewer district as the same shall be annually determined and apportioned by the Town Board, and the Town Board desires to issue capital notes to finance the cost of said improvements and to annually apportion and assess upon the several lots and parcels of lands especially benefited by such improvements in proportion to the amount of benefit which the improvements shall confer upon the same an amount sufficient to pay the principal of and interest on the capital note issued for such improvements as the same shall become due and payable, all of which shall be done in accordance with the provisions of Subdivision 6 of Section 198 of Chapter 634 of the Laws of 1932 as amended by Chapter 325 of the Laws of 1946.

NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its capital note of the aggregate principal amount of \$1,600.00 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the purchase and installation of street lighting equipment pursuant to Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve properties on both sides of said highways, to wit:

- a) Wayne Terrace from Harlem Road
to end of street.
- b) Westbrook Drive from Harlem Road
to end of street.

Section 3. It is hereby stated that:

- a) the maximum cost of said purpose as estimated by the Town Board is \$3,472.00.
- b) \$1,872.00 has heretofore been applied to the payment of the cost of said purpose as the result of the levying of assessments therefore, and
- c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital note together with the application of the monies set forth in paragraph b. of this section.
- d) All of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there is hereby authorized to be issued pursuant to the Local Finance Law, \$1,600.00 capital note of the Town of Cheektowaga, to be designated substantially Lighting District Capital Note Series B of 1953, which shall bear a date not earlier than April 6, 1953, to be fixed by the Supervisor in the following denomination and to be numbered as follows, and maturing as follows, to wit:

1. In the amount of \$1,600.00 maturing
on April 1, 1954,

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such note to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such Capital Note to be in bearer form with the privilege of conversion to capital note registered as to principal and interest.

Section 5. All other matters, except as provided herein, relating to such capital note shall be determined by the Supervisor. Such Capital Note shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law as the Supervisor shall determine.

Section 6. The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such capital note as the same respectively becomes due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such capital note becoming due and payable in such year. There shall annually be apportioned and assessed upon the several lots and parcels of land especially benefited by the aforesaid improvements in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law, an amount sufficient to pay the principal of and interest on such capital note as the same becomes due and payable.

Section 7. Such capital note shall be sold at private sale by the Supervisor at a price of not less than par value of and accrued interest, if any, and the proceeds of such sale shall be applied solely for the purpose aforesaid, but the receipt of the Supervisor shall be a full acquittance to the purchaser of such note who shall not be obliged to see to the application of the purchase money.

Section 8. It is hereby determined that said purpose is an object or purpose described in Subdivision 35 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 5 years.

Section 9. It is hereby determined that the proposed maturity of the obligation authorized by this resolution will not be in excess of 3 years.

Section 10. The validity of said capital note may be contested only if such obligation is authorized for an object or purpose for which said Town is not authorized to expend money or the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication; or of said obligation is authorized in violation of the provisions of the Constitution of New York.

Section 11. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the Cheektowaga Times, a newspaper published and having a general circulation in said Town, and which newspaper is the official paper of this Town.

Section 12. This resolution shall take effect immediately upon its adoption.

The question of the adoption of the foregoing resolution was duly put to a vote which resulted as follows:

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

The resolution was duly adopted.

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

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that on the 6th day of April, 1953, the Town Board of the Town of Cheektowaga, Erie County, New York, adopted the following resolution:

CAPITAL NOTE RESOLUTION DATED APRIL 6, 1953, AUTHORIZING THE ISSUANCE OF \$1,600.00 LIGHTING DISTRICT CAPITAL NOTE OF THE TOWN OF CHEEKTOWAGA IN THE COUNTY OF ERIE PURSUANT TO THE LOCAL FINANCE LAW.

WHEREAS, the expense of making the improvements hereinafter described must be borne by local assessments upon the several lots and parcels of land within the districts in proportion to the amount of benefit which the improvements shall confer upon the same and in the manner provided in Section 202-a of the Town Law for the assessment of the cost of maintenance in a sewer district as the same shall be annually determined and apportioned by the Town Board, and the Town Board desires to issue capital notes to finance the cost of said improvements and to annually apportion and assess upon the several lots and parcels of lands especially benefitted by such improvements in proportion to the amount of benefit which the improvements shall confer upon the

Section 5. All other matters, except as provided herein, relating to such capital note shall be determined by the Supervisor. Such Capital Note shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law as the Supervisor shall determine.

Section 6. The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such capital note as the same respectively becomes due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such capital note becoming due and payable in such year. There shall annually be apportioned and assessed upon the several lots and parcels of land especially benefitted by the aforesaid improvements in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202a of the Town Law, an amount sufficient to pay the principal of and interest on such capital note as the same becomes due and payable.

Section 7. Such capital note shall

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TOWAGA

SS.

Ed C. Allis, of the

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poses and says that *he* is

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own; that the notice, of which

ted slip, taken from said news-

was inserted and published in

week for *one* weeks, first

April 9, 1953

April 9, 1953

e than six days intervened be-

William C. Allis

ie this *10th*

April, 19*53*

J. Allis

and for Erie County, N. Y.

J. ALLIS

STATE OF NEW YORK

in Erie County

Expires March 30, 19*55*

red No. 5029

The following resolution was offered by Mr. Bystrak who moved its adoption, seconded by Mr. Neibert to wit:

CAPITAL NOTE RESOLUTION DATED
APRIL 6, 1953, AUTHORIZING THE
ISSUANCE OF \$1000.00 LIGHTING
DISTRICT CAPITAL NOTES OF THE
TOWN OF CHEEKTOWAGA, IN THE
COUNTY OF ERIE, PURSUANT TO THE
LOCAL FINANCE LAW.

WHEREAS, the expense of making the improvements hereinafter described must be borne by local assessment upon the several lots and parcels of land within the districts in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law for the assessment of the cost of maintenance in a sewer district as the same shall be annually determined and apportioned by the Town Board, and the Town Board desires to issue capital notes to finance the cost of said improvement and to annually apportion and assess upon the several lots and parcels of lands especially benefitted by such improvements in proportion to the amount of benefit which the improvements shall confer upon the same an amount sufficient to pay the principal of and interest on the capital notes issued for such improvements as the same shall become due and payable, all of which shall be done in accordance with the provisions of Subdivision 6 Section 198 of Chapter 634 of the Laws of 1932 as amended by Chapter 325 of the Laws of 1946.

NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its capital notes of the aggregate principal amount of \$1,000.00 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the purchase and installation of street lighting equipment pursuant to Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve properties on both sides of said highways, to wit:

a) Highview Court from Cleveland Drive
to entire court.

b) South Century Road from Cleveland
Drive to Southgate Road.

Section 3. It is hereby stated that:

a) The maximum cost of said purpose as estimated by the Town Board is \$1,000.00.

b) No money has heretofore been applied to the payment of the cost of said purpose.

c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.

d) All of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued pursuant to the Local Finance Law, \$1,000.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Serial A of 1953, which shall bear a date not earlier than April 6, 1953, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and maturing as follows: to wit.

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

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that on the 6th day of April, 1953, the Town Board of the Town of Cheektowaga, Erie County, New York, adopted the following resolution:

CAPITAL NOTE RESOLUTION DATED APRIL 6, 1953, AUTHORIZING THE ISSUANCE OF \$1,600.00 LIGHTING DISTRICT CAPITAL NOTE OF THE TOWN OF CHEEKTOWAGA IN THE COUNTY OF ERIE PURSUANT TO THE LOCAL FINANCE LAW.

WHEREAS, the expense of making the improvements hereinafter described must be borne by local assessments upon the several lots and parcels of land within the districts in proportion to the amount of benefit which the improvements shall confer upon the same and in the manner provided in Section 202-a of the Town Law for the assessment of the cost of maintenance in a sewer district as the same shall be annually determined and apportioned by the Town Board, and the Town Board desires to issue capital notes to finance the cost of said improvements and to annually apportion and assess upon the several lots and parcels of lands especially benefitted by such improvements in proportion to the amount of benefit which the improvements shall confer upon the same an amount sufficient to pay the principal of and interest on the capital note issued for such improvements as the same shall become due and payable, all of which shall be done in accordance with the provisions of Subdivision 6 of Section 198 of Chapter 634 of the Laws of 1932 as amended by Chapter 325 of the Laws of 1946.

NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its capital note of the aggregate principal amount of \$1,600.00 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the purchase and installation of street lighting equipment pursuant to Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve properties on both sides of said highway, to wit:

- (a) Wayne Terrace from Harlem Road to end of street.
- (b) Westbrook Drive from Harlem Road to end of street.

Section 3. It is hereby stated that:

(a) The maximum cost of said purpose as estimated by the Town Board is \$3,472.00.

(b) \$1,872.00 has heretofore been applied to the payment of the cost of said purpose as the result of the levying of assessments therefor, and

(c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital note together with the application of the monies set forth in paragraph (b) of this Section.

(d) All of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there is hereby authorized to be issued pursuant to the Local Finance Law, \$1,600.00 capital note of the Town of Cheektowaga, to be designated Substantially Lighting District Capital Note Series B of 1953, which shall bear a date not earlier than April 6, 1953, to be fixed by the Supervisor in the following denomination and to be numbered as follows, and maturing as follows, to wit:

1. In the amount of \$1,600.00 maturing on April 1, 1954, such note to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such Capital Note to be in bearer form with the privilege of conversion to capital note registered as to principal and interest.

Section 5. All other matters, except as provided herein, relating to such capital note shall be determined by the Supervisor. Such Capital Note shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law as the Supervisor shall determine.

Section 6. The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such capital note as the same respectively becomes due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such capital note becoming due and payable in such year. There shall annually be apportioned and assessed upon the several lots and parcels of land especially benefitted by the aforesaid improvements in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202a of the Town Law, an amount sufficient to pay the principal of and interest on such capital note as the same becomes due and payable.

Section 7. Such capital note shall be sold at private sale by the Supervisor at a price of not less than par value of and accrued interest, if any, and the proceeds of such sale shall be applied solely for the purpose aforesaid, but the receipt of the Supervisor shall be a full acquittance to the purchaser of such capital note who shall not be obliged to see to the application of the purchase money.

Section 8. It is hereby determined that said purpose is an object or purpose described in Subdivision 35 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 5 years.

Section 9. It is hereby determined that the proposed maturity of the obligation authorized by this resolution will not be in excess of 3 years.

Section 10. The validity of said capital note may be contested only if such obligation is authorized for an object or purpose for which said Town is not authorized to expend money or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication; or if said obligation is authorized in violation of the provisions of the Constitution of New York.

Section 11. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the Cheektowaga Times, a newspaper published and having a general circulation in said Town, and which newspaper is the official paper of this Town.

Section 12. This resolution shall take effect immediately upon its adoption.

The capital note resolution published herewith has been adopted on the 6th day of April, 1953, and the validity of the obligation authorized by such capital note resolution may be hereafter contested only if such obligation was authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice or such obligation was authorized in violation of the provisions of the Constitution of New York.

KENNETH T. HANLEY
Town Clerk of the Town of Cheektowaga, New York
(apr 9)

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ss.

W. C. Allis of the

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poses and says that *he* is

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April 9, 1953

April 9, 1953

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William C. Allis

ie this *10th*

April, 19*53*

J. Allis

and for Erie County, N. Y.

J. ALLIS
STATE OF NEW YORK
in Erie County
Expires March 30, 1955
red No. 5029

The following resolution was offered by Mr. Bystrak who moved its adoption, seconded by Mr. Neibert to wit:

CAPITAL NOTE RESOLUTION DATED
APRIL 6, 1953, AUTHORIZING THE
ISSUANCE OF \$1000.00 LIGHTING
DISTRICT CAPITAL NOTES OF THE
TOWN OF CHEEKTOWAGA, IN THE
COUNTY OF ERIE, PURSUANT TO THE
LOCAL FINANCE LAW.

WHEREAS, the expense of making the improvements hereinafter described must be borne by local assessment upon the several lots and parcels of land within the districts in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law for the assessment of the cost of maintenance in a sewer district as the same shall be annually determined and apportioned by the Town Board, and the Town Board desires to issue capital notes to finance the cost of said improvement and to annually apportion and assess upon the several lots and parcels of lands especially benefitted by such improvements in proportion to the amount of benefit which the improvements shall confer upon the same an amount sufficient to pay the principal of and interest on the capital notes issued for such improvements as the same shall become due and payable, all of which shall be done in accordance with the provisions of Subdivision 6 Section 198 of Chapter 634 of the Laws of 1932 as amended by Chapter 325 of the Laws of 1946.

NOW, THEREFORE,

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

Section 1. In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga, in the County of Erie, shall issue its capital notes of the aggregate principal amount of \$1,000.00 pursuant to the Local Finance Law of New York.

Section 2. The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the purchase and installation of street lighting equipment pursuant to Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve properties on both sides of said highways, to wit:

- a) Highview Court from Cleveland Drive to entire court.
- b) South Century Road from Cleveland Drive to Southgate Road.

Section 3. It is hereby stated that:

- a) The maximum cost of said purpose as estimated by the Town Board is \$1,000.00.
- b) No money has heretofore been applied to the payment of the cost of said purpose.
- c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.
- d) All of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued pursuant to the Local Finance Law, \$1,000.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Serial A of 1953, which shall bear a date not earlier than April 6, 1953, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and maturing as follows: to wit.

published in the

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 *April 9, 1953*;
last publication *April 9, 1953*;
and that no more than six days intervened be-
tween publications.

Willard C. Allis
Sworn to before me this *10th*
day of *April*, 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, 1955
Registered No. 5029

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued pursuant to the Local Finance Law, \$1,000.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series A of 1953, which shall bear a date not earlier than April 6, 1953, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and maturing as follows: to wit.

1. In the amount of \$500.00 maturing on April 1, 1954, and

2. In the amount of \$500.00 maturing on April 1, 1955,

each of such notes to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such Capital Notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

Section 5. All other matters, except as provided herein, relating to such capital notes shall be determined by the Supervisor. Such capital notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law as the Supervisor shall determine.

Section 6. The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal and interest on such capital notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such capital note becoming due and payable in such year. There shall annually be apportioned and assessed upon the several lots and parcels of land especially benefitted by the aforesaid improvements in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law, an amount sufficient to pay the principal of and interest on such capital notes as the same become due and payable.

Section 7. Such capital notes shall be sold at private sale by the Supervisor at a price of not less than par value of and accrued interest, if any, and the proceeds of such sale shall be applied solely for the purpose aforesaid, but the receipt of the Supervisor shall be a full acquittance to the purchaser of such capital notes who shall not be obliged to see to the application of the purchase money.

Section 8. It is hereby determined that said purpose is an object or purpose described in Subdivision 35 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 5 years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of 3 years.

Section 10. The validity of said capital notes may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 11. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the Cheektowaga Times, a newspaper published and having a general circulation in said Town, and which newspaper is the official paper of this Town.

Section 12. This resolution shall take effect immediately upon its adoption:

The question of the adoption of the foregoing resolution was duly put to a vote which resulted as follows:

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

The resolution was duly adopted.

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

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that on the 6th day of April, 1953, the Town Board of the Town of Cheektowaga, in Erie County New York, adopted the following resolution:

CAPITAL NOTE RESOLUTION DATED APRIL 6 1953, AUTHORIZING THE ISSUANCE OF \$1,000.00 LIGHTING DISTRICT CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE PURSUANT TO THE LOCAL FINANCE LAW.

WHEREAS, the expense of making the improvements hereinafter described must be borne by local assessment upon the several lots and parcels of lands within the districts in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law for the assessment of the cost of maintenance in a sewer district as the same shall be annually determined and apportioned by the Town Board, and the Town Board desires to issue capital notes to finance the cost of said improvements and to annually apportion and assess upon the several lots and parcels of lands especially benefitted by such improvements in proportion to the amount of benefit which the improvements shall confer upon the same an amount sufficient to pay the principal of and interest on the capital notes issued for such improvements as the same shall become due and payable, all of which shall be done in accordance with the provisions of Subdivision 6 of Section 198 of Chapter 634 of the Laws of 1932 as amended by Chapter 325 of the Laws of 1946.

NOW, THEREFORE,

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

Section 1—In order to finance the specific object or purpose hereinafter described, the Town of Cheektowaga in the County of Erie shall issue its capital notes of the aggregate principal amount of \$1,000.00 pursuant to the Local Finance Law of New York.

Section 2—The specific object or purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the purchase and installation of street lighting equipment pursuant to Section 198 of the Town Law of New York, along the highways as hereinafter set forth, to serve properties on both sides of said highway, to wit:

a) Highview Court from Cleveland Drive to entire court.

b) South Century Road from Cleveland Drive to Southgate Road

Section 3—It is hereby stated that:

(a) The maximum cost of said purpose as estimated by the Town Board is \$1,000.00.

(b) No money has heretofore been applied to the payment of the cost of said purpose.

(c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.

(d) All of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

Section 4—For the purpose of paying the cost of such purpose, there are hereby authorized to be issued pursuant to the Local Finance Law, \$1,000.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series A of 1953, which shall bear a date not earlier than April 6, 1953, to be fixed by the Supervisor in the following denominations and to be numbered as follows; and maturing as follows: to wit

1. In the amount of \$500.00 maturing on April 1, 1954, and

2. In the amount of \$500.00 maturing on April 1, 1955,

each of such notes to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such Capital Notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

Section 5—All other matters, except as provided herein, relating to such capital notes shall be determined by the Supervisor. Such capital notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall other-

wise be in such form and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law as the Supervisor shall determine.

Section 6—The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal of and interest on such capital notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such capital note becoming due and payable in such year. There shall annually be apportioned and assessed upon the several lots and parcels of land especially benefitted by the aforesaid improvements in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law, an amount sufficient to pay the principal of and interest on such capital notes as the same become due and payable.

Section 7—Such capital notes shall be sold at private sale by the Supervisor at a price of not less than par value of and accrued interest, if any, and the proceeds of such sale shall be applied solely for the purpose aforesaid, but the receipt of the Supervisor shall be a full acquittance to the purchaser of such capital notes who shall not be obliged to see to the application of the purchase money.

Section 8—It is hereby determined that said purpose is an object or purpose described in Subdivision 35 of paragraph a. of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years.

Section 9—It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of three years.

Section 10—The validity of said capital notes may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 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 11—This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of the said Local Finance Law, and such publication shall be in the Cheektowaga Times, a newspaper published and having a general circulation in said Town, and which newspaper is the official paper of this Town.

Section 12—This resolution shall take effect immediately upon its adoption.

The question of the adoption of the foregoing resolution was duly put to a vote which resulted as follows:

Councilman Nagel, voting "Aye"
Councilman Wroblewski, voting "Aye"

Councilman Neibert, voting "Aye"
Councilman Bystrak, voting "Aye"

Supervisor Holtz, voting "Aye"

The resolution was duly adopted.

The capital note resolution published herewith has been adopted on the 6th day of April, 1953, and the validity of the obligations authorized by such capital note resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

(Apr. 9)

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ss.

and C. Allis, of the

in said County of Erie, be-

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a public newspaper published

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as inserted and published in

week for one weeks, first

APR 9 1953

APR 9 1953

than six days intervened be-

and C. Allis

this

10 1953

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J. Allis

for Erie County, N. Y.

ALLIS
TOWN OF NEW YORK
Erie County
March 30, 1955
No. 5029

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued pursuant to the Local Finance Law, \$1,000.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series A of 1953, which shall bear a date not earlier than April 6, 1953, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and maturing as follows: to wit.

1. In the amount of \$500.00 maturing on April 1, 1954, and

2. In the amount of \$500.00 maturing on April 1, 1955,

each of such notes to bear interest at a rate not exceeding 5% per annum, payable semi-annually on April 1 and October 1. Such Capital Notes to be in bearer form with the privilege of conversion to capital notes registered as to principal and interest.

Section 5. All other matters, except as provided herein, relating to such capital notes shall be determined by the Supervisor. Such capital notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals in addition to those required by Section 51.00 of the Local Finance Law as the Supervisor shall determine.

Section 6. The faith and credit of the Town of Cheektowaga are hereby irrevocably pledged to the payment of the principal and interest on such capital notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such capital note becoming due and payable in such year. There shall annually be apportioned and assessed upon the several lots and parcels of land especially benefitted by the aforesaid improvements in proportion to the amount of benefit which the improvements shall confer upon the same, and in the manner provided in Section 202-a of the Town Law, an amount sufficient to pay the principal of and interest on such capital notes as the same become due and payable.

Section 7. Such capital notes shall be sold at private sale by the Supervisor at a price of not less than par value of and accrued interest, if any, and the proceeds of such sale shall be applied solely for the purpose aforesaid, but the receipt of the Supervisor shall be a full acquittance to the purchaser of such capital notes who shall not be obliged to see to the application of the purchase money.

Section 8. It is hereby determined that said purpose is an object or purpose described in Subdivision 35 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 5 years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of 3 years.

Section 10. The validity of said capital notes may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 11. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the Cheektowaga Times, a newspaper published and having a general circulation in said Town, and which newspaper is the official paper of this Town.

Section 12. This resolution shall take effect immediately upon its adoption:

The question of the adoption of the foregoing resolution was duly put to a vote which resulted as follows:

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

The resolution was duly adopted.

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, 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 *APR 9 1953*
 last publication *APR 9 1953*
 and that no more than six days intervened be-
 tween publications.

Willard C. Allis
 Sworn to before me this
 day of *APR 10 1953*, 19
Evel 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. 20 Mrs. Gertrude Marshall of Conard Drive was granted the floor and requested that the elm trees in the Town be sprayed early in the spring season. Ordered referred to the Highway Department.

ITEM NO. 21 Mrs. Gertrude Marshall was granted the floor and complained to the Board that the Storm Sewer Receiver in front of her home was badly in need of a cleaning. Ordered referred to the Highway Department.

ITEM NO. 22 Mr. Steven Bylebyl of _____ was granted the floor and requested information to the effect if anything has been done to improve the bus service on Harlem Road from Genesee Street to Walden Avenue. Ordered referred to the Town Attorney.

ITEM NO. 23 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 for same.

Warrant No. 544 to No. 689 (Page No. 71 to Page No. 88) drawn on the Supervisor.

ITEM NO. 24 Councilman Neibert moved, seconded by Councilman Bystrak, 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 10th day of April, 1953, at 3:00 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

ABSENT: Henry J. Nagel	Councilman
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Also present were: Town Clerk Kenneth T. Hanley; Highway Superintendent John J. Zablotny; Town Engineer Albert J. Kamm; William M. Tadio, Building & Plumbing Inspector and Assistant Building Inspector Carl J. Trafalski.

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

RESOLVED that the Niagara Mohawk Power Company be authorized and directed to place a shield on street lighting standard No. 283 in front of No. 279 South Huxley Drive, in the Town of Cheektowaga, New York.

Seconded by Councilman Bystrak.

CARRIED: AYES: -4-.

ITEM NO. 3 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED to authorize the Town Police Chief to restrict parking in the vicinity of the Rescue Fire House from a point 50 feet north of the Fire House to 50 feet south of the Fire House on both sides of the Street. The signs to read "NO PARKING BETWEEN SIGNS", and

BE IT FURTHER RESOLVED that NO PARKING signs at present from the Fire House to Walden Avenue be removed.

Seconded by Councilman Neibert.

CARRIED: AYES: -4-.

ITEM NO. 4 Councilman Bystrak 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 February 28, 1953, in each fund be transferred to Special Districts Fund as follows:

Homesgarth Lateral Sewer.....	\$ 502.14
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Toelsin Lateral Sewer.....	330.91
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Street Lighting Improvement (Group 5).....	104.18
--	--------

Street Lighting Improvement (Group 6).....	221.53
--	--------

Seconded by Councilman Neibert.

CARRIED: AYES: -4-.

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

RESOLVED that this Town Board does hereby approve the Snow Removal Contract between the County of Erie and the Town of Cheektowaga, dated November 15, 1952.

Seconded by Councilman Neibert.

CARRIED: AYES: -4-.

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

WHEREAS Matthew Babinski, has had issued to him building permits on Seation Road, Cheektowaga, New York, and he has in many instances constructed homes in violation of the ordinances of the Town of Cheektowaga, New York, and

WHEREAS he is now engaged in building homes under said building permits and in each instance the homes he is building are being constructed in violation of the ordinances of the Town of Cheektowaga, New York, and

WHEREAS pursuant to the Building Code of the Town of Cheektowaga, New York, the Town Board has the authority to revoke a

building permit in the event the work is not being executed in accordance with the ordinances of the Town of Cheektowaga, New York, be it

RESOLVED that notice of revocation of said building permits be given the said Matthew Babinski by service of a copy thereof addressed to his post office address, and be it further

RESOLVED that he be notified that the Town Board will take action on this notice of revocation of the building permits on April 16, 1953, at 3:00 o'clock P.M., at a Special Meeting of the Town Board held for that purpose.

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

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

CARRIED: AYES: -4-.

(Lots 26-27-28-29-30-31-32, have not been constructed as of April 15, 1953. W.M. Tadio).

ITEM NO. 7

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS this Town Board has approved the extension of Sanitary Sewer District No. 5 in accordance with certain plans and specifications prepared by Nussbaumer, Clarke and Velzy, and

WHEREAS on the 23rd day of March, 1953, sealed proposals were received by this Town Board and the lowest bid was submitted by H.F. Darling Company in the amount of \$132,961.00, and the engineers have recommended that said bid be accepted, be it

RESOLVED that the contract to construct the sanitary sewer in the sewer district extension, as well as the work to be done in Sanitary Sewer District No. 5 be awarded to H.F. Darling Company, said contract to include Bid Items No. A-1 (a) to A-10 (a) inclusive, for the amounts indicated of \$49,061.00, and for Bid Items No. B-1 (a) inclusive, for the amount of \$83,900.00, making a grand total of \$132,961.00; that the said contract provide that the work is to be done in accordance with the plans and specifications heretofore mentioned. This award is made subject to the final approval by the Department of Audit and Control of the State of New York, of the proposed extension to Sewer District No. 5.

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

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

CARRIED: AYES: -4-.

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

WHEREAS this Town Board has heretofore authorized certain work to be done in connection with the Sewage Treatment Plant of Sewer District No. 3 in accordance with the plans and specifications made by Nussbaumer, Clarke and Velzy, and

WHEREAS on the 23rd day of March, 1953, sealed proposals were submitted to the Town Board and the lowest bid was submitted by C.E. Knowles, Inc., in the amount of \$286,750.00, and

WHEREAS the engineers have recommended that this Town Board accept the bid of C.E. Knowles, Inc., be it

RESOLVED that the contract to do the work in accordance with the plans and specifications prepared by Nussbaumer, Clarke and Velzy, Inc., be awarded to C.E. Knowles, Inc., and that his bid of \$286,750.00 be accepted as follows: Bid Items 1-7 inclusive, 7a, 8, one-half of 9, and 10-14 inclusive; that the contract provide for the doing of said work in accordance with the plans and specifications prepared by Nussbaumer, Clarke and Velzy,

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

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

CARRIED: AYES: -4-.

ITEM NO. 9 The Town Clerk then proceeded to reading the minutes of the previous meetings held on March 23, 1953 and April 6, 1953, and there being no laterations or changes, Councilman Neibert moved, seconded by Councilman Bystrak, that the same be placed on file in the Town Clerks' Office. 48
CARRIED: AYES: -4-.

ITEM NO. 10 Councilman Wroblewski moved, seconded by Councilman Neibert, to adjourn.
CARRIED: AYES: -4-.

Kenneth T. Hanley

Town Clerk.

At a special meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the Town of Cheektowaga, New York, at 3:00 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

ABSENT: Henry J. Nagel	Councilman
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The Supervisor announced that due to the fact that an injunction has been served against the Town of Cheektowaga relative to the revocation of Matthew Babinskis building permits on Seton Road, in the Town of Cheektowaga, New York, no action will be taken on the revocation of said permits.

Councilman Neibert moved, seconded by Councilman Bystrak to adjourn. CARRIED: AYES: -4-.

Kenneth T. Hanley

Town Clerk.

SEAL

At a regular meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 20th day of April, 1953, at 7:30 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

ABSENT: Henry J. Nagel	Councilman
------------------------	------------

Also present were: Town Clerk Kenneth T. Hanley; Town Attorney George B. Doyle; Town Historian Julia B. Reinstein, Building and Plumbing Inspector William M. Tadio; Highway Superintendent John J. Zablotny and General Foreman John Eberl.

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 the State of New York, Department of Audit and Control, granting the application of the town board for permission to extend Sewer District No. 5 in the Town of Cheektowaga, New York. Ordered received and filed.

ITEM NO. 4 Communication read from Mr. E.W. Dunbarn Dutch Elm Disease Inspector, New York Department of Agriculture and Markets, relating to elm trees inspected at No. 110 Concord Drive and No. 38 Marne Road. Ordered received and filed and the Town Clerk was authorized and directed to mail a copy of same to Mrs. Gertrude Marshall of Concord Drive.

ITEM NO. 5 Communication read from the Town Clerk requesting that the Towns Election Booths be painted and put in first class shape for the Fall Elections. Ordered referred to General Foreman John Eberl.

ITEM NO. 6 This being the time and the place advertised for a public hearing on the proposed improvement of Darwin Drive, extending from the north curb line of Cleveland Drive 1512 feet north to the north line of the Town of Cheektowaga, New York, by the construction of a permanent pavement along said highway.

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.

Mr. Florian Micherdzinski acting as spokesman for six property owners on Darwin Drive was granted the floor and requested that the road be constructed with minimum requirements and that the proposed improvement be financed by a ten year bond issue.

The Supervisor ordered the hearing closed and referred the matter to the Town Attorney and the Town Engineer.

ITEM NO. 7 Councilman Wroblewski moved, seconded by Councilman Neibert, RESOLVED that the Town Clerk be authorized to purchase one Transcopy equipment at a cost not to exceed the sum of \$350.00. CARRIED: AYES: -4-.

ITEM NO. 8 Councilman Neibert moved, seconded by Councilman Wroblewski, that the Town Clerk be authorized and directed to issue building permits on all applications processed by the Petitions Committee on April 11, 1953 and April 18, 1953, after same have been approved by the Building Inspector. CARRIED: AYES: -4-.

ITEM NO. 9 Councilman Neibert moved, seconded by Councilman Wroblewski, RESOLVED that the Town of Cheektowaga, New York, operate on daylight saving time commencing at 1 A.M., April 26, 1953, and that all town business be transacted in accordance with this resolution until September 27, 1953, at 1 A.M. CARRIED: AYES: -4-.

ITEM NO. 10 Councilman Bystrak moved, seconded by Councilman Wroblewski, that Frank Frankson of _____ and Andrew Kolniak of No. _____ street be employed as temporary laborers in the sewer gang. CARRIED: AYES: -4-

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

WHEREAS, the Commissioners of the Cleveland Hill Fire District No. 6 has requested hydrants to be installed as shown in the annexed request, be it,

RESOLVED, that the Town Clerk be and he is hereby authorized to request the Western New York Water Company to install hydrants in accordance with the request of the Fire Commissioners, and be it further

RESOLVED, that a certified copy of this resolution with the list of the hydrants requested be immediately forwarded to the Western New York Water Company.

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

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

CARRIED: AYES: -4-
ABSENT: -1-

HYDRANTS REQUIRED

1. Cedar Road, 1500 feet east of Eggert Road;
2. Campbell Road, 700 feet east of present hydrant;
3. Seaton Road, 500 feet east of Harlem Road;
4. Seaton Road, 1200 feet east of Harlem Road;
5. Seaton Road, 1800 feet east of Harlem Road at Woodridge Avenue;
6. Beale Avenue at Barrymore Road;
7. Beale Avenue, 100 feet east of Barrymore Road;
8. Beale Avenue, 650 feet east of Woodridge Avenue;
9. Rosary Lane, opposite Beale Avenue;
10. Maryvale Drive, 200 feet east of Woodridge Avenue;
11. Darwin Drive, 700 feet north of Cleveland Drive;
12. Cresthaven Drive, 500 feet north of Manlon Terrace;
13. Mapleview Road, at Homeswood;
14. Dania Drive, at Hillside;
15. Delray Drive, 600 feet south of Hillside;
16. Birkdale Road, 600 feet south of Hillside;
17. Foisset Avenue, 300 feet south of Cleveland Drive;
18. Foisset Avenue at Ontario Drive;
19. Foisset Avenue, 700 feet north of Huth Road;
20. Ontario Drive, 500 feet north of Huth Road;
21. Flora Avenue at Mapleview Road;
22. Cleveland Drive, opposite Montford Drive;
23. Cleveland Drive, 500 feet east of Babcock Parkway;
24. South Huth Road, at Park Avenue;
25. South Huth Road, 800 feet south of Park Avenue;
26. Burdette Drive, 200 feet south of Park Avenue;
27. St. Lucien Court, 350 feet west of Robert Court;
28. Danbury Road, 350 feet east of Rosary Lane.

ITEM NO. 12- Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, Arthur J. Oberkircher, Civil Defense Director, of the Town of Cheektowaga, Erie County, New York, has recommended the purchase of uniforms for the twenty-five (25) men recently graduated as Auxiliary Police, consisting of trousers, blue shirts and belts and also a steel cabinet, be it

RESOLVED, that the Supervisor be and he is hereby authorized to purchase the uniforms above specified from Weinbach and Bass, at the same price paid for similar articles of clothing for Civil Defense. This resolution does not authorize the purchase of overcoats for the reason that the Director of Civil Defense of the County of Erie will supply overcoats for the Auxiliary Police, be it further

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RESOLVED, that the Supervisor be and he is hereby authorized to purchase from Paige Company a steel cabinet for use by Civil Defense at a cost not to exceed \$75.00. Title to the aforementioned uniforms and steel cabinet shall be vested in the Town of Cheektowaga, Erie County, New York, and shall remain its property. The uniforms assigned to members of the Auxiliary Police shall be returned to the Town of Cheektowaga, New York, upon demand and particularly by any members who resigns or is removed as a member of the Auxiliary Police.

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

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

CARRIED: AYES: -4-.

ABSENT: -1-.

ITEM NO. 13 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Town Engineer, Albert J. Kamm, has recommended the purchase from Rupp Equipment Company of a 1953 Atlas Model B 50-27' Center to Center, Pneumatic Tired Belt Conveyor complete, but less power, for the sum of \$1,349.60 to be installed at Disposal Plant Sewer District No. 5, be it

RESOLVED, that the Supervisor be and he is hereby authorized to purchase from the Rupp Equipment Company the aforementioned Pneumatic Tired Belt Conveyor at a cost not to exceed the sum of \$1,349.60 and that the cost thereof be charged to Sanitary Sewer District No. 5.

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

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

CARRIED: AYES: -4-.

ABSENT: -1-.

ITEM NO. 14 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, a duly verified petition has been presented to the Town Board requesting that the lands hereinafter described be zoned for cemetery purposes; and

WHEREAS, accompanying said petition is the consent of at least 75% of the property owners within 1,000 feet of any part of the property to be used for cemetery purposes, which consent is duly acknowledged in the same form and manner as a deed to be recorded, which petition and consent comply with the requirements of Section 27 of the Zoning Ordinances of the Town of Cheektowaga, New York.

BE IT RESOLVED, that pursuant to the provisions of Section 27 of the Zoning Ordinances of the Town of Cheektowaga, Erie County, New York, the Town Board of said Town of Cheektowaga, New York, shall meet at the Town Hall, corner Union Road and Broadway in said Township on the 4th day of May, 1953, at 2:30 o'clock P.M., Eastern Daylight Saving Time, for the purpose of considering the advisability of granting the petition of the petitioner to zone for cemetery use the following described property:

DESCRIPTION
of property proposed to be used for
cemetery purposes

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 24, Township 11, Range 7, of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the southwest corner of Lands conveyed by the County of Erie to the Herald Valut Manufacturing Corporation by deed recorded in Erie County Clerks' Office in Liber 5057 of Deeds at Page 428, said point of beginning being in the northeast line of a strip of land seven and fifty hundredths (7.50) feet wide to be used for highway purposes, said strip of land lying adjacent to and north-east of the northeast line of Walden Avenue, as a sixty-six (66) foot highway; thence northwest along the northeast line of said strip of land seven and fifty hundredths

(7.50) feet wide, fifty-eight and sixty-two hundredths (58.62) feet to the west line of a fifteen (15) acre parcel of land formerly owned by the Cleveland G. Babcock estate; thence north along the west line of said last mentioned land eight hundred eighty and thirty-four hundredths (880.34) feet to the southeast line of land taken by the State of New York for Thruway purposes; thence northeast along the southeast line of said last mentioned land, two hundred thirty and eighty hundredths (230.80) feet to the east line of the aforementioned land formerly owned by Cleveland G. Babcock Estate; thence south along the east line of said last mentioned land five hundred eight and eighteen hundredths (508.18) feet to the northeast corner of land conveyed by the County of Erie to the Herald Vault Manufacturing Corporation by deed recorded in Erie County Clerks' Office in Liber 4558 of Deeds at page 305; thence west at right angles one hundred sixty (160) feet; thence south along the west line of land conveyed by deed recorded in Erie County Clerks' office in Liber 5057 of Deeds at page 428, four hundred seventy-three and thirty-two hundredths (473.32) feet to the point of beginning, containing two and nine hundred two thousandths (2.902) acres of land.

and,

BE IT FURTHER RESOLVED, 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, 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 insaid Town, not less than ten (10) days prior to the date set for the public hearing.

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

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

CARRIED: AYES: -4-.
ABSENT: -1-.

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

NOTICE OF HEARING
Cemetery Rezoning Petition

At a regular meeting of the Town Meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 20th day of April, 1953, at 7:30 P.M., Eastern Standard Time, there were:

PRESENT:

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

ABSENT:

Henry J. Nagel, Councilman

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, a duly verified petition has been presented to the Town Board requesting that the lands hereinafter described be zoned for cemetery purposes; and

WHEREAS, accompanying said petition is the consent of at least 75% of the property owners within 1,000 feet of any part of the property to be used for cemetery purposes, which consent is duly acknowledged in the same form and manner as a deed to be recorded, which petition and consent comply with the requirements of Section 27 of the Zoning Ordinances of the Town of Cheektowaga, New York.

