

Item No. 1 At a organization meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 7th day of January, 1957, at 2:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT:	Benedict T. Melts	Supervisor
	Felix T. Wroblewski	Councilman
	Joseph Kernecki	"
	Joseph M. Trejanecki	"
	Joseph A. Heibert	"
	Stanley R. Bystak	"

ABSENT: Henry J. Nagel " "

Also present were; Town Clerk Kenneth T. Hanley; Assistant Town Attorney Thomas E. Dalahunt; Chief of Police John Marzmann; Receiver of Taxes & Assessments Edward H. Pfohl; Justice of the Peace Ralph J. Radwan; Building & Plumbing Inspector Carl J. Trafalski; Dog Warden Benjamin Kraska and Assessors Eugene Rudzynski.

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

RESOLVED, that the salaries of Town Employees and Officials for the year 1957, and thereafter be established as follows:

Supervisor.....	\$8,200.00
Town Clerk.....	6,500.00
Town Attorney.....	9,200.00 -
Assistant Town Attorney.....	4,000.00
Justices of the Peace (2).....	4,500.00
Councilman (6) each.....	4,000.00
Receiver of Taxes.....	6,500.00
Chairman of the Board of Assessors.....	5,400.00 -
Assessors (2) each.....	4,700.00
Secretary Board of Assessors.....	4,700.00
Superintendent of Highways.....	7,200.00
General Foreman-Sanitation.....	4,600.00
Principal Clerk-Sanitation.....	4,400.00
Building & Plumbing Inspector.....	5,000.00 -
Assistant Building & Plumbing Inspector.....	4,600.00 =
Town Engineer.....	9,200.00 -
Assistant Engineer.....	5,500.00 -
Draftsman (2) each.....	4,600.00
Senior Clerk (Special Assessments).....	3,650.00
Deputy Town Clerk (1st).....	3,700.00
Deputy Town Clerk (2nd).....	3,400.00
Telephone Operator.....	3,200.00
Dog Wardens (2) each.....	3,500.00 -
Attendance Officers (2) each.....	1,400.00 -
Park and Recreation Director.....	4,200.00 -
Secretary to Supervisor.....	4,400.00 -
Payroll Clerk.....	3,700.00
Senior Account Clerk-Tax Office.....	3,700.00
Addresograph Operator.....	3,500.00
Stenographers (5) each.....	3,200.00
Principal Account Clerk-Highway.....	4,900.00
Foreman-Incinerator.....	4,900.00
Asst. Foreman-Incinerator.....	4,800.00
Incinerator Operators (2) each.....	4,600.00
Sewage Plant Operators Dist. No. 3.....	4,400.00
Operator Sewage Plant 3.....	4,500.00
Sewage Plant Operators Dist. 5.....	4,400.00
Supt. of Sewage Plants.....	5,000.00
Chief of Police.....	6,700.00
Lieutenants (5) each.....	5,500.00
Detective Sergeants (6).....	5,250.00
Patrolmen (34).....	5,000.00

Item No. 2-Contd

Police Dispatcher and Telephone Operators (4).....	\$4,650.00
Auto Mechanic-Police.....	4,500.00
Radio Maintenance Man.....	1,300.00
Police Matron.....	1,200.00
Health Officer.....	4,400.00
Accounting Machine Operator.....	3,200.00
General Mechanic.....	4,900.00
Charwomen (2).....	11.70 per day
Working Foreman-Highway (2).....	2.20 per hour.
Auto Mechanic-Highway.....	2.20 per hour.
Motor Equipment Operators-Highway.....	2.08½ per Hr.

Laborers-Highway.....	2.01 per hr.
Laborers-Incinerator.....	2.01 per hr.
Motor Equip. Operators-Sanitation.....	2.08½ per hr.
Laborers-Sanitation.....	2.01 per hr.
Extra Clerks.....	11.00 per day
School Crossing Guards.....	1.30 per hr.
Traffic Guards.....	2.00 per hr.
Recreation Supervisors.....	1.85 per hr.
Park Attendants.....	1.60 per hr.