BE IT RESOLVED, that pursuant to the provisions of Section 27 of the Zoning Ordinances of the Town of Cheektowaga, Erie County, New York, the Town Board of said Town of Cheektowaga, New York shall meet at the Town Hall, corner Union Road and Broadway in said Township on the 4th day of May, 1953, at 2:30 o'clock P.M. Eastern Daylight Saving Time, for the purpose of considering the advisability of granting the petition of the petitioner to zone for cemetery use the following described property:

DESCRIPTION

Of Property Proposed to be Used for Cemetery Purposes

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 24, Township 11, Range 7, of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the southwest corner of lands conveyed by the County of Erie to the Herald Vault Mfg. Corp. by deed recorded in Erie County Clerk's Office in Liber 5057 of Deeds at page 428, said point of beginning being in the northeast line of a strip of land seven and fifty hundredths (75.0) feet wide to be used for highway purposes, said strip of land lying adjacent to and northeast of the northeast line of Walden Avenue, as a sixty-six (66) foot highway; thence northwest along the northeast line of said strip of land seven and fifty hundredths (75.0) feet wide, fifty-eight and sixty-two hundredths (58.62) feet to the west line of a fifteen (15) acre parcel of land formerly owned by the Cleveland G. Babcock estate;

thence north along the west line of said last mentioned land eight hundred eighty and thirty-four hundredths (880.34) feet to the southeast line of land taken by the State of New York for Thruway purposes; thence northeast along the southeast line of said last mentioned land, two hundred thirty and eighty hundredths (230.80) feet to the east line of the aforementioned land formerly owned by Cleveland G. Babcock Estate; thence south along the east line of said last mentioned land five hundred eight and eighteen hundredths (508.18) feet to the northeast corner of land conveyed by the County of Erie to the Herald Vault Mfg. Corp. by deed recorded in Erie County Clerk's Office in Liber 4558 of Deeds at page 305; thence west at right angles one hundred sixty (160) feet; thence south along the west line of land conveyed by deed recorded in Erie County Clerk's Office in Liber 5057 of Deeds at page 428, four hundred seventy-three and thirty-two hundredths (473.32) feet to the point of beginning, containing two and nine hundred two thousandths (2.902) acres of land.

BE IT FURTHER RESOLVED, 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, 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 said Town, not less than ten (10) days prior to the date set for the public hearing.

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

Supervisor Holtz, voting Aye
Councilman Wroblewski, voting Aye
Councilman Neibert, voting Aye
Councilman Bystrak, voting Aye
AYES: 4 NOES: 0 ABSENT 1

STATE OF NEW YORK

ERIE COUNTY

OFFICE OF THE CLERK SS:

OF THE TOWN OF

CHEEKTOWAGA

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 20th day of April, 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 20th day of April, 1953.

KENNETH T. HANLEY,
Clerk of the Town Board,
Town of Cheektowaga, N. Y.
(SEAL) (Apr. 23)

ss.

vn of Cheekto-

ag duly sworn,

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D. Allis

.., 19.....

Allis

ounty, N. Y.

W YORK

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, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication APR 23 1953; last publication APR 23 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of APR 23 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. 15 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Town Superintendent of Highways has recommended the purchase of a new Ford Tractor with mounted mower, equipped with lights and further equipped as shown in a descriptive bulletin attached to this resolution, and

WHEREAS, the cost of same exceeds the sum of \$1,000.00, be it further

RESOLVED, that the Town Clerk publish or cause to be published, in the Cheektowaga Times, official newspaper of the Town of Cheektowaga, New York, at least five (5) days before the date set for the hearing, the following notice of said meeting:

NOTICE

NOTICE IS HEREBY GIVEN, in compliance with Section 142 of the Highway Law, that John J. Zablotny, Superintendent of Highways of the Town of Cheektowaga, Erie County, New York, has recommended the purchase of a new Ford Tractor with mounted mower, equipped with lights and further equipped, as shown in a descriptive bulletin attached to this resolution, from the Buffalo Tractor Company of West Seneca, New York, at a maximum cost of \$2,142.00.

The Town Board of Cheektowaga, Erie County, New York, will meet at the Town Hall, Union Road and Broadway, Cheektowaga, New York, on the 4th day of May, 1953, at 2:30 P.M. Eastern Daylight Saving Time, to consider such purchase and to hear all persons interested therein.
Dated: April 20, 1953.

Kenneth T. Hanley
Town Clerk
Town of Cheektowaga,
New York.

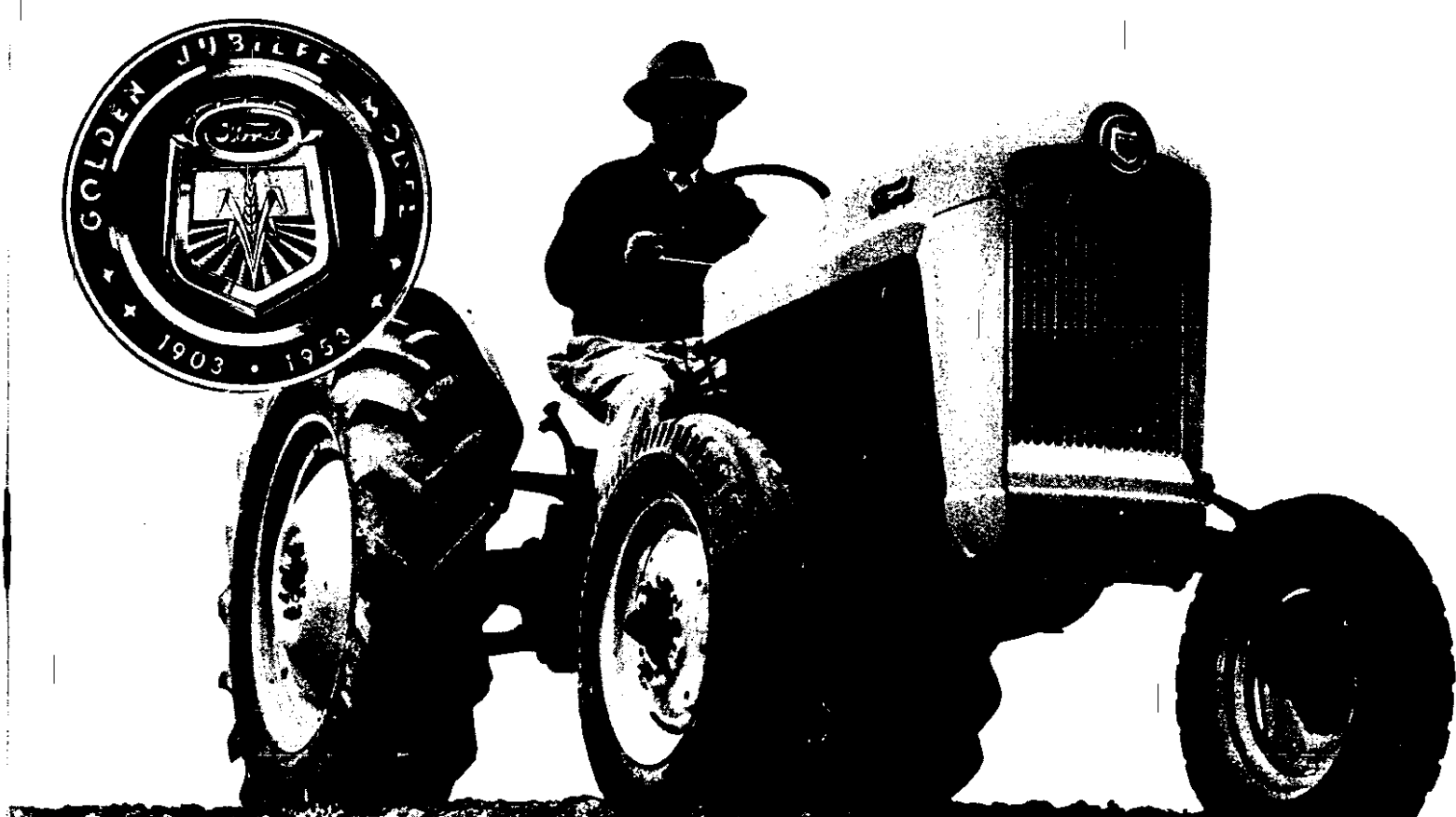
Seconded by Councilman Bystrak and duly put to a vote which resulted as follows:

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

CARRIED: AYES: -4-.
ABSENT: -1-.

Hereto attached is the description bulletin as referred to in resolution previously adopted by the Town Board;

NEW FORD TRACTOR



You've Never Seen a Tractor to Match This!

- ✓ **MOST ADVANCED HYDRAULIC SYSTEM IN ANY TRACTOR—Live-Action with Hy-Trol**
- ✓ **EXTRA POWER WITH GREAT NEW "RED-TIGER" ENGINE—Ford's Greatest Tractor Engine**
- ✓ **NEW LIVE POWER TAKE-OFF***
- ✓ **A BIGGER, HEAVIER, MORE RUGGED TRACTOR**
- ✓ **A NEW HIGH IN COMFORT, CONVENIENCE, SAFETY**
- ✓ **AND A LOW FORD PRICE, TOO**

*Sold separately

Only when you see the new Ford Tractor in action can you believe that so much power, performance and all-around workability can be packed into any tractor at so low a price! For here is the most modern tractor on today's market. It stands out by any comparison in its ability to do its work well and fast—to do different kinds of work—to operate smoothly, dependably and economically. And it offers a new high in power, in operator convenience, ease and comfort—as well as being the best looking tractor ever!

Through its advanced design and its ability to do so many jobs so well, this new Ford Tractor can save you many minutes or hours a day, many days or even weeks per year. That's what it has been designed for—not just to be another tractor, but to be the greatest work and time saver and most useful all-around "hired hand" you ever had on your farm.

Brings New

HERE'S WHY

The Most ADVANCED HYDRAULIC SYSTEM in Any Tractor



..... LIVE-ACTION ... with HY-TROL

You'll use the new Ford Tractor's Hydraulic System in more ways—on more jobs than you ever thought possible. That's why it is considered the most advanced hydraulic system in any tractor on the market today.

Because the hydraulic lines of the new Ford Tractor's Hydraulic System are filled with oil at

all times, the engineers call it a "solid system." It means there's no lag, no waiting for lines to fill. As soon as you make a slight movement of the Touch Control lever, you get positive split-second, extremely accurate response.

Think what all this can mean to you in faster, better farming—and with so little effort on your part.

Engine Driven Pump with HY-TROL

You have *Live-Action* hydraulic control whenever the Ford Tractor's engine is running—whether clutch is engaged or disengaged. Response is instant! Located on the front of this pump is Ford Tractor's *Hy-Trol* regulator. It changes flow of the hydraulic oil from normal to fast, just by a few quick turns of a convenient knob! When set at normal speed, oil flows through the system at the rate of approximately 2¼ gallons per minute. When set at high speed, the pump delivers up to 5 gallons per minute and gives double-quick hydraulic action.

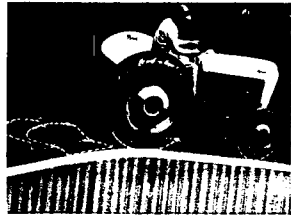


All these Advantages ... and MANY MORE!

Shown here are just a few of the many advantages made possible by Ford Tractor's Hydraulic System.

The longer you work with this tractor, the more you'll be amazed at all this system can do. It operates whenever the tractor engine is running—makes hitching and unhitching

tools even easier than before. Furthermore, because it gives you split-second response, it helps you in many new ways. For instance, think how handy it can be when you see hidden obstructions barely in time to raise tools to prevent damage.

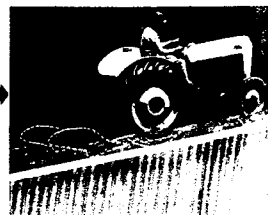


Choice of

Constant Draft Control ... Implement Position Control

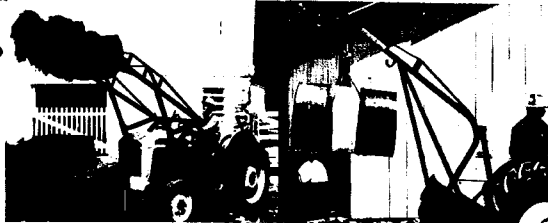
Under uniform soil conditions, the desired working depth will be automatically maintained even in fields with an irregular surface.

Under reasonably smooth surface conditions, just set the controls once and uniform depth is automatically maintained.



Choice of Hydraulic Speeds

You're not limited to one-speed hydraulic action on the new Ford Tractor. When you need fast hydraulic action, just turn the *Hy-Trol* knob on the hydraulic pump. This increases flow of hydraulic fluid; speeds action.



More Lifting Power

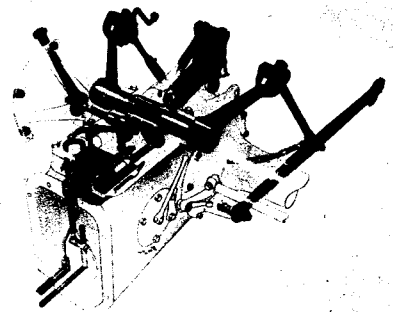
Handle bigger implements—lift heavier loads with the new Ford Tractor's Hydraulic System. So great is this increased power that the Golden Jubilee Ford Tractor Hydraulic System can lift up to 1000 pounds at the drawbar.

COPYRIGHT 1952
DEARBORN MOTORS CORPORATION

Vital Parts Sealed from Dust and Dirt

Dust and dirt—tall corn stubble, or tough weeds, can't damage these vital parts of the Ford Tractor's Hydraulic System.

Ram cylinder and piston, unloading valve, check valve, control valve, high pressure relief valve, safety valve and the separate oil reservoir are all inside the tractor for greatest protection!



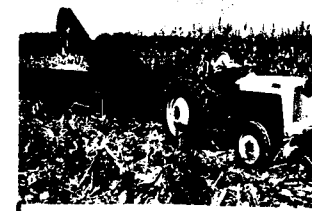
REMOTE CYLINDER*

You can now use handy Ford Tractor hydraulic power for easier, faster operation of pulled implements and machines—as well as mounted tools.

The uses of a remote cylinder are almost limitless. It is a labor saver wherever implement adjusting levers or cranks are now being used. And, the flexible-coupled remote cylinder is also a highly useful portable power tool for dozens of jobs on the farm.

When you want to operate a remote cylinder on a combine, corn picker, pull-type disc or other remote-controlled implements, simply attach the quick-coupling hose lines to the Ford Tractor remote cylinder control valve. Notice how the advanced Ford Tractor remote hydraulic control makes work go easier, helps to do a better job.

HYDRAULICS HARNESSED to work in more ways than you ever thought possible



Raise and lower combine header and picker snouts with tractor hydraulic power. Fast lifting response gives you extra protection when obstructions suddenly appear. Then, too, you can use this handy hydraulic power to angle and straighten pull-type discs.

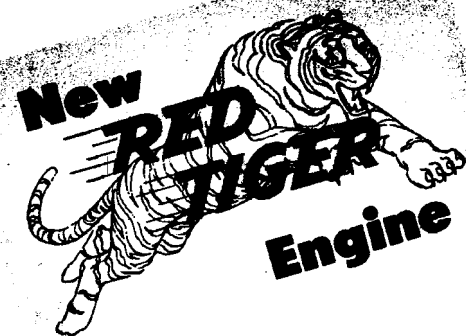
Operate a front-mounted Dearborn Standard Loader and rear tools by the same handy Touch Control lever, practically at the same time. This two-way operation doubles the usefulness of the new Ford Tractor when using front-mounted manure loaders, buckets, cranes, scrapers, etc.

Handy Selec-Trol*

A simple flick of the *Selec-Trol* instantly directs hydraulic power to either the front or rear tool. No extra pump to buy.



*Sold separately

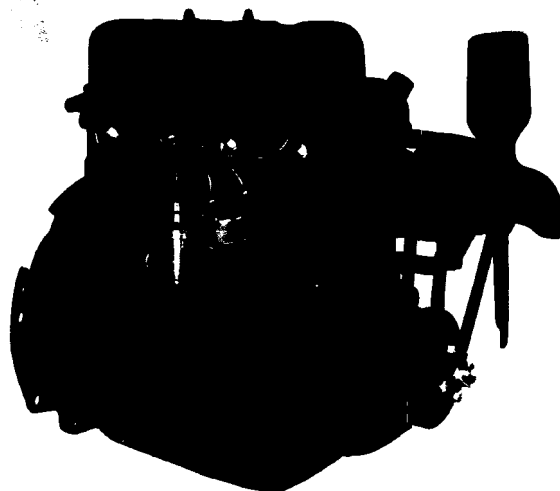


**POWER that
PUR-R-R-S
when the going
gets tough!**

FORD'S GREATEST TRACTOR ENGINE



the Most Modern in Any Tractor!



LARGE BORE

SHORT STROKE

MORE POWER

**LESS ENGINE
FRICTION**

LONGER LIFE!

Years of engineering planning and thousands of hours of testing have gone into the development of Ford's new "Red Tiger" engine. When you see how this new overhead valve engine gets in there and works, you will agree that every minute of development time was well worth while!

Cuts Piston Travel

The new Ford "Red Tiger" engine works less for the power it delivers. "Waste motion" and wear on both pistons and cylinders are cut to a minimum. The distance each piston travels is reduced approximately 5 miles in a

normal working day. Think what this means in added engine life, fewer overhauls—plus more power delivered to the job with fuel saved in the bargain! But that's not all.

More Lugging Power

Along with more usable power at all speeds, you get extra pulling or lugging power in the lower range of speeds. You will be amazed the way the new Ford Tractor "buckles down" and pulls through—keeps heavy loads moving without the frequent bother of shifting down—helps you get more work done, faster and easier!



Free-Rotating Exhaust Valves—for evenness of wear that maintains engine compression over a longer period. Also reduces valve sticking.



Balanced Crankshaft—precision molded, balanced in motion. Mirror-like finish reduces friction drag, cuts down wear. Notice its heft and strength!



Oil Bath Air Cleaner—the heavy duty, time-tested oil bath type. Protects engine in dusty farm conditions—prolongs engine life. Easy to service.



Cast Alloy Dry Cylinder Sleeves—cast while spinning to produce a tough, closely-knit cylinder sleeve that wears better, gives longer cylinder life.



Weatherproofed Ignition—each spark plug terminal and lead wire is integrally sealed in moulded rubber. Distributor is also tightly sealed.



Full-Flow Oil Filter—normally, all the oil is filtered every trip through the engine, because all of the oil must pass through the filter.



Lightning-Fast Governor—mounted directly on crankshaft as integral part of the engine—does not operate off gears. Sealed from dust and dirt.



Fuel-Saver Carburetor—specially built to deliver economical fuel mixtures at all speeds. Improves engine performance—saves gas!



Pressurized Cooling System—operates at more efficient higher temperatures without boiling away antifreezes—less freeze-up hazard.

LIVE POWER TAKE-OFF*



The Live PTO lever is located alongside the tractor seat, within instant reach of your left hand. It provides many working advantages.

**... Less Slugging, Less Plugging,
Less Gear Shifting!**

Step up performance of your PTO-driven machines like never before! When you get into heavy going and the machine starts to clog, simply move the Live PTO lever. A separate clutch stops the tractor *while the PTO-driven machine stays under power*. All the engine power goes to the PTO shaft and the machine quickly clears itself. There's no interrupting the flow of power to the machine—no gear shifting—no getting off the tractor. Most slugging and plugging of the machine can be done away with. The Ford Tractor Live PTO often makes expensive auxiliary engines unnecessary.

Along with the Live PTO clutch, you have all the standard controls of the regular PTO.

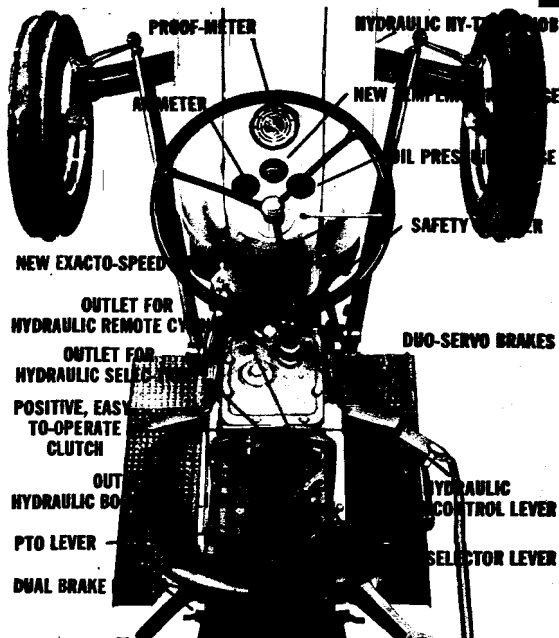
*Sold separately

New COMFORT, and CONVENIENCE!

The difference between an easy-handling, smooth-working tractor that really does a job and a man-killing brute is largely a matter of how well and how easily you can control its operation. The more things you can get done just by touching a knob or lever, the easier the job is on you. The more jobs you can control automatically, the better the work you'll do.

Also, the closer the watch you can keep on the way your tractor is running, the easier it is to keep it in tiptop condition, and the less danger there is of costly breakdowns.

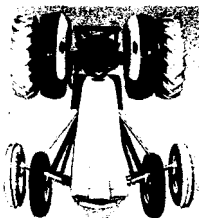
That's why the number of controls and gauges on a Ford Tractor, their convenient location and ease of use are so important to you. In sizing up the new Ford Tractor, be sure to take a look at all you have to work with.



*Sold separately

STANDARD EQUIPMENT

In addition to the items of standard equipment shown here, you also get such standard features as the built-in hydraulic system, Full-Flow oil filter, oil bath air cleaner, temperature gauge and tool box—plus many more.



4-Wheel Stability Row Crop Ability

You get stability, ease and accuracy of steering that only wide-spaced front wheels can give. Front and rear wheels can be spaced in 4-inch steps from 48 to 76 inches. Wheels on one side can be set wide while wheels on the other side can be set narrow. Handy for haymaking and hillside work!

PROOF-METER®

only FORD has it!

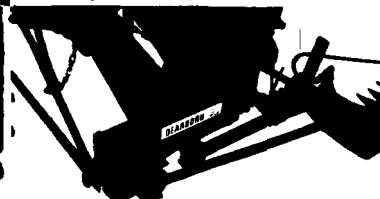
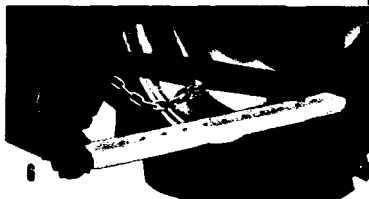


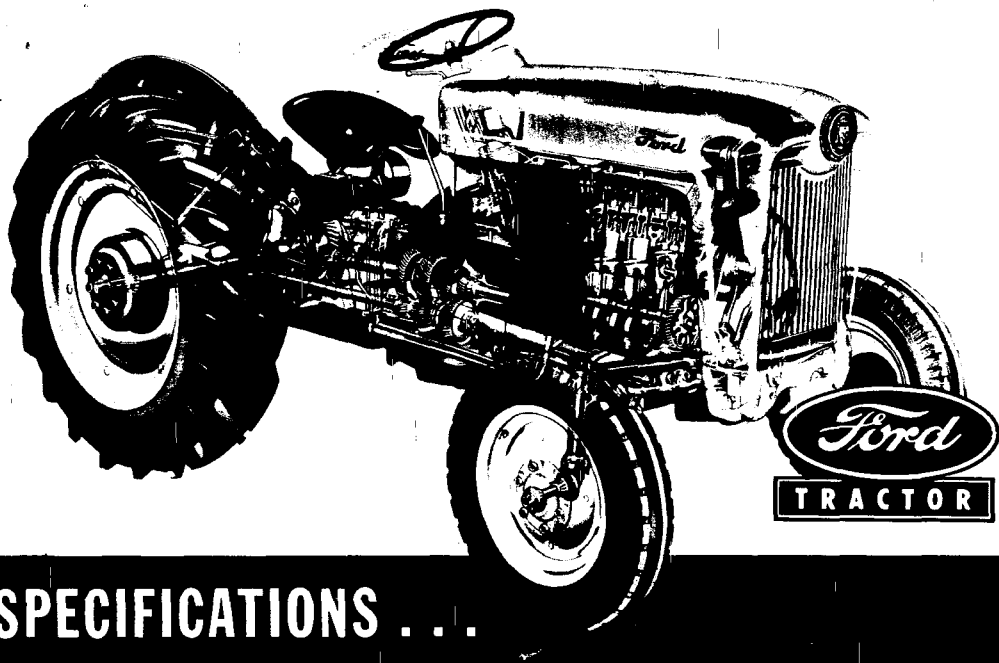
Even the most experienced tractor operator must normally operate by hit-or-miss methods because he has no sure check of engine operation. The PROOF-METER supplies this missing link. It constantly registers engine speed, tractor travel speed, PTO speed, belt pulley speed and hours of tractor operation. Just a glance and you know the facts.

Standard Drawbar — Eleven holes in drawbar permit a wide choice of hitching positions. Drawbar can be raised or lowered to give proper pulling height for implement being used. Swinging drawbar, sold separately, can also be attached.

Power Take-Off — Operates PTO-driven mowers, post hole diggers, sprayers and dusters. Quickly converted to drive A.S.A.E. standard power take-off driven machines. Proof-Meter shows proper PTO speed for best operation.

Safety Starter — Tractor must be in neutral for this starter to operate. No danger of starting the engine while in gear and hitting someone or jamming the tractor's radiator into the end of the shed. Every tractor should have one — every Ford does!





SPECIFICATIONS . . .

Regular Equipment: Rubber tires, safety starter, built-in hydraulic mechanism with Constant Draft and Implement Position Control and engine driven vane type pump, battery, generator, voltage and current regulation, thermostat, oil pressure gauge, ammeter, temperature gauge, Proof-Meter, oil bath air cleaner, Full-Flow oil filter, adjustable wheel spacings, adjustable drawbar, drawbar stays and top link, fenders, muffler, tool box.

Engine:
Type Overhead valve
Cylinders 4
Compression Ratio 6.6 to 1
Displacement 134 Cu. In.
Bore 3.437"
Stroke 3.600"
Fuel Gasoline

Crankshaft: Precision molded special alloy, statically and dynamically balanced.

Main Bearing Size:

Front 2 5/8" x 1 5/8"
Middle 2 5/8" x 1 7/8"
Rear 2 5/8" x 1 6/8"

Connecting Rods: Forged steel — crank pin pressure lubricated.

Bearing Size 2 3/8" x 1.03"

Pistons: Autothermic — aluminum alloy — cam ground.

Piston Rings: 3/32" top compression, chrome plated for longer engine life, 3/32" second compression, 3/16" oil ring.

Piston Pin: Full floating, lubricated — size .91" x 2.85".

Valves and Guides: Overhead valves. Removable cast chrome-moly steel alloy exhaust inserts. Chrome-moly closed coil springs. Removable valve guides.

Cooling System: Tube and fin type radiator with pressure type cap. Water pump is impeller type with pre-lubricated bearing. Water seal in pump is graphite against stainless steel. Fan diameter 15 3/4".
Pump cap. at 1400 rpm, 16 ga. per min.
Coolant capacity: 15 quarts.

Carburetor: Single up draft of sturdy dustproof construction equipped with accelerating well and economizer, Schebler, 7/8" adjustable.

Fuel Tank Capacity: 11 gallons total capacity; 1 3/4 gallons in reserve tank.

Electrical System: Generator — two-brush type, rated at 1650 rpm — 20 amps, capacity 160 watts. Regulator — voltage and current control. Ignition — automatic spark advance, side mounted distributor. Safety Starter — regular equipment. Battery — 80 ampere hour, 13 plates, 6 volt.

Transmission: Constant mesh, four speeds forward.

Gears	Engine R.P.M.	1750	2000
1st	2.77 mph	3.23 mph	3.69 mph
2nd	3.56 mph	4.16 mph	4.75 mph
3rd	4.90 mph	5.72 mph	6.54 mph
4th	10.23 mph	11.93 mph	13.64 mph
Rev.	3.20 mph	3.72 mph	4.27 mph

Air Cleaner: Oil bath type with easily removable lower element for convenient cleaning.

Governor: Centrifugal, variable speed type. Fully enclosed, mounted on crankshaft.

Clutch: Single plate — semi-centrifugal — foot operated — 9" diameter.

Steering: Automotive type ball-nut gear.

Front Wheels: Easy adjustment of tread from 48" to 76" — with 4.00 x 19 tires standard equipment. 5.50 x 16 optional at extra cost.

Rear Wheels: Tread adjustment in 4" increments from 48" to 76" — 10 x 28 tires, standard. 11 x 28 tires optional at extra cost.

Brakes: Internal expanding, individually or jointly operated with right foot. Bonded lining.

Hydraulic Pump: Positive displacement vane type. Constant running, engine mounted. Maximum operating pressure 2000 pounds per square inch. Capacity adjustable from 2.25 to 5 gallons per minute by Hy-Trol knob on pump.

Overall Measurements:
Wheelbase, wheels set at 48" 73 3/8"
Maximum Height 57 1/4"
Maximum Length 120 3/4"
Maximum Width at 48" tread 64 3/4"
Maximum Width at 76" tread 86"

Shipping Weight: Approximately 2510 lbs.

Design, Materials and/or Specifications are Subject to Change Without Notice and Without Liability Therefor.

*Model NAA

There are many items of special equipment available for the Ford Tractor to suit your particular needs. ASK US ABOUT THEM!

See and Drive the New FORD TRACTOR

...Right on your Own Farm!



No matter how many tractors you have handled — no matter what their size or power — we promise you something new, different and better in tractor performance.

All we ask is a chance to show you what the new Ford Tractor can do on your farm, with you at the wheel. Just tell us when you can spare time for a demonstration, and leave the rest to us — and the new Ford Tractor.

Ask about the Complete Line of Dearborn Implements

Aside from the performance of the tractor itself, there's something else that's new and different about using a Ford Tractor. That is the way most Dearborn Implements and this great new tractor *work together* — so that tractor and implement become a single, highly efficient farming machine instead of two separate pieces of equipment. So when you investigate the new Ford Tractor, see how much more you get, how much more you can do with matched Dearborn Implements.

BUY ON PROOF! ASK FOR A DEMONSTRATION

Ford Farming

MEANS BETTER WORK
...MORE PRODUCTION

(2)

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

- 1- Town Hall Bulletin Board;
- 2- U-Crest Fire House, Clover Place and Evergreen Street;
- 3- Pine Hill Fire House, Genesee Street and Normandy Avenue
- 4- Rescue Fire Hall, Pine Ridge Road;
- 5- 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

Highway Equipment Purchase

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 20th day of April, 1953, at 7:30 o'clock P.M., there were:

PRESENT:

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

ABSENT:

Henry J. Nagel, Councilman

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Town Superintendent of Highways has recommended the purchase of a new Ford Tractor with mounted mower, equipped with lights and further equipped as shown in a descriptive bulletin attached to this resolution and

WHEREAS, the cost of same exceeds the sum of \$1000.00, be it further

RESOLVED, that the Town Clerk publish or cause to be published, in the Cheektowaga Times, official newspaper of the Town of Cheektowaga, New York, at least five (5) days before the date set for the hearing, the following notice of said meeting:

NOTICE

NOTICE IS HEREBY GIVEN, in compliance with Sec. 142 of the Highway Law, that John J. Zablotny, Superintendent of Highways of the Town of Cheektowaga, Erie County, New York, has recommended the purchase of a new Ford Tractor with mounted mower, equipped with lights and further equipped, as shown in a descriptive bulletin attached to this resolution, from the Buffalo Tractor Company of West Seneca, New York, at a maximum cost of \$2142.00.

The Town Board of the Town of Cheektowaga, Erie County, New York, will meet at the Town Hall, Union Road and Broadway, Cheektowaga, New York, on the 4th day of May, 1953, at 2:30 P.M.

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication APR 23 1953; last publication APR 23 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of APR 23 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, 1956
Registered No. 5029

ITEM NO. 16 Councilman Wroblewski presented the following resolution 51 and moved its adoption:

WHEREAS, the Town Superintendent of Highways has recommended the purchase of a new Trojan Model LC-100 B Loadster equipped with 18.00 by 21 drive wheel tires, 11.00 by 20 steel wheel tires, 1- $\frac{1}{4}$ cu. yd. Front end Bucket Torque Convertor Drive Power Hydraulic Steer, Safety Bucket Lift Arms and otherwise equipped as set forth in a descriptive bulletin attached to this resolution.

WHEREAS, the cost of the same exceeds the sum of \$1,000.00, be it,

RESOLVED, that the Town Board meet on the 4th day of May, 1953, at 2:30 P.M., Eastern Daylight Saving Time, at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, to consider such purchase, and, be it further

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The Town Board of the Town of Cheektowaga, Erie County, New York, will meet at the Town Hall, Union Road and Broadway, Cheektowaga, New York, on the 4th day of May, 1953, at 2:30 P.M., Eastern Daylight Saving Time, to consider such purchase and to hear all persons interested therein.

Dated: April 20, 1953.

Kenneth T. Hanley
Town Clerk
Town of Cheektowaga,
New York.

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

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

CARRIED: AYES: -4-.
ABSENT: -1-.

Hereto attached is the descriptive bulletin as mentioned in the above resolution.

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

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- 2- U-Crest Fire House, Clover Place and Evergreen Street;
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PRESENT:

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

ABSENT:

Henry J. Nagel, Councilman
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Dated: April 20, 1953.

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

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

Supervisor Holtz, voting Aye
Councilman Wroblewski, voting Aye

Councilman Neibert, voting Aye
Councilman Bystrak, voting Aye

AYES: 4 NOES: 0 ABSENT: 1

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 20th day of April, 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 20th day of April, 1953.

KENNETH T. HANLEY,
Clerk of the Town Board
Town of Cheektowaga, N. Y.
(SEAL) (Apr. 23)

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication APR 23 1953; last publication APR 23 1953; and that no more than six days intervened between publications.

Willard C. Allis

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day of APR 23 1953, 19.....

Eve J. Allis

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

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New York.

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

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

CARRIED: AYES: -4-
ABSENT: -1-

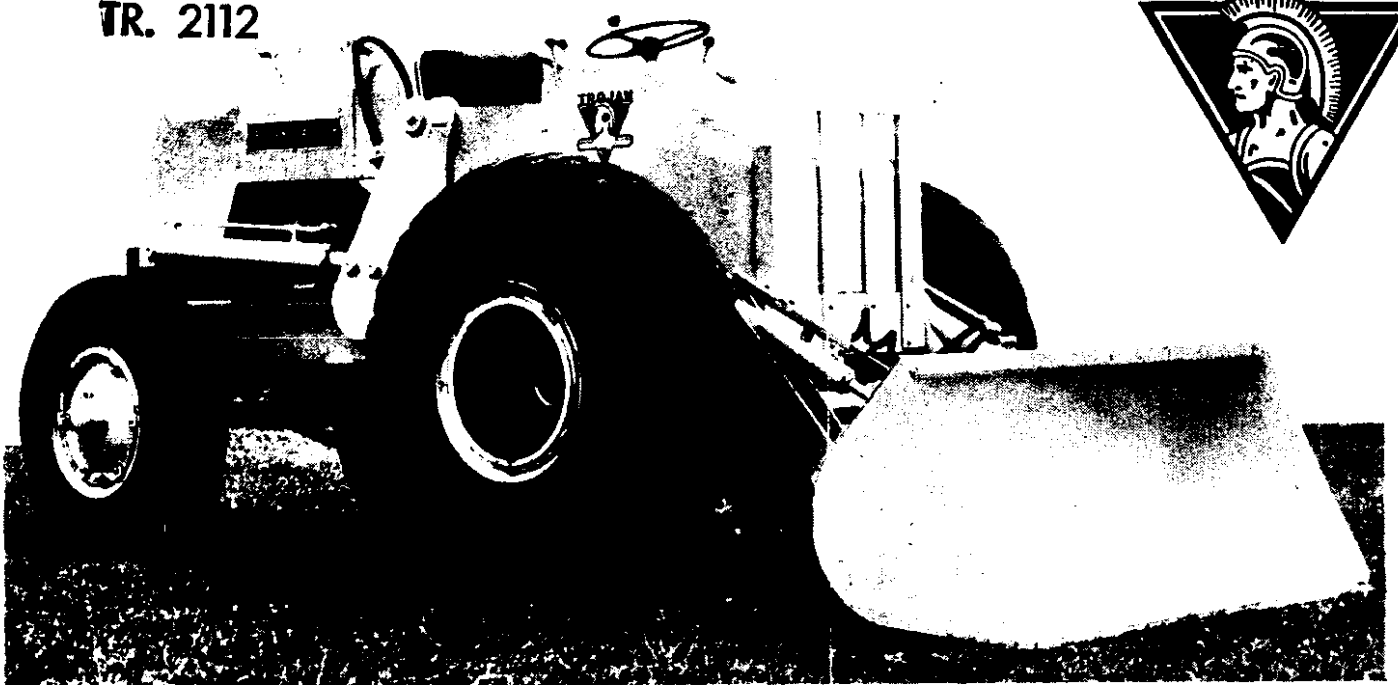
Hereto attached is the descriptive bulletin as mentioned in the above resolution.

TROJAN LOADSTER

Model LC-100-B

EDDY EQUIPMENT CO.
717 ELK ST. - B'FLO 10, N. Y.
TR. 2112

with Torque Converter●



ADVANCED DESIGN

IMPROVED MECHANICAL FEATURES

Trojan Loadster has both! Mechanically, it's outstanding. Power is provided by a big, six cylinder International engine with Torque Converter Drive added to assure smooth, positive loading action. Like all Trojan Loadsters, the Model LC-100-B loads over the drive wheels, the load weight being used to provide greater traction when greatest traction is needed. A four speed transmission affords ample range to suit various operating conditions. Action is transmitted through a twin multiple disc clutch controlled by an independent directional lever, located up under the steering wheel. Simply push for forward — pull for reverse. Foot clutching has been entirely eliminated.

For quick, easy turns the LC-100-B is equipped with Vicker's Hydraulic Steering. It is effective, posi-

tive and shockless. These features combined with Trojan's aggressive design insure a safe and fast operating cycle with increased output.

The Loadster's reverse curve bucket arms are foremost among design features for both production and operator safety. They provide easy access to the large, comfortable operator's compartment and permit clear, unobstructed vision at all times. Bucket action entirely independent of hoist speeds loading, and the low load carrying position increases machine stability.

When you combine the best in mechanical features with Trojan's functional design, peak performance is obtained. Owners and operators alike are "sold" on the Trojan Loadster.

- The Loadster's Torque Converter Drive is a true torque multiplier — not just a simple fluid drive. By automatically balancing power output to the job, increasing or decreasing as necessity demands, a steady surging crowd is developed. There is no "slam banging" into the pile to get a full load. Consequently, shock loads throughout the entire machine are absorbed. Wheel slippage is practically eliminated and tire wear is reduced to a minimum. You'll agree that Torque Converter Drive does make a difference.

EDDY EQUIPMENT CO.

TRAFFORD, NEW YORK

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

55

- 1- Town Hall Bulletin Board;
- 2- U-Crest Fire Hall, Clover Place and Evergreen Street;
- 3- Pine Hill Fire House, Genesee Street and Normandy Avenue;
- 4- Rescue Fire Hall, Pine Ridge Road;
- 5- 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

Highway Equipment Purchase

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 20th day of April, 1953, at 7:30 o'clock, P.M. there were:

PRESENT:

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

ABSENT:

Henry J. Nagel, Councilman
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Town Superintendent of Highways has recommended the purchase of a new Trojan Model LC-100 B Loadster equipped with 18.00 by 21 drive wheel tires, 11.00 by 20 steel wheel tires, 1 1/4 cu. yd. Front end Bucket torque Converter Drive Power Hydraulic Steer, Safety Bucket Lift Arms and otherwise equipped as set forth in a descriptive bulletin attached to this resolution.

WHEREAS, the cost of the same exceeds the sum of \$1000.00, be it

RESOLVED, that the Town Board meet on the 4th day of May, 1953, at 2:30 P.M. Eastern Daylight Saving Time, at the Town Hall, corner Union Road and Broadway, Cheektowaga, New York, to consider such purchase, and be it further

RESOLVED that the Town Clerk publish or cause to be published, in the Cheektowaga Times, official newspaper of the Town of Cheektowaga, New York, at least five (5) days before the date set for the hearing, the following notice of said meeting:

NOTICE

NOTICE IS HEREBY GIVEN, in compliance with Sec. 142 of the Highway Law, that John J. Zablotny, Superintendent of Highways of the Town of Cheektowaga, Erie County, New York, has recommended the purchase of a new Trojan Model LC-100 B Loadster equipped with 18.00 by 21 drive wheel tires, 11.00 by 20 Steel Wheel Tires, 1 1/4 cu. yd. Front end Bucket, Torque Converter Drive, Power Hydraulic Steer, Safety Bucket Lift Arms and otherwise equipped, at a maximum cost of \$3500.00 from John Eddy & Co., of Buffalo, N. Y.

The Town Board of the Town of Cheektowaga, Erie County, New York, will meet at the Town Hall, Union Road and Broadway, Cheektowaga, New York, on the 4th day of May, 1953, at 2:30 P.M. Eastern Daylight Saving Time, to consider such purchase and to hear all persons interested therein.

Dated: April 20, 1953.

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

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

Supervisor Holtz, voting Aye
Councilman Wroblewski, voting Aye
Councilman Neibert, voting Aye
Councilman Bystrak, voting Aye.
AYES: 4 NOES: 0 ABSENT: 1

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 20th day of April, 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 20th day of April, 1953.

KENNETH T. HANLEY,
Clerk of the Town Board,
Town of Cheektowaga, N. Y.
(SEAL) (Apr. 23)

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for ONE week; first publication APR 23 1953; last publication APR 23 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of APR 23 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. 17 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 Peinkofer Drive, except approximately four hundred feet (400') on the north side, owned by Otto and Viola Gangloff, from Beach Road to Northvale Drive, said Peinkofer Drive being a public highway situated in the Town of Cheektowaga, New York, by the construction of a concrete sidewalk four feet (4') in width of standard specifications and four inches (4") 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 Peinkofer Drive, except the Gangloff property; and

WHEREAS, said petition is signed by residents owning not less than one-half of the frontage owned by residents 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 Fifty Five Hundred Dollars (\$5,500.00) and

WHEREAS, this Town Board on the 20th day of August 1951 adopted a resolution and order specifying 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 4th day of September, 1951, at 2:30 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 30th day of June, 1952, duly adopted a resolution and order that it is in the public interest to grant the petition to improve Peinkofer Drive as requested in this petition, by the construction of sidewalks on both sides of Peinkofer Drive, except approximately four hundred feet (400') on the north side, owned by Otto and Viola Gangloff, from Beach Road to Northvale Drive, and

WHEREAS, on the 30th day of June, 1952, Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, Civil 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 Fifty Five Hundred Dollars (\$5500.00) 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 Peinkofer Drive 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 Two Hundred and Seventy-five Dollars (\$275.00) 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 Two Hundred and Seventy-five dollars (\$275.00), 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 4th day of May, 1953, at 2:30 p'clock P.M., Eastern Daylight Saving Time, and be it

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

7
NOTICE TO CONTRACTORS

56

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 4th day of May 1953, at 2:30 P.M., o'clock Daylight Saving Time, 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 improvements to Peinkofer Boulevard in accordance with proposed contracts, plans, profiles, drawings, instructions to bidders, specifications, and estimates prepared by Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and 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 contracts, plans, profiles, drawings, instruction 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 by payment of (\$15) dollars. Any bidder, upon returning such copy in good condition within thirty (30) days following the award of the contracts, or the rejection of the bid of such bidder, will be returned (\$15) dollars and any non-bidder, upon so returning such copy, will be refunded five (\$5) dollars.

The Town of Cheektowaga, New York, reserves the right to reject any or all bids or waive any informalities.

Each proposal must be accompanied by a certified check in the sum of five per centum of the estimated expense of each of the improvements to which the proposal relates, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by each of the improvements to which the proposal relates, 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.

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

Dated: April 20, 1953

Kenneth T. Hanley, Town Clerk.

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

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

CARRIED: AYES: -4-
ABSENT: -1-

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

- 1- Town Hall Bulletin Board;
- 2- U Crest Fire Hall, Clover Place and Evergreen Street;
- 3- Pine Hill Fire Hall, Genesee Street and Normandy Avenue;
- 4- Rescue Fire Hall, Pine Ridge Road;
- 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
 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 4th day of May, 1953, at 2:30 p.m. o'clock Daylight Saving Time, 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 improvements to Peinkofer Boulevard in accordance with proposed contracts, plans, profiles, drawings, instructions to bidders, specifications, and estimates prepared by Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and 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 this 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 by payment of (\$15) dollars. Any bidder, upon returning such copy in good condition within thirty (30) days following the award of the contracts, or the rejection of the bid of such bidder, will be returned (\$15) dollars and any non-bidder, upon so returning such copy, will be refunded five (\$5) dollars.

The Town of Cheektowaga, New York, reserves the right to reject any or all bids or waive any informalities.

Each proposal must be accompanied by a certified check in the sum of five per centum of the estimated expense of each of the improvements to which the proposal relates, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga, or a bond with sufficient sureties to be approved by each of the improvements to which the proposal relates, 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.

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

Dated: April 20, 1953.

KENNETH T. HANLEY,
 Town Clerk

(Apr. 23)

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication APR 23 1953; last publication APR 23 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of APR 23 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

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of Walton Drive, extending from the north curb line of Cleveland Drive to the north line of the Town of Cheektowaga, New York, by the construction of a permanent pavement along said highway was filed in the Town Clerks' Office on or about the 1st day of April, 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 to be expended for the improvement aforesaid is the sum of Ten Thousand Dollars (\$10,000.00), 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 May, 1953, at 2:30 o'clock P.M., Eastern Daylight Saving Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

CARRIED: AYES: -4-
ABSENT: -1-

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

- 1- Town Hall Bulletin Board;
- 2- Tree in front of No. 396 Walton Drive;
- 3- Telephone Pole No. 1, Walton Drive;
- 4- Tree 50 feet west of telephone Pole No. 1, Walton Drive;
- 5- Tree 100 feet west of telephone pole No. 1, Walton Drive;
- 6- Tree 150 feet west of telephone pole No. 1, Walton Drive.

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

**EXTRACTS FROM MINUTES
OF TOWN BOARD
NOTICE OF HEARING**

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, New York, in said Town on the 20th day of April, 1953 at 7:30 o'clock P.M., Eastern Standard Time.

The meeting was called to order by Benedict T. Holtz, Supervisor, and the roll being called, there were:

PRESENT:

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

ABSENT:

Henry Nagel, Councilman.

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

WHEREAS, a petition for the improvement of both sides of Walton Drive, extending from the north curb line of Cleveland Drive to the north line of the Town of Cheektowaga, New York, by the construction of a permanent pavement along said highway was filed in the Town Clerk's Office on or about the 1st day of April, 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 Ten Thousand Dollars (\$10,000.00), 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 May, 1953 at 2:30 o'clock P.M., Eastern Daylight Saving Time, to consider the said petition and to hear all persons interested in the subject there-

of 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 public 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 Mr. Bystrak and duly put to a vote which resulted as follows:

Supervisor Holtz, voting Aye
Councilman Wroblewski, voting Aye

Councilman Neibert, voting Aye
Councilman Bystrak, voting Aye
AYES: 4 NOES: 0 ABSENT: 1

STATE OF NEW YORK)

TOWN OF CHEEKTOWAGA)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on April 20th, 1953, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board and such minutes appear at page A-26 inclusive of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 20th day of April, 1953.

KENNETH T. HANLEY
Town Clerk.
(Apr. 23)

88.

Town of Cheekto-

being duly sworn,

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C. Allis

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Allis

ie County, N. Y.

NEW YORK

nty

20, 1953

ITEM NO. 19. Councilman Wroblewski presented the following resolution and moved its adoption: 58

WHEREAS Edward B. Jerzewski, Chairman of the Board of Assessors has requested permission to attend the Annual Training School for Assessors at Rochester, New York, on April 22, 23, and 24, together with Assessors Eugene A. Rudzinski, be it

RESOLVED that the request be granted and that their expenses be charged to the Traveling Expenses of the Board of Assessors.

Seconded by Councilman Neibert. CARRIED: AYES: -4-.

ITEM NO. 20. Councilman Bystrak moved, seconded by Councilman Neibert, that all claims presented for audit at this meeting be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same.

(Warrant No690 to No782 , inclusive, drawn on the Supervisor.)

ITEM NO. 21. At the request of Councilman Wroblewski the Chief of Police was directed to advise the merchants at the Airport Plaza to keep papers and refuse in sealed containers.

ITEM NO. 22. At the request of Councilman Wroblewski the Chief of Police was directed to crack down on persons who are dumping garbage along side of the road on Dingens Street, Losson Road, Dick Road and George Urban Boulevard.

ITEM NO. 23. Councilman Neibert moved, seconded by Councilman Wroblewski, to adjourn.

Kenneth T. Hanley
Town Clerk.

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication APR 23 1953; last publication APR 23 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of APR 23 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. 1 At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga on the 24th day of April, 1953, at 3:00 o'clock P.M., E.S.T., there were:

PRESENT: Benedict T. Holtz

Supervisor

ABSENT: Henry J. Nagel
Felix T. Wroblewski
Joseph A. Neibert
Stanley Bystrak

Councilman
Councilman
Councilman
Councilman

Also present was Town Clerk Kenneth T. Hanley.

The Supervisor announced that due to a lack of quorum the regular adjourned meeting scheduled for the above date is cancelled.

Kenneth T. Hanley

Town Clerk.

SEAL.

ITEM NO. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga on the 4th day of May, 1953, at 2:30 o'clock P.M., Eastern Daylight Saving Time, there were:

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

ABSENT: -0-

Also present were: Town Clerk Hanley; Town Attorney Doyle; General Foreman Eberle; Building & Plumbing Inspector Tadio; Chairman of the Board of Assessors Jerzewski and Assessor Schwenk.

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 ARMED FORCES DAY, 1953

By the Supervisor of the Town of Cheektowaga

A PROCLAMATION

WHEREAS it is appropriate and desirable that we devote one day a year to public expression of respect for men and women who demonstrate their patriotic devotion to the Nation by service in the Armed Forces of the United States; and

WHEREAS the third Saturday in May has been designated by The President of the United States for the observance of Armed Forces Day:

NOW, THEREFORE, I Benedict T. Holtz, Supervisor of the Town of Cheektowaga, New York, do hereby proclaim that Saturday, May 16, 1953, shall be recognized throughout this Town as Armed Forces Day.

I invite all groups of patriotic citizens, fraternal, educational, religious, labor and commercial organizations, to participate actively in the Armed Forces Day Program, to the end that we may join in honoring the Armed Forces, particularly those who are serving from this Town, to emphasize the direct relationship of each citizen to the Nations' continuing effort for peace through the power of a united people.

IN WITNESS WHEREOF, I have hereunto set my hand this 4th day of May, 1953.

KENNETH T. HANLEY
Town Clerk

Benedict T. Holtz
Supervisor

ITEM NO. 4 Petition presented for the improvement of Sugnet Road by the construction of a pavement on said highway. Ordered referred to the Board of Assessors for a property check.

ITEM NO. 5 Communication read from the Town Clerk advising the Board that the application to rezone the north-east corner of Clinton Street and Pleasant Parkway from residence to business zone, has been withdrawn.

ITEM NO. 6 Communication read from the Town Clerk advising the Board that the application to rezone the north side of George Urban Boulevard, 871.63 feet east of Union Road, 100 x 200 feet, from residence to first industrial zone, has been withdrawn.

ITEM NO. 7 DECISION
OF
ZONING BOARD OF APPEALS

In the Matter of the Application
of

DANIEL D. GENTILE

To zone the south-east corner of Cleveland Drive and Marsdale Road from Residence to Business.

DANIEL D. GENTILE of Buffalo, New York, applied to the Town Board to zone the lot at the southeast corner of Cleveland Drive and Marsdale Road from Residence to Business so that he could construct on this lot an office and store building.

This property is located in a densely populated residential area, and a great many of the property owners in the immediate vicinity appeared in opposition to the petition.

To grant this application would be permitting the location of a business in a residential area. We recommend that the application be denied.

Dated: April 30, 1953.

Leo Kurnick
Chairman.

Lawrence M. Januszcak

Joseph P. Kubera

C.G. Hanson

Michael L. Henfling

Councilman Bystak moved, seconded by Councilman Neibert, that the application of Daniel D. Gentile to rezone the southeast corner of Cleveland Drive and Marsdale Road from residence to business, be denied.

CARRIED: AYES: -5-

ITEM NO. 8

DECISION
OF
ZONING BOARD OF APPEALS

In the Matter of the Application
of
Raymond Kosobucki

To zone from Residential to
Business Subdivision Lots 88
and 89 under Map Cover 1210.

RAYMOND KOSOBUCKI of Cheektowaga, New York, applied to the Town Board to zone from Residential to Business Subdivision Lots 88 and 89 under Map Cover 1210. This property is 72 feet in width and 172 feet in depth, and is located at the northeast corner of Harlem Avenue and Abeles Avenue.

There are business places located along Harlem Avenue in the immediate vicinity of this property. It is the purpose of the applicant to construct on the premises a building to be used as a pet shop and a nursery.

We recommend that the application be granted.

Dated: April 30, 1953.

Leo Kurnick
Chairman

Lawrence M. Januszcak

Joseph P. Kubera

C.G. Hanson

Michael L. Henfling

LEGAL NOTICE
Rezoning Granted

WHEREAS, the Zoning Board of Appeals held a public hearing on the 15th day of April, 1953, for the purpose of considering the application of Raymond Kosobucki for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and,

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

WHEREAS, the Zoning Board of Appeals on the 25th day of April, 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 regular meeting thereon on the 4th day of May, 1953.

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

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

DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, and State of New York, being part of Lot No. 24, Township 11, Range 7, of the Holland Land Company's Survey, being Subdivision Lot No. 88 and 89, as shown on map filed in Erie County Clerk's Office under Map Cover No. 1210. (Harlem Avenue, east side, north of Abeles Avenue, 72x105 feet.

Dated: May 4, 1953.

KENNETH T. HANLEY,
 Town Clerk

Posted as follows on the 11th day of May, 1953;

1- Town Hall Bulletin Board.

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

STATE OF NEW YORK
COUNTY OF ERIE

ss:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

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

1 week, the first insertion being on the 17th day of May, 1953, and the last insertion being on the day of 1953, and that not

more than six days intervened between any two publications thereof.

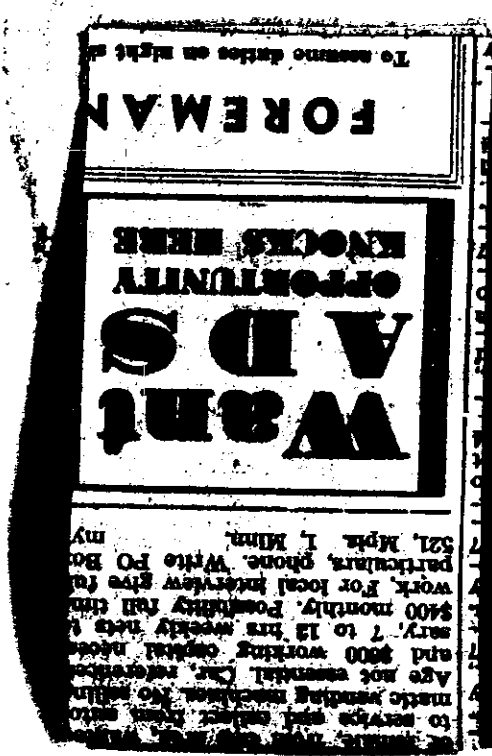
Richard G. Bennett

Sworn to before me this 11th day of

May, 1953

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

1052800



3
DECISION
OF
ZONING BOARD OF APPEALS

In the Matter of the Application
of
HESS AND BEMENT DAIRY, INC.,

To zone part of Lot No. 403, under cover
No. 1496, On George Urban Boulevard
to Business

There was referred to the Zoning Board of Appeals the application of Hess and Bement Dairy, Inc., to zone part of Lot No. 403 under Cover No. 1496, Beverly Hills Subdivision, located on George Urban Boulevard, starting 125 feet from the east line of Harlem Road and running 25 feet east and being 125 feet in depth, for business.

The property located at the intersection of Harlem Road and George Urban Boulevard has for many years been used for business purposes. This application merely adds 25 feet to the rear of the corner property.

We recommend that the application be granted.

Dated: April 30, 1953.

Leo Kurnick
Chairman

Joseph P. Kubera

Lawrence M. Januszcak

C.G. Hanson

Michael J. Benfling

WHEREAS, the Zoning Board of Appeals held a public hearing on the 15th day of April, 1953, for the purpose of considering the application of Hess & Bement Dairy Inc., Merla A. Bement Jr., Secretary, for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and,

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

WHEREAS, the Zoning Board of Appeals on the 25th day of April, 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 regular meeting thereon on the 4th day of May, 1953.

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

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

DESCRIPTION

Part of Lot No. 403, Map Cover 1496, Beverly Hills Subdivision, located on George Urban Boulevard, south side, starting 125 feet from the east line Harlem Road and running 25 feet east and being 120 feet deep.

Town of Cheektowake, N.Y.

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

STATE OF NEW YORK
COUNTY OF ERIE

ss:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for week, the first insertion being on the 2th day of May, 1953, and the last insertion being on the day of 19....., and that not more than six days intervened between any two publications thereof.

day of

1953

in and for Erie County.

On the 29th day of April, 1953, for the purpose of considering the application of Raymond Kowalski for the removal from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and, there was afforded to persons interested an opportunity to be heard in respect to such proposed application and amendments, and the Zoning Board of Appeals on the 29th day of April, 1953, having rendered its decision favoring the application of petitioner to remove from Residential District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly approved by the Town Board at a regular meeting thereon on the 29th day of May, 1953.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals favoring the application of petitioner to remove from Residential District to Business District be and the same is hereby confirmed and approved.

BE IT FURTHER RESOLVED, by the Town Board that the Ordinance adopted December 15, 1943, and as now amended, entitled "Zoning Ordinance" be and the same hereby is amended by changing the Zoning Map so as to change the following described property from that of "Residential District" to "Business District."

PROPERTY:
ALL THAT TRACT OR PARCELS OF LAND situate in the Town of Cheektowaga, County of Erie, and State of New York, being part of Lot No. 24, Township 11, Range 7, of the Buffalo Land Company's Survey, being Subdivision Lot No. 24 and 25, as shown on map filed in Erie County Clerk's Office under Map Cover No. 1210 (Harlem Avenue, east side, north of Abeles Avenue, 72x108 feet.

Dated: May 4, 1953.
KENNETH T. HANLEY,
Town Clerk
Town of Cheektowaga, N.Y.

1- Town Hall Bulletin Board.

STATE OF NEW YORK
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHED

of the

Herald and News

public newspaper published at Depew, Town of Cheek-

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

Annexed printed slip taken from said newspaper, is a copy.

as inserted and published therein once a week for

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

..... day of May 1953 and

The last insertion being on the day of

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

more than six days intervened between any two publi-

ations thereof.

Sworn to before me this 17th day of

Man 1953

Kenneth Parker

Notary Public in and for Erie County.

ITEM NO. 10

Councilman Neibert moved, seconded by Councilman Wroblewski, that the Town Clerk be authorized and directed to issue building permits on all applications processed by the Petitions Committee on April 25, 1953 and May 2, 1953, after same have been approved by the Building Inspector.

CARRIED: AYES: -5-.

ITEM NO. 11

Councilman Nagel moved, seconded by Councilman Wroblewski, RESOLVED that the voucher filed by Fago Brothers on contract with the Town of Cheektowaga, New York, for construction of water line on Como Park Boulevard, be approved to the extent of \$6,000.00.

CARRIED: AYES: -5-.

ITEM NO. 12

Councilman Neibert moved, seconded by Councilman Bystrak, RESOLVED that William J. Ryan of No. and Joseph Hern of No. , be appointed school guards at the hourly rate of \$1.05. That they be notified of their appointment and directed to appear for assignment to the Chief of Police.

CARRIED: AYES: -5-.

ITEM NO. 13

Councilman Nagel moved, seconded by Councilman Bystrak, RESOLVED that standing of automobiles on the east side of Awood Place be prohibited, and that the Chief of Police be directed to construct proper signs along said highway, from Genesee Street to end of street.

CARRIED: AYES: -5-.

ITEM NO. 14

Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED that the bid of Zapfel Brothers, 2633 Genesee Street to sell to the Town of Cheektowaga Studebaker 3-4 ton truck with heater, defroster, lettering, extra tire and wheel, directional signals, 700 x 16 six ply tires, dual horns, helper springs and Morrison Utility Body as per specification attached for the sum of \$2,369.00, be accepted and cost thereof charged to sewer districts.

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-.

(SPECIFICATIONS) February 27, 1953

BID TO THE TOWN OF CHEEKTOWAGA:

1953 Studebaker, 3-4 ton truck with heater, directional signals, 700 x 16 6 ply tires, dual horns, helper springs and Morrison Utility Body. For standard specifications on truck chassis, see attached truck specification sheet.

For body specifications, see attached body specification sheet.

Price of truck, less body	\$1,630.00
Price of Morrison Body	575.00
Total price of truck and body combined	2,205.00
Top	117.00
Tire	47.00
	\$2,369.00

This total price is less Federal and County taxes, of which you are exempt but you must furnish a tax exemption certificate.

Zapfel Bros.
John F. Bartram.

Posted as follows on the 11th day of May, 1953;

1- Town Hall Bulletin Board.

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

STATE OF NEW YORK
COUNTY OF ERIE

ss:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

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

was inserted and published therein once a week for

..... week, the first insertion being on the
7th day of May, 1953 and
the last insertion being on the day of

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

more than six days intervened between any two publications thereof.

Richard G. Bennett

..... day of

....., 1953

..... in and for Erie County.

WHEREAS, the Zoning Board of Appeals held a public hearing on the 25th day of April, 1953, for the purpose of considering the application of Hess & Bement Dairy Co., Inc. for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly;

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

WHEREAS, the Zoning Board of Appeals on the 25th day of April, 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 approved by the Town Board at a regular meeting thereon on the 2nd day of May, 1953;

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

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

DESCRIPTION:

Part of Lot No. 606, Map Cover 1000, Beverly Hills Subdivision, located on George Urban Boulevard, south side, starting 125 feet from the east line of Huron Road and running 25 feet east and being 120 feet deep.

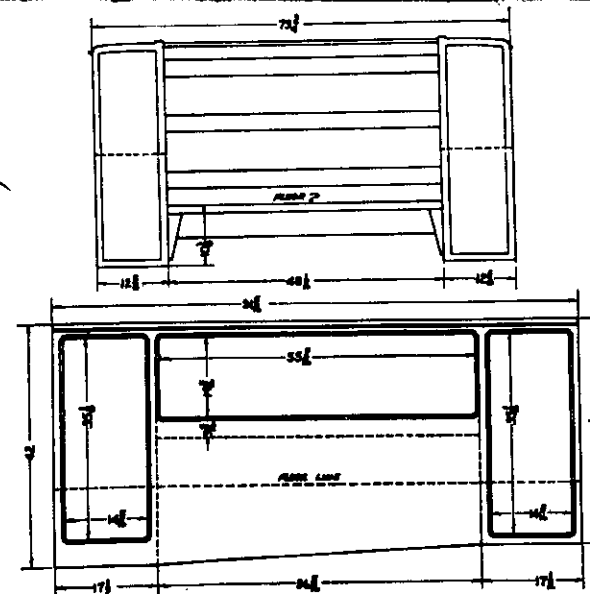
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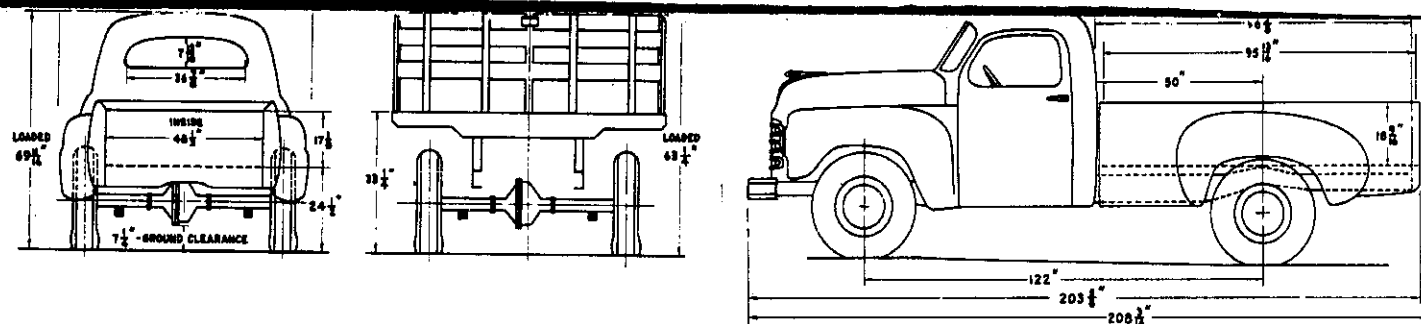
KENNETH T. HANLEY,
Town Clerk
Town of Cheektowaga, N.Y.

tubina. The adjustable convenient

The MORRISON *Carry-All* is VERSATILE!

Whatever the special requirements, the "CARRY-ALL" can be easily and simply equipped. Illustrated on this page is standard optional equipment . . . the "CARRY-ALL" distributor is equipped to supply other special requirements.





THE STUDEBAKER CORPORATION

South Bend 27, Indiana, U.S.A.

Studebaker reserves the right to change any of the specifications listed in this bulletin without obligation to subsequent purchasers, or to add new designs or improvements without making similar alterations in vehicles manufactured.

Printed in U.S.A.

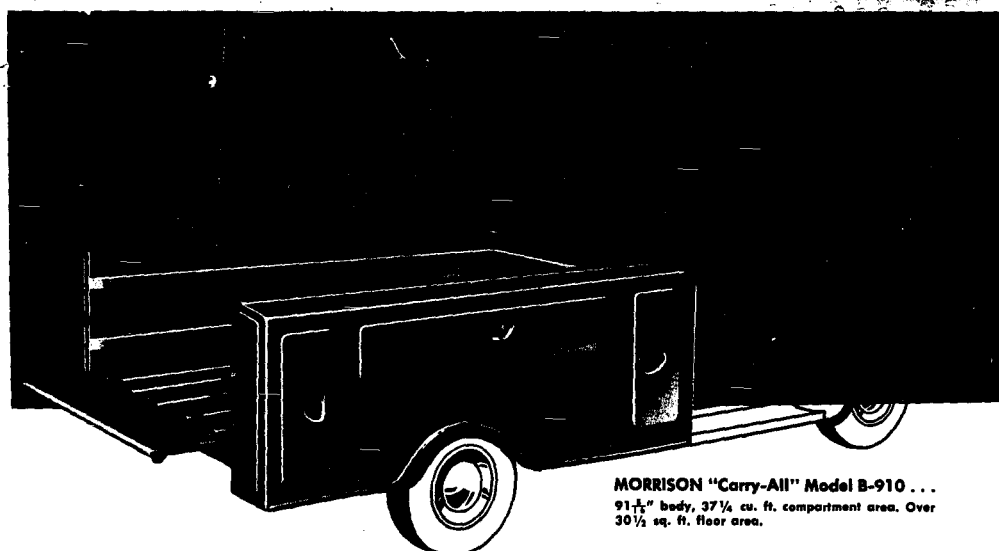
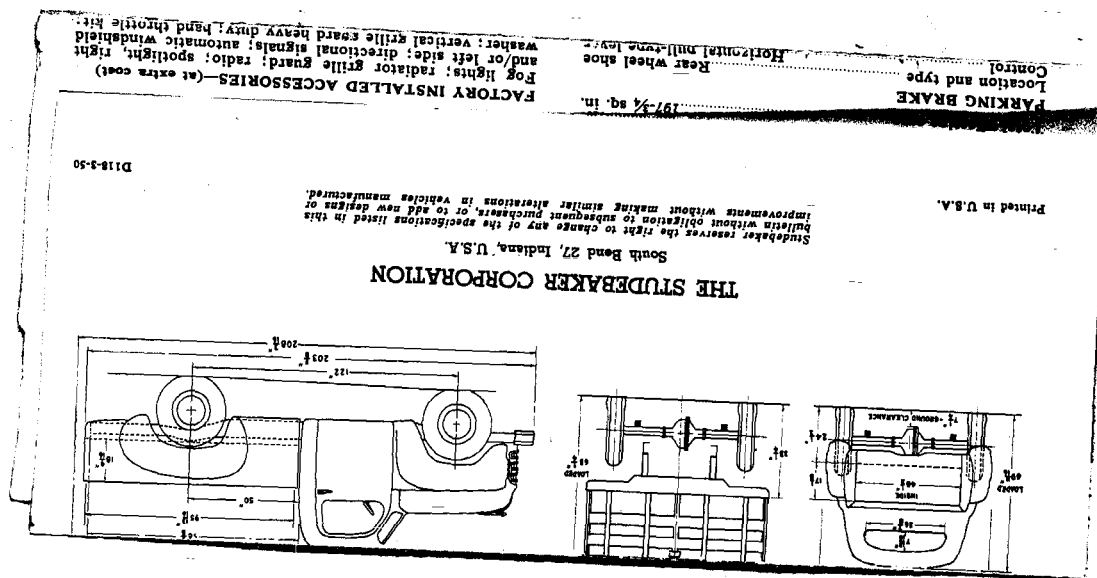
D118-3-50

Total effective area 197 3/4 sq. in.

Location and type Rear wheel shoe
Control Horizontal null-tune lever

FACTORY INSTALLED ACCESSORIES—(at extra cost)

Fog lights; radiator grille guard; radio; spotlight, right and/or left side; directional signals; automatic windshield washer; vertical grille guard heavy duty; hand throttle kit.



The World's First Mass-Precision-Produced, All-Industry, All-Purpose, All-Steel "Husky" SERVICE BODY!

Some bodies have one or two of these FEATURES . . . ONLY the "CARRY-ALL" has ALL of them!

- Rugged all-steel construction.
- Fits all standard 1/2, 3/4, and 1-ton new and used truck chassis.
- 48 1/2" inside width — greater floor space.
- Underbody bridge-type construction.
- Heavy gauge steel — greater structural strength — heavier loads.
- Offset-reinforced non-skid heavy load floors with heavy hat section floor reinforcements.
- One-piece side sheets — no corner weldings to rust or leak.
- Largest cubic foot compartment area of any equivalent size body.
- Weatherproof compartments with double positive sealed rubber weather-tight door openings.
- Extra rigid double stamped and embossed paneled doors.
- 14-gauge compartment ends embossed for additional rigidity.
- New forged and chrome plated handles for safety and appearance.
- Center control dual latch locking arms.
- Individual winter-proofed cylinder positive type locks . . . self-locking and keyed alike.
- Horizontal doors in open position offer flat, smooth working surfaces.
- Stamped integral rain drip moulding.
- Standard completely interchangeable parts — no fitting problems.
- Completely precision designed, engineered, tooled, die-stamped and assembled.
- Streamlined all-purpose bodies — for every type of sales and service . . . beauty plus utility.
- Greatest advertising space.

GREATER CAPACITY . . . HEAVIER PAYLOADS

Because "Carry-All's" exclusive design and its extensive tooling and engineering make possible heavy gauge steel construction (with the correct gauge for each component) and a unique bridge-type underbody . . . and because these make possible huskier construction with lighter over-all weight and fewer number of parts than any comparable body on the market — the MORRISON "Carry-All" has greater carrying capacity for gross vehicle ratings! The 48 1/2-inch width of the heavy-duty offset-reinforced non-skid 14-gauge floor and extra wide compartments provide extra space for bulkier loads!

POSITIVE PROTECTION AGAINST WEATHER & THEFT

The center control dual latch locking arm effectively seals the double stamped and embossed door panels against the specially molded rubber gasket to make a completely weatherproof and weathertight closure. The forged chrome-plated handles are recessed for safety as well as appearance, and the entire mechanism is protected against theft by an individual cylinder positive action type lock on each door — keyed alike. All compartment doors are constructed of an inner and outer steel stamping welded and assembled for perfect alignment and rigidity. The MORRISON "Carry-All" is designed, engineered and manufactured to such standards of perfection that all parts are interchangeable.

A DESIGN FOR EVERY JOB!

The MORRISON "Carry-All" is designed for ready adaptation to any job . . . any industry! Morrison made provisions in the basic design for and has made available a selection of specialized accessories, so that the basic body can be easily adapted for any purpose in any industry. Additional special equipment is available for installation by more than 50 established truck equipment distributors strategically located from coast to coast. (See other side for MORRISON "Carry-All" accessories).

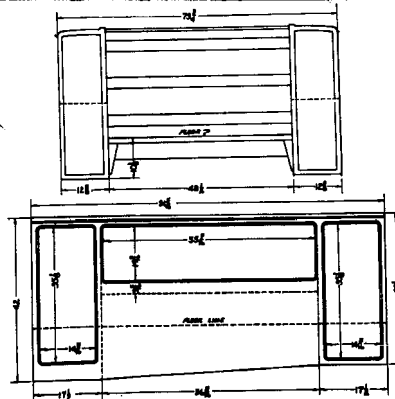
LOWER INITIAL COST — NO MAINTENANCE COST.

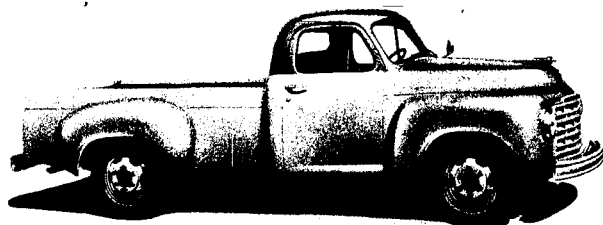
The world's first and only service and utility body which is completely mass-produced by automotive assembly-line techniques! More dollar value! What's more — each dollar saved on your initial investment is matched by lower depreciation and no maintenance costs . . . the MORRISON "Carry-All's" die-stamped steel, electrically-welded construction is rugged enough to outlast two or three chassis and can be easily transferred from one chassis to another.

rubino. The adjustable convenient

The MORRISON *Carry-All* is VERSATILE!

Whatever the special requirements, the "CARRY-ALL" can be easily and simply equipped. Illustrated on this page is standard optional equipment . . . the "CARRY-ALL" distributor is equipped to supply other special requirements.





STUDEBAKER

R Series

3/4-TON TRUCK

SPECIFICATIONS

March 1, 1950

GENERAL

Model	R10
Wheelbase	122"
Maximum gross rating (G.V.W.)	6100 lbs.
Nominal tonnage rating	3 1/4-Ton
Recommended body length—back of cab	8'
Back of cab to end of frame	96-3/4"
Back of cab to end of pick-up body	97-3/4"
Cowl to end of frame	139-3/4"
Back of cab to rear axle	50"

VEHICLE NET WEIGHT:

With 6-ply 6.50/16 tires; (add 70 lbs. for 8-ply 7.50/16 tires)	Shipping Weight	Road Weight
Chassis cowl—flat face (A1)	2255	2400
Chassis cab	2660	2805
Chassis cab and 8' pick-up box	3040	3185
Chassis cab and 8' stake body	3285	3430

ENGINE

Type	L-Head
Bore and stroke	3" x 4"
No. of cylinders	6
Piston displacement (cu. in.)	169.6
Rated horsepower (S.A.E.)	21.6
Maximum gross brake horsepower	85 at 4000 R.P.M.
Maximum net brake horsepower	75 at 3600 R.P.M.
Maximum gross torque (lbs. ft.)	138 at 2400 R.P.M.
Maximum net torque (lbs. ft.)	133 at 2000 R.P.M.
Compression ratio—Standard	7.0 to 1
Optional ratio	7.5 to 1
Full pressure lubrication to the valve tappets, timing gears and the lower connecting rod, main and camshaft bearings	Yes
Crankcase capacity	5 qts.
Oil filter (Fram) F4—1.3 qt.	Optional (at extra cost)

PISTONS

Type	Heat dam, T-slot, cam ground, tin plated
Material	Aluminum Alloy
No. of compression rings	2
No. of oil rings	1

CRANKSHAFT

Type	Drop forged, heat treated
No. of bearings	4
Bearing journal diameter	2 1/2"
Total surface bearing area (sq. in.)	39.0
Total projected bearing area (sq. in.)	12.4

COOLING SYSTEM

Radiator core	Cellular
Frontal area of radiator core—Standard	344 sq. in.
Optional (at extra cost)	441 sq. in.
Thermostat	10 qts.
Cooling system capacity—Standard	10 qts.
Optional (at extra cost)	13 3/4 qts.
Type of fan drive	V-Belt
Size of fan—Standard	4 blade—16 3/4" dia.
Optional (at extra cost)	Heavy duty 5 blade—17 3/4" dia.