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

Supervisor Roll:	Voting	AYE
Councilman Wroblewski.....	"	"
Councilman Neibert.....	"	"
Councilman Bystrak.....	"	"
Councilman Kornecki.....	"	"
Councilman Trejanski.....	"	"

AYES: -6-

NOES: -0-

ABSENT: -1-

Item No. 3 Councilman Bystrak moved, seconded by Councilman Wroblewski that the request of Ruth A. Reock for a three months leave of absence effective as of January 15, 1957, be granted.

Item No. 4 (Page A-28)

The following resolution was offered by Councilman Trejanski, who moved its adoption, seconded by Councilman Neibert, to wit:

CAPITAL NOTE RESOLUTION, DATED JANUARY 7, 1957,
AUTHORIZING THE ISSUANCE OF \$13,525.00 CAPITAL
NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY
OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO
FINANCE THE ACQUISITION OF HIGHWAY MACHINERY.

BE IT RESOLVED, BY THE TOWN BOARD OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Capital Notes of the aggregate principal amount of \$13,525.00 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose"), to be financed by the issuance of such Capital Notes is the acquisition of machinery or apparatus for highway construction or maintenance and consists of the purchase of a tractor-shovel at a maximum cost of \$18,070.00.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board is \$18,070.00 and (b) no money has heretofore been authorized to be applied to the payment of the cost of such purpose other than \$4,545.00 which has been made available therefor by trade-in allowance to be received for equipment traded in as part of cost of equipment being purchased, and (c) the Town Board plans to finance the cost of said purpose entirely from funds raised by the issuance of said Capital Notes and by the said trade-in allowance.

Section 4. It is hereby determined that said purpose is an object or purpose described in Subdivision 28 of Paragraph A of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years.

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

Section 6. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the Depew Herald and Cheektowaga News, a newspaper published and having a general circulation in said Town. The validity of said Capital Notes may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or if said obligations are authorized in violation of the provisions of the Constitution of New York.

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

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

Supervisor Benedict T. Holts	Voting AYE
Councilman Felix T. Wroblewski	" "
Councilman Stanley R. Bystrak	" "
Councilman Joseph A. Heibert	" "
Councilman Joseph Trejanoski	" "
Councilman Joseph Karnecki	" "

AYES: -6-

NOES: -0-

ABSENT: -1-

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

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

Section 7. This resolution shall take effect immediately upon its adoption.
The Capital Note Resolution published herewith has been adopted on the 7th day of January, 1957, and the validity of the obligations authorized by such capital note resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution of New York.

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for week, the first insertion being on the day of 1957, and the last insertion being on the day of 1957, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

Sworn to before me this 15 day of

January, 1957

Kenneth T. Hanley
Notary Public in and for Erie County

STATE OF NEW YORK
COUNTY OF ERIE

ss:.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

NOTE RESOLUTION
JANUARY 7, 1937, AUTHORIZING THE ISSUANCE OF \$13,000 CAPITAL NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE ACQUISITION OF HIGHWAY MACHINERY.

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

Section 1. The Town of Cheektowaga, in the County of Erie, shall issue its Capital Notes of the aggregate principal amount of \$13,000 pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereafter described.

Section 2. The specific purpose hereafter referred to as "purpose" to be financed by the said Capital Notes is the acquisition of machinery or apparatus for highway construction or maintenance and consists of the purchase of a tractor-shovel at a net cost of \$8,070.00.

Section 3. It is hereby stated that the maximum cost of said purpose is estimated by the Town of Cheektowaga to be (a) \$18,070.00 and (b) no such amount has heretofore been authorized to be applied to the payment of the cost of such purpose other than \$1,545.00 which has been available therefor by trade-in allowance to be received for equipment being purchased and traded in as part of the cost of said purpose.

Section 4. It is hereby determined that said purpose is an object of the kind described in Subdivision 1 of Paragraph a of Section 81.00 of the Local Finance Law, and the period of probable usefulness of said purpose is five years.

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

Section 6. This resolution shall be published in full by the Town of Cheektowaga, together with the substance in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the Depew Herald and Cheektowaga News, a newspaper published and having general circulation in said Town. The validity of said Capital Notes shall be contested only if such objections are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law should be complied with at the time of the publication of this resolution were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or if said obligations are authorized in violation of the provisions of the Constitution of New York.