FUEL SYSTEM

Gasoline tank capacity	18 gals.
Location of gasoline tank	Inside frame
Gasoline tank filler location	Left side of cab
Type fuel feed	Mechanical pump
Carburetor, make and size	Carter—1 1/4"
Octane selector	Manual
Choke	Manual
Type of air cleaner—Standard	Oil bath—1 pt. with silencer
Optional (at extra cost)	Oil bath—1 qt. with silencer

CLUTCH

Type	Self-ventilating, single plate, dry disc
Type of clutch release bearing	Pre-lubricated ball
Type of clutch facings	Molded
Spring loaded hub	Yes

ELECTRICAL SYSTEM

Battery—Standard	15 plate—100 ampere hour
Optional (at extra cost)	19 plate—153 ampere hour
Non-spill battery	Yes
Generator—Standard	Air cooled, shunt wound, hi-output
Optional (at extra cost)	Early Cut-in
Automatic voltage and current control	Yes
Automatic spark control	Yes
Type of starter motor	Bendix

TRANSMISSION

Steering post gearshift	Standard
No. of speeds forward	3
Gear reductions—1st	3.34 to 1
2nd	1.85 to 1
3rd	1 to 1
Reverse	4.53 to 1

Oil Capacity

	2 1/2 pints
--	-------------

OPTIONAL TRANSMISSIONS (at extra cost)

No. of speeds	4
	Direct in fourth
	conventional gearshift
	Direct in third, fourth-overdrive
Gear reductions—1st	6.4 to 1
2nd	3.34 to 1
3rd	3.09 to 1
4th	1.69 to 1
Reverse	1.85 to 1
	7.00 to 1
	4.53 to 1
Oil capacity	6 pints
	3 pints

UNIVERSAL JOINTS

Type	Cross and trunnion
Type of bearings	Needle

REAR AXLE

Type	Full floating
Type of final drive	Spiral bevel
Type of housing	Split type
Rear axle ratio—Standard	5.571 to 1
Optional (at no extra cost)	4.857 to 1
Tread	60 7/16"
Road clearance	7 1/4"
Ground rating	4800

FRONT AXLE

Type	Reverse Elliott
Tread	60 13/16"
Road clearance	7 1/4"
Ground rating	2200

TIRES

Standard	6 ply 6.50/16—front and single rear
Optional (at extra cost)	6 ply 7.00/16—front and single rear
	8 ply 7.50/16—front and single rear

WHEELS

Number and type—Standard	5, 16" steel disc
Rim	5° advanced type—wide base

STEERING

Type	Variable ratio cam and twin lever
Steering wheel diameter	15.4—13.5—15.4 to 1
Shockless cross steering	Yes

FRONT SPRINGS

Type	Semi-elliptic
How mounted	Above the axle
Length and width	40" x 1 3/4"
No. of leaves—Standard	8
Optional (at extra cost)	9
Shackles	Rubber mounted

ITEM NO. 15 Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS the Peerless Paint Company be engaged to paint the interior walls, ceilings and partitions of the four (4)) lavatories in the Town Hall at a cost of Two Hundred Seventy Five Dollars (\$275.00) pursuant to the annexed proposal.

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

CARRIED: AYES: -5-

NOES: -0-.

ITEM NO. 16 Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS the Young Fire Equipment Corporation of No. 1548 William Street, has made a survey for the various facilities throughout the Township regarding proper fire protection, and

WHEREAS fire equipment is needed at the Disposal Plant #3 and #5, the Incinerator, Town Hall and five lift stations and the Town Highway Garage, be it

RESOLVED that authority be, and it is hereby granted to Albert J. Kamm, Town Engineer to purchase such fire fighting equipment as he may deem necessary, at a cost not to exceed the sum of One Thousand Dollars (\$1,000.00), be it further

RESOLVED that the cost of the equipment be allocated to the proper special districts for which such equipment has been purchase.

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

CARRIED: AYES: -5-

NOES: -0-.

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

WHEREAS a written petition was duly filed with this Board on February 24, 1953, requesting the improvement of both sides of Cresthaven Drive, extending from the north line, sub-division lot #220, under Map Cover #1445, approximately 642.84 feet to the Amherst Cheektowaga town line, by the construction of a permanent pavement in said highway, and

WHEREAS said petition was duly signed by owners of real property constituting the owners of at least one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and also constituting resident owners owning not less than one-half of the frontage owned by resident owners along said highway proposed to be improved, and

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

WHEREAS at a meeting of the Town Board duly held on the 6th day of April, 1953, an order was duly adopted by it and entered in its minutes, reciting the filing of such petition, the improvement proposed and the maximum amount proposed to be expended for the improvement as stated in the petition, to wit, the sum of Ninety-Six Hundred Dollars (\$9,600.00) and specifying that the said Town Board would meet to consider the petition and to hear all persons interested in the subject thereof, concerning the same, at the Town Hall in the Town of Cheektowaga, New York, on the 20th day of April, 1953, at 7:30 o'clock P.M., Eastern Standard Time, and

WHEREAS the said order duly certified by the Town Clerk was duly published as required by law,

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

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

RESOLVED that this Board determine that it is in the public interest to make the improvement petitioned for, to wit, the construction of a permanent pavement of Cresthaven Drive, extending from the north line, sub-division Lot #220, under Map Cover #1445, approximately 642.84 feet to the Amherst-Cheektowaga town line, and it is further

RESOLVED that Nussbaumer and Clarke, Consulting Engineers for the Town of Cheektowaga, shall survey said highway proposed to be improved and establish the lines and grades thereof and file in the Town Clerks' Office a survey and profile of said highway, and be it further

RESOLVED that said Nussbaumer and Clarke, Consulting Engineers shall prepare definite plans and specifications and make a careful estimate of the expense, and with the assistance of the Town Attorney, shall prepare a proposed contract for the execution of the work, and that such plans and specifications, estimate and proposed contract shall be presented to this Board as soon as reasonably possible.

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

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

CARRIED: AYES: -5-

NOES: -0-

ITEM NO. 18 Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS a written petition was duly filed with the Town Clerk March 9, 1953, requesting the improvement of both sides of Walton Drive, extending from the north curb line of Cleveland Drive to the north line of the Town of Cheektowaga, New York, by the construction of a permanent pavement along said highway, and

WHEREAS said petition was duly signed by owners of real property constituting the owners of at least one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid and also constituting resident owners owning not less than one-half of the frontage owned by resident owners along said highway to be improved, and

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

WHEREAS at a meeting of the Town Board duly held on the 20th day of April, 1953, an order was adopted by it and entered in its minutes, reciting the filing of such petition, the improvement proposed and the maximum amount proposed to be expended for the improvement as stated in the petition, to wit, the sum of Ten Thousand Dollars (\$10,000.00) and specifying that the said Town Board would meet to consider the petition and to hear all persons interested in the subject thereof concerning the same, at the Town Hall in the Town of Cheektowaga, New York, on the 4th day of May, 1953, at 2:30 o'clock P.M., Eastern Daylight Saving Time, and

WHEREAS the said order duly certified by the Town Clerk was duly published as required by law, and

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

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

RESOLVED that this Board determine that it is in the public interest to make the improvement in the petition, to wit, the construction of a permanent pavement along said highway, extending from the north curb line of Cleveland Drive to the north line of the Town of Cheektowaga, New York, in accordance with the specifications and rules and regulations of the Town Highway Department of the Town of Cheektowaga, New York, and it is further

RESOLVED that Nussbaumer and Clarke, Consulting Engineers for the Town of Cheektowaga, shall survey said highway proposed to be improved and establish the lines and grades thereof and file in the Town Clerk's Office a survey and profile of said highway, and be it further

RESOLVED that said Nussbaumer and Clarke, Consulting Engineers

shall prepare definite plans and specifications and make a careful estimate of the expense, and with the assistance of the Town Attorney, shall prepare a proposed contract for the execution of the work, and that such plans and specifications, estimate and proposed contract shall be presented to this Board as soon as reasonably possible.

Seconded by Councilman 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

CARRIED: AYES: -5-

Noes: -0-

ITEM NO. 19 Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS a written petition was duly filed with this Board on February 24, 1953, requesting the improvement of Darwin Drive, extending from the north curb line of Cleveland Drive, 1512 feet north to the Amherst-Cheektowaga Town Line by the construction of a permanent pavement in said highway, and

WHEREAS said petition was duly signed by owners of real property constituting the owners of at least one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid and also constituting resident owners owning not less than one-half of the frontage owned by resident owners along said highway proposed to be improved, and

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

WHEREAS at a meeting of the Town Board duly held on the 6th day of April, 1953, an order was duly adopted by it and entered in its minutes, reciting the filing of such petition, the improvement proposed and the maximum amount proposed to be expended for the improvement as stated in the petition, to wit, the sum of Twenty Four Thousand Dollars (\$24,000.00) and specifying that the said Town Board would meet to consider the petition and to hear all persons interested in the subject thereof, concerning the same, at the Town Hall in the Town of Cheektowaga, New York, on the 20th day of April, 1953, at 7:30 o'clock, P.M., Eastern Standard Time, and

WHEREAS the said order duly certified by the Town Clerk was duly published as required by law, and

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

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

RESOLVED that this Board determine that it is in the public interest to make the improvement petitioned for, to wit, the construction of a permanent pavement along said highway, extending from the north curb line of Cleveland Drive, 1512 feet north to the Amherst-Cheektowaga Town Line, a distance of approximately 1512 feet, and it is further

RESOLVED that Nussbaumer and Clarke, Consulting Engineers for the Town of Cheektowaga, shall survey said highway proposed to be improved and establish the lines and grades thereof and file in the Town Clerks' Office a survey and profile of said highway, and be it further

RESOLVED that said Nussbaumer and Clarke, Consulting Engineers shall prepare definite plans and specifications and make a careful estimate of the expense, and with the assistance of the Town Attorney, shall prepare a proposed contract for the execution of the work, and that such plans and specifications, estimate and proposed contract shall be presented to this Board as soon as reasonably possible.

Seconded by Councilman 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

CARRIED: AYES: -5-

NOES: -0-

ITEM NO. 20 Councilman Nagel presented the following resolution and moved ⁶⁶ its adoption:

WHEREAS Gencrott, Inc., and Buhar, Inc., both domestic corporations organized and existing under the laws of the State of New York, with their offices in the Town of Amherst, Erie County, New York, have constructed homes on Loretto Drive, from Harlem Road to the end of the Street, and on Parish Road, from Loretto Drive to Seton Road, in the Town of Cheektowaga, New York, and have constructed the foundation for the highway on both of said streets, in accordance with the minimum specifications of the Town Highway Department and Town regulations, but have not placed the topping thereon, because of the weather, and heavy trucks are still operated 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 houses on said streets has been completed; and

WHEREAS it has been estimated by the Town Highway Superintendent that the cost of placing the topping on said streets would not exceed the sum of Two Thousand Dollars (\$2,000.00); and

WHEREAS the said Gencrott, Inc., and Buhar, Inc., have agreed to place the topping on said highways and complete the same in accordance with the minimum specifications of the Town Highway Department and Town regulations;

BE IT RESOLVED that the Town of Cheektowaga enter into a contract with Gencrott, Inc., and Buhar, Inc., which contract is to provide that the said Gencrott, Inc., and Buhar, Inc., will place the topping on said streets and complete the same in accordance with the minimum specifications of the Town Highway Department and regulations of the Town of Cheektowaga, on or before November 1, 1953.

That the annexed contract is hereby approved and the Supervisor is authorized to execute the same on behalf of the Town of Cheektowaga, New York, That he is further authorized to deposit in the Western Savings Bank of Buffalo, in a special account in the name of the Town of Cheektowaga, the sum of Two Thousand Dollars (\$2,000.00) received from Gencrott, Inc., and Buhar, Inc., as security for the faithful performance of the aforementioned contract; and

BE IT FURTHER RESOLVED, that the Town Clerk be and he is hereby authorized to forward to the Federal Housing Administration, at Buffalo, New York, a certified copy of this resolution.

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-

This agreement, made this 4th day of May, 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 Gencrott, Inc., and Buhar, Inc., both domestic corporations organized and existing under the Laws of the State of New York, with their principal office and place of business at 4498 Main Street, Town of Amherst, Erie County, New York, parties of the second part, WITNESSETH;

WHEREAS the parties of the second part have constructed homes on Loretto Drive and Parish Road, in the Town of Cheektowaga, New York, and have constructed the foundation for highways on said streets, in accordance with the specifications of the Town Highway Department 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 the topping on said streets, until all construction on said streets is completed and weather conditions permit such work;

IT IS AGREED :

Parties of the second part agree to place topping on Loretto Drive, commencing at Harlem Avenue to the end of the street, and on Parish Road from Loretto Drive to Seton Road, and complete both of said highways so that the same will conform in every respect with the minimum requirements of the Town Highway Department and the regulations of the Town of Cheektowaga, on or before November 1st, 1953.

shall prepare definite plans and specifications and make a careful estimate of the expense, and with the assistance of the Town Attorney, shall prepare a proposed contract for the execution of the work, and that such plans and specifications, estimate and proposed contract shall be presented to this Board as soon as reasonably possible.

Seconded by Councilman Nagel 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-

ITEM NO. 19 Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS a written petition was duly filed with this Board on February 24, 1953, requesting the improvement of Darwin Drive, extending from the north curb line of Cleveland Drive, 1512 feet north to the Amherst - Cheektowaga Town Line by the construction of a permanent pavement in said highway, and

WHEREAS said petition was duly signed by owners of real property constituting the owners of at least one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid and also constituting resident owners owning not less than one-half of the frontage owned by resident owners along said highway proposed to be improved, and

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

WHEREAS at a meeting of the Town Board duly held on the 6th day of April, 1953, an order was duly adopted by it and entered in its minutes, reciting the filing of such petition, the improvement proposed and the maximum amount proposed to be expended for the improvement as stated in the petition, to wit, the sum of Twenty Four Thousand Dollars (\$24,000.00) and specifying that the said Town Board would meet to consider the petition and to hear all persons interested in the subject thereof, concerning the same, at the Town Hall in the Town of Cheektowaga, New York, on the 20th day of April, 1953, at 7:30 o'clock, P.M., Eastern Standard Time, and

WHEREAS the said order duly certified by the Town Clerk was duly published as required by law, and

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

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

RESOLVED that this Board determine that it is in the public interest to make the improvement petitioned for, to wit, the construction of a permanent pavement along said highway, extending from the north curb line of Cleveland Drive, 1512 feet north to the Amherst-Cheektowaga Town Line, a distance of approximately 1512 feet, and it is further

RESOLVED that Nussbaumer and Clarke, Consulting Engineers for the Town of Cheektowaga, shall survey said highway proposed to be improved and establish the lines and grades thereof and file in the Town Clerks' Office a survey and profile of said highway, and be it further

RESOLVED that said Nussbaumer and Clarke, Consulting Engineers shall prepare definite plans and specifications and make a careful estimate of the expense, and with the assistance of the Town Attorney, shall prepare a proposed contract for the execution of the work, and that such plans and specifications, estimate and proposed contract shall be presented to this Board as soon as reasonably possible.

Seconded by Councilman 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

CARRIED: AYES: -5-

NOES: -0-

It is further agreed, that the parties of the second part will deposit with the party of the first part, upon the execution of this agreement, the sum of Two Thousand Dollars (\$2,000.00), as security that they will place the topping on said streets and complete the same as herein provided, on or before November 1st, 1953.

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 use all or part of said sum of Two Thousand Dollars (\$2,000.00) to complete said streets, in accordance with the minimum requirements of the Town Highway Department and the regulations of the Town of Cheektowaga, New York, In the event said sum of Two Thousand Dollars (\$2,000.00) 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.

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

GENCROTT, INC.,

BY Arthur H. Steinmiller

BUHAR, INC.,

BY Arthur H. Steinmiller

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

On this 4th day of May, 1953, before me personally came Arthur H. Steinmiller to me known, who, being by me duly sworn, did depose and say that he resides in the Town of Amherst, Erie County, New York; that he is the President of Gencrott, 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.

Alice T. Nadiak
Commissioner of Deeds, Buffalo, N.Y.

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

On this 4th day of May, 1953, before me personally came Arthur H. Steinmiller, to me known, who, being by me duly sworn, did depose and say that he resides in the Town of Amherst, Erie County, New York; that he is the President of Buhr, 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.

Alice T. Nadiak
Commissioner of Deeds, Buffalo, N.Y.

ITEM NO. 21 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED to request Erie County Highway Superintendent, Mr. Harry Crafts, for a permit to allow a right turn arrow at the new traffic signal when traveling north on Harlem Road at Cayuga Creek Road, this improvement will relieve congestion on Harlem Road allowing traffic to move on to Cayuga Creek Road.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

ITEM NO. 22 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED to request the New York State Traffic Director for permission to install a Stop and Go traffic light on Union Road at Como Park Boulevard. The Town Board has previously requested same and was denied by the State, however, we feel that this safety hazard should be eliminated at this mentioned intersection, due to the fact that Resurrection School and Church are situated in the immediate vicinity, also the area is heavily travelled by trucks who are hauling stone and blacktop from nearby Federal Crushed Stone Company, and

BE IT FURTHER RESOLVED that the presently operated signal on Clinton Street at Willowlawn Parkway in front of Our Lady of Czestochowa Church and School be changed. The signal blinks amber on Clinton Street all the time, with the exception of these hours, 8 A.M. to 9 A.M., 11:30 A.M. to 1 P.M., and 3 P.M. to 4 P.M., there is a need for a push button pedestrian traffic signal. The Town Board will appreciate this permit.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-.

ITEM NO. 23 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS Regulations #6 and #7 of the New York State Sanitary Code, Chapter #5 requires disinfection of Water Mains and Reservoirs and the de watering of trenches, and

WHEREAS in the opinion of the Town Board compliance with these regulations is necessary to prevent the water supply to residents of the Town of Cheektowaga from becoming contaminated and unfit for human consumption, be it

RESOLVED that the Western New York Water Company be required to comply with regulations #6 and #7 of the New York State Sanitary Code, Chapter #5, be it further

RESOLVED that a certified copy of this resolution be forwarded to the Western New York Water Company and the New York State Department of Health.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-.

ITEM NO. 24 This being the time and the place advertised for a public hearing for the purchase of a new Ford Tractor with mounted mower, equipped with lights and further equipped as shown in a descriptive bulletin which are a part of the April 20th, 1953, Town Board minutes, as recommended by the Town Highway Superintendent.

The Supervisor directed the Town Clerk to present proof of publication of the notice of the hearing.

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing, and no person or persons appearing in opposition to the proposed purchase of 1 Ford Tractor with mounted mower, equipped with lights, the Supervisor ordered the hearing closed.

Councilman Nagel the following resolution which was seconded by Councilman Wroblewski:

WHEREAS the Town Superintendent of Highways did on the 20th day of April, 1953, duly recommend the purchase of certain equipment pursuant to the provisions of Section 142 of the Highway Law, and a notice of such recommendation has been duly published as provided in such section.

Now Therefore Be It RESOLVED that pursuant to Section 142 of the Highway Law the Town Superintendent of Highways is hereby authorized to purchase from Buffalo Tractor and Implement Company, with the approval of the County Superintendent of Highways: 1 Ford Tractor with lights and side mounted mower for a total price of Two Thousand One Hundred Forty Two Dollars (\$2,142.00), delivered at Cheektowaga, New York, and to be delivered on or about (immediately).

The Town Superintendent of Highways is hereby authorized, subject to the approval of the County Superintendent of Highways, to surrender to the above-named vendor 1 Silver King Tractor, as part of payment for the above equipment to be purchased.

The terms of payment will be as follows:

Trade-in allowance.....	\$50.00
Check from proceeds of obligations.....	\$2,092.00
TOTAL	\$2,142.00

A contract of purchase for the item purchased shall be duly executed between the Town Superintendent of Highways and such vendor, and when duly approved by the County Superintendent of Highways, it shall become effective. When such contract has been duly executed and approved, the Supervisor is authorized to complete such purchase upon delivery of the item purchased in accordance with the terms of such resolution and such contract, and to pay the above amount specified to be paid by check or checks:

(1) by a check drawn on the Machinery Fund (Item 3) for...\$ -0-.

(2) by a check in the amount of \$2,092.00, drawn on the account established from the proceeds of obligations to be issued pursuant to the Local Finance Law to finance such purchase. Such obligations will be authorized to be issued by this Board by a separate resolution.

Vote of the Town Board:

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

Voting AYE
Voting AYE
Voting AYE
Voting AYE
Voting AYE

CARRIED: AYES: -5-.

NOES: -0-.

ITEM NO. 25 This being the time and the place advertised for a public hearing on the proposed purchase of 1 Trojan Model LC-100 B Loadster equipped with 18.00 by 21 drive wheel tires, 11.00 by 20 steel wheel tires, 1 1/2 cu. yd. Front end Bucket torque Converter Drive Power Hydraulic Steer, Safety Bucket Lift Arms and otherwise equipped as set forth in a descriptive bulletin which is a part of the April 20th, 1953, Town Board minutes.

The aforementioned proposed purchase was recommended by the Town Superintendent of Highways.

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

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing, and no person or persons appearing in opposition to the proposed purchase of 1 Trojan Model LC-100 Loader, the Supervisor ordered the hearing closed and decision was reserved.

ITEM NO. 26 This being the time and place advertised for the receiving of sealed bids for the furnishing of all materials and equipment, together with all labor for the construction of sidewalks in Peinkofer Drive in accordance with proposed contracts, plans, profiles, drawings, instructions to bidders, specifications and estimates prepared by Newell L. Nussbaumer and Irving Clarke, doing business as Nussbaumer and Clarke, Consulting Engineers of the Town of Cheektowaga, New York, and approved by the Town Board of said Town.

Councilman Nagel moved, seconded by Councilman Neibert, that the time for the receiving of sealed bids and that the Town Clerk be authorized and directed to open the sealed bids which have been received.

SUMMARY OF BIDS RECEIVED:

Acme Black Topping Company.....\$3,978.00
Castricome Concrete Construction Company\$4,332.50

Councilman Nagel moved, seconded by Councilman Neibert, that the bids be referred to Nussbaumer and Clarke for tabulation and analysis, and that the same Nussbaumer and Clarke report back to this Town Board their findings as soon as reasonably possible.

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ITEM NO. 27 This being the time and the place advertised for a public hearing on the petition of the Most Holy Polish National Cathedral requesting that the lands hereinafter described be zoned for cemetery purposes: 68

DESCRIPTION
Of Property proposed to be used
for Cemetery Purposes

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 24, Township 11, Range 7, of the Holland Land Companys' Survey, bounded and described as follows:

BEGINNING at the southwest corner of lands conveyed by the County of Erie to the Herald Vault Manufacturing Corporation by deed recorded in Erie County Clerks' Office in Liber 5057 of Deeds at Page 428, said point of beginning being in the northeast line of a strip of land seven and fifty hundredths (7.50) feet wide to be used for highway purposes, said strip of land lying adjacent to and northeast of the northeast line of Walden Avenue, as a sixty-six (66) foot highway; thence northwest along the northeast line of said strip of land seven and fifty hundredths (7.50) feet wide, fifty-eight and sixty-two hundredths (58.62) feet to the west line of a fifteen (15) acre parcel of land formerly owned by the Cleveland G. Babcock estate; thence north along the west line of said last mentioned land eight hundred eighty and thirty-four hundredths (880.34) feet to the south east line of land taken by the State of New York for Thruway purposes; thence northeast along the southeast line of said last mentioned land, two hundred thirty and eighty hundredths (230.80) feet to the east line of the aforementioned land formerly owned by Cleveland G. Babcock Estate; thence south along the east line of said last mentioned land five hundred eight and eighteen hundredths (508.18) feet to the northeast corner of land conveyed by the County of Erie to the Herald Vault Manufacturing Corporation by deed recorded in Erie County Clerks' Office in Liber 4558 of Deeds at page 305; thence west at right angles one hundred sixty (160) feet; thence south along the west line of land conveyed by deed recorded in Erie County Clerks' Office in Liber 5057 of Deeds at page 428, four hundred seventy-three and thirty-two hundredths (473.32) feet to the point of beginning, containing two and nine hundred two thousandths (2.902) acres of land.

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

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing, and no person or persons appearing in opposition to the proposed rezoning, the Supervisor ordered the hearing closed and decision was reserved.

ITEM NO. 28 This being the time and the place advertised for a public hearing for the improvement of both sides of Walton Drive, extending from the north curb line of Cleveland Drive to the north line of the Town of Cheektowaga, by the construction of a permanent pavement along said highway.

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, No person or persons appeared in opposition to the proposed improvement, the Supervisor ordered the hearing closed and decision was reserved.

ITEM NO. 29 Councilman Nagel moved, seconded by Councilman Wroblewski, that all claims presented for audit at this meeting be approved, and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same.

(Warrant No. 783 to Warrant No. 875 , inclusive, drawn on the Supervisor.

ITEM NO. 30 Councilman Wroblewski was granted the floor and complained about the City of Buffalo refuse trucks strewing papers and rubbish along Richard Drive in the Town of Cheektowaga. Ordered referred to the Supervisor and the Town Attorney.

ITEM NO. 31 Councilman Nagel was granted the floor and requested the Chief of Police to notify the tenants at the Airport Plaza Shopping Center that garbage is being picked up at that point by Town trucks. Ordered referred to the Supervisor and Town Attorney.

ITEM NO. 32 Councilman Nagel moved, seconded by Councilman Wroblewski to adjourn.

Kenneth T. Hanley

SEAL

Town Clerk.

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 9th day of May, 1953, at 11:00 o'clock A.M., E.D.S.T., there

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

Also present were: Town Clerk Kenneth T. Hanley.

ITEM NO. 1 Meeting called to order by Supervisor Holtz.

This is a Public Hearing of Mr. Lock's petition, will the Town Clerk please read the Notice of Hearing?

NOTICE OF HEARING

JOHN W. LOCK, owner of the premises at Road, Cheektowaga, New York has applied to the Town Board to establish a 34 ft. set back line on premises belonging to him on the east side of Harlem Road, more particularly described as being 48 ft. front and rear by 140 ft. in depth commencing 184 ft. south of Maryvale Drive.

The Town Board of the Town of Cheektowaga will meet at the Town Hall, Union Road and Broadway on the 9th day of May, 1953 at 11 o'clock AM, Daylight Saving Time to consider such application and to hear all persons interested.

Supervisor Holtz - We will allow Mr. Lock and his representative to speak first.

Kenneth Fradin, Attorney for Mr. Lock

Mr. Lock bought a piece of property on Harlem Road near Maryvale during the summer of 1951. At that time, he had a certain permit for a certain building. At that time, and before the lot was actually purchased, a building permit was applied for to construct a building with 34 ft. set back. The reason why the 34 ft. set back was approved was that a similar permit was issued to Mr. Plummery. Mr. Lock and Mr. Draybush, Buffalo, New York actually saw the permit which authorized Mr. Plummery to build at 34 ft. They were told everything was alright and to go ahead. In conversation with Mr. Tadio, Mr. Tadio said you cannot build 34 feet because there is a 50 ft. set back ordinance on Harlem. Mr. Lock told Mr. Tadio about the 34 ft. permit granted Plummery. He was convinced after seeing it in the Town Clerk's office. Mr. Tadio took up the matter with the Board explaining about Mr. Plummery's permit. After taking it up, they issued a 34 foot permit.

Assuming everything was alright, after taking it up with the Board, he constructed the building. He constructed the main portion to 65 ft. set back - then proceeded with the front.

He was advised by Mr. Tadio that the prior permit expired. The permit having expired, he applied for a new permit. He was granted a new permit, proceeded to erect the building - put in footings, ordered structural steel etc., to put in the building which is to be a store to display furnaces, etc. The records show a 34 ft. permit had been granted. He was given definite advice by Tadio to go ahead. All materials were fabricated to order then he was told by Mr. Tadio that he had to stop that Mr. Plummery had complained. The same Mr. Plummery who had built at 34 ft.

Mr. Lock, at that time, appeared before the Town Board and was told not to procede.

It was adjourned two or three times, but finally he was unable to procede and he stopped. He went to Supreme Court and tried to get an order issued on undue hardship. Judge Ward decided that his court did not have the power to order the variance. The proper protestation should be to this Board under Section 14 of the Ordinance. In case of undue hardship a variance can be granted. The Town Ordinance established a 50 ft. set back for a very definite purpose - for off street parking. No purpose will be violated by this variance. There is not, and cannot be any off street parking. The cemetery extends along Harlem to Genesee Street - on one side is Mr. Plummery and on the other Tiorunda. There can be no further commercial expansion. There is no problem here for which the order was based.

There are three interested people here today. All people whose property abutts on Mr. Lock's property. At this time may I ask Mrs. Marcucci for a statement as to whether or not she or her husband, after consultation, whether this variance will have any effect on their property.

Mrs. Marcucci

No, I have no objection

Kenneth Fradin

You and your husband are owners of property adjoining Mr. Lock's property and you have no objection to this variance.

Mrs. Marcucci

None what-so-ever.

Kenneth Fradin

Mr. Masse, do you have any objection?

Mr. Masse

I have no objection whatsoever, and I think it should be granted.

Kenneth Fradin

Do you think it could effect, in any manner, the property owned by Mrs. Marcucci?

Mr. Masse

No

Kenneth Fradin

Do you think it could effect the Gas Station?

Mr. Masse

No

Kenneth Fradin

Do you think that any rights of Mr. Plummery would be adversely effected by the allowance?

Mr. Masse

No, I don't think there would be anything that would be adverse. The building would be more conducive to the appearance of the neighborhood.

Kenneth Fradin

Then I request the Board, at this Time, under power granted to it, to grant this variance in that a permit was granted to Mr. Lock and he, at no time, attempted to do anything unreasonable and after examination of records and knowledge of all the facts on the adjoining building. Mr. Tadio will verify that he was told to go ahead.

Mr. Plummery

Mr. Masse owns a piece of property on Maryvale. His lot is about 204 ft. deep. Lock's building leaves at least 40 ft. You can put garbage cans there and it wouldn't effect him. Mrs. Marcucci's set back is about 125 ft. from Harlem Road. I protest about them favoring the other side. There is no property depreciation.

I got to talking to a man by the name of Galeno, his contractor and bought out that he is going to build part of it now and will add later. I told him to be sure that you go back far enough now as the Town Ordinance says you have to have off street parking. The building went up. Then all of a sudden I heard he was going to build on the front - all the way out of my Dog Stand, which I can knock down at any time. It is a temporary building. You talk about being fair - I looked out the window and a machine was digging. He had a permit for 34 ft., but this permit is only good if you do not violate the Ordinance. This was stopped. He wasn't satisfied with that, he turns around and sues the Town Board. I have the answer here "Petition Denied, Case Dismissed"- Justice Hamilton Ward. I thought it was settled. Now he comes around with a hardship case. If he extends his building up to my Dog Stand, he will put me out of business. He will box me in. If he builds even with my building lot line, he still has approximately 800 square feet of space.

Gaetano Aquilano

The lot was zoned for business purposes. He is operating a semi-industrial business because he is making pipe, etc. I cannot see this thing at all. All of a sudden he is in hot water. He created his own hot water.

Mr. Giancarlo

Being owner of property on the corner of Harlem and Maryvale, this building will block the view of the Gas Station. Mr. Tadio said he had to stay 50 ft. back of the line. Why should he be able to build in front? I am definitely opposed to him extending less than 50 feet.

Mr. Aquilano (G)

I am representing Angelo Aquilano. He owns property in center of Gas Station, and Hot Dog Stand or Restaurant. There is nothing built on that property, but if he wanted to build on that piece, he would have to stay in line and if anything would be built beyond it would obstruct any view of any business that he would want to put there - so I protest to what they want to build on this factory site.

Lucretia Plummery

I think that Mr. Lock is trying to buy out Plummery, my brother and me, to expand his factory.

Kenneth Fradin, Atty.

This is not regular when he (speaking of Mr. Lock's attorney) asked the opinion of Mrs. Marcucci and Mr. Masse as to whether or not it would effect our property. Actually the attorney asked if in any way it would have an adverse effect. Anyone who knows business operation depends on those who pass by their establishment. If he builds, he will hide at least two-thirds of our building. It will jeopardize our livelihood.

Lucretia Plummery

Exhibited survey showing position of Hot Dog Stand. Plummery got a 34 ft. permit and built to 32 ft. Mr. Lock is a big taxpayer, is a civic minded person and is suffering undue hardship. He has already laid out \$2600. According to rights he is in accordance with the permit of this Town. I ask this Board to accept the power granted to it in section 14 and grant the variance. No damage to the Town will be created.

Supervisor Holtz

We are merely interested in this (quoted portion of ordinance). If Mr. Lock builds this, we will be done a great injustice and it will work a hardship on us.

Does anyone else wish to be heard? Hearing is closed and decision reserved. The Town Board will render a decision as soon as possible.

May 9, 1953

ITEM NO. 2 Councilman Nagel moved, Seconded by Councilman Wroblewski,
RESOLVED that the following named persons be employed as Park Attendants:

Norman Bauer	\$ 1.32 $\frac{1}{2}$ per hour
Sylvester Jacobs	1.32 $\frac{1}{2}$ per hour
Max Burch	1.32 $\frac{1}{2}$ per hour

CARRIED: AYES: -5-

Dated: May 9, 1953.

ITEM NO. 3. Councilman Neibert moved, seconded by Councilman Nagel,
RESOLVED that the following named persons be employed as Playground Supervisors:

Frank Pry, Play Supervisor	\$1.41
Matthew Szydlowski "	1.41
Helen Tomczak "	1.41
Donna Stottle Assistant Supervisor	1.20
Florence Dondajewski "	1.20

CARRIED: AYES: -5-

Dated: May 9, 1953.

ITEM NO. 4. Councilman Wroblewski moved, seconded by Councilman Neibert, RESOLVED that the following named persons be employed as Park Laborers at \$1.32 $\frac{1}{2}$ per hour:

Stanley Czajka
John Draskiewicz
Joseph Osmola
A. Godlewski
Leon Grabeanski

CARRIED: AYES: -5-

Dated: May 9, 1953

ITEM NO. 5 Communication read from Daniel G. Gentile requesting the Town Board to re-open the hearing on his application which was denied to rezone the south-east corner of Cleveland Drive and Marsdale Road, from residential district to business district. Ordered referred to the Town Board.

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

SEAL.

Kenneth T. Hanley
Town Clerk.

ITEM NO. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 18th day of May, 1953, at 7:30 o'clock P.M., E.D.S.T., there were:

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

ABSENT: -0-

Also present were: Town Clerk Kenneth T. Hanley, Town Attorney George B. Doyle, Building Inspector William Tadio, Recreational Director Edward Janiak, Chief of Police John Mersmann, General Foreman Eberle, Town Engineer Kam, Dog Warden Kraska, and Highway Superintendent Zablotny.

ITEM NO. 2 Councilman Wroblewski moved, seconded by Councilman Neibert, that the Town Historian Julia B. Reinstein, be authorized and directed to attend the New York State Historian Seminar at Cooperstown, New York, from July 5th through July 11th, 1953.

CARRIED: AYES: -5-.

ITEM NO. 3 Councilman Wroblewski presented the following resolution and moved its adopted:

WHEREAS the Board of Fire Commissioners of U-Crest Fire District No. 4, has requested that two hydrants be located on Dick Road as follows:

1, 500 feet north of the hydrant now on Dick Road and Buffalo Depew Boulevard and the other one 500 feet therefrom north on the west side of Dick Road, be it

RESOLVED that the request of said Fire Commissioners be granted and the Town Clerk be and he is hereby authorized to enter into a contract with the Western New York Water Company for installation of said hydrants.

This resolution is passed with the understanding that the Town of Cheektowaga shall not be responsible for any other expense that for the installation of said hydrant, except the cost thereof and shall in no wise be responsible for the construction of water lines on said highway, be it further

RESOLVED that certified copies of this resolution be forwarded to the Board of Fire Commissioners of U-Crest Fire District No. 4, and to the Western New York Water Company.

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-.

ITEM NO. 4 Councilman Neibert presented the following resolution and moved its adoption: WHEREAS the Board of Fire Commissioners of Pine Hill Fire District No. 5, has recommended that fire hydrants be installed as follows:

2 hydrants on Park Edge Avenue;
2 Hydrants on McNaughton Avenue;
1 hydrant at 134 Grand View Circle;

be it

RESOLVED that the Town Clerk be and he is hereby authorized to order the installation as mentioned, from the Western New York Water Company, and be it further

RESOLVED that certified copies of this resolution be forwarded to the Board of Fire Commissioners and to the Western New York Water Company.

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

CARRIED: AYES: -5-.

ITEM NO. 5 Resolution by Councilman Nagel, seconded by Councilman Wroblewski, WHEREAS the Town Superintendent of Highways did on the 20th day of April, 1953, duly recommend the purchase of certain machinery pursuant to the provisions of Section 142 of the Highway law, and a notice of such recommendation has been duly published as provided in such section.

NOW, THEREFORE, BE IT RESOLVED that pursuant to Section 142 of the Highway Law the Town Superintendent of Highways is hereby authorized to purchase from Eddy Equipment Company, with the approval of the County Superintendent of Highways: 1 New Trojan Model LC-100B Loadster, for a total price of Eight Thousand Seven Hundred Dollars (\$8,700.00), delivered at Cheektowaga, New York., and to be delivered on or about June 1st, 1953.

The Town Superintendent of Highways is hereby authorized, subject to the approval of the County Superintendent of Highways, to surrender to the above-named vendor as part payment for the above machinery to be purchased.

The terms of payment will be as follows:

Trade-in allowance	\$ 200.00
Check drawn on machinery fund	850.00
Check from proceeds of obligations	7,650.00
Total	\$8,700.00

A contract of purchase for the item purchased shall be duly executed between the Town Superintendent of Highways and such vendor, and when duly approved by the County Superintendent of Highways, it shall become effective. When such contract has been duly executed and approved, the Supervisor is authorized to complete such purchase upon delivery of the item purchased in accordance with the terms of such resolution and such contract, and to pay the above amounts specified to be paid by check or checks.

(1) by a check drawn on the Machinery Fund (Item 3) for.....\$ 850.00

(2) by a check in the amount of \$7,650.00, drawn on the account established from the proceeds of obligations to be issued pursuant to the Local Finance Law to finance such purchase. Such obligations will be authorized to be issued by this Board by a separate resolution.

Vote of the Town Board

Aye Benedict T. Holtz
Aye Henry J. Nagel
Aye Felix T. Wroblewski
Aye Joseph A. Neibert
Aye Stanley R. Bystrak

Supervisor
Councilman
Councilman
Councilman
Councilman

CARRIED: AYES: -5-.

ITEM NO. 6

Councilman Nagel presented the following resolution and moved its adoption:

RESOLUTION, DATED MAY 18th, 1953, AUTHORIZING THE ISSUANCE OF CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, NEW YORK, IN THE AMOUNT OF \$7,650.00 TO PAY PART OF THE COST OF ONE NEW TROJAN MODEL LC-100 B LOADSTER EQUIPPED WITH 18.00 x 21 FRONT DRIVE WHEEL TIRES, 11.00 x 20 REAR TIRES-STEERING, GAS ENGINE POWER, 1-1-4 FRONT BUCKET- HYDRAULIC CONTROLLED, TORQUE CONVERTER DRIVE, HYDRAULIC POWER STEERING ATTACHMENT, TIP BACK BUCKET WHICH TIPS TO CARRY AT WHEEL LEVEL.

BE IT RESOLVED this 18th day of May, 1953, by the Town Board of the Town of Cheektowaga, New York, as follows:

Section 1. The object and purpose for which the obligations herein authorized are to be issued is to pay a portion of the cost of One New Trojan Model LC-100 B Loadster equipped with 18.00 x 21 Front Drive Wheel Tires, 11.00 x 20 Rear Tires- Steering, Gas Engine Power, 1 1/4 Cu. Yd. Front Bucket-Hydraulically Controlled, Torque Converter Drive, Hydraulic Power Steering Attachment, Tip Back Bucket which tips to carry at wheel level.

Section 2. The plan for financing such object or purpose consists of the issuance of capital notes of said Town of Cheektowaga in the total amount of not to exceed \$7,650.00, and by payment of the balance of the cost out of a trade-in allowance made in the sum of \$200.00 and a check drawn on the machinery fund in the amount of \$850.00.

Section 3. The amount of capital notes hereby authorized to be issued is \$7,650.00 to consist of two (2) notes to be dated June 1, 1953, and to mature as follows: \$3,825.00 on March 1, 1954 and \$3,825.00 on March 1, 1955 respectively.

Section 4. Said notes are to be sold by the Supervisor at a private sale to the Manufacturers and Traders Trust Company of Buffalo, New York, at par and accrued interest, and shall be payable as to principal and interest in lawful money of the United States of America at the office of the Manufacturers and Traders Trust Company Buffalo, New York, 284 Main Street, Buffalo, New York, and shall bear interest at the rate of Two per Cent (2%) per annum, and shall be in such form and contain such terms and contents, contents, consistent herewith and with the Local Finance Law of this State as the Supervisor shall determine.

Section 5. The period of probable usefulness of such object or purpose is hereby determined to be five (5) years.
 Section 6. This resolution shall take effect immediately.
 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--.

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

CAPITAL NOTE OF 1953 \$3825.00

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 the bearer of this note the sum of

- THREE THOUSAND, EIGHT HUNDRED AND TWENTY-FIVE DOLLARS-(\$3825.00)-

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 Seven Thousand Six Hundred and Fifty Dollars (\$7,650.00) the notes of which are of like tenure, except as to number, amount and maturity.

This note is issued pursuant to the provisions of a resolution entitled "Resolution, dated May 18, 1953, authorizing the issuance of Capital Notes of the Town of Cheektowaga, New York, in the amount of \$7,650.00 to pay part of the cost of one new Trojan Model LC-100 B Loadster, equipped with 18.00 x 21 front drive wheel tires, 11.00 x 20 rear tires- Steering Gas Engine Power, 1 1/2 Cu. Yd., Front Bucket-Hydraulically controlled, Torque Converter Drive, Hydraulic Power Steering Attachment, Tip Back Bucket which tips to carry at wheel level. "Duly adopted by the Town Board of Cheektowaga, New York, on May 18, 1953.

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 1st day of June, 1953.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.
 By: Benedict T. Holtz
 its Supervisor

ATTEST:
Kenneth T. Hanley
 Town Clerk

SEAL

UNITED STATES OF AMERICA
STATE OF NEW YORK
TOWN OF CHEEKTOWAGA

CAPITAL NOTE OF 1953

\$3,825.00

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

-THREE THOUSAND, EIGHT HUNDRED AND TWENTY-FIVE DOLLARS-(3,825.00)-

on the 1st day of March, 1955, together with interest thereon from the date hereof at the rate of Two Per Cent (2%) per annum, payable March 1, 1955 and annually thereafter.

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

This note is one of an authorized issue the aggregate principal amount of which is Seven Thousand Six Hundred and Fifty Dollars (\$7,650.00) the notes of which are of like tenure, except as to number, amount and maturity.

This note is issued pursuant to the provisions of a resolution entitled "Resolution, dated May 18, 1953, authorizing the issuance of Capital Notes of the Town of Cheektowaga, New York, in the amount of \$7,650.00 to pay part of the cost of one New Trojan Model LC-100 B Loadster, equipped with 18.00 x 21 front drive wheel tires, 11.00 x 20 rear tires- Steering Gas Engine Power, 1 1/4 Cu. Yd. Front Bucket-Hydraulically controlled, Torque Converter Drive, Hydraulic Power Steering Attachment, Tip Back Bucket which tips to carry at wheel level.", duly adopted by the Town Board of Cheektowaga, New York, on May 18, 1953.

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 1st day of June, 1953.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BY: Benedict T. Holtz
Its Supervisor

ATTEST:

Kenneth T. Hanley
Town Clerk.

SEAL.

ITEM NO. 7 Councilman Wroblewski moved, seconded by Councilman Bystrak, RESOLVED that Reynders Electric Company be authorized and directed to install a right turn arrow on the new signal at Harlem and Cayuga Road.
CARRIED: AYES: -5-.

ITEM NO. 8 Councilman Nagel presented the following resolution and moved its adoption: RESOLVED that the New York State Highway Department be requested to permit the Town of Cheektowaga, New York, to accept Hyland Street as a town highway.
Seconded by Councilman Neibert. CARRIED: AYES: -5-.

ITEM NO. 9

EXTRACTS FROM MINUTES OF TOWN BOARD

The following order and resolution was offered by Mr. Wroblewski who moved its adoption, seconded by Mr. Neibert, to wit:

In the Matter :
:
:
of :
:
the extension of Sewer District No. 5 of :
the Town of Cheektowaga, in the County of :
Erie, New York :
:

WHEREAS, Joseph A. Czerwonka and other 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 18th day of February, 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:

ALL THAT PARCEL OR TRACT OF LAND situated in the Town of Cheektowaga, County of Erie, and State of New York, being parts of Lots 16, 24 and 25, Township 11, Range 7, of the Holland Land Company Survey, bounded and described as follows:

BEGINNING at the point of intersection of the east line of Harlem Avenue with southerly line of Walden Avenue as now laid out (said southerly line of Walden Avenue being the northerly line of Sanitary Sewer District No. 3 as extended.)

Thence southeasterly and along the southerly line of Walden Avenue to the easterly line of lands of St. Adelberts Cemetery.

Thence southerly and along the east line of St. Adelberts Cemetery and the southerly extension thereof, to the center line of Broadway (which is the northerly line of Sanitary Sewer District No. 3).

Thence easterly and along the center line of Broadway to the easterly line of lands of the Ontario Thruway.

Thence northerly along the westerly line of lands of the State of New York taken for highway purposes, said highway being known as the Ontario Thruway to the northerly right-of-way line of the West Shore Railroad (which is the southerly line of present Sanitary Sewer District No. 5, and the easterly extension thereof).

Thence southwesterly and along the northerly right-of-way line of the West Shore Railroad (said line being the present boundary line of Sanitary Sewer District No. 5 and the easterly extension thereof) to the intersection of the east line of Harlem Avenue.

And, thence southerly and along the east line of Harlem Avenue to the southerly line of Walden Avenue to the place of beginning.
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, said Town Board duly adopted, on the 18th day of February, 1953, an order providing that said Town Board shall meet at the Town Hall, corner Broadway and Union Road, Cheektowaga, New York, on the 2nd day of March, 1953, at 2:30 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 certified copies of said order have been duly published and posted as prescribed by law, and said Town Board has, at the time and place specified in said order, duly met and considered said petition and heard all persons interested in the subject thereof, who appeared at such time and place concerning the same; and

WHEREAS, the Town Board did, by resolution duly adopted on the 2nd day of March, 1953, determine that (1) said petition is signed and acknowledged or proved as required by law and is otherwise sufficient; (2) all property and property owners within said proposed extension of said district are benefited thereby; (3) all property and property owners benefited are included within the limits of said proposed extension of said district; and (4) it is in the public interest to grant in whole the relief sought in and by said petition; and also did approve the extension of said district to include the territory described in said petition and in this resolution, and the construction of a sewer system in said proposed extension of said district in accordance with the map and plan attached to said petition; and

WHEREAS, the Town Clerk of said Town duly filed, on or about the 24th day of March, 1953, a certified copy of said resolution in duplicate, in the office of the State Department of Audit and Control, at Albany, New York, together with an application, in duplicate, for permission to extend said district, duly executed by the Town Supervisor of said Town and complying in all respects with Section 194 of the Town Law of New York, and the Comptroller of the State of New York did, on the 16th day of April, 1953, duly make an order granting permission for the extension of said district in accordance with said petition, and has heretofore duly filed said order in the manner required by Section 194 of the Town Law of New York; and

WHEREAS, the Town Board desires to extend said district in accordance with said petition; NOW, THEREFORE

BE IT ORDERED by the Town Board of the Town of Cheektowaga, in the County of Erie, that the relief sought by said petition be and it hereby is granted and that said district be and it hereby is extended so as to include the territory in said town hereinbefore described.

FURTHER ORDERED, that there shall be constructed in said territory a sewer system in accordance with the map and plan attached to said petition at a cost not exceeding One Hundred and Ten Thousand Dollars (\$110,000).

FURTHER ORDERED, that the Town Clerk be and he hereby is directed to record a certified copy of this order in the office of the Clerk of the County of Erie, and to file a certified copy of such order in the office of the State Department of Audit and Control in Albany, New York.

Duly put to a vote which resulted as follows:

Benedict T. Holtz	Voting AYE
Felix T. Wroblewski	Voting AYE
Stanley Bystrak	Voting AYE
Henry Nagel	Voting AYE
Joseph A. Neibert	Voting AYE

CARRIED: AYES: -5-.

NOES: -0-.

ITEM NO. 10
adoption:

Councilman Neibert presented the following resolution and moved its

WHEREAS, John F. Mersman successfully passed a Civil Service examination for Chief of Police in the Town of Cheektowaga, New York, as is eligible for a permanent appointment, be it

RESOLVED, that John F. Mersman be and he is hereby appointed Chief of Police of the Town of Cheektowaga, New York, at an annual salary of Forty-Eight Hundred Dollars (\$4,800.00), payable in semi-monthly installments.

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

Henry J. Nagel	Voting AYE
Felix T. Wroblewski	Voting AYE
Joseph A. Neibert	Voting AYE
Stanley R. Bystrak	Voting AYE
Benedict T. Holtz	Voting AYE

CARRIED: AYES: -5-

ITEM NO. 11

Councilman Neibert moved, seconded by Councilman Wroblewski, RESOLVED, that the Town Clerk be authorized and directed to issue Building Permits on all applications processed by the Petitions Committee on May 9th, 1953 and May 16th, 1953, after same have been approved by the Building Inspector.

CARRIED: AYES: -5-.

ITEM NO. 12

Councilman Nagel presented the following resolution and moved its adoption: RESOLVED, that the Sanitation Department of the Town of Cheektowaga, New York, be authorized to install 10 Children at Play Signs at the following locations;

2 at Southcrest Avenue;
2 at Northcrest Avenue;
2 at Chapel Avenue;
2 at Cunard Avenue;
2 at Unionvale Road;

and

BE IT FURTHER RESOLVED, that a Boulevard Stop and Go Sign be erected at Gualbert Street at Straley Avenue.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-.

adoption:

Councilman Nagel presented the following resolution and moved its

WHEREAS, a petition for the improvement of both sides of Walton Drive, extending from the Geib property, located on Walton Drive, in a northerly direction to the north line of the Town of Cheektowaga, New York, by the construction of a permanent pavement along said highway was filed in the Town Clerks' Office on or about the 1st day of April, 1953, and

WHEREAS, Edward B. Jerzewski, Andrew H. Schwenk Jr., and Eugene A. Rudzynski, Assessors of said Town of Cheektowaga have certified in writing to this Board that the above petition is fully 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 Ten Thousand Dollars (\$10,000), 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 1st day of June, 1953, at 2:30 o'clock P.M., Eastern Daylight Saving Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED, that a copy of this order, certified by the Town Clerk, be published at least once in the 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 public 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 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

CARRIED: AYES: 5-.

Posted as follows on the 22nd day of May, 1953;

- 1- Tree in front of No. 396 Walton Drive;
- 2- Telephone Pole No. 1, Walton Drive;
- 3- Tree 50 feet west of Telephone Pole No. 1, Walton Drive;
- 4- Tree 100 feet west of Telephone Pole No. 1, Walton Drive;
- 5- Tree 150 feet west of Telephone Pole No. 1, Walton Drive.

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

EXTRACTS FROM MINUTES OF TOWN BOARD

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, New York, in said Town on the 18th day of May, 1953, at 7:30 o'clock P.M., Eastern Daylight Saving Time.

The meeting was called to order by Benedict T. Holtz, Supervisor, and the roll being called, there were:

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

ABSENT: None.

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

WHEREAS, a petition for the improvement of both sides of Walton Drive, extending from the Geib property, located on Walton Drive, in a northerly direction to the north line of the Town of Cheektowaga, New York, by the construction of a permanent pavement along said highway was filed in the Town Clerk's Office on or about the 1st day of April, 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 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 Ten Thousand Dollars (\$10,000.00), 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 1st day of June, 1953 at 2:30 o'clock P.M., Eastern Daylight Saving Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

Supervisor Holtz, voting Aye
Councilman Wroblewski, voting Aye

Councilman Nagel, voting Aye
Councilman Neibert, voting Aye
Councilman Bystrak, voting Aye

AYES: 5 NOES: 0 ABSENT: 0

STATE OF NEW YORK)
) :ss.

TOWN OF CHEEKTOWAGA)
I, KENNETH T. HANLEY, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on May 18, 1953, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board and such minutes appear at page A-27 inclusive of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town this 18th day of May, 1953.

KENNETH T. HANLEY,
Town Clerk,
(May 21)

Town of Cheekto-

being duly sworn,

the publisher of the

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that the notice, of

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for...one...week;

21 1953

21 1953

days intervened be-

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Allis

Erie County, N. Y.

US
OF NEW YORK
County
March 30, 1954
5029

DECISION OF
ZONING BOARD OF APPEALS

IN THE MATTER of the APPLICATION
OF
WILLIAM B. SITTNIEWSKI,

To Rezone Property for a Funeral
Chapel with no Embalming, at
William and Mansion Streets,
Cheektowaga, New York.

It appears in this proceeding that the petition lacks sufficient consents in order to issue to the petitioner the relief sought.

The Zoning Board of Appeals holds a public hearing on all applications for rezoning. This public hearing is advertised and many property owners attend these hearings. Their first inquiry is what kind of a business or industry is going to be located on the property sought to be zoned. Unless there is a full disclosure made at such public hearing, property owners who have appeared at the hearings are not fully informed of what the property is to be used for.

The Zoning Board of Appeals does not ordinarily place property from one district into another unless it is informed as to what type or industry is intended to be located on the premises.

At the public hearing in this case some of the objectors raised the question as to the lack of signatures of adjoining property owners consenting to the application, as required by the Ordinances.

The Zoning Board of Appeals has made a careful investigation of the traffic condition existing at this intersection and believes it would be unwise even if the required number of signatures were obtained to allow a funeral parlor to be located on the premises.

There is also a lack of adequate off-street parking, which we believe is essential for this type of business, particularly where it is located in a densely populated area and on a busy thoroughfare such as William Street is, in the Town of Cheektowaga, New York.

We recommend the denial of the petition.

Dated: May 6th, 1953.

Leo H. Kurnick, Chairman

Michael Henfling

C.G. Hanson

Lawrence M. Jamszczak

Joseph P. Kubera

ITEM NO. 15 Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, the Zoning Board of Appeals has recommended that the application of William B. Sittniewski to rezone the north-west corner of William and Mansion Street from residential district to business district be denied.

BE IT RESOLVED, that this Town Board does hereby accept the recommendation of said Zoning Board of Appeals.

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

Councilman Nagel
Councilman Wroblewski
Councilman Neibert
Councilman Bystrak
Supervisor Holtz

Voting AYE
Voting AYE
Voting AYE
Voting AYE
Voting AYE

CARRIED: AYES: -5-.

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 MAY 21 1953; last publication MAY 21 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of MAY 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. 15 Councilman Neibert presented the following resolution and moved its adoption:

RESOLVED, that the revised bid of Stephen S. Mancuso and Vincent L. Caruana, d/b/a Acme Blacktop Driveways, in the sum of \$3,275.00, for the construction of concrete sidewalks on Peinkofer Drive, in the Town of Cheektowaga, New York, be accepted, and that Nussbaumer and Clarke, Engineers, with the assistance of the Town Attorney, prepare the necessary contract documents, to be drawn in accordance with the revised specifications prepared by Nussbaumer and Clarke.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-.

ITEM NO. 16 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVE to authorize New York State Gas and Electric Company to install 2500 lumen street lights at the following places;

Frederick Street Pole No. 6 and Parker Avenue, midway between Bright Street and Helen Street,

also, to install an additional 4000 lumen light at William Street on electric pole No. 171 between Frederick and Henry Streets.

Seconded by Councilman Bystrak.

CARRIED: AYES: -5-.

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

RESOLVED, that the New York State Gas and Electric Company be authorized to install 1000 lumen lights on Oriole Place, as follows; On Pole #8, #10, #12, #14, #18 and #20, and at the intersection of Oriole Place and Woodbine Street, be it further

RESOLVED, that the New York State Gas and Electric Company be authorized to install one 2500 lumen light on pole #6, at the intersection of George Urban Boulevard and Oriole Place.

Seconded by Councilman Nagel.

CARRIED: AYES: -5-.

ITEM NO. 18 Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Niagara Mohawk Power Company be authorized and directed to place shields on the following street lighting standards in the Town of Cheektowaga, New York;

1- In front of No. 66 Wayne Terrace;

2- In front of No. 59 Wayne Terrace;

3- In front of No. 122 Century Road;

Seconded by Councilman Neibert.

CARRIED: AYES: -5-.

ITEM NO. 19 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.

CARRIED: AYES: -5-.

Warrant No. 872 to No. 973, drawn on the Supervisor.

ITEM NO. 20 Councilman Nagel 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 28th day of May, 1953, at 3:00 o'clock P.M., E.D.S.T., there were:

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

ABSENT: -0-

Also present was Town Clerk Kenneth T. Hanley.

ITEM NO. 2NOTICE

TO: Arthur H. Schwartz,
Justice of the Peace

Cheektowaga, 25, New York

PLEASE TAKE NOTICE that you are hereby obliged to submit your dockets to the members of the Town Board, of the Town of Cheektowaga, New York, for examination and audit, for the period starting December 1, 1952 and ending May 28, 1953, on Thursday, June 4, 1953 at 2 o'clock, P.M. Eastern Daylight Saving Time, pursuant to the provisions and requirements of Section 31 of the Town Law.

This notice is served upon you pursuant to a resolution by the Town Board adopted May 28, 1953.

Benedict T. Holtz

Stanley Bystrak

Henry J. Nagel

Felix F. Wroblewski

Joseph A. Neibert

Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, the State Comptroller on April 17, 1953 notified the Supervisor that Justice of the Peace Arthur H. Schwartz has failed and neglected to file a report of the moneys received by him and of the cases tried, as required by Section 27 of the Town Law, for the period of January 1, 1953 thru March 1953, and that he has likewise failed to file a report for the month of April 1953, and

WHEREAS, Section 27 of the Town Law in part provides as follows: "Upon receipt of notice from the State Comptroller that a justice has not properly reported or properly accounted for any moneys received by such justice, it shall be unlawful for the town to make any further payment of compensation to such justice until receipt of a notice from the comptroller that a proper accounting has been made." And

WHEREAS, the State Comptroller has directed that payments of further compensation to Arthur H. Schwartz be deferred until further notice from this Department. Be it

RESOLVED, that the Town Board require Arthur H. Schwartz, Justice of the Peace to appear in person and produce his dockets for audit and examination before the Town Board on June 4, 1953 at 2 o'clock P.M. Eastern Daylight Saving Time, and be it further

RESOLVED that a copy of the annexed notice be served personally upon Arthur H. Schwartz, together with a certified copy of this resolution, on or before May 29, 1953.

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

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

AYES: 5

NOES: 0

ABSENT: 0

Councilman Nagel moved, seconded by Councilman Neibert,
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 1st day of June, 1953, at 2:30 o'clock P.M. E.D.S.T. there were:

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

ABSENT: 0

Also present were Town Clerk Hanley; Tax Collector Pfohl; Town Engineer Kamm; Building Inspector Tadio; Chief of Police Mersmann; Town Attorney Doyle; Dog Warden Kraska; Assessor Jerzewski; Assessor Rudynski; General Foreman Eberle and Highway Superintendent 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 Communication read from the State of New York, Department of Public Works, relating to the acceptance of Hyland Avenue as a town highway. Order received and filed.

ITEM NO. 4 Petition presented for street lighting improvement in West Grande Blvd. Order referred the assessors, for a property check.

ITEM NO. 5 Councilman Neibert moved, seconded by Councilman Wroblewski, RESOLVED that Chief of Police Mersmann be authorized and directed to attend the Annual New York State Association Chiefs of Police Conference at Syracuse, New York, July 20 to 23 inclusive.

CARRIED: AYES -5-

ITEM NO. 6 This being the time and place advertised for a public hearing for the improvement of both sides of Walton Drive, extending from the Geib property, located on Walton Drive, in a northerly direction to the north line of the Town of Cheektowaga, New York, by the construction of a permanent pavement along said highway.

The Supervisor directed the Town Clerk to present proof of publication of the notice of the hearing.

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing, and no person or persons appearing in opposition to the purposed improvement the Supervisor order the hearing closed, and the decision was reserved.

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

BE IT RESOLVED to authorize Boulevard Stop Signs to be erected at the following intersections:

- 1 at Glenwood Road and Elwood Road
- 3 at Elwood Road and South Tiorunda Drive
- 1 at South Adeline and West Tiorunda Drive
- 1 at North Adeline and West Tiorunda Drive
- 2 at North Tiorunda and West Tiorunda Drive
- 1 at East Tiorunda and Gladys Road
- 4 at Richard Drive and Shanley Street

Also to erect Children at Play Signs at the following places:

- West Tiorunda near Maryvale Drive
- North Tiorunda at North 15th Street
- East Tiorunda at East 31st Street
- Gladys Road at 22nd Street
- Elwood Road near Beach Road

Seconded by Councilman Nagel,

CARRIED: AYES: -5-

ITEM NO. 8

EXTRACTS FROM MINUTES OF TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, In Erie County, New York, held at the Town Hall, corner Broadway and Union Road, Cheektowaga, New York, in said Town on the 1st day of June, 1953, at 2:30 o'clock p.m. Eastern Daylight Saving Time.

The meeting was called to order by Supervisor Holtz and the roll being called, there were:

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

ABSENT: -0-

The following resolution was offered by Mr. Nagel who moved its adoption, seconded by Mr. Neibert, to wit:

BOND RESOLUTION, DATED JUNE 1, 1953, AUTHORIZING THE ISSUANCE OF \$110,000 SERIAL SEWER DISTRICT NO. 5 BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT OF THE LOCAL FINANCE LAW.

WHEREAS, Sewer District No. 5, hereinafter described is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such, has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York; and

WHEREAS, said Sewer District No. 5 was, by an order duly made by said Town Board on May 18, 1953, extended so as to include certain additional territory within said Town, and said order provides that there shall be constructed in said territory a sanitary sewer system consisting of sewer lines and the appurtenances necessary for their operation at locations specified in the map and plan described in said order and the purpose hereinafter described is a special improvement authorized by said Article 12: NOW, THEREFORE,

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$110,000, pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose"), to be financed by the issuance of such Serial Bonds is the construction of a sanitary sewer system, consisting of the sewer lines and the appurtenances necessary for their operation, in the territory included in the extension of said Sewer District No. 5 by said order adopted by the Town Board of said Town on May 18, 1953, in accordance with said order and pursuant to the provisions of Section 194 of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$110,000, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

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

Section 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

Section 6. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the CHEEKTOWAGA TIMES, a newspaper published and having a general circulation in said Town and which is the official newspaper of said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or if said obligations are authorized in violation of the provisions of the Constitution of New York.

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

The foregoing resolution was 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"

NOES: -0-

STATE OF NEW YORK }
 TOWN OF CHEEKTOWAGA } : SS.

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a Town located in the County of Erie, State of New York, was duly held on June 1, 1953, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board and such minutes appear at page A-29 inclusive of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 1st day of June, 1953.

Kenneth T. Hanley
 Town Clerk

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

LEGAL NOTICE
BOND RESOLUTION, DATED
JUNE 1, 1953, AUTHORIZING
THE ISSUANCE OF \$110,000
SERIAL SEWER DISTRICT No.
5 BONDS OF THE TOWN OF
CHEEKTOWAGA, IN THE
COUNTY OF ERIE, PURSUANT
TO THE LOCAL FINANCE LAW.

WHEREAS, Sewer District No. 5, hereinafter described is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such, has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York; and

WHEREAS, said Sewer District No. 5 was, by an order duly made by said Town Board on May 18, 1953, extended so as to include certain additional territory within said Town, and said order provides that there shall be constructed in said territory a sanitary sewer system consisting of sewer lines and the appurtenances necessary for their operation at locations specified in the map and plan described in said order and the purpose hereinafter described is a special improvement authorized by said Article 12; NOW, THEREFORE,

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$110,000 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose"), to be financed by the issuance of such Serial Bonds is the construction of a sanitary sewer system, consisting of the sewer lines and the appurtenances necessary for their operation, in the territory included in the extension of said Sewer District No. 5 by said order adopted by the Town Board of said Town on May 18, 1953, in accordance with said order and pursuant to the provisions of Section 194 of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$110,000, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

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

Section 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

Section 6. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the CHEEKTOWAGA TIMES, a newspaper published and having a general circulation in said Town and which is the official newspaper of said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 7. This resolution shall be

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 JUN 4 1953; last publication JUN 4 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this JUN 8 1953
day of JUN 8 1953, 1953

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 Councilman Neibert presented the following resolution and moved its adoption:

80

BOND ANTICIPATION NOTE RESOLUTION, DATED JUNE 1, 1953, AUTHORIZING THE ISSUANCE OF \$110,000 BOND ANTICIPATION NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, IN ANTICIPATION OF THE SALE OF SERIAL BONDS AUTHORIZED TO FINANCE IMPROVEMENTS IN SEWER DISTRICT NO. 5 OF SAID TOWN.

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Bond Anticipation Notes of the aggregate principal amount of \$110,000, pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described, in anticipation of the issuance of \$110,000 Serial Bonds, authorized by the bond resolution entitled "Bond Resolution, dated June 1, 1953, authorizing the issuance of \$110,000 Serial Sewer District No. 5 Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law", adopted by the Town Board on June 1, 1953

Section 2. The specific purpose (hereinafter referred to as "purpose") to be financed by the issuance of said notes is the construction of a sanitary sewer system, consisting of the sewer lines and the appurtenances necessary for their operation, in the territory included in the extension of said Sewer District No. 5 by an order adopted by the Town Board of said Town on May 18, 1953, in accordance with said order and pursuant to the provisions of Section 194 of the Town Law of New York.

Section 3. As required by said Local Finance Law, it is hereby stated that (a) there are no outstanding Bond Anticipation Notes issued in anticipation of the sale of said Serial Bonds and (b) the notes authorized by this resolution are not renewal notes and (c) the notes authorized by this resolution shall mature within one year from the date of their issue and (d) such notes are issued in anticipation of bonds for an assessable improvement.

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

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

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

Henry J. Nagel	Voting AYE
Felix T. Wroblewski	Voting AYE
Joseph A. Neibert	Voting AYE
Stanley R. Bystrak	Voting AYE
Benedict T. Holtz	Voting AYE

CARRIED: AYES: -5-

NOES: -0-

ITEM NO. 10

BOND ANTICIPATION NOTE OF 1953 \$30,000.00

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 THIRTY THOUSAND DOLLARS - (\$30,000.00) - - - - - 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, 1953 and annually thereafter.

from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

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

Section 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

Section 6. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the CHEEKTOWAGA TIMES, a newspaper published and having a general circulation in said Town and which is the official newspaper of said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or if said obligations are authorized in violation of the provisions of the Constitution of New York.

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

The bond resolution published herewith has been adopted on the 1st day of June, 1953, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

(6-4)

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 07th weeks; first publication JUN 4 1953; last publication JUN 4 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this JUN 8 1953
day of JUN 8 1953 1953

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 JUNE 1, 1953, AUTHORIZING THE ISSUANCE OF \$110,000 BOND ANTICIPATION NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, IN ANTICIPATION OF THE SALE OF SERIAL BONDS AUTHORIZED TO FINANCE IMPROVEMENTS IN SEWER DISTRICT NO. 5 OF SAID TOWN.

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Bond Anticipation Notes of the aggregate principal amount of \$110,000, pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described, in anticipation of the issuance of \$110,000 Serial Bonds, authorized by the bond resolution entitled "Bond Resolution, dated June 1, 1953, authorizing the issuance of \$110,000 Serial Sewer District No. 5 Bonds of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law", adopted by the Town Board on June 1, 1953.

Section 2. The specific purpose (hereinafter referred to as "purpose") to be financed by the issuance of said notes is the construction of a sanitary sewer system, consisting of the sewer lines and the appurtenances necessary for their operation, in the territory included in the extension of said Sewer District No. 5 by an order adopted by the Town Board of said Town on May 18, 1953, in accordance with said order and pursuant to the provisions of Section 194 of the Town Law of New York.

Section 3. As required by said Local Finance Law, it is hereby stated that (a) there are no outstanding Bond Anticipation Notes issued in anticipation of the sale of said Serial Bonds and (b) the notes authorized by this resolution are not renewal notes and (c) the notes authorized by this resolution shall mature within one year from the date of their issue and (d) such notes are issued in anticipation of bonds for an assessable improvement.

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

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

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

Henry J. Nagel	Voting AYE
Felix T. Wroblewski	Voting AYE
Joseph A. Neibert	Voting AYE
Stanley R. Bystrak	Voting AYE
Benedict T. Holtz	Voting AYE

CARRIED: AYES: -5-

NOES: -0-

ITEM NO. 10

BOND ANTICIPATION NOTE OF 1953 \$30,000.00

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 THIRTY THOUSAND DOLLARS - (\$30,000.00) - - - - - 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, 1953 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 One Hundred Ten Thousand Dollars (\$110,000.00), the notes of which are of like tenure, except as to number, amount and maturity.

This note is issued pursuant to the provisions of a bond anticipation note resolution, dated June 1, 1953, authorizing the issuance of bond anticipation notes of the Town of Cheektowaga, New York in the amount of One Hundred Ten Thousand Dollars (\$110,000.00) in anticipation of the sale of serial bonds authorized to finance improvements in Sewer District No. 5 in said Town, in the amount of One Hundred Ten Thousand Dollars (\$110,000.00).

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 15th day of June, 1953.

TOWN OF CHEEKTOWAGA, ERIE COUNTY,
NEW YORK,
BY: Benedict T. Holtz
Supervisor

ATTEST:

Kenneth T. Hanley
Town Clerk.

ITEM NO. 11

Page A-30

EXTRACTS FROM MINUTES OF TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, in Erie County, New York, held at the Town Hall, corner Broadway and Union Road, Cheektowaga, New York, in said Town on the 1st day of June, 1953, at 2:30 o'clock p.m. Eastern Daylight Saving Time.

The meeting was called to order by Supervisor Holtz and the roll being called there were:

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

ABSENT: -0-

The following resolution was offered by Mr. Nagel who moved its adoption, seconded by Mr. Neibert, to wit:

BOND RESOLUTION, DATED JUNE 1, 1953, AUTHORIZING THE ISSUANCE OF \$80,000 SERIAL SEWER DISTRICT NO. 5. BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

WHEREAS, Sewer District No. 5, hereinafter, described is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such, has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York, and the purpose, hereinafter described, is a special improvement authorized by said Article 12: NOW, THEREFORE,

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$80,000, pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") is the construction of 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 the south of Scajacquade Creek to a point near the easterly boundary of the Pine Hill Union School District school site and thence in a southerly direction to the northerly side of 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 or 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 in order to increase and improve the facilities of said Sewer District No. 5.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$80,000, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

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

Section 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

Section 6. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the CHEEKTOWAGA TIMES, a newspaper published and having a general circulation in said Town, and which is the official newspaper of said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or if said obligations are authorized in violation of the provisions of the Constitution of New York.

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

The foregoing resolution was 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"

NOES: -0-

STATE OF NEW YORK }
TOWN OF CHEEKTOWAGA } ss.

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a Town located in the County of Erie, State of New York, was duly held on June 1, 1953, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at page A-30 inclusive of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 1st day of June, 1953.

Kenneth T. Hanley
Town Clerk

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

**LEGAL NOTICE
BOND RESOLUTION**

BOND RESOLUTION, DATED JUNE 1, 1953, AUTHORIZING THE ISSUANCE OF \$80,000 SERIAL SEWER DISTRICT No. 5 BONDS OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

WHEREAS, Sewer District No. 5, hereinafter described is a sewer district of the Town of Cheektowaga, in the County of Erie, duly established by the Town Board of said Town and, as such, has constructed, maintained and operated a sanitary trunk sewer system for the collection and disposal of sewage within said District in accordance with Article 12 of the Town Law of New York, and the purpose, hereinafter described, is a special improvement authorized by said Article 12: NOW, THEREFORE,

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Serial Bonds of the aggregate principal amount of \$80,000, pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") is the construction of 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 the south of Scajaquada Creek to a point near the easterly boundary of the Pine Hill Union School District School site and thence in a southerly direction to the northerly side of 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 or 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 in order to increase and improve the facilities of said Sewer District No. 5.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$80,000, and (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Serial Bonds, and (d) all of such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

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

Section 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

Section 6. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the CHEEKTOWAGA TIMES, a newspaper published and having a general circulation in said Town and which is the official newspaper of said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 7. This resolution shall take effect immediately.

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 JUN 4 1953; last publication JUN 4 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of JUN 8 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 resolution was 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"

NOES: -0-

STATE OF NEW YORK }
TOWN OF CHEEKTOWAGA } ss.

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a Town located in the County of Erie, State of New York, was duly held on June 1, 1953, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board and such minutes appear at page A-30 inclusive of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 1st day of June, 1953.

Kenneth T. Hanley
Town Clerk

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

and Serial Bonds, and (u) an such cost is to be paid by assessments upon benefitted real property in an area less than the area of said Town.

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

Section 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

Section 6. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the CHEEKTOWAGA TIMES, a newspaper published and having a general circulation in said Town and which is the official newspaper of said Town. The validity of said Serial Bonds or of any bond anticipation notes issued in anticipation of the sale of said Serial Bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or if said obligations are authorized in violation of the provisions of the Constitution of New York.

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

The bond resolution published herewith has been adopted on the 1st day of June, 1953, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice or such obligations were authorized in violation of the provisions of the Constitution of New York.

KENNETH T. HANLEY,
Town Clerk of the Town
of Cheektowaga, New York.
(6-4)

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 JUN 4 1953; last publication JUN 4 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of JUN 8 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. 12

Councilman Neibert presented the following resolution and moved its adoption:

BOND ANTICIPATION NOTE RESOLUTION, DATED JUNE 1, 1953, AUTHORIZING THE ISSUANCE OF \$80,000 BOND ANTICIPATION NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, IN ANTICIPATION OF THE SALE OF SERIAL BONDS AUTHORIZED TO FINANCE IMPROVEMENTS IN SEWER DISTRICT NO. 5 OF SAID TOWN.

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Bond Anticipation Notes of the aggregate principal amount of \$80,000, pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described, in anticipation of the issuance of \$80,000 Serial Bonds, authorized by the bond resolution entitled "Bond Resolution dated June 1, 1953, authorizing the issuance of \$80,000 Serial Sewer District No. 5 of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law", adopted by the Town Board on June 1, 1953.

Section 2. The specific purpose (hereinafter referred to as "purpose") to be financed by the issuance of said notes is 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 the south of Scajacquada Creek to a point near the easterly boundary of the Pine Hill Union School District school site and thence in a southerly direction to the northerly side of West Shore Railroad right-of-way, and the man-holes and other appurtenances suitable for the operation of such trunk sewer, in accordance with an order or resolution authorizing said improvements made by Town Board of said Town on April 6, 1953, pursuant to the provisions of Article 12 of the Town Law of New York in order to increase and improve the facilities of said Sewer District No. 5.

Section 3. As required by said Local Finance Law, it is hereby stated that (a) there are no outstanding Bond Anticipation Notes issued in anticipation of the sale of said Serial Bonds and (b) the notes authorized by this resolution are not renewal notes and (c) the notes authorized by this resolution shall mature within one year from the date of their issue and (d) such notes are issued in anticipation of bonds for an assessable improvement.

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

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

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

Henry J. Nagel	Voting AYE
Felix T. Wroblewski	Voting AYE
Joseph A. Neibert	Voting AYE
Stanley R. Bystrak	Voting AYE
Benedict T. Holtz	Voting AYE

CARRIED: AYES: -5-
NOES: -0-

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 FIFTEEN THOUSAND DOLLARS (\$15,000.00) 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 Eighty Thousand Dollars (\$80,000.00), the notes of which are of like tenure, except as to number, amount and maturity.

This note is issued pursuant to the provisions of a bond anticipation note resolution, dated June 1, 1953, authorizing the issuance of bond anticipation notes of the Town of Cheektowaga, New York, in the amount of Eighty Thousand Dollars (\$80,000.00), in anticipation of the sale of serial bonds authorized to finance improvements in Sewer District No. 5 in said Town, in the amount of Eighty Thousand Dollars (\$80,000.00).

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 15th day of June, 1953.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

BY: Benedict T. Holtz
Supervisor

ATTEST:

Kenneth T. Hanley
Town Clerk

ITEM NO. 14

Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that William Lash of Cheektowaga, New York be and he is hereby provisionally appointed draftsman, to fill the vacancy caused by the resignation of James Walter, at an annual salary of \$3500.00, payable in semi-monthly installments, be it further

RESOLVED, that the Personnel Director of Erie County be requested to hold a competitive Civil Service Examination for draftsman in the Town of Cheektowaga, New York.

This resolution to take effect immediately.

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

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

Voting	<u>Aye</u>
Voting	<u>Aye</u>
Voting	<u>Aye</u>
Voting	<u>Aye</u>
Voting	<u>Aye</u>
ABSENT:	<u>-0-</u>

AYES: -5-

NOES: -0-

ITEM NO. 15 Councilman Wroblewski moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to issue Building Permits on all applications processed by the Petitions Committee on, May 23, 1953 and May 28, 1953 after same have been approved by the Building Inspector.

CARRIES: AYES: -5-
ABSENT:

ITEM NO. 16 Councilman Nagel moved, seconded by Councilman Wroblewski, RESOLVED THAT the following named persons be employed temporarily by the Recreation Department;

Paul Brzycki.....Park Laborer
John Wasielewski.....Park Attendant
John Janus.....Park Attendant

CARRIED: AYES: -5-

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

WHEREAS, an emergency exists in Sanitary Sewer Districts #3 and #5, due to the sewer lines being filled with tree roots, and debris, which for the most part is caused by the unprecedented rains during the spring of this year, and

WHEREAS, much of the equipment used to clean sewers has been broken and the job of keeping the sewers open during heavy rain falls requires repair and replacement, and

WHEREAS, The Town Engineer has obtained quotations for the needed equipment and Frank Donovan Company, 66 Kiniry Drive, Rochester, 9, New York has submitted quotations for the various equipment recommended by the Town Engineer, be it

RESOLVED, that the Supervisor be and he is hereby authorized to purchase from Frank Donovan Company, Rochester, New York, the equipment mentioned and described in the annexed quotations from said Frank Donovan Company, Rochester, New York at a cost of \$3614.75.

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

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

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

ITEM NO. 18 Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, there is a meeting of the State Health Department at Lake Placid, New York, commencing June 4th, 1953, inclusive, be it

RESOLVED, that Dr. Louis A. Vendetti, Health Officer of the Town of Cheektowaga, New York be authorized to attend said conference and the reasonable expense connected therewith be paid by the Town of Cheektowaga.

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-

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, the Polish National Catholic Cathedral of the Holy Mother of the Rosary, a membership corporation with its office and principal place of business located at 182 Sobieski Street, Buffalo, New York, duly filed with this Board a petition to zone for cemetery use the premises hereinafter described; and

WHEREAS, there was attached to said petition a map duly prepared by a licensed Civil Engineer which sets forth in detail an accurate description of the property, together with the consents of more than 75% of the property owners within 1,000 feet of any part of the property to be used for cemetery purposes; and

WHEREAS, such consents are acknowledged in the same form and manner as deeds to be recorded; and

WHEREAS, a public hearing was held upon said petition on the 4th day of May, 1953, the notice of said public hearing having been duly published in the Cheektowaga Times, the official newspaper of the Town of Cheektowaga, New York, a newspaper having general circulation within the Town, at least ten (10) days before the date set for said hearing, which notice specified the time and place of said hearing, the purpose for which said hearing was to be held and a description of the property sought to be zoned for cemetery purposes; and

WHEREAS, at such public hearing all persons interested in the subject matter having been given an opportunity to be heard and all members of the Town Board having personally inspected all the property in the immediate vicinity, and after giving due consideration to the petition and proof submitted at such public hearing, be it

RESOLVED that the following described property be zoned for cemetery purposes:

DESCRIPTION
Of Property Proposed to be Used for
Cemetery Purposes

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 24, Township 11, Range 7, of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the southwest corner of lands conveyed by the County of Erie to the Herald Vault Mfg. Corp. by deed recorded in Erie County Clerk's Office in Liber 5057 of Deeds at page 428, said point of beginning being in the northeast line of a strip of land seven and fifty hundredths, (7.50) feet wide to be used for highway purposes, said strip of land lying adjacent to and northeast of the northeast line of Walden Avenue, as a sixty-six (66) foot highway, thence northwest along the northeast line of said strip of land seven and fifty hundredths (7.50) feet wide, fifty-eight and sixty-two hundredths (58.62) feet to the west line of a fifteen (15) acre parcel of land formerly owned by the Cleveland G. Babcock estate; thence north along the west line of said last mentioned land eight hundred eighty and thirty-four hundredths (880.34) feet to the southeast line of land taken by the State of New York for Thruway purposes; thence northeast along the southeast line of said last mentioned land, two hundred thirty and eighty hundredths (230.80) feet to the east line of the aforementioned land formerly owned by Cleveland G. Babcock Estate; thence south along the east line of said last mentioned land five hundred eight and eighteen hundredths (508.18) feet to the northeast corner of land conveyed by the County of Erie to the Herald Vault Mfg. Corp. by deed recorded in Erie County Clerk's Office in Liber 4558 of Deeds at page 305; thence west at right angles one hundred sixty (160) feet; thence south along the west line of land conveyed by deed recorded in Erie County Clerk's Office in Liber 5057 of Deeds at page 428, four hundred seventy-three and thirty-two hundredths (473.32) feet to the point of beginning containing two and nine hundred two thousandths (2.902) acres of land.

and be it further

RESOLVED, THAT no other lands than those herein specified shall be occupied or used for cemetery purposes or for the burial of dead bodies without a similar petition's being presented to the Town Board and similar action taken thereon.

This resolution shall take effect immediately.

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-

Posted as follows on the 4th day of June, 1953;

85

Town Hall Bulletin Board.

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

LEGAL NOTICE REZONING GRANTED

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 1st day of June, 1953, at 2:30 P.M. Eastern Daylight Saving Time, there were:

PRESENT:
Benedict T. Holtz..... Supervisor
Henry J. Nagel..... Councilman
Felix T. Wroblewski, Councilman
Joseph A. Neibert..... Councilman
Stanley Bystrak Councilman
ABSENT: None.

Councilman Neibert presented the following resolution and moved its adoption:

WHEREAS, the Polish National Catholic Cathedral of the Holy Mother of the Rosary, a membership corporation with its office and principal place of business located at 182 Sobieski Street, Buffalo, New York, duly filed with this Board a petition to zone for cemetery use the premises hereinafter described; and

WHEREAS, there was attached to said petition a map duly prepared by a licensed Civil Engineer which sets forth in detail an accurate description of the property, together with the consents of more than 75% of the property owners within 1,000 feet of any part of the property to be used for cemetery purposes; and

WHEREAS, such consents are acknowledged in the same form and manner as deeds to be recorded; and

WHEREAS, a public hearing was held upon said petition on the 4th day of May, 1953, the notice of said public hearing having been duly published in the Cheektowaga Times, the official newspaper of the Town of Cheektowaga, New York, a newspaper having general circulation within the Town, at least ten (10) days before the date set for said hearing, which notice specified the time and place of said hearing, the purpose for which said hearing was to be held and a description of the property sought to be zoned for cemetery purposes;

WHEREAS, at such public hearing all persons interested in the subject matter having been given an opportunity to be heard and all members of the Town Board having personally inspected all the property in the immediate vicinity, and after giving due consideration to the petition and proof submitted at such public hearing, be it

RESOLVED that the following described property be zoned for cemetery purposes:

DESCRIPTION

Of Property Proposed to be Used for Cemetery Purposes

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 24, Township 11, Range 7, of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the southwest corner of lands conveyed by the County of Erie to the Herald Vault Mfg. Corp. by deed recorded in Erie County Clerk's Office in Liber 5057 of Deeds at page 428, said point of beginning being in the northeast line of a strip of land seven and fifty hundredths (7.50) feet wide to be used for highway purposes, said strip of land lying adjacent to and northeast of the northeast line of Walden Avenue, as a sixty-six (66) foot highway, thence north west along the northeast line of said strip of land seven and fifty hundredths (7.50) feet wide, fifty-eight and sixty-two hundredths (58.62) feet to the west line of a fifteen (15) acre parcel of land formerly owned by the Cleveland G. Babcock Estate; thence north along the west line of said last mentioned land eight hundred eighty and thirty-four hundredths (880.34) feet to the southeast line of land taken by the State of New York for Thruway purposes; thence northeast along the southeast line of said

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA }

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication JUN 4 1953; last publication JUN 4 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of JUN 8 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

Posted as follows on the 4th day of June, 1953;

85

Town Hall Bulletin Board.

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

at such public hearing, be it
RESOLVED that the following
described property be zoned for
cemetery purposes:

DESCRIPTION

Of Property Proposed to be Used
for Cemetery Purposes

ALL THAT TRACT OR PAR-
CEL OF LAND situate in the
Town of Cheektowaga, County
of Erie and State of New York,
being part of Farm Lot 24,
Township 11, Range 7, of the
Holland Land Company's Sur-
vey, bounded and described as
follows:

BEGINNING at the southwest
corner of lands conveyed by the
County of Erie to the Herald
Vault Mfg. Corp. by deed record-
ed in Erie County Clerk's Office
in Liber 5057 of Deeds at page
428, said point of beginning be-
ing in the northeast line of a
strip of land seven and fifty hun-
dredths, (7.50) feet wide to be
used for highway purposes, said
strip of land lying adjacent to
and northeast of the northeast
line of Walden Avenue, as a
sixty-six (66) foot highway,
thence north west along the
northeast line of said strip of
land seven and fifty hundredths
(7.50) feet wide, fifty-eight and
sixty-two hundredths (58.62)
feet to the west line of a fifteen
(15) acre parcel of land formerly
owned by the Cleveland G. Bab-
cock Estate; thence north along
the west line of said last men-
tioned land eight hundred eighty
and thirty-four hundredths
(880.34) feet to the southeast
line of land taken by the State of
New York for Thruway pur-
poses; thence northeast along
the southeast line of said last
mentioned land, two hundred
thirty and eighty hundredths
(230.80) feet to the east line of
the aforementioned land former-
ly owned by Cleveland G. Bab-
cock Estate; thence south along
the east line of said last men-
tioned land five hundred eight
and eighteen hundredths (508.18)
feet to the northeast corner of
land conveyed by the County of
Erie to the Herald Vault Mfg.
Corp. by deed recorded in Erie
County Clerk's Office in Liber
4558 of Deeds at page 305; thence
west at right angles one hun-
dred sixty (160) feet; thence
south along the west line of land
conveyed by deed recorded in
Erie County Clerk's Office in
Liber 5057 of Deeds at page 428,
four hundred seventy-three and
thirty-two hundredths (473.32)
feet to the point of beginning,
containing two and nine hundred
two thousandths (2.902) acres of
land.

and be it further

RESOLVED, that no other lands
than those herein specified shall be
occupied or used for cemetery pur-
poses or for the burial of dead bod-
ies without a similar petition's be-
ing presented to the Town Board
and similar action taken thereon.

This resolution shall take effect
immediately.

Seconded by Councilman Wrob-
lewski 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 eye.

Ayes—5. Noes—0. Absent—0.

State of New York

Erie County

Office of the Clerk of the
Town of Cheektowaga

ss:

This is to certify that I, KEN-
NETH T. HANLEY, Clerk of the
Town of Cheektowaga, in the said
County of Erie, have compared the
foregoing copy of resolution with
the original resolution now on file
at this office, and which was passed
by the Town Board of the Town of
Cheektowaga in said County of
Erie, on the 1st day of June, 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 af-
fixed the seal of said Town this
1st day of June, 1953.

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

SEAL

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA }

WILLARD C. ALLIS, of the Town of Cheekto-
waga, in said County of Erie, being duly sworn,
deposes and says that he is the publisher of the
Cheektowaga Times, a public newspaper pub-
lished weekly in said Town; that the notice, of
which the annexed printed slip, taken from said
newspaper is a copy, was inserted and published
in said paper once a week for one week;
first publication JUN 4 1953;
last publication JUN 4 1953;
and that no more than six days intervened be-
tween publications.

Willard C. Allis

Sworn to before me this.....

day of JUN 8 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

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 29th day of April, 1953.

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS

FROM

TO

South Roycroft

Cleveland Drive

Cleveland Hill
School Property

TYPE OF STREET LIGHTING INSTALLATION

Style 1348 -Upright (Similar to those installed on Wayne Terrace)

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 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 15th day of June, 1953, at 7:30 o'clock P.M., Eastern Daylight Saving Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

VOTING Aye
VOTING Aye
VOTING Aye
VOTING Aye
VOTING Aye

AYES: -5-

NOES: -0-

ABSENT: -0-

Posted as follows on the 4th day of June, 1953

1. Post Corner of Cleveland Drive and South Roycroft Blvd;
2. Post in front of No. 282 South Roycroft Blvd;
3. Post at the corner of South Roycroft Blvd. and Maplevue Drive;
4. Tree in front of No. 210 South Roycroft Blvd;
5. Fence at the foot of South Roycroft Blvd.

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

**NOTICE OF HEARING
STREET LIGHT 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 1st day of June, 1953, at 2:30 o'clock p.m. Eastern Daylight Saving Time, there were:

PRESENT:

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

ABSENT: None.

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 29th day of April, 1953,

**PUBLIC HIGHWAYS TO BE
IMPROVED**

South Roycroft from Cleveland Drive to Cleveland Hill — School Property.

**TYPE OF STREET LIGHTING
INSTALLATION**

Style 1348 — Upright (Similar to those installed on Wayne Terrace.)

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 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 15th day of June, 1953, at 7:30 o'clock p.m., Eastern Daylight Saving Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

Ayes—5. Noes—0 Absent—0.

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

ss: This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 1st day of June, 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 1st day of June, 1953.

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

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication JUN 4 1953; last publication JUN 4 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of JUN 8 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. 21

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED that the Supervisor be and he is hereby authorized to direct the NEW YORK STATE GAS and ELECTRIC CO., BUFFALO, NEW YORK, to make the following light changes and installations:

Bennett Road, Cheektowaga, New York: From 1000 lumen light to 2500 lumen light on the following poles: No. 8, No. 12, No. 18, No. 21 and No. 25.

Como Park Blvd. from 100 lumen light to 2500 lumen light on poles: No. 35, No. 37 and No. 75.

Hormoine Street install one 1000 lumen light on pole No. 2.

Park Street from 1000 to 2500 on poles No. 1 and

Danforth Street from 1000 lumen light to 2500 lumen

light on pole No. 3.

Bellevue Blvd. from 1000 lumen light to 2500 on pole

No. 3.

Messer Street install 1000 lumen lights on the following poles No. 1, No. 3 and No. 5.

Seconded by Councilman Wroblewski and duly put to a vote.

Supervisor Holtz,	Voting	Aye
Councilman Neibert,	Voting	Aye
Councilman Wroblewski,	Voting	Aye
Councilman Bystrak,	Voting	Aye
Councilman Nagel,	Voting	Aye
AYES: -5-	NOES: -0-	ABSENT: -0-

ITEM NO. 22

Councilman Bystrak presented the following resolution and moved its adoption:

RESOLVED, that the Supervisor be and he is hereby authorized to direct the NIAGARA MOHAWK POWER CORP., BUFFALO, NEW YORK, to make the following installation:

HERBERT AVE., Cheektowaga, N. Y. install one 2500 lumen light on pole No. 6.

Seconded by Councilman Wroblewski and duly put to a vote.

Supervisor Holtz,	Voting	Aye
Councilman Neibert,	Voting	Aye
Councilman Wroblewski,	Voting	Aye
Councilman Bystrak,	Voting	Aye
Councilman Nagel,	Voting	Aye
AYES: -5-	NOES: -0-	ABSENT: -0-

ITEM NO. 23

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Town of Cheektowaga, New York submitted a bid to the County of Erie to purchase two lots on Hemingway Road in the Town of Cheektowaga, New York, to be utilized for drainage purposes for the sum of \$220.51, which bid had been accepted by the County of Erie, be it

RESOLVED, that the Supervisor be and he is hereby authorized to pay the purchase price of said lots to the County of Erie, including the recording fee of \$1.40 and revenue stamps 55¢.

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

Supervisor Holtz,	Voting	Aye
Councilman Nagel,	Voting	Aye
Councilman Wroblewski,	Voting	Aye
Councilman Neibert,	Voting	Aye
Councilman Bystrak,	Voting	Aye
AYES: -5-	NOES: -0-	ABSENT: -0-

ITEM NO. 24.

Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED that the Supervisor be, and he is hereby authorized to purchase from the Underwood Corporation, Ellicott Square Building, Buffalo, New York, one new Underwood Standard Typewriter, at a cost, less discount of \$145.00, be it further

RESOLVED, that he is authorized to sell the Underwood Corporation a 1942 Standard Underwood Typewriter #11-5777754, for \$40.00, leaving a net cost for said new Underwood Typewriter \$105.00,

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

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

Voting	Aye
Voting	Aye
Voting	Aye
Voting	Aye
Voting	Aye
ABSENT:	-0-

AYES: -5-

NOES: -0-

ITEM NO. 25

Councilman Nagel presented the following resolution and moved its adoption:

WHEREAS, Peinkofer Construction Corp. and Foisset Corp. both domestic corporations organized and existing under the Laws of the State of New York, with their offices in the Town of Cheektowaga, and Buffalo, New York, Erie County, New York, have constructed homes on Ontario Drive from Huth Road to Foisset Avenue, and on Foisset Avenue from Huth Road to a point of intersection of Ontario Drive in the Town of Cheektowaga, New York and have constructed the foundation for the highway 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 of the weather, and 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 Five Thousand Dollars (\$5,000.00), and

WHEREAS, Peinkofer Construction Corp. and Foisset Corp. 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 the Peinkofer Construction Corp. and Foisset Corp. which contract is to provide that the said Peinkofer Construction Corp. and Foisset Corp. will place the topping on said streets and complete the same in accordance with the specifications of the Town Highway Department and regulations of the Town of Cheektowaga, on or before November 1, 1953.

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 Corp. and Foisset Corp. execute and deliver to the Town of Cheektowaga, a surety bond in the sum of Five Thousand Dollars (\$5,000.00) as security for the faithful performance of the aforementioned contract; and be it further

RESOLVED that said contract contain a provision that in the even the said sum of Five Thousand Dollars (\$5,000.00) is insufficient to pay the cost of the completion of said highways then the said Peinkofer Construction Corp. and Foisset Corp. agree to pay any sum required in excess of that amount.

Seconded by Councilman Wroblewski and duly put to a vote.

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

Voting	Aye
Voting	Aye
Voting	Aye
Voting	Aye
Voting	Aye
ABSENT:	-0-

AYES: -5-

NOES: -0-

THIS AGREEMENT, made this 1st day of June, 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 Wrie, New York, party of the first part, and Peinkofer Construction Corp. of 750 Maryvale Drive, Cheektowaga, New York, and The Foisset Corporation, of 1368 Sycamore Street, Buffalo, N.Y., 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 Ontario Drive from Huth Road to Foisset Avenue and on Foisset Avenue from Huth Road to the point of intersection of Ontario Drive in the Town of Cheektowaga, New York, and 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 Ontario Drive from Huth Road to Foisset Avenue and from Foisset Avenue from Huth Road to the point of intersection of Ontario Drive 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, N.Y. on or before November 1, 1953.

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 Five Thousand Dollars (\$5,000.00) 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 November 1, 1953. 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 expenses incurred by it in completing said highways, in the event the said sum of Five Thousand Dollars (\$5,000.00) 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 company is limited to the sum of Five Thousand Dollars (\$5,000.00).

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:

Supervisor

PEINKOFER CONSTRUCTION CORP.

BY: Alois Peinkofer (Pres.)

FOISSET CORPORATION

BY: Edward B. Kotowski

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

On this 1st day of June, 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 CORP. one of the corporations described in and which executed the above instrument; that he knows the seal of said corporations; 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 1st day of June, 1953, before me personally came Edward B. Kotowski, to me known, who being by me duly sworn, did depose and say that he resides in the City of Buffalo, Erie County, New York, that he is the President of FOISSET CORPORATION, one of the corporations described in and which executed the above instrument; that he knows the seal of said corporations; 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. 26 Mr. Neibert offered the following resolution and moved its adoption:

WHEREAS, a written petition was duly filed with this Board for the improvement of the highway known as Floral Place by the construction of a lateral sewer in said property, to wit: from its intersection with Union Road and running westerly therefrom to the west end of said Floral Place a distance of about 851 feet, which sewer shall be so constructed as to serve the properties on both sides of the said public highway.

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

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of \$5,500.00:

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

ORDERED, that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 15th day of June, 1953, at 7:30 o'clock p.m., Eastern Daylight Saving Time of that day for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and be it

FURTHER RESOLVED AND ORDERED that the Town Clerk be and is hereby

ORDERED AND DIRECTED to publish a certified copy of this resolution and order in the CHEEKTOWAGA TIMES not less than ten nor more than 20 days prior to the date of hearing, and that on or before said date he post conspicuously certified copies of this order in five public places along the said portion of said highway to be improved.

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

- Posted as follows on the 4th day of June, 1953;
1. Telephone pole No. 3 on Floral Place;
 2. Telephone pole No. 2 on Floral Place;
 3. Telephone pole No. 423 on Floral Place;
 4. Post at the corner of Union Road and Floral Place;
 5. Telephone pole corner of Union Road and Floral Pl.

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

NOTICE OF HEARING
SANITARY SEWER
CONSTRUCTION

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 1st day of June, 1953 at 2:30 o'clock p.m., Eastern Daylight Saving Time, there were:

PRESENT:
Benedict T. Holtz..... Supervisor
Henry J. Nagel..... Councilman
Felix T. Wroblewski, Councilman
Joseph A. Neibert..... Councilman
Stanley Bystrak Councilman
ABSENT: None.

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

WHEREAS, a written petition was duly filed with this Board for the improvement of the highway known as Floral Place by the construction of a lateral sewer in said property, to wit: from its intersection with Union Road and running westerly therefrom to the west end of said Floral Place a distance of about 851 feet, which sewer shall be so constructed as to serve the properties on both sides of the said public highway.

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

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

WHEREAS, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of \$5,500.00:

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

ORDERED, that the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet at the Town Hall, corner of Union Road and Broadway, in said Town, on the 15th day of June, 1953, at 7:30 o'clock p.m., Eastern Daylight Saving Time of that day for the purpose of considering the said petition and hearing of persons interested in the subject thereof concerning the same, and be it

FURTHER RESOLVED AND ORDERED that the Town Clerk be and is hereby

ORDERED AND DIRECTED to publish a certified copy of this resolution and order in the CHEEKTOWAGA TIMES not less than ten nor more than 20 days prior to the date of hearing, and that on or before said date he post conspicuously certified copies of this order in five public places along the said portion of said highway to be improved.

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
Carried: Ayes—5. Noes—0
Absent—0.

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 1st day of June, 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 1st day of June, 1953.

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

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication JUN 4 1953; last publication JUN 4 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

JUN 8 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

ITEM NO. 27. Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that pursuant to the provisions of the Town Law of the State of New York, the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet on the 15th day of June, 1953 at 7:30 P.M. Daylight Saving Time for the purpose of considering the advisability of enacting the following general Town Ordinances to be known as "Unlawful Intrusion On Real Property." No person shall intrude upon any lot or parcel of land within the bounds of the Town of Cheektowaga, New York outside the Villages of Sloan and Depew without authority from the owner thereof, nor shall any person erect or occupy thereon any hut or other structure whatever without such authority. No person shall place, erect or occupy within the bounds of any town highway or publicly owned property, any hut or other structure without lawful authority. Any person violating this Ordinance shall be liable to a fine not to exceed \$50.00 or imprisonment not to exceed six months, or both.

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

RESOLVED and ORDERED that the Town Clerk, 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 or cause to be posted conspicuously certified copies of this order in six (6) public places within the Township, including the signboard maintained by the Town Clerk at the Town Hall.

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

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

Voting	Aye
Voting	Aye
Voting	Aye
Voting	Aye
Voting	Aye
ABSENT:	-0-

AYES: -5-

NOES: -0-

Posted as follows on the 4th day of June, 1953;

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

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

NOTICE OF HEARING PROPOSED ORDINANCE

At a regular meeting of the Town Board of the Town of Cheektowaga Erie County, New York, held at the Town Hall in said Town of Cheektowaga on the 1st day of June, 1953, at 2:30 P.M. Eastern Daylight Saving Time, there were:

PRESENT:

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

ABSENT: None.

Councilman Nagel presented the following resolution and moved its adoption:

RESOLVED, that pursuant to the provisions of the Town Law of the State of New York, the Town Board of the Town of Cheektowaga, Erie County, New York, shall meet on the 15th day of June, 1953 at 7:30 P.M. Daylight Saving Time for the purpose of considering the advisability of enacting the following general Town Ordinances to be known as "Unlawful Intrusion On Real Property." No person shall intrude upon any lot or parcel of land within the bounds of the Town of Cheektowaga, New York outside the Villages of Sloan and Depew without authority from the owner thereof, nor shall any person erect or occupy thereon any hut or other structure whatever without such authority. No person shall place, erect or occupy within the bounds of any town highway or publicly owned property, any hut or other structure without lawful authority. Any person violating this Ordinance shall be liable to a fine not to exceed \$50.00 or imprisonment not to exceed six months, or both.

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

RESOLVED and ORDERED that the Town Clerk, 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 or cause to be posted conspicuously certified copies of this order in six (6) public places within the Township, including the signboard maintained by the Town Clerk at the Town Hall.

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

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

ss:

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 1st day of June, 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 1st day of June, 1953.

KENNETH T. HANLEY,
Clerk of the Town Board,
Town of Cheektowaga, N. Y.
(6-4)

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 JUN 4 1953; last publication JUN 4 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of JUN 8 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

DECISION OF
ZONING BOARD OF APPEALS

In the Matter of the Application
of
MOLCO REALTY CORP.
To Zone Certain Property Located on
Walden Avenue from "Residential" To
"Second Industrial".

The petitioner seeks to zone from "Residential" to
"Second Industrial" the property hereinafter described.

It is stated in the petition and the plans attached
thereto, and in our investigation, that the premises are to be used
for the purpose of constructing a warehouse merchandise distributing
center and truck terminal. This property is located in a "First
Industrial" zone.

We recommend that the application be granted to the
extent of changing the zoning of the property hereinafter described
from "Residential" to "First Industrial". No property in this
immediate area is now zoned "Second Industrial".

Leo Kurnick
Chairman

Michael L. Henfling

C. G. Hanson

Lawrence M. Jouniszgak

Joseph P. Kubera

WHEREAS, the Zoning Board of Appeals held a public hearing on the 6th day of May, 1953, for the purpose of considering the application of Mokco Realty Corporation, by Nathan Rovner, president, for the rezoning from Residence District to Second Industrial 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 21st day of May, 1953, having rendered its decision granting the application of petitioner to rezone from Residence District to First Industrial 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 regular meeting thereon on the 1st day of June, 1953.

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

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

DESCRIPTION

BEGINNING at a point in the center line of Walden Avenue as now laid out (formerly Gravel Road) eighteen hundred fifty-five (1855) feet east of the easterly line of Harlem Road as now laid out, which point of beginning is the southwest corner of lands formerly conveyed to Emil Wahl and Emma Wahl, his wife, by deed recorded in Erie County Clerk's Office in Liber 1264 of Deeds at page 291; thence easterly along the center line of Walden Avenue four hundred twelve and seventeen hundredths (412.17) feet; thence northerly along the easterly line of lands formerly conveyed to said Emil Wahl and Emma Wahl, his wife, eighteen hundred twenty-two and sixty-three hundredths (1822.63) feet to the south line of lands formerly conveyed by Magdalena Ernst and George Ernst, her husband, to the New York, West Shore and Buffalo Railway Company by deed dated January 25, 1883, recorded in Erie County Clerk's Office in Liber 435 of Deeds at page 65; thence southwesterly along the southerly line of lands so conveyed to the said New York, West Shore and Buffalo Railway Company four hundred fifty-four and twenty-six hundredths (454.26) feet to the west line of lands formerly conveyed to Emil Wahl and Emma Wahl, his wife, as aforesaid; thence southerly and parallel with the easterly line hereof and along the westerly line of lands so conveyed to said Emil Wahl and Emma Wahl, his wife, fourteen hundred fifty-seven and sixty-five hundredths (1457.65) feet to the place of beginning, excepting therefrom all that part lying southeasterly of the northwesterly line of New Walden Avenue as appropriated by the State of New York (See Liber 4806 of Deeds at page 410, Map Number 267, Parcel Number 267, and Liber 4806 of Deeds at page 403, Map Number 247, Parcel Number 247).

Dated: June 1, 1953.

HERBERT T. HANLEY

Town Clerk
Town of Cheesbrough, N.Y.

Posted as follows on the 15th day of June, 1953;
Posted Town Hall Bulletin Board.

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

STATE OF NEW YORK
COUNTY OF ERIE

Appeals Board of
Appeals held a public hearing on
the 6th day of May, 1953, for the
purpose of considering the appli-
cation of Molco Realty Corpora-
tion, by Nathan Rovner, president,
for the rezoning from Resi-
dence District to Second Indus-
trial of the property hereinafter
described, and attending the Zon-
ing Board of Appeals of the
West Shore and Buffalo Railway
Company four hundred fifty-four
and twenty-six hundredths (454.26)
feet to the west line of lands for-
merly conveyed to Emil Wahl and
Emma Wahl, his wife, as afore-
said; thence southerly and parallel
with the easterly line hereof and
along the westerly line of lands so
conveyed to said Emil Wahl and
Emma Wahl, his wife, fourteen
hundred fifty-seven and sixty-five
hundredths (1457.65) feet to the
place of beginning, excepting
therefrom all that part lying south-
easterly of the northwesterly line
of New Walden Avenue as appro-
priated by the State of New York
(See Liber 4906 of Deeds at page
418, Map Number 267, Parcel
Number 267, and Liber 4906 of
Deeds at page 403, Map Number
267, Parcel Number 247).
Dated: June 1, 1953.
KENNETH T. HANLEY,
Town Clerk
Town of Cheektowaga, N.Y.
The annual zoning map of
the Town of Cheektowaga, N.Y.
is hereby published for public
inspection in the office of the
Town Clerk.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheek-
towaga, Erie County, New York, that notice of which the
annexed printed slip taken from said newspaper, is a copy,
was inserted and published therein once a week for
_____ week, the first insertion being on the
11th day of June, 1953, and
the last insertion being on the _____ day of
_____, 19____, and that not
more than six days intervened between any two publi-
cations thereof.

Richard G. Bennett

Sworn to before me this 15th day of

June, 1953.
Kenneth T. Hanley
Notary Public in and for Erie County.

Notary Public

DECISION OF
ZONING BOARD OF APPEALS

92

In the Matter of the Application
of

RUSSELL J. AFFRONTI

To Zone from "Residence" to "Business"
Property Located on Old Genesee Street,
100 feet West of New Beach Road.

The petitioner seeks to zone the following described property for business use to consist of a store and apartment above the store. The Zoning Board of Appeals has recently zoned for business use property next to this property.

The Zoning Board of Appeals does not believe that the property in this immediate area is desirable for residence use and for that reason recommends that the application to zone from "Residence" to "Business" be granted.

Leo Kurnick
Chairman

Michael L. Henfling

C. G. Hanson

Lawrence M. Jouniszgak

Joseph P. Kibara

of Appeals held a public hearing on the 6th day of May, 1953, for the purpose of considering the application of Russell J. Affronti for the rezoning from Residence 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 21st day of May, 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 regular meeting thereon on the 1st day of June, 1953.

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

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

DESCRIPTION

Acreage — Old Genesee Street,
100 feet west of New Beach Road,
120 x 120 feet.

KENNETH T. HANLEY,
Town Clerk

Town of Cheektowaga,
New York.

Dated: 6-1-53.

(6-4)

Posted as follows on the 15th day of June, 1953;
Posted Town Hall Bulletin Board.

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

STATE OF NEW YORK
COUNTY OF ERIE

Appeals Board a public hearing on the 21st day of May, 1953, for the purpose of considering the application of Mosco Realty Corporation, by Nathan Boyner, president, for the rezoning from Residence District to Second Industrial 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 21st day of May, 1953, having rendered its decision granting the application of petitioner to remove from Residence District to First Industrial 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 public meeting thereon on the 26th day of June, 1953,

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to remove from Residence District to First Industrial District be and the same is hereby confirmed and approved.

NOW, THEREFORE, BE IT RESOLVED, by this Town Board that the Ordinance adopted December 31, 1952, and as now amended, entitled "Zoning Ordinance" be and the same hereby is amended by changing the Zoning Map so as to change the following described property from that of "Residential District" to "First Industrial District."

DESCRIPTION

BEGINNING at a point in the center line of Walden Avenue as now laid out (formerly Gravel Road) eighteen hundred fifty-five (1855) feet east of the easterly line of Harlem Road as now laid out, which point of beginning is the southwest corner of lands formerly conveyed to Emil Wahl and Emma Wahl, his wife, by deed recorded in Erie County Clerk's Office in Liber 1294 of Deeds at page 291; thence easterly along the center line of Walden Avenue four hundred twelve and seventeen hundredths (412.17) feet; thence northerly along the easterly line of lands formerly conveyed to said Emil Wahl and Emma Wahl, his wife, eighteen hundred twenty-two and sixty-three hundredths (1822.63) feet to the south line of lands formerly conveyed by Magdalena Ernst and George Ernst, her husband, to the New York, West Shore and Buffalo Railway Company by deed dated January 25, 1909, recorded in Erie County Clerk's Office in Liber 435 of Deeds at page 65; thence southwesterly along the southerly line of lands conveyed to the said New York, West Shore and Buffalo Railway Company four hundred fifty-four and twenty-six hundredths (454.26) feet to the west line of lands formerly conveyed to Emil Wahl and Emma Wahl, his wife, as aforesaid; thence southerly and parallel with the easterly line hereof and along the westerly line of lands so conveyed to said Emil Wahl and Emma Wahl, his wife, fourteen hundred fifty-seven and sixty-five hundredths (1457.65) feet to the place of beginning, excepting therefrom all that part lying southeasterly of the northwesterly line of New Walden Avenue as appropriated by the State of New York (See Liber 4906 of Deeds at page 418, Map Number 267, Parcel Number 267, and Liber 4906 of Deeds at page 403, Map Number 267, Parcel Number 247).

Dated: June 1, 1953.

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 11th day of June, 1953, and the last insertion being on the _____ day of _____, 19____, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

day of

1953

in and for Erie County.

DECISION OF
ZONING BOARD OF APPEALS

92

In the Matter of the Application
of

RUSSELL J. AFFRUNTI

To Zone from "Residence" to "Business"
Property Located on Old Genesee Street,
100 feet West of New Beach Road.

The petitioner seeks to zone the following described property for business use to consist of a store and apartment above the store. The Zoning Board of Appeals has recently zoned for business use property next to this property.

The Zoning Board of Appeals does not believe that the property in this immediate area is desirable for residence use and for that reason recommends that the application to zone from "Residence" to "Business" be granted.

Leo Kurnick
Chairman

Michael L. Henfling

C. G. Hanson

Lawrence M. Jouniszgak

Joseph P. Ebbora

of Appeals held a public hearing on the 6th day of May, 1953, for the purpose of considering the application of Russell J. Affrunti for the rezoning from Residence 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 21st day of May, 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 regular meeting thereon on the 1st day of June, 1953.

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

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

DESCRIPTION

Acreage — Old Genesee Street,
100 feet west of New Beach Road,
120 x 120 feet.

KENNETH T. HANLEY,
Town Clerk

Town of Cheektowaga,
New York.

Dated: 6-1-53.

(6-4)

Posted as follows on the 6th day of June, 1953;

Town Hall Bulletin Board.

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

**LEGAL NOTICE
REZONING GRANTED**

WHEREAS, the Zoning Board of Appeals held a public hearing on the 6th day of May, 1953, for the purpose of considering the application of Russel J. Affrunti for the rezoning from Residence 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 21st day of May, 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 regular meeting thereon on the 1st day of June, 1953.

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

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

DESCRIPTION

Acreage — Old Genesee Street,
100 feet west of New Beach Road,
120 x 120 feet.

KENNETH T. HANLEY,
Town Clerk

Town of Cheektowaga,
New York.

Dated: 6-1-53.

(6-4)

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 JUN 4 1953

last publication JUN 4 1953

and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of JUN 8 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 28, 1955
Registered No. 5029

DECISION OF
ZONING BOARD OF APPEALSIn the Matter of the Application
of

93

FRED D. MULLER
To Zone From "Residence" to "First
Industrial" on Old Walden Avenue,
Cheektowaga, New York.

The property in the immediate vicinity of the property sought to be zoned, as hereinafter described, is now used for industrial purposes.

~~The application for the application be granted.~~

1953

Reopening Council

WHEREAS, the Zoning Board of Appeals held a public hearing on the 6th day of May, 1953, for the purpose of considering the application of Fred D. Muller for the rezoning from Residence District to First Industrial 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 21st day of May, 1953, having rendered its decision granting the application of petitioner to rezone from Residence District to First Industrial 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 regular meeting thereon on the 1st day of June, 1953.

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

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

DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of lot number twenty-four (24) township eleven (11) range seven (7) of the Holland Land Company's survey and more particularly described as follows: BEGINNING at a point in the west line of lands conveyed to Walden Properties, Inc., by deed recorded in the Erie County Clerk's Office in Liber 3980 of Deeds, at page 480, distant six hundred twenty-seven and seventy-one hundredths (627.71) feet north measured along said west line from the center line of Old Walden Avenue; thence continuing north, along the west line heretofore mentioned as extended in a straight line, a distance of one hundred (100) feet to a point; thence easterly, at right angles from last mentioned line a distance of three hundred forty-five and sixty hundredths (345.60) feet to a point in the center line of a private road; said road being one hundred (100) feet in width; thence south at right angles from last described course, a distance of one hundred (100) feet to a point; thence west at right angles a distance of three hundred forty-five and sixty hundredths (345.60) feet to the place of beginning.

Dated: June 1, 1953.

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

Leo Kurnick
Chairman

Michael L. Henfling

C. G. Hanson

Lawrence M. Jauniaszak

Joseph P. Kubera

Posted as follows on the 15th day of June, 1953;
Town Hall Bulletin Board.

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

STATE OF NEW YORK
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

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

Richard G. Bennett

Sworn to before me this _____ day of _____, 19____.

Handwritten signature

Notary Public in and for Erie County

IN 52880

Pine Hill Wins Per
Trophy By Downin
By virtue of winning the last
event of the meet, the 880 yard
relay, Pine Hill High School won
the third leg of the Little 3 Tro-
phy and thus gained permanent
possession of it. The meet which
was held at Sloan last Tuesday an-
nounced with Pine Hill on top with
48%, Depew 47 and Sloan 22%.

Summary of individual winners:
100 yd., Frank Lojaccono (D) 10:9;
220 yds., Lojaccono (D) 23.5; 440
yd., Gerald Hopeman (D) 60.6; 880
yd., Nick Pelletier (D) 2:18.1;
mile, Ron Herb (D) 5:09.7; high
jump, Howard Tresp (PH) 6 ft. 8
in.; broad jump, Carmen Festa
(PH) 18 ft. 9 in.; shot put, Rich-
ard Golembewski (S) 40 ft. 2 1/2 in.;
discus, Mike Petrocy (PH) 102 ft.;
pole vault, Jim Brooking (S) 8 ft.
8 in.; 880 yd. relay (PH), Dick

ITEM NO. 31 Councilman Nagel moved, seconded by Councilman 94
Wroblewski, that all claims presented at this meeting be approved and
that the Town Clerk be authorized and directed to draw a warrant on the
Supervisor for payment of same.

the Supervisor. Warrant No. 974 to No. 1051, inclusive, drawn on

ITEM NO. 32 Councilman Nagel moved, seconded by Councilman
Neibert to adjourn.

Kenneth T. Hanley
Town Clerk

SEAL

Posted as follows on the 15th day of June, 1953;
Town Hall Bulletin Board.

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

STATE OF NEW YORK
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheek-
towaga, Erie County, New York, that notice of which the
annexed printed slip taken from said newspaper, is a copy,
was inserted and published therein once a week for
..... week, the first insertion being on the
11th day of June, 1953, and
the last insertion being on the day of
....., 19....., and that not
more than six days intervened between any two publi-
cations thereof.

day of

19.....

in and for Erie County

WHEREAS, the Zoning Board of Appeals held a public hearing on the 6th day of May, 1953, for the purpose of considering the application of Fred D. Muller for the rezoning from Residence District to First Industrial 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 21st day of May, 1953, having rendered its decision granting the application of petitioner to rezone from Residence District to First Industrial 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 regular meeting thereon on the 1st day of June, 1953.

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

NOW, THEREFORE, BE IT ORDERED, by this Town Board that the Ordinance adopted December 21, 1943, and as now amended, entitled "Zoning Ordinance" be and the same hereby is amended

ALL THAT certain lot of land situated in the Town of Cheektowaga, County of Erie and State of New York, being part of lot number twenty-four (24) town, six (6) range seven (7) of the Holland Land Company's survey and more particularly described as follows: BEGINNING at a point in the west line of lands conveyed to Walden Properties, Inc., by deed recorded in the Erie County Clerk's Office in Liber 3980 of Deeds, at page 480, distant six hundred twenty-seven and seventy-one hundredths (627.71) feet north measured along said west line from the center line of Old Walden Avenue; thence continuing north, along the west line heretofore mentioned as extended in a straight line, a distance of one hundred (100) feet to a point; thence easterly, at right angles from last mentioned line a distance of three hundred forty-five and sixty hundredths (345.60) feet to a point in the center line of a private road; said road being one hundred (100) feet in width; thence south at right angles from last described course, a distance of one hundred (100) feet to a point; thence west at right angles a distance of three hundred forty-five and sixty hundredths (345.60) feet to the place of beginning.

Dated: June 1, 1953.

KENNETH T. HANLEY,

Town Clerk

241 Town of Cheektowaga, N.Y.

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 5th day of June, 1953, at 10:00 o'clock A.M., E.D.S.T., there were:

PRESENT:

Benedict T. Holtz

Supervisor

ALSO PRESENT WAS TOWN CLERK, KENNETH T. HANLEY.

ITEM NO. 2 The Supervisor announced that the regular adjourned meeting scheduled for this date has been postponed.

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 13th day of June, 1953, at 11:30 o'clock A.M., E.D.S.T., there were:

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

ABSENT: -0-

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

ITEM NO. 2

TO

WILLIAM M. TADIO
4821 Genesee Street
Cheektowaga, N. Y.

PLEASE TAKE NOTICE, that the annexed written charges preferred against you by Kenneth T. Hanley, Town Clerk, of the Town of Cheektowaga, N.Y., a copy of which is herewith served upon you will be brought on for hearing and trial before the Town Board of the Town of Cheektowaga, N.Y. at the Town Hall, corner Union Road and Broadway, Cheektowaga, N.Y., on the 22nd day of June, 1953 at 7 o'clock P.M. Eastern Daylight Saving Time.

PLEASE TAKE FURTHER NOTICE that you are entitled to be heard in person and to be represented by counsel and introduce and furnish evidence in your own behalf at said hearing and trial.

FURTHER TAKE NOTICE that if you are found guilty by the Town Board you will be subject to removal from your position and to dismissal from the service of the Town of Cheektowaga, N.Y. or to which such penalty or punishment as may be authorized by law.

Dated: Cheektowaga, New York June 13, 1953.

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

SPECIFICATIONS OF CHARGES
TO THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA
CHEEKTOWAGA, NEW YORK

AND TO

WILLIAM M. TADIO, Building and Plumbing Inspector
4821 Genesee Street
Cheektowaga, N.Y.

I, KENNETH T. HANLEY, Town Clerk of the Town of Cheektowaga, New York, do hereby charge WILLIAM M. TADIO, holding the position of Building and Plumbing Inspector in the classified Civil Service in the Town of Cheektowaga, New York, subject to competitive examination, with incompetence, misconduct and insubordination as follows:

FIRST: The Town Board of the Town of Cheektowaga, New York, on December 21, 1942 duly adopted, pursuant to law, plumbing and draining ordinances. That Section #1, Sub-division #9 provides as follows:

"The following fees for inspection shall be paid to the Inspector at the time the plans are filed, by the plumber or owner of the premises where the work is to be done."

Section 1, subdivision #2 provides in part as follows:

"The Building and Plumbing Inspector shall turn over to the Town Clerk all inspection fees received by him within thirty (30) days after receipt thereof."

Upon information and belief that on or about the 31st day of March, 1952 Barney Miller, a duly licensed plumber in the Town of Cheektowaga, made an application to the Town Clerk to connect a 4" cast iron sewer from main sewer to the building located at the premises 313 Cleveland Drive, Cheektowaga, New York and that on March 31, 1952 said application was approved by William M. Tadio. That he was paid \$11.00 for fees, under the plumbing and draining ordinances by Barney Miller and that the said sum of \$11.00 or any part thereof was not paid by the said William M. Tadio to Kenneth T. Hanley, Town Clerk.

SECOND: That on the 5th day of March 1952 Ackerman & Huebsch, duly licensed plumbers in the Town of Cheektowaga, New York, applied to the Town Clerk to construct a 6" tile sewer from the main sewer to within 5 feet of building, then use 4" extra heavy cast iron. That said application was approved for premises 20 - 26 Hunting Road, Cheektowaga, New York. That said Ackerman & Huebsch paid William M. Tadio for fees in connection with installation of tile sewer the sum of \$20.00 and that no part thereof was paid by William M. Tadio to Kenneth T. Hanley, Town Clerk.

THIRD: That on or about the 8th day of June, 1951 Frank J. Alessi, an unlicensed plumber applied to William M. Tadio, building and plumbing inspector, for permission to make plumbing installations in a building located on Ludwig Avenue, Cheektowaga, N.Y. belonging to Summer & Co., that the said William M. Tadio, building and plumbing inspector permitted him to make such installations and received from the said Frank J. Alessi, a check in the amount of \$35.00, that said check was endorsed by William M. Tadio and he received the proceeds thereof; and that no part of the said \$35.00 was paid by William M. Tadio, building and plumbing inspector to Kenneth T. Hanley, Town Clerk.

FOURTH: Heretofore and on the 27th day of March, 1951 Paul Vogel, a duly licensed plumber in the Town of Cheektowaga, N.Y. applied to the Town Clerk to approve sewer connections and make inspection on premises known as 18, 14, 20, 26, and 32 Roxborough Ave., and 182, 184, and 186 Broad Street in the Town of Cheektowaga, N.Y. That this application was referred to William M. Tadio, building and plumbing inspector whose duty it was to make the inspection. That on the 27th day of March, 1951 the said Paul Vogel paid to William M. Tadio the sum of \$136.00, which represented the fees due the Town of Cheektowaga for making said inspection. That the said sum of \$136.00 was not paid by William M. Tadio, to the Town Clerk.

FIFTH: That on October 18, 1950 Ray Ackerman, a duly licensed plumber in the Town of Cheektowaga, N.Y. applied to the Town Clerk for permission to construct a 6" tile sewer from the main sewer to a building located at 2880 Genesee Street and that on the 18th day of October 1950 the application to make such sewer connection was approved by William M. Tadio. That said Ray Ackerman paid to William M. Tadio, on or about October 18, 1950 the sum of \$12.00 for said sewer connection and certain plumbing inspections. That the said sum of \$12.00 was not paid by William M. Tadio, to the Town Clerk.

SIXTH: That on July 8, 1950 Francis Hall, a duly licensed plumber in the Town of Cheektowaga, N.Y. applied to the Town Clerk for a permit to construct a 6" tile sewer from the main sewer to the building located at 55 Wainwright Street. That said Francis Hall on or about July 8, 1950 paid to William M. Tadio the sum of \$2.00 but said sum of \$2.00 was not paid by William M. Tadio to the Town Clerk.

SEVENTH: That on or about April 19, 1951 Jack Piazza, a duly licensed plumber in the Town of Cheektowaga, N.Y. applied to the Town Clerk for a permit to repair a water line on the premises at 850 Maryvale Ave. That said application was approved by William M. Tadio. That the said Jack Piazza paid William M. Tadio the sum of \$2.00 on or about April 19, 1951 and that the said William M. Tadio did not pay the said sum of \$2.00 to the Town Clerk.

EIGHTH: That on June 30, 1950 Jack Piazza, a duly licensed plumber, applied to the Town Clerk for a permit to construct a 6" tile sewer from the main sewer to the building on premises at 58 Elwood Place. That on or about June 30, 1950 the said Jack Piazza paid William M. Tadio the sum of \$12.00. That the said \$12.00 was not paid by him to the Town Clerk.

NINTH: That on or about the 29th day of December, 1952 Batt Company, a duly licensed plumber in the Town of Cheektowaga, N.Y. paid to William M. Tadio an inspection fee for St. Josephat School in the sum of \$9.00. That said \$9.00 was not paid by William M. Tadio to the Town Clerk. That William M. Tadio paid \$4.00 to the Town Clerk and retained the balance.

TENTH: That under the provisions of the Building and Plumbing Codes of the Town of Cheektowaga, New York, it was the duty of William M. Tadio, building and plumbing inspector to approve all building permits before the same were issued and it was also his duty after said permits were issued to collect the fees required by ordinances for sewer permits and plumbing inspections on all construction of buildings in the Town of Cheektowaga, N.Y.

That building permits were issued and houses were constructed at the following addresses but William M. Tadio, building and plumbing inspector failed and neglected to collect fees due the Town of Cheektowaga, N.Y. for sewer permits and/or plumbing inspections, that the said building permits hereinafter mentioned were issued between January 1, 1950 and December 31, 1952:

<u>Bldg. Permit No.</u> <u>and date issued</u>	<u>Location</u>	<u>Applicant For</u> <u>Bldg. Permit</u>
#1658 3/30/51	7 houses 235 Aris Avenue	Mayfield Bldg. Corp.
	237 " "	4845 Union Rd.
	241 " "	Cheektowaga, N.Y.
	245 " "	
	247 " "	
	249 " "	
	251 " "	
#2000 6/6/51	3 houses Lot 8,102 Cayuga Rd.	Tane Constr. Co.
	9,106 " "	Maryvale Drive
	10,112 " "	Cheektowaga, N.Y.
#1448 11/1/50	3 houses Lot 29,156 Cedar Rd.	Geo. Saltarelli &
	30,160 " "	Son
	113,145 " "	2904 Bailey Ave.
		Buffalo, N.Y.
#1999 1/6/51	2 houses Lot 32, 170 Cedar Rd.	Geo. Saltarelli &
	33, 176 " "	Son
		2904 Bailey Ave.
		Buffalo, N.Y.
#2095 7/2/51	4 houses 73 So. Century Rd.	Weber Bros.
	77 " "	36 Ruskin Rd.
	83 " "	Eggertsville, NY.
	87 " "	

Bldg. Permit No. and Date Issued		Location	Applicant For Bldg. Permit
#1610 3/8/51	4 houses	129 Danbury Drive 133 " 139 " 143 "	Steinmiller Const. Co. 4513 Main St. Snyder, N.Y.
#1529 12/22/50	5 houses	275 Geo. Urban Blvd. 270 " 283 " 287 " 291 "	Joseph Beszczynski 213 Gates Street Sloan, N.Y.
#1530 12/26/50	5 houses	280 Geo. Urban Blvd. 284 " 288 " 292 " 296 "	Joseph Beszczynski 213 Gates Street Sloan, N.Y.
#1301 9/15/50	3 houses	6 Nina Place 10 " 16 "	Bernard King Ellicott Sq. Buffalo, N.Y.
#1302 9/15/50	2 houses	20 Nina Place 26 "	Bernard King Ellicott Sq. Buffalo, N.Y.
#1303 9/15/50	3 houses	9 Nina Place 15 Nina Place 19 Nina Place	Bernard King Ellicott Sq. Buffalo, N.Y.

That the said William M. Tadio, building and plumbing inspector was derelict in the performance of his duty in not seeing to it that fees for sewer permits and inspection of plumbing fees were paid.

That as a result of the gross incompetence of the said William M. Tadio in failing to collect fees for sewer connections and plumbing inspections, and in his failure to see to it that building permits had been issued and paid for the Town of Cheektowaga, N.Y. has been deprived of such fees in an amount exceeding the sum of Ten Thousand Dollars (\$10,000.00) during the past three years.

ELEVEN: That pursuant to the provisions of the Building and Plumbing Codes it was the duty of William M. Tadio, Building and Plumbing Inspector to approve all building permits issued for construction of building in the Town of Cheektowaga, N.Y. that plumbing inspection fees were collected by William M. Tadio, building and plumbing inspector and remitted to the Town Clerk during 1951 for the buildings hereinafter listed; that not building permits were issued by the Town of Cheektowaga, N.Y. for any of the buildings hereinafter mentioned:

Location of Building	Plumbing Fee Paid By	Date, Mr. Tadio's Receipt No. and Am't of fee paid	
	Stanley Beszczynski	8/28/51	#2232 \$5.00
	Wm. Jaszka	5/19/51	2094 7.00
	Walter Kropidlowski	6/28/51	2138 7.00
	Frank LoBue	12/5/51	2370 17.00
	Mayne Bros.	7/20/51	2176 5.00
	Chas. Newbold	2/16/51	1997 6.00
	Chas. Newbold	5/15/51	2085 7.00
	Sibert Marcus (owner)	9/25/51	2294 5.00
	Jack Piazza	8/23/51	2226 5.00
	Geo. Ullrich	10/22/51	2320 28.00
	Wilson & Simmons	8/3/51	2201 5.00

That the said William M. Tadio, building and plumbing inspector was guilty of gross dereliction of duty in failing to see to it that building permits were issued for the construction of buildings aforementioned and payment of the fees for building permits.

TWELVE: That on April 5, 1948 the Town Board of the Town of Cheektowaga confirmed the appointment of William M. Tadio as building and plumbing inspector and placed the position upon a full time basis, that instead of complying with said resolution the said William M. Tadio remained in his office from about 9 A.M. to 10 A.M. and then left his office and on many occasions diligent but unsuccessful efforts were made to locate his whereabouts during the day and that when inquiry was made of him as to where he spent his time after he left his office he informed members of the Town Board he was out making inspections.

That the Town Board duly adopted a resolution requiring him to report monthly on all inspections made by him and to comply with provisions of the building and plumbing codes of the Town of Cheektowaga which required him to make monthly reports in writing to the Town Board with detailed statements of buildings erected and inspections made as provided by Section #1, Sub-division 2_A of the Building Code of the Town of Cheektowaga, N.Y.

That from the date of his appointment of April 5, 1948 to the present time the said William M. Tadio has failed to comply with the provisions of the building code in making such monthly reports and that instead of devoting full time to the position of building and plumbing inspection for which he was placed on a full time basis, the said William M. Tadio, altho the holder of no plumbing license, engaged in the business of plumbing and conducted an extensive plumbing business and devoted most his time in the conduct of such business.

That on many occasions the said William M. Tadio permitted an unlicensed plumber to make plumbing installations in the Town of Cheektowaga, N.Y. in violation of the provisions of the building and plumbing codes of the Town of Cheektowaga, N.Y.

THIRTEEN: That during the year 1951 William M. Tadio, building and plumbing inspector, altho holding no plumbing license in the Town of Cheektowaga, N.Y. did considerable plumbing work for Fago Bros. Contracting Co. on Sandara, Cayuga and Rogers Roads, in the Town of Cheektowaga, N.Y. and collect from Fago Bros. Contracting Co. for such work an amount in excess of the sum of \$7750.00, that said plumbing work was done and payments made to William M. Tadio from about May 29, 1951 to April 10, 1952.

That there was included in his contract with Fago Bros. Contracting Co. plumbing work on approximately fifteen houses, and there also was due the Town of Cheektowaga, N.Y. at the time the plumbing work was done, inspection fees and fees for sewer connections.

That during the month of February, 1953 said William M. Tadio paid the Town of Cheektowaga, N.Y. inspection fees for plumbing inspections made during the year 1951 and 1952, but failed and neglected to pay any fees for sewer connections.

That it was illegal and unlawful for said William M. Tadio to engage in the plumbing business in the Town of Cheektowaga, N.Y. during the period the plumbing work aforementioned was done. It was likewise illegal and unlawful for William M. Tadio, as building and plumbing inspector of the Town of Cheektowaga, N.Y. to make plumbing inspection of his own work.

That during the years 1950 and 1951 the said William M. Tadio, while not licensed plumber in the Town of Cheektowaga, N.Y. made several plumbing installations on houses built by Bernard G. King Co. building contractor in Mafalda Drive and other streets in the Town of Cheektowaga, N.Y. That he collected a large sum of money from Bernard G. King Co. for the plumbing work done by him.

That no sewer permits were obtained or paid for by the said William M. Tadio at the time the work was done as required by the ordinances. That he did pay these fees in April 1953. That it was illegal and unlawful for the said William M. Tadio to engage in the plumbing business in the Town of Cheektowaga at the time said plumbing installations were made and it was likewise illegal and unlawful for the said William M. Tadio as building and plumbing inspector to inspect plumbing installations made by him and his associate Frank LoBue.

FOURTEEN: That the said William M. Tadio, altho required to do so by the building and plumbing codes of the Town of Cheektowaga, N.Y. has on many occasions failed to enforce the same that he has allowed many buildings to be constructed in the Town of Cheektowaga without building permits. That he has allowed plumbing installations and sewer connections to be made without inspection and has failed and neglected the duties required to be performed by him by said building and plumbing codes and this condition has existed from the time of his appointment down to the present time. That he has in general shown that he is incompetent to any longer hold the position of building and plumbing inspector. That he has been guilty of misconduct and insubordination and has converted to his own use sums of money belonging to the Town of Cheektowaga, New York. That he has failed and neglected to enforce the Zoning Ordinances of the Town of Cheektowaga, N.Y. altho he is required to do so pursuant to its provisions.

The foregoing charges are made upon information and belief; the source of the information and the grounds of the belief is based upon oral and written reports made by representatives of the Comptroller of the State of New York.

Dated: June 13, 1953

Kenneth T. Hanley
Town Clerk

STATE OF NEW YORK)
COUNTY OF ERIE (SS.

KENNETH T. HANLEY, being duly sworn deposes and says that the foregoing charges set forth in Paragraphs No. 1 to No. 14 inclusive are true to his knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters he believes those to be true.

Kenneth T. Hanley

Subscribed and Sworn to before
me this 13th day of June, 1953.

George B. Doyle
Notary Public

ITEM NO. 3 That Mr. Bystrak presented the following resolution and moved its adoption:

WHEREAS, written charges of the incompetence, misconduct and insubordination have been filed with the Town Clerk against William M. Tadio, Building and Plumbing Inspector of the Town of Cheektowaga, and

WHEREAS, a Hearing of said charges before the Town Board has been set for the 22nd day of June, 1953 at 7:00 o'clock P.M., Eastern Daylight Saving Time,

BE IT RESOLVED, that William M. Tadio, Building and Plumbing Inspector, be and he is hereby suspended without pay pending the Hearing and determination of said charges.

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

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

Voting	<u>Aye</u>
Voting	<u>Aye</u>
Voting	<u>Aye</u>
Voting	<u>Aye</u>
Voting	<u>Aye</u>

AYES: -5-

NOES: -0-

ABSENT: -0-

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

WHEREAS, ERNEST J. ROEHM, Cheektowaga, New York, be, and he is hereby temporarily employed as a plumbing inspector for the Town of Cheektowaga, N.Y. That he be paid on a weekly basis the sum of \$72.00 per week.

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

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

AYES: -5-

NOES: -0-

ABSENT: -0-

ITEM NO. 5 Councilman Neibert moved, seconded by Councilman Nagel, to adjourn.

Kenneth T. Hanley
Town Clerk

SEAL.

ITEM NO. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 15th day of June, 1953, at 7:30 o'clock P.M., E.D.S.T., there were:

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

ABSENT: Henry J. Nagel Councilman

Also present was: Town Clerk Kenneth T. Hanley; Town Attorney George B. Doyle; Recreational Director Edward B. Janiak; Chief of Police John F. Mersmann and Chairman of the Board of Assessors Edward B. Jerzewski.

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

ITEM NO. 3 Amended Cayuga Court Sub-division Part of Lot 13 T 11 Range 7, prepared by Krehbiel and Krehbiel, Civil Engineers, presented to the Town Board for approval. Ordered referred to the Town Board.

ITEM NO. 4 This being the time and the place advertised for a public hearing for the purpose of considering the advisability of enacting the following general Town Ordinance to be known as "Unlawful Intrusion On Real Property."

No person shall intrude upon any lot or parcel of land within the bounds of the Town of Cheektowaga, New York, outside the Villages of Sloan and Depew without authority from the owner thereof, nor shall any person erect or occupy thereon any hut or other structure whatever without such authority. No person shall place, erect or occupy within the bounds of any town highway or publicly owned property, any hut or other structure without lawful authority. Any person violating this Ordinance shall be liable to a fine not to exceed \$50.00 or imprisonment not to exceed six months, or both.

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

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

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

WHEREAS, the Town Attorney has advised the Town Board that an Ordinance known as "Unlawful Intrusion On Real Property", was adopted by the Town Board some years ago and is now a part of the General Ordinances of the Town,

NOW, THEREFORE, BE IT RESOLVED, that this request for said Ordinance be denied.

Seconded by Councilman Neibert.

CARRIED: AYES: -4-.

ITEM NO. 5 This being the time and the place advertised for a public hearing for the improvement of Floral Place by the construction of a lateral sewer in said highway.

The Supervisor directed the Town Clerk to present proof of publication of the notice of the hearing.

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

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing and no person or persons appearing in opposition to the proposed improvement, the Supervisor ordered the hearing closed and the decision was reserved.

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

WHEREAS, Police Chief Mersmann has requested that parking of automobiles on the north side of Walden Avenue for a distance of 75 feet east from Pine Ridge Road and west from Pine Ridge Road for the same distance, be prohibited,

BE IT RESOLVED, that the Chief of Police be authorized to erect No Parking signs at said intersection in accordance with his request.

Seconded by Councilman Neibert.

CARRIED: AYES: -4-.

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

RESOLVED, that the Town Clerk be authorized to loan four voting booths to the Recreation Director, to be returned upon demand by the Town Clerk.

Seconded by Councilman Bystrak.

CARRIED: AYES: -4-.

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

BE IT RESOLVED, that the request of the Doyle Volunteer Hose Company No. 2, to hold their Annual Parade on July 5th, 1953, be granted, and

BE IT FURTHER RESOLVED, that the request of the Doyle Volunteer Hose Company No. 2, to close Willowlawn Parkway on July 3rd, 4th and 5th, 1953, be granted, and

BE IT FURTHER RESOLVED, that the said Doyle Volunteer Hose Company No. 2 be permitted to use a sound truck on July 4th, 1953, in connection with their Annual Field Day.

Seconded by Councilman Bystrak

CARRIED: AYES: -4-.

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

WHEREAS, the Board of Fire Commissioners of Pine Hill Fire District No. 5 has recommended that "No Parking Here to Corner Signs", be placed on the west side of Andrew Street, from Genesee Street to Neibert Place, and also on the west side of Long Avenue, from Genesee Street to No. 14 Long Avenue, because parked cars on both sides of said highway interfere and make difficult the operation of fire apparatus on said highway, be it

RESOLVED, that standing automobiles on the west side of Andrew Street, from Genesee Street to Neibert Place and to No. 14 Long Avenue be, and the same is hereby prohibited, and be it further

RESOLVED, that the Chief of Police be ordered and directed to erect appropriate "No Parking here to Corner Signs" on said highway, in accordance with this resolution, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Board of Fire Commissioners of Pine Hill Fire District No. 5.

Seconded by Councilman Neibert.

CARRIED: AYES: -4-.

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

WHEREAS, the Board of Fire Commissioners of Cleveland Hill Fire District No. 6 has presented to this Town Board a list of hydrants which have previously been requested to be installed by the Western New York Water Company, but the same have not as yet been installed, be it

RESOLVED, that the Western New York Water Company be requested to install the hydrants as set forth in the attached request of the Board of Fire Commissioners of Cleveland Hill Fire District No. 6, and that a copy of this resolution be forwarded to the Commissioners of said Fire District, and also to the Western New York Water Company.

Seconded by Councilman Wroblewski.

CARRIED: AYES: -4-.

HYDRANTS REQUIRED

1. Cedar Road, 1500 feet east of Eggert Road;
2. Campbell Road, 700 feet east of present hydrant;
3. Seton Road, 500 feet east of Harlem Road;
4. Seton Road, 1200 feet east of Harlem Road;
5. Seton Road, 1800 feet east of Harlem Road at Woodridge Avenue;
6. Beale Avenue at Barrymore Road;
7. Beale Avenue, 1000 feet east of Barrymore Road;
8. Beale Avenue, 650 feet east of Woodridge Avenue;
9. Rosary Lane, opposite Beale Avenue;
10. Maryvale Road, 200 feet east of Woodridge Avenue;
11. Darwin Drive, 700 feet north of Cleveland Drive;
12. Cresthaven Drive, 500 feet north of Manlon Terrace;
13. Maplevue Road, at Homeswood;
14. Dania Drive, at Hillside;
15. Delray Drive, 600 feet south of Hillside;
16. Birkdale Road, 600 feet south of Hillside;
17. Folsett Avenue, 300 feet south of Cleveland Drive;
18. Folsett Avenue at Ontario Drive;
19. Folsett Avenue, 700 feet north of Huth Road;
20. Ontario Drive, 500 feet north of Huth Road;
21. Flora Avenue at Maplevue Road;
22. Cleveland Drive opposite Montford Drive;
23. Cleveland Drive, 500 feet east of Babcock Parkway;
24. South Huth Road at Park Avenue;
25. South Huth Road, 800 feet south of Park Avenue;
26. Burdette Drive, 200 feet south of Park Avenue;
27. St. Lucien Court, 350 feet west of Robert Court;
28. Danbury Road, 350 feet east of Rosary Lane.

ITEM NO. 11 Councilman Wroblewski moved, seconded by Councilman Neibert, that the Town Clerk be authorized and directed to issue Building Permits on applications processed by the Petitions Committee on June 6, 1953 and June 13, 1953, after same have been approved by the Building Inspector. CARRIED: AYES: -4-.

101

ITEM NO. 12 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of Sugnet Road, extending from the south line of Cleveland Drive to the north line of Fontaine Drive, by the construction of a permanent pavement along said highway was filed in the Town Clerks office on May 4, 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 Fifteen Thousand Dollars (\$15,000), 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 6th day of July, 1953, at 2:30 o'clock P.M., Eastern Daylight Saving Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED, that a copy of this order, certified by the Town Clerk, be published at least once in the 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 public 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 Wroblewski	Voting AYE
Councilman Neibert	Voting AYE
Councilman Bystrak	Voting AYE
Supervisor Holtz	Voting AYE

CARRIED: AYES: -4-

ABSENT: -1-

Posted as follows on the 19th day of June, 1953;

- 1- Telephone Pole at the corner of Cleveland Drive and Sugnet Road;
- 2- Post on Sugnet Road, 20 feet south of Cleveland Drive;
- 3- Post on Sugnet Road, 40 feet south of Cleveland Drive;
- 4- Post on Sugnet Road, 60 feet south of Cleveland Drive;
- 5- Post on Sugnet Road, 100 feet south of Cleveland Drive.

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

NOTICE OF HEARING

~~SIDEWALK CONSTRUCTION~~

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 15th day of June, 1953, at 7:30 o'clock p.m. Eastern Daylight Saving Time. There were

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

ABSENT:
Henry J. Nagel..... Councilman
Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS a petition for the improvement of both sides of Sugnet Road, extending from the south line of Cleveland Drive to the north line of Fontaine Drive, by the construction of a permanent pavement along said highway was filed in the Town Clerk's Office on May 4, 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 Fifteen Thousand Dollars (\$15,000.00), 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 6th day of July, 1953, at 2:30 o'clock p.m. Eastern Daylight Saving Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

Supervisor Holtz — voting aye
Councilman Wroblewski — voting aye

Councilman Neibert — voting aye
Councilman Bystrak — voting aye

Absent—1.
Ayes—4; Noes—0; Absent—1.

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

ss:
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 15th day of June, 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 15th day of June, 1953.

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

(6-18)

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication JUN 18 1953; last publication JUN 18 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this JUN 22 1953 day of JUN 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 28, 1955
Registered No. 2022

In the Matter of the Application
of

Rezoning of land owned by Michael Wagner
from "Residence" to "Business" as hereinafter
described.

A public hearing was held on this application on June 10, 1953. No one appeared in opposition of the application.

The property is located on the north side of Genesee Street commencing about eighty (80) feet west of Delwood Place. This property is located in a business area and in view for the purposes for which the property is to be used, namely; Professional Offices and Private Garage we recommend that the application be granted.

Attached hereto is a Map of Hearing which contains a complete description of the property.

LEGAL NOTICE

REZONING GRANTED

WHEREAS, the Zoning Board of Appeals held a public hearing on the 10th day of June, 1953, for the purpose of considering the application of Michael Wagner for the rezoning from Residence 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;

WHEREAS, the Zoning Board of Appeals on the 15th day of June, 1953, rendered its decision on the application of petitioner to rezone from Residence District to Business District the property hereinafter described, and the decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 15th day of June, 1953.

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

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

DESCRIPTION

All that tract or parcel of land situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 26 Township 11, Range 7 of the Holland Land Company's Survey and according to map filed in Erie County Clerk's Office under Cover No. 1266 is known as subdivision Lots No. 95 and 96, being seventy-nine and nine hundred ninety-four thousandths (79.994) feet front, eighty (80) feet rear by one hundred thirty-two and sixty six hundredths (132.66) feet in depth on the west line and one hundred thirty-three and one hundredth (133.01) feet on the east line, situated on the north side of Genesee Street commencing seventy-nine and nine hundred ninety-four thousandths (79.994) feet west of Delwood Place.

KENNETH T. HANLEY,

Town Clerk, Town of Cheektowaga, New York.

Dated: 6-15-53.

(6-18)

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

1- Town Hall Bulletin Board.

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

LEGAL NOTICE

REZONING GRANTED

WHEREAS, the Zoning Board of Appeals held a public hearing on the 10th day of June, 1953, for the purpose of considering the application of Michael Wagner for the rezoning from Residence 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 15th day of June, 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 meeting thereon on the 15th day of June, 1953.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residence District to Business District, be and the same is hereby confirmed and approved. NOW, THEREFORE, BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance" be and the same hereby is amended by changing the Zoning Map so as to change the following described property from that of "Residential District" to "Business District."

DESCRIPTION

All that tract or parcel of land situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 26 Township 11, Range 7 of the Holland Land Company's Survey and according to map filed in Erie County Clerk's Office under Cover No. 1266 is known as subdivision Lots No. 95 and 96, being seventy-nine and nine hundred ninety-four thousandths (79.994) feet front, eighty (80) feet rear by one hundred thirty-two and sixty-six hundredths (132.66) feet in depth on the west line and one hundred thirty-three and forty-two hundredths (133.42) feet in depth on the east line, situate on the north side of Genesee Street, commencing seventy-nine and nine hundred ninety-four thousandths

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA }

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

first publication JUN 18 1953;

last publication JUN 18 1953;

and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of JUN 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, 1954
Registered No. 5029

In the matter of the application
of
Schwenzer Tool & Die Company, Inc.,
To Rezone from "Residence" to "First
Industrial" certain property located
on Clinton Street, in the Town of
Cheektowaga, New York.

An application has been made by the Schwenzer Tool & Die Company, Inc., to zone from "Residence" to "First Industrial" property as hereinafter described.

This property has a frontage on Clinton Street of 350 feet and a depth of about 500 feet. By consent of the petitioner, the application for rezoning was modified so as to apply to the 200 feet adjoining the railroad property, and that the remaining 150 feet frontage be excluded from the application for rezoning.

It was stated at the hearing and proof submitted to the Zoning Board of Appeals that the petitioner desires to use this property as a tool and die shop. Because this property is located so close to the railroad, in the opinion of the Zoning Board of Appeals it is undesirable for residence use. For that reason we are recommending that the application to zone the 200 feet frontage and 500 feet in depth along the right of way of the Lehigh Valley Railroad be granted.

In recommending the zoning of this property from "Residence" to "First Industrial" attention is called to the fact that no part of the premises can be used for any of the uses permitted in a "Second Industrial" Zone.

Dated: May 21st, 1953.

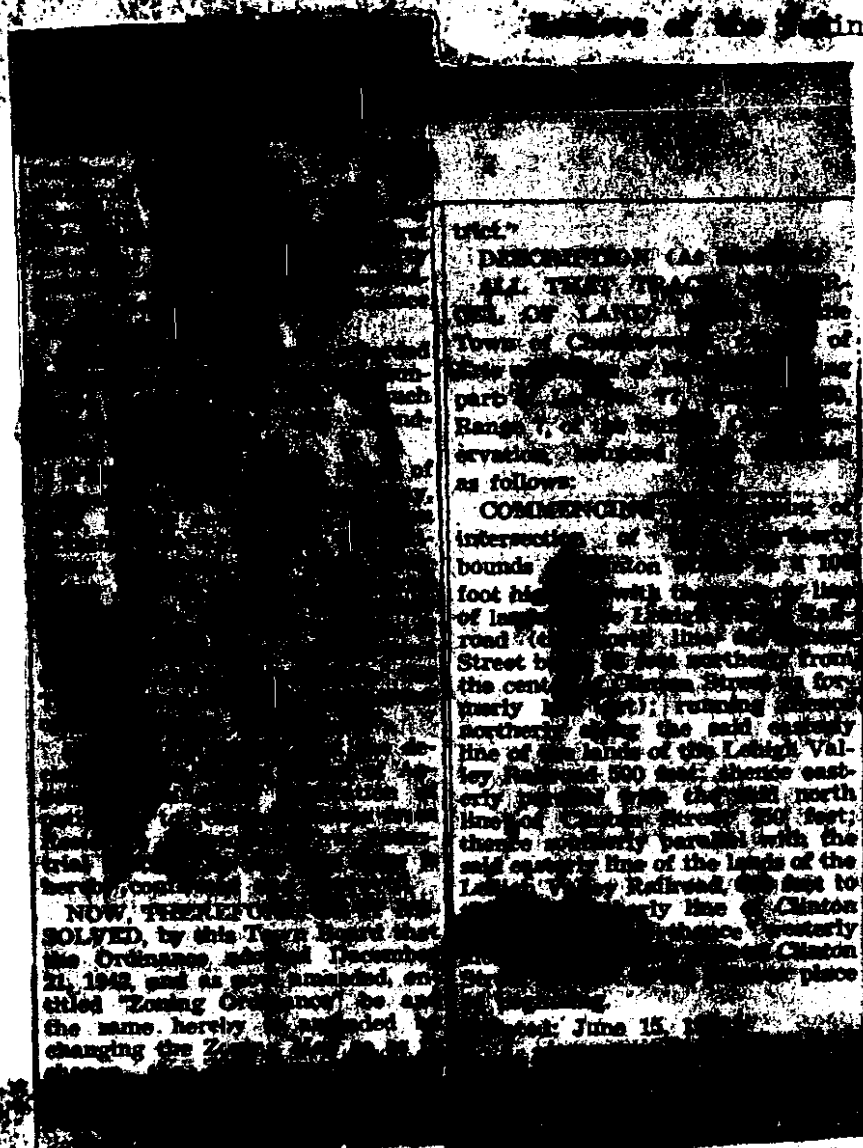
Leo Kurnick, Chairman

Michael Henfling

C.G. Hanson

Lawrence M. Janaszczak

Members of the Zoning Board of Appeals.



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

1- Town Hall Bulletin Board.

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

LEGAL NOTICE

REZONING GRANTED

WHEREAS, the Zoning Board of Appeals held a public hearing on the 10th day of June, 1953, for the purpose of considering the application of Michael Wagner for the rezoning from Residence 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 15th day of June, 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 meeting thereon on the 15th day of June, 1953.

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

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

DESCRIPTION

All that tract or parcel of land situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 26 Township 11, Range 7 of the Holland Land Company's Survey and according to map filed in Erie County Clerk's Office under Cover No. 1266 is known as subdivision Lots No. 95 and 96, being seventy-nine and nine hundred ninety-four thousandths (79.994) feet front, eighty (80) feet rear by one hundred thirty-two and sixty-six hundredths (132.66) feet in depth on the west line and one hundred thirty-three and forty-two hundredths (133.42) feet in depth on the east line, situate on the north side of Genesee Street, commencing seventy-nine and nine hundred ninety-four thousandths (79.994) feet west of Delwood Place.

KENNETH T. HANLEY,
Town Clerk, Town of
Cheektowaga, New York.
Dated: 6-15-53.

(6-18)

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week:
first publication JUN 18 1953:
last publication JUN 18 1953:
and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of JUN 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, 1954
Registered No. 5029

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

1- Town Hall Bulletin Board.

Hereto attached is a copy of the notice published in the Depew Herald & Cheektowaga News;

STATE OF NEW YORK
COUNTY OF ERIE

ss:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for week, the first insertion being on the day of June, 1953, and the last insertion being on the day of 19....., and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

Appeals held a public hearing on the 15th day of April, 1953, for the purpose of considering the application of Schweser Tool and Die Company, Inc. for the rezoning from Business District to First Industrial 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 21st day of May, 1953, having rendered its decision granting the application of petitioner to amend from

of lands of the Lehigh Valley Railroad: (the north line of Clinton Street being 53 feet northerly from the center of Clinton Street as formerly laid out); running thence northerly along the said easterly line of the lands of the Lehigh Valley Railroad 500 feet; thence easterly parallel with the said north line of Clinton Street 250 feet; thence southerly parallel with the said easterly line of the lands of the Lehigh Valley Railroad 500 feet to the said northerly line of Clinton Street; running thence westerly along the northerly line of Clinton Street 250 feet to the point or place of beginning.

Dated: June 15, 1953.

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

Sworn to before me this 23rd day of

June, 1953

Kenneth T. Hanley

Notary Public in and for Erie County.

in 2000

ITEM NO. 15 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
South Roycroft Boulevard	Cleveland Drive	Cleveland Hill School Property

TYPE OF STREET LIGHTING INSTALLATION

Ornamental Standards- Style 1348 (Similar to those 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. Wroblewski 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
South Roycroft Boulevard	Cleveland Drive	Cleveland Hill School Property.

TYPE OF STREET LIGHTING INSTALLATION

Ornamental Standards-Style 1348 (Similar to those 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 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. Bystrak and duly put to a vote which resulted as follows:

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

CARRIED: AYES: -4-

ABSENT: -1-.

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 15th day of June, 1953, and that the foregoing is a true and correct transcript from said original resolution and order and the whole thereof; and that the resolution and orders duly adopted by the said Town Board are on file in my office.

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

1- Town Hall Bulletin Board.

Hereto attached is a copy of the notice published in the Depew Herald & Cheektowaga News;

STATE OF NEW YORK
COUNTY OF ERIE

ss:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for week, the first insertion being on the 18th day of June, 1953, and the last insertion being on the day of, 19....., and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

3rd day of

1953

Public in and for Erie County.

Appeals held a public hearing on the 15th day of April, 1953, for the purpose of considering the application of Schwensen Tool and Die Company, Inc. for the rezoning from Residence District to First Industrial 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 21st day of May, 1953, having rendered its decision granting the application of petitioner to rezone from from Residence District to First Industrial District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 15th day of June, 1953.

BE IT RESOLVED, that the decision of the Zoning Board of Appeals granting the application of petitioner to rezone premises from Residence District to First Industrial 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, 1952, and as now amended, entitled "Zoning Ordinance" be and the same hereby is amended by changing the Zoning Map as to be

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 77, Township 10, Range 7, of the Buffalo Creek Reservation, bounded and described as follows:

COMMENCING at the point of intersection of the northerly bounds of Clinton Street as a 108 foot highway with the easterly line of lands of the Lehigh Valley Railroad; (the north line of Clinton Street being 53 feet northerly from the center of Clinton Street as formerly laid out); running thence northerly along the said easterly line of the lands of the Lehigh Valley Railroad 500 feet; thence easterly parallel with the said north line of Clinton Street 250 feet; thence southerly parallel with the said easterly line of the lands of the Lehigh Valley Railroad, 500 feet to the said northerly line of Clinton Street; running thence westerly along the northerly line of Clinton Street 250 feet to the point or place of beginning.

Dated: June 15, 1953.

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

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 15th day of July, 1953.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Cheektowaga, this 15th day of July, 1953.

Kenneth T. Hanley
Town Clerk.

SEAL.

ITEM NO. 16 Councilman Bystrak presented the following resolution and moved its adoption:
RESOLVED, that the New York State Gas and Electric Company be authorized and directed to make the following changes in street lighting on Transit Road, in the Town of Cheektowaga, New York, in order to comply with the Thru-way construction;

Move lamp pole 239 to 239-1, same location;
Move lamp pole 245 to 241-1, approximately 70 feet north;
Move lamp pole 248 to 243-1, approximately 70 feet north;
Move lamp pole 251 to 245-1, approximately 40 feet north;
Move lamp pole 254 to 247-1, same location;
Move lamp pole 257 to 258-1, approximately 125 feet north.
Seconded by Councilman Neibert.

CARRIED: AYES: -4-.

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

RESOLVED, that the Niagara Mohawk Power Corporation be authorized and directed to make a survey to ascertain how many 1348 Street Lighting Standards are required to be used in special street lighting improvement district to be known as South Roycroft Boulevard, from Cleveland Drive to the Cleveland Hill School Property.

Seconded by Councilman Bystrak.

CARRIED: AYES: -4-.

ITEM NO. 18 Councilman Wroblewski moved, seconded by Councilman Bystrak, that all claims presented at this meeting be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same.

CARRIED: AYES: -4-.

Warrant No. 1052 to No. 1165, inclusive, drawn on the Supervisor.

ITEM NO. 19 Councilman Wroblewski 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 20th day of June, 1953, at 10:00 o'clock A.M., Eastern Daylight Saving Time, there were:

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

Also present was Town Attorney George B. Doyle.

Due to the absence of Town Clerk Kenneth T. Hanley, Councilman Nagel was designated to act as Town Clerk for this meeting.

ITEM NO. 2. TO THE HONORABLE TOWN BOARD
TOWN OF CHEEKTOWAGA, N.Y.

The petition of Pfohl Brothers respectfully shows that your petitioners are the owners of a large tract of land on the north side of Wehrle Drive, extending northerly to property belonging to the New York State Thruway, as shown on the annexed drawing. That for approximately eighteen years a large portion of the property aforementioned has been used as a public dump by the Town of Cheektowaga, New York.

That your petitioners have a contract with the Town of Cheektowaga, New York, to use said public dump for non-burnable refuse and garbage, that the area used for such purposes is somewhat higher than the adjoining property, due to the fact that over the years there has been a large quantity of refuse dumped on this property. That recently the New York State Thruway has taken over half of the reserved property in building the Thruway and in the construction of said Thruway fill is required and the State of New York has requested your petitioners to make available for the construction of the Thruway any surplus dirt located between the present dump and the cloverleaf to the Thruway, as is more particularly shown on the annexed map.

It is your petitioner's understanding that the present elevation of the ground where it is requested that the dirt be removed is about two feet (2 ft.) below the street level of Aero Drive. The area from which the dirt is to be removed is approximately one thousand feet (1000 ft.) from said highway and extends to the Thruway property and to the cloverleaf entering the Thruway. The area involved is approximately fifteen acres.

Your petitioners further set forth that if refuse is dumped on this area of about fifteen acres it will become piled up to such an extent in twelve months that operations will have to be discontinued.

In this petition your petitioners specifically ask for permission to make an excavation of approximately eight feet (8 ft.) in depth of the fifteen acre area, allowing the dirt to be removed from said premises solely for use in the construction of the Thruway. If permission is granted your petitioners to do this then your petitioners will be in a position to continue their contract with the Town of Cheektowaga, New York to provide a dump for non-burnable refuse.

That it is the intention of your petitioners that as soon as said excavation is completed to immediately begin to fill the area with refuse; that said excavation will be filled in to its present level in about two years.

Your petitioners further state that the property now used as a dump is located in an industrial area and the manner in which same was operated for the past eighteen years by your petitioners have caused but few complaints.

That your petitioners have endeavored to keep the premises from becoming unsightly and have on various occasions covered up the refuse with dirt so that same is not too much exposed. In this way none of the refuse material is permitted to be blown on to anyones' property. There are very few homes in the area, due to the fact that the property is zoned "Industrial" said property is not desirable for home development.

The granting of this petition will greatly aid your petitioners in disposing of the refuse in such a manner that it will eventually covered up.

Your petitioners further set forth that there is no other land in the Town of Cheektowaga, New York which could be used as a public dump, located far enough away from a residential area to avoid complaints.

Your petitioners are familiar with the provisions of the excavating ordinances of the Town of Cheektowaga, New York and are ready and willing to comply with all the provisions, insofar as same are applicable to existing conditions.

That it is necessary that this petition be acted upon at once as the fill is needed immediately for the construction of the Thruway.

WHEREFORE, your petitioners ask that a permit be granted them to remove dirt from the area shown on the annexed drawing, to a depth of about eight feet (8 ft.) from the top of the present elevation. That annexed hereto and made a part of this application is a Surety Bond in the sum of \$2000.00 duly executed by your petitioners and the Travelers Indemnity Company, Hartford, Conn. to the effect that your petitioners will faithfully observe and comply with all ordinances of the Town of Cheektowaga, New York in regulating and removal of top soil and dirt.

PFOHL BROTHERS, INC.
BY: Joseph Pfohl

Dated: June 20, 1953.

State of New York)
) SS.
County of Erie)

Joseph Pfohl being duly sworn deposes and says that he is one of the owners of the premises located between the public dump on Aero Drive and the property taken over by the New York State Thruway for highway purposes. That he has read the foregoing petition and knows the contents thereof; that the same is true to the knowledge of deponent, except as to matters therein said to be alleged upon information and belief and as to those matters he believes it to be true.

Joseph Pfohl

Sworn to before me this
20th day of June, 1953.

Kenneth T. Hanley
Notary Public

Hereto attached is a copy of said map as referred to in said resolution;

ITEM NO. 28
adoption:

Councilman Nagel presented the following resolution and moved its

WHEREAS, Pfohl Brothers have made application for a permit to remove dirt from certain premises belonging to them, located between Aero Drive and the New York State Thruway, and a cloverleaf to the same, consisting of approximately fifteen (15) acres, and

WHEREAS, for the past eighteen years the property located on the north side of Aero Drive has been used by the Town of Cheektowaga, New York, as a public dump, pursuant to the terms of a contract entered into between the Town of Cheektowaga, New York, and Pfohl Brothers, owners of said premises and,

WHEREAS, the proposed excavation on the property shown on the annexed drawing to a depth of approximately eight feet, (8 ft.) will make available a large area where refuse can be dumped below the present level of the land and covered up and,

WHEREAS, in the opinion of the Town Board the disposal of refuse underground is much more desirable than to have the same piled on top of the ground, and

WHEREAS, within a period of approximately two years said excavation will be filled to the present elevation of the ground, and

WHEREAS, the Town Board is desirous of continuing to use the property of Pfohl Brothers as a public dump, because of its location in an industrial area and away from a residential area, and

WHEREAS, there is no other location in the Town of Cheektowaga, New York, where refuse can be disposed of without complaints from neighboring residents therein, and

WHEREAS, the disposal of said refuse underneath the ground is advisable and the granting of the application will make it possible for Pfohl Brothers to continue its contract with the Town of Cheektowaga, New York, to provide a place for disposal of refuse, be it

RESOLVED, that the application of Pfohl Brothers to make an excavation on the property shown on the annexed drawing, of approximately eight feet (8 ft.) in depth be, and the same is hereby granted. This permit is granted with the understanding that the said Pfohl Brothers will continue its contract with the Town of Cheektowaga, New York, until said excavation is filled, or at least for a period of two years, whichever is longer. BE IT FURTHER

RESOLVED, that the said Pfohl Brothers pay to the Town of Cheektowaga, New York, the sum of Two Hundred Dollars, (\$200.00) and that the said Pfohl Brothers execute and deliver to the Town of Cheektowaga, New York, a Surety Bond in the sum of Two Thousand Dollars (\$2,000.00) conditioned that they will in all respects comply with the ordinances of the Town of Cheektowaga, New York, regulating the removal of top soil and dirt. BE IT FURTHER

RESOLVED, that certified copies of this resolution be mailed to Pfohl Brothers and to the Engineers in charge of construction of the Thruway.

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--.

ITEM NO. 3

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

Henry J. Nagel

Acting 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 22nd day of June, 1953, at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: Benedict T. Holtz

Supervisor

Also present was Town Clerk Kenneth T. Hanley.

The Supervisor announced that the scheduled meeting for the above mentioned date has been cancelled.

Kenneth T. Hanley

SEAL

Town Clerk

MEETING NO. 26Cheektowaga, New York
June 26, 1953

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 June, 1953, at 3:00 O'clock P.M., Eastern Daylight Saving Time, there were:

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

ABSENT: Benedict T. Holtz	Supervisor
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Also present were: Town Clerk Kenneth T. Hanley, Town Attorney George B. Doyle and Senior Stenographer Shirley Stenzel.

ITEM NO. 2 Councilman Weibert moved, seconded by Councilman Wroblewski, that due to the absence of Supervisor Holtz, Councilman Nagel be designated as Chairman of this meeting.

ITEM NO. 3 Communication read from William M. Tadio resigning his position as plumbing and building inspector in the Town of Cheektowaga. Ordered received and filed and to accept by the Chairman.

ITEM NO. 4 Communication read from Arthur H. Schwartz resigning his position as Justice of the Peace of the Town of Cheektowaga. Ordered received and filed and to accept by the Chairman.

ITEM NO. 5 Petition presented for the establishment of a Garbage District in Elaine Court. Ordered referred to the Assessors for a property check.

ITEM NO. 6 Councilman Weibert moved, seconded by Councilman Wroblewski, that the names submitted by the Erie County Democratic and Republican Chairman to act as Election Inspectors in the Town of Cheektowaga for the year 1953 be approved.

Democratic Election Inspectors:

<u>DISTRICT</u>	<u>NAME</u>	<u>ADDRESS</u>
1	Anna Connors Sophie Nowicki	
2	Sylvia Rau Stanley Breister	
3	John Dobbins Mrs. August Keicher, Jr.	
4	A. Burst Lorraine Heckwater	
5	Mrs. George Huber Amanda Kielholz	
6	Margaret Schwenk Max Brzeskowski	
7	Alda Spellman Gloria McTiernan	
8	Helen Barnwell Eleanor Bent	
9	Mary Huber Mildred Painter	
10	Elizabeth Sullivan Leona McLaughlin	

Democratic Election Inspectors- Cont'd

District	Name	Address
11	G. Good Julia Dalton	
12	Margaret Truckenport Margaret Hubert	
13	Teresa Heindl Norma Ehnes	
14	Josephine Fisher Helen Connolly	
15	Marilyn Murphy Esther Lee	
16	William Graser Gertrude Pfeiffer	
17	Leone Luongo Madelyn Dohoney	
18	Mildred Loftus Helen Malone	
19	Arenta Schmidt Margaret O'Day	
20	Lucille Stravino Marguerite Greenwald	
21	Evelyn Maurer Clara Wagner	
22	Doris Duffy Theresa Leddy	
23	Ruby Kurnick Mary Tyler	
24	Hilda Kilger Lillian Borkowski	
25	Viola Anderson Pauline Wagner	
26	Mary Moretuzzo Helen T. Wisniewski	
27	Celia Bartkowiak Madeline Angielezyk	
28	Margaret Lawniczak Agnes Kwiatkowski	
29	Laura Tuchelka Tillie Vogel	
30	Dominella Torba Helen Olszanowski	
31	Mae M. Karaszewski Natale Cwiczewicz	
32	Josephine Kaczmarek Stella Rydzynski	
33	Clara Grelewicz Martha Ostrowski	
34	Jean Stachowski Mary Stachowski	

Democratic Election Inspectors- Cont'd

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District	Name	Address
35	Charlotte Wasielewski Josephine Wiczorek	
36	R. Glim (No name submitted as second inspector)	
37	Frances Wilkelski Josephine Was	

Republican Election Inspectors

District	Name	Address
1	Monica Wolffer Dorothy Marcinski	
2	Gladys Gerlach Viola Hoffman	
3	Charles Wein Amelia Baumgartner	
4	Naomi Kladke Caroline Lenz	
5	Mary Massaro Dorothy Herb	
6	Marion Muehlbauer Katherine Henfling	
7	Edyth MacConnack Helen Fisher	
8	Mayne Ostwald Vivian Emsley	
9	Helen Quimby Charlotte Graf	
10	M. Ostwald Lucille Moorman	
11	Gertrude Brand Gladys Robb	
12	Dorothy Reichert Anne M. Trautenberg	
13	Francis Marvin Freda M. Scott	
14	Hilda Jones Evelyn Elbers	
15	Corinne Wiedl Mildred Stewart	
16	Mary Mueller Alice Lang	
17	Amelia Barilla Isabelle Novy	
18	Anne Carmody Dorothy E. Rhodes	
19	Marie Rodgers Harriet Jurgens	

Republican Election Inspectors- Cont'd

District	Name	Address
20	Madaline Zuppelli	
20	Harriett Jurgens	
21	Agnes Ignatz	
	Alice Forrest	
22	Gertrude Briessinger	
	Marion Connors	
23	Frances Passmore	
	Agnes Kuhn	
24	Anna Bickerl	
	Elizabeth Malinowski	
25	Margaret Kiefer	
	Dolores Decker	
26	Gertrude Gearey	
	Kathryn Pitman	
27	Esther Kaminski	
	Helen Stachurski	
28	Josephine Kujawa	
	Frances Molenda	
29	Stella Skoczylas	
	Fay Koleta	
30	Clara Cendrowski	
	Celia Prusakowski	
31	Elizabeth Dombrowski	
	Clara Hencinski	
32	Stasia F. Socayk	
	Julia Witucki	
33	Jeanette Echert	
	Helen Nash	
34	Hattie Jordan	
	Jean Czajka	
35	Virginia Szydlowski	
	Rita C. Klosko	
36	Ann Kaminecki	
	Jean Przepiora	
37	Mary Winek	
	Celia Wisniewski	

ITEM NO. 7 Councilman Heibert moved, seconded by Councilman Wroblewski, **RESOLVED**, that the members of the Town Board appear at the hearing before the Public Service Commission on July 8, 1953, to oppose any increase in rates to the Western New York Water Company. **CARRIED: AYES: -4-.**

3

DECISION
OF
ZONING BOARD OF APPEALS

In the Matter of the Application
of
Frank Palumbo
for a variance and use permit in a
Business District of property located
at 3498 Union Road, Cheektowaga,
New York., to be used for dry cleaning,
pressing, tailoring and dressmaking.

The property is presently located in a business zone and has been used for business purposes. The use of Dry cleaning equipment is not ordinarily permitted in a business district. In Buffalo such use is allowed in certain business districts where the use of dry cleaning equipment does not interfere with adjoining property owners.

We have inspected the location of this property and do not believe that the equipment to be used on the premises will in any wise interfere with the peaceful and quiet enjoyment of adjoining property owners.

We, therefore, recommend and grant to the petitioner a variance and use permit so that the premises may be used for the following purposes: dry cleaning, pressing, tailoring and dressmaking.

Attached hereto is a complete description of the property.

Dated: June 18, 1953.

Leo Kurnick, Chairman

Lawrence M. Januszczak

Michael L. Henfling

**DECISION OF
ZONING BOARD OF APPEALS**
In the Matter of the Application
of

FRANK PALUMBO

for a variance and use permit in a
Business District of property lo-
cated at 3498 Union Rd., Cheektow-
aga, N. Y. to be used for dry
cleaning, pressing, tailoring and
dressmaking.

The property is presently locat-
ed in a business zone and has been
used for business purposes. The
use of dry cleaning equipment is
not ordinarily permitted in a busi-
ness district. In Buffalo such use
is allowed in certain business dis-
tricts where the use of dry clean-
ing equipment does not interfere
with adjoining property owners.

We have inspected the location
of this property and do not believe
that the equipment to be used on
the premises will in any wise inter-

fere with the peaceful and quiet
enjoyment of adjoining property
owners.

We, therefore, recommend and
grant to the petitioner a variance
and use permit so that the premises
may be used for the following pur-
poses: dry cleaning, pressing, tail-
oring and dressmaking.

Attached hereto is a complete de-
scription of the property.

DESCRIPTION

3498 Union Road, west side, north
of New Walden Avenue, 100x100
feet.

Dated: June 18th, 1953.

Leo Kurnick, Chairman
Lawrence M. Januszczak,
Michael L. Henfling,
Joseph Kubera,
Charles Hanson

KENNETH T. HANLEY,
Town Clerk

Posted as follows on the 8th day of July, 1953;

1- Town Hall Bulletin Board.

Hereto attached is a copy of the notice published in the Depew Herald & Cheektowaga News;

STATE OF NEW YORK
COUNTY OF ERIE

ss:

NOTICE TO THE PUBLIC
In the Matter of the Application
of
FRANK PALUMBO
for a variance and use permit in a
Business District of property lo-
cated at 3405 Union Street, Cheek-
towaga, N. Y. to be used for dry
cleaning, pressing, coloring and
dyeing.
The property is presently locat-
ed in a business district and has been

Water Company
Still Cels Hot
Weather Instruments
The Mayor of Depew and the
Board of Aldermen of Depew and the
Board of Trustees of Cheektowaga
have each passed resolutions
authorizing them to execute the
variance and use permit for the
property located at 3405 Union
Street, Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheek-
towaga, Erie County, New York, that notice of which the
annexed printed slip taken from said newspaper, is a copy,
was inserted and published therein once a week for
..... week, the first insertion being on the
2nd day of July, 1953, and
the last insertion being on the day of
....., 19....., and that not

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

Richard G. Bennett

Sworn to before me this 3rd day of

July, 1953

Ernest T. Stanley
Notary Public in and for Erie County.

In the Matter of the Application
of

Edward Lelonek

to zone from "Residential District"
to "Business District" certain
property located on William Street,
north side, northwest corner of
William and Iroquois Street, to
be used as an insurance and real
estate office.

This property is located close to several properties used
for business purposes. No one appeared in opposition.

The Zoning Board of Appeals inspected this property and the
property in the immediate neighborhood, and recommends the application
to zone from "Residential District" to "Business District" be
granted.

Attached hereto is a complete description of the property
to be rezoned.

Dated: June 18, 1953.

Leo H. Kurnick, Chairman
Lawrence M. Januszezak
Michael L. Henfling

STATE OF NEW YORK
COUNTY OF ERIE

ss:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheek-
towaga, Erie County, New York, that notice of which the
annexed printed slip taken from said newspaper, is a copy,
was inserted and published therein once a week for
..... week, the first insertion being on the
..... day of July, 1953 and
the last insertion being on the day of
....., 19....., and that not
more than six days intervened between any two publi-
cations thereof.

Richard G. Bennett

WHEREAS, the Zoning Board of Appeals held a public hearing on the 10th day of June, 1953, for the purpose of considering the application of Edward Lelonek for the rezoning from Residential District to Business District of the property hereinafter described, and annexing 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 15th day of June, 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 meeting thereon on the 26th day of June, 1953.

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

NOW, THEREFORE, BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended, entitled "Zoning Ordinance" be and

Sworn to before me this 8th day of

July, 1953

Kenneth D. Kelly
Notary Public in and for Erie County.

Posted as follows on the 8th day of July, 1953;

1- Town Hall Bulletin Board.

Hereto attached is a copy of the notice published in the Depew Herald & Cheektowaga News;

STATE OF NEW YORK
COUNTY OF ERIE

ss:

BOARD OF ZONING
In the Matter of the Application
of

FRANK PALUMBO

for a variance and use permit in a Business District of property located at 3408 Union Rd., Cheektowaga, N. Y., to be used for dry cleaning, pressing, tailoring and drapemaking.

The property is presently located in a business zone and has been used for business purposes. The use of dry cleaning equipment is not ordinarily permitted in a business district. In Buffalo such use is allowed in certain business districts where the use of dry cleaning equipment does not interfere with adjoining property owners.

We have inspected the location of said property and do not believe that the equipment to be used on the premises will in any way interfere with the general and quiet enjoyment of adjoining property owners.

The proposed equipment and use of the property is a variance from the zoning ordinance and is not permitted in the business zone.

The proposed use is a complete departure from the property's present use and is a complete departure from the property's present use.

3408 Union Road, west side, north of New Walden Avenue, 200x100 feet.

Dated: June 10th, 1953.

Leo Kuratko, Chairman

Lawrence M. Januszek

Michael L. Harding

Joseph Kahan

Charles Hannon

KENNETH T. HANLEY,

Town Clerk

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 2nd day of July, 1953, and the last insertion being on the _____ day of _____, 19____, and that not more than six days intervened between any two publications thereof.

_____ day of

_____, 1953

Notary Public in and for Erie County.

4
DECISION
OF
ZONING BOARD OF APPEALS

In the Matter of the Application
of

Edward Lelonek

to zone from "Residential District" to "Business District" certain property located on William Street, north side, northwest corner of William and Iroquois Street, to be used as an insurance and real estate office.

This property is located close to several properties used for business purposes. No one appeared in opposition.

The Zoning Board of Appeals inspected this property and the property in the immediate neighborhood, and recommends the application to zone from "Residential District" to "Business District" be granted.

Attached hereto is a complete description of the property to be rezoned.

Dated: June 18, 1953.

Leo H. Kurnick, Chairman
Lawrence M. Januszezak
Michael L. Henfling

STATE OF NEW YORK
COUNTY OF ERIE

ss:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for week, the first insertion being on the day of 1953 and the last insertion being on the day of

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

Richard G. Bennett

7th day of

1953

Handwritten signature
in and for Erie County.

WHEREAS, the Zoning Board of Appeals held a public hearing on the 10th day of June, 1953, for the purpose of considering the application of Edward Lelonek for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

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

WHEREAS, the Zoning Board of Appeals on the 18th day of June, 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 meeting thereon on the 26th day of June, 1953.

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

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

DESCRIPTION

All that tract or parcel of land, situate in the Town of Cheektowaga, New York, being part of Lot No. 23, Township 11, Range 7, of the Holland Land Company's Survey and according to a map of Rozan and Gemmel tract filed in the office of the Clerk of the County of Erie under Map Cover No. 688 and is further distinguished as subdivision lot numbers 58, 59, and 60 in Block D, 81 by 120 feet. (William Street, north side, north west corner of William and Iroquois Street).

Dated: June 27, 1953.

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

Posted as follows on the 8th day of July, 1953;

1- Town Hall Bulletin Board.

Hereto attached is a copy of the notice published in the Depew Herald & Cheektowaga News;

STATE OF NEW YORK
In and for the County of Erie, I, the undersigned, do hereby certify that the following is a true and correct copy of the notice published in the Depew Herald & Cheektowaga News, dated July 8, 1953, and filed for record in the Office of the County Clerk of Erie County, New York, on July 8, 1953.

DEPEW HERALD & CHEEKTOWAGA NEWS
A public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 2nd day of July, 1953 and the last insertion being on the 8th day of July, 1953, and that not more than six days intervened between any two publications thereof.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 2nd day of July, 1953 and the last insertion being on the 8th day of July, 1953, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

Sworn to before me this 8th day of

July, 1953

Notary Public in and for Erie County.

1212000

In the Matter of the Application of

John F. Geiger

for rezoning premises on the south side
of Genesee Street, east of Dick Road,
from "Residential District" to
"Business District".

The property in question is located across from the Buffalo Airport and is located on Genesee Street. It is also located in a Business Area.

The application was made to zone for business purposes a frontage on Genesee Street of 350 feet for the purpose of constructing a show-room and garage and parking area for an automobile agency. Pat Cosentino has purchased this property and he is a franchised automobile dealer.

He appeared before the Zoning Board and consented to a reduction of a frontage on Genesee Street from 350 feet to 250 feet. No one appeared in opposition.

The members of the Zoning Board of Appeals made personal inspection of this property as well as the adjoining property, and are of the opinion that the application for rezoning should be approved. The Zoning Board of Appeals, therefore, recommends that the following property be rezoned from "Residential District" to "Business District":

Genesee Street, south side, commencing 544.10 feet east from the center line of Dick Road, for a depth of 350 feet.

Dated: June 25, 1953.

Leo H. Kurnick, Chairman
Michael Henfling
Charles Hanson
Joseph Kubera

WHEREAS, the Zoning Board of Appeals held a public hearing on the 24th day of June 1953, for the purpose of considering the application of John F. Geiger for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

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

WHEREAS, the Zoning Board of Appeals on the 25th day of June 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 meeting thereon on the 26th day of June 1953.

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

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

DESCRIPTION

Genesee Street, south side, commencing 544.10 feet east from the center line of Dick Road, for a depth of 350 feet.

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

Dated: June 26, 1953.

Posted as follows on the 8th day of July, 1953;

1- Town Hall Bulletin Board.

Hereto attached is a copy of the notice published in the Depew Herald & Cheektowaga News;

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for week, the first insertion being on the day of 1953 and the last insertion being on the day of 19....., and that not more than six days intervened between any two publications thereof.

day of

1953

in and for Erie County.

WHEREAS, the Zoning Board of Appeals held a public hearing on the 10th day of June, 1953, for the purpose of considering the application of Edward Lelonek 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 15th day of June, 1953, having rendered its decision granting the application of petitioner to rezone from Residential District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 20th day of June, 1953.

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

NOW, THEREFORE, BE IT RESOLVED, by this Town Board that the Ordinance adopted December 21, 1952, and as now amended, entitled "Zoning Ordinance" be and the same hereby is amended by changing the Zoning Map so as to change the following described property from that of "Residential District" to "Business District."

ENCLATURE

All that tract or parcel of land, situate in the Town of Cheektowaga, New York, being part of Lot No. 23, Township 11, Range 7, of the Holland Land Company's Survey and according to a map of Roman and Gammal tract filed in the office of the Clerk of the County of Erie under Map Cover No. 868 and is further distinguished as subdivision lot numbers 58, 59, and 60 in Block D, 81 by 120 feet. (William Street, north side, north west corner of William and Gammal Street).

Dated: June 27, 1953.

KENNETH T. HANLEY,

Town Clerk, Town of Cheektowaga, New York

Posted as follows on the 11th day of July, 1953;

1- Town Hall Bulletin Board.

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

LEGAL NOTICE

Rezoning Granted

WHEREAS, the Zoning Board of Appeals held a public hearing on the 24th day of June 1953, for the purpose of considering the application of John F. Geiger for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

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

WHEREAS, the Zoning Board of Appeals on the 25th day of June 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 meeting thereon on the 26th day of June 1953.

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

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

DESCRIPTION

Genesee Street, south side, commencing 544.10 feet east from the center line of Dick Road, 250 by 350 feet.

KENNETH T. HANLEY,

Town Clerk, Town of Cheektowaga, New York.

Dated: June 26, 1953.

(7-9)

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one weeks; first publication JUL 9 1953; last publication JUL 9 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of JUL 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, 19
Registered No. 5029

In the Matter of the application of

Thaddeus V. Sinor and

Eleanor M. Sinor

To rezone from "Residential District" to "Business District" the property located on the east side of Harlem Avenue near Huth Road.

The petitioners purchased Subdivision Lots 50 and 51, as shown on Subdivision Map filed in the Erie County Clerks' Office under Cover 1359. It is their intention to construct thereon a home with two store fronts, one to be used as a jewelry store, and the other to be rented out.

Adjoining this property, at the corner, is a large grocery store, and there are many business places in the immediate vicinity.

The members of the Zoning Board of Appeals have inspected the property as well as the adjoining property. They recommend the application to rezone the aforementioned property from "Residential District" to "Business District" be granted.

Resolving Granted

WHEREAS, the Zoning Board of Appeals held a public hearing on the 24th day of June 1953, for the purpose of considering the application of Thaddeus and Eleanor Sinor for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

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

WHEREAS, the Zoning Board of Appeals on the 25th day of June 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 meeting thereon on the 26th day of June 1953.

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

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

DESCRIPTION

Part of Lot Twenty-seven (27) Township Eleven (11), Range Seven (7) of the Holland Land Company's Survey, and being more particularly described as Subdivision Lots Fifty (50) and Fifty One (51) upon a certain Subdivision Map filed in the Erie County Clerk's Office under Cover Number 1359.

Harlem Road, east side, between Huth Road and Homesgarth Ave.

WITNESSED by the Town of
 Erie, New York,
 Dated: June 24, 1953.

Lee H. Karnick, Chairman
 Michael Hamling
 Charles Hansen
 Joseph Kubera

Posted as follows on the 11th day of July, 1953;

1- Town Hall Bulletin Board.

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

LEGAL NOTICE

Rezoning Granted

WHEREAS, the Zoning Board of Appeals held a public hearing on the 24th day of June 1953, for the purpose of considering the application of Thaddeus and Eleanor Sinor for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

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

WHEREAS, the Zoning Board of Appeals on the 25th day of June 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 meeting thereon on the 26th day of June 1953.

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

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

DESCRIPTION

Part of Lot Twenty-seven (27) Township Eleven (11), Range Seven (7) of the Holland Land Company's Survey, and being more particularly described as Subdivision Lots Fifty (50) and Fifty One (51) upon a certain Subdivision Map filed in the Erie County Clerk's Office under Cover Number 1359.

Harlem Road, east side, between Huth Road and Homesgarth Ave. (80 x 135 feet)

KENNETH T. HANLEY,

Town Clerk, Town of Cheektowaga, New York.

Dated: June 26, 1953.

(7-9)

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF CHEEKTOWAGA

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication JUL 9 1953; last publication JUL 9 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

day of JUL 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

In the Matter of the Application
 of

Dr. Anthony M. Aquilina

to zone from " Residential District
 to "Business District " certain
 property located on the south side
 of Cleveland Drive 105.35 feet east
 of Briarcliffe Road.

The applicant owns the adjoining premises, which are used solely for residence purposes. He seeks to have the adjoining lot zoned for business purposes so that he can construct thereon a professional office to carry on the profession of physician and surgeon. The property in the immediate neighborhood is zoned "Residential". Attached hereto is a complete description of the property to be rezoned.

Plans of the building to be constructed on the premises were submitted to the Zoning Board of Appeals and it appears that the building will in many respects resemble a private residence. It was also explained that no business of any kind was to be conducted on the premises, and that the building is intended solely to provide an office and clinic facilities.

The Zoning Board of Appeals recommends the granting of the zoning appeal, providing the use of said premises is restricted solely for use as professional offices of physicians and surgeons.

Dated: June 18, 1953.

Lee E. Hurling, Chairman
 Lawrence E. J. Hurling
 Michael L. Hurling.

WHEREAS, the Zoning Board of Appeals held a public hearing on the 10th day of June 1953, for the purpose of considering the application of Dr. Anthony Aquilina for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

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

WHEREAS, the Zoning Board of Appeals on the 18th day of June 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 meeting thereon on the 26th day of June 1953.

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

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

DESCRIPTION

All that tract or parcel of Land, situated in the Town of Cheektowaga, New York, being part of Lot No. 27, Township 11, Range 7, of the Holland Land Company Survey, and further distinguished as Subdivision Lot No. 125 as shown on a map filed in Erie County Clerk's Office under cover No. 1359 being 50 feet front and rear by 130.71

Done at Cheektowaga, New York,
 this 26th day of June, 1953.
 Town Clerk, Town of
 Cheektowaga, New York.
 Dated: June 26, 1953.

Posted as follows on the 11th day of July, 1953;

1- Town Hall Bulletin Board.

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

LEGAL NOTICE

Rezoning Granted

WHEREAS, the Zoning Board of Appeals held a public hearing on the 10th day of June 1953, for the purpose of considering the application of Dr. Anthony Aquilina for the rezoning from Residential District to Business District of the property hereinafter described, and amending the Zoning Map and Ordinance accordingly, and

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

WHEREAS, the Zoning Board of Appeals on the 18th day of June 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 meeting thereon on the 26th d. of June 1953.

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

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

DESCRIPTION

All that tract or parcel of Land, situated in the Town of Cheektowaga, New York, being part of Lot No. 27, Township 11, Range 7, of the Holland Land Company Survey and further distinguished as Subdivision Lot No. 125 as shown on a map filed in Erie County Clerks Office under cover No. 1359 being 50 feet front and rear by 130.71 feet in depth, on the south side of Cleveland Drive being 105.35 feet east of Briarcliff Road.

KENNETH T. HANLEY,
Town Clerk, Town of

Cheektowaga, New York.

Dated: June 26, 1953.

(7-9)

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

WILLARD C. ALLIS, of the Town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he is the publisher of the Cheektowaga Times, a public newspaper published weekly in said Town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for one week; first publication JUL 9 1953; last publication JUL 9 1953; and that no more than six days intervened between publications.

Willard C. Allis

Sworn to before me this.....

JUL 10 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 26, 1955
Registered No. 6028

Appeals held a public hearing on the 10th day of June, 1953, for the purpose of considering the application of Eugene J. Komorowski 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 26th day of June, 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 meeting thereon on the 26th day of June, 1953.

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

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

DESCRIPTION

Part of Farm Lot 24, Township 11, Range 7, of the Holland Land Company's Survey and according to a map of North Harlem Land Company Subdivision filed in the office of the Clerk of the County of Erie under Map Cover 400 known and distinguished as Subdivision Lots Numbers 19, 20, 21, and the north 22 feet of sub-division Lots No. 18, 77 and 78, subject to easements and rights of way owned by the County of Erie and excepting that part of the above described premises conveyed to or dedicated by the County of Erie for highway and drainage purposes as appears by the records of the Clerk of the County of Erie. (Harlem Road, east side, southeast corner of McNaughton Avenue)

Dated: June 26, 1953.

KENNETH T. HANLEY,

199 Town Clerk, Town of
Cheektowaga, New York

Posted as follows on the 11th day of July, 1953;

1- Town Hall Bulletin Board.

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

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for week, the first insertion being on the 2th day of July, 1953, and the last insertion being on the day of 19....., and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

Sworn to before me this 21st day of

September, 1953

James T. Harley

Notary Public in and for Erie County.

ITEM NO. 14 Councilman Bystrak presented the following resolution and moved its adoption:

WHEREAS, an examining board appointed by the Appellate Division, Fourth Department of the State of New York has requested the use of the Council Chamber on Tuesday, July 28, 1953, at 8 o'clock, P.M., to hold a public meeting to investigate the operation of the jury system in Erie County, and

WHEREAS, all citizens and officials of the Town of Cheektowaga and the Towns of Newstead, Alden, Lancaster and Marilla have been invited to attend the public hearing. Be it

RESOLVED, that permission be and it is hereby granted the examining board to hold the public hearing in the Council Chamber of the Town Hall on Tuesday, July 28, 1953, at 8 o'clock, P.M., and be it further

RESOLVED, that the invitation to attend said public hearing be accepted by the Town Officials and that all citizens of the Town of Cheektowaga, New York, be invited to said hearing.

Seconded by Councilman Wroblewski. CARRIED: AYES: -4-.

ITEM NO. 15 Councilman Wroblewski presented the following resolution and moved its adoption:

RESOLVED, that Miss Shirley Ann Stenzel of be provisionally appointed a Senior Stenographer in the Town Clerks' Office at an annual salary of \$2300, payable in semi-monthly installments, and

BE IT FURTHER RESOLVED, that the Personnel Director of Erie County be requested to hold a competitive examination for Senior Stenographer in the Town of Cheektowaga, New York.

Seconded by Councilman Weibert. CARRIED: AYES: -4-.

ITEM NO. 16 The Town Clerk then proceeded to read the minutes of the previous meetings held on; April 10, 1953; April 16, 1953; April 20, 1953; April 24, 1953, May 4, 1953; May 9, 1953; May 18, 1953, May 28, 1953; June 1, 1953; June 5, 1953; June 13, 1953; June 15, 1953; June 20, 1953 and June 22, 1953, and there being no changes or alterations, Councilman Weibert moved, seconded by Councilman Wroblewski, that the said minutes be placed on file in the Town Clerk's Office.

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

RESOLVED, that the Town Clerk be authorized and directed to obtain permission from the Erie County Highway Superintendent for the erection of a Stop and Go traffic signal at the inter-section of Como Park Boulevard and Indian Road.

Seconded by Councilman Wroblewski. CARRIED: AYES: -4-.

ITEM NO. 18 Councilman Weibert moved, seconded by Councilman Wroblewski, to adjourn.

Kenneth T. Hanley

Town Clerk.

SEAL

Posted as follows on the 11th day of July, 1953;

1- Town Hall Bulletin Board.

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

STATE OF NEW YORK
COUNTY OF ERIE

ss:

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for week, the first insertion being on the day of July, 1953, and the last insertion being on the day of 19....., and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

1st day of

1953

Harley

Public in and for Erie County.

WHEREAS, the Zoning Board of Appeals held a public hearing on the 10th day of June, 1953, for the purpose of considering the application of Eugene J. Komorowski 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 20th day of June, 1953, having rendered its decision granting the application of petitioner to rezone from Residential District to Business District the property hereinafter described, and the said decision of the Zoning Board of Appeals having been duly presented to the Town Board at a meeting thereon on the 26th day of June, 1953,

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

NOW, THEREFORE, BE IT RESOLVED, by this Town Board that the Ordinance adopted December 22, 1942, and as now amended, entitled "Zoning Ordinance" be and the same hereby is amended by changing the Zoning Map so as to change the following described property from that of "Residential District" to "Business District."

DESCRIPTION

Part of Farm Lot 24, Township 11, Range 7, of the Holland Land Company's Survey and according to a map of North Harlem Land Company Subdivision filed in the office of the Clerk of the County of Erie under Map Cover 400 known and distinguished as Subdivision Lots Numbers 19, 20, 21, and the north 23 feet of subdivision Lots No. 18, 77 and 78, subject to easements and rights of way owned by the County of Erie and excepting that part of the above described premises conveyed to or dedicated by the County of Erie for highway and drainage purposes as appears by the records of the Clerk of the County of Erie. (Harlem Road, east side, southeast corner of McNaughton Avenue)

Dated: June 26, 1953.

KENNETH T. HANLEY,

Town Clerk, Town of Cheektowaga, New York