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

The Capital Note Resolution published herewith has been adopted on the 7th day of January, 1937, 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

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

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

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

(1) Capital Notes of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$13,525.00 shall be issued pursuant to the Capital Note Resolution entitled "Capital Note Resolution dated January 7, 1957" authorizing the issuance of \$13,525.00 Capital Notes of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the acquisition of highway machinery". Said Capital Notes shall be designated "Highway Machinery Capital Notes, Serial A, 1957". Said Capital Notes shall consist of two notes of the denomination of \$6,762.50 each, numbered 1 & 2, in the order of their maturity and shall constitute an issue of Capital Notes payable in annual installments on April 1 in each of the years 1958 and 1959.

(2) All of said Capital Notes shall be dated as of a date subsequent to January 7, 1957 and shall bear interest from their date at the rate of $2\frac{1}{4}\%$ per annum. The interest on the Capital Notes shall be payable on April 1, 1957 and thereafter on each April 1 and October 1.

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

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

(5) The power to prescribe the terms, form and contents of said Capital Notes, subject to the provisions of this resolution are hereby delegated to the Town Supervisor. Said Capital Notes shall be sold to the Manufacturers and Traders Trust Company of Buffalo, New York, at private sale, and shall bear interest rate of $2\frac{1}{4}\%$ per annum.

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

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

Supervisor Benedict T. Holtz	Voting AYE
Councilman Joseph A. Neibert	" "
Councilman Stanley R. Bystrak	" "
Councilman Felix T. Wroblewski	" "
Councilman Joseph Trojaneski	" "
Councilman Joseph Kernecki	" "

AYES: -6-

NOES: -0-

ABSENT: -1-

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

WHEREAS, a request has been made to the New York State Traffic Commission for approval of the installation of a pedestrian push button actuated signal at the intersection of Clinton Street, Willougham Parkway and Beaynton Avenue in the Towns of Cheektowaga and West Seneca, Erie County, New York, and

WHEREAS, the New York State Traffic Commission has submitted four copies of an application for a permit authorizing such installation.

BE IT RESOLVED, that the Town Clerk be and he hereby is authorized to execute these applications and submit a certified copy of this resolution, together with the permits to the New York State Traffic Commission.

Item No. 6-Contd

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

Supervisor Helts	Voting AYE
Councilman Helbert	"
Councilman Wreblewski	"
Councilman Bystrak	"
Councilman Kernocki	"
Councilman Trejanski	"

AYES: -6-

NOES: -0-

ABSENT: -1-

Item No. 7

Councilman Wreblewski presented the following resolution and moved its adoption:

WHEREAS, sealed bids were received and publicly opened at a meeting of the Town Board held December 17, 1956, at 7:30 o'clock P.M., for the purchase of one thousand (1000) lineal feet of Twelve (12) inch pipe in Twenty (20) feet, Fifteen (15) gauge lengths with collars and five Hundred (500) lineal feet of Twenty-four (24) inch pipe in Twenty (20) feet, Twelve (12) gauge lengths with collars to meet the specifications referred to in the Notice to Bidders, and

WHEREAS, Cheung Supply Corporation submitted a bid to furnish said pipe as per specifications for the sum of \$4,957.08, which was the lowest bid submitted,

BE IT RESOLVED, that the aforementioned bid be accepted and that the Supervisor be authorized to enter into a contract with the Cheung Supply Corporation for the purchase of said pipe.

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

Supervisor Helts	Voting AYE
Councilman Helbert	"
Councilman Wreblewski	"
Councilman Bystrak	"
Councilman Kernocki	"
Councilman Trejanski	"

AYES: -6-

NOES: -0-

ABSENT: -1-

Item No. 8

Councilman Trejanski presented the following resolution and moved its adoption:

WHEREAS, many requests have been made to erect a bridge across Bojagunda Creek at the northerly termini of Alexander Avenue for the convenience of school children and others, and

WHEREAS, the Town Board deems it advisable to construct a bridge at the aforementioned point,

BE IT RESOLVED, that Russebaum, Clarke and Valsey, Consulting Engineers, be engaged to prepare plans and specifications for the construction of such bridge and to submit to the Town Board an estimate of the cost of said public improvement, and be it further

RESOLVED, that a copy of this resolution be forwarded to Russebaum, Clarke and Valsey, said Consulting Engineers.

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

Supervisor Helts	Voting AYE
Councilman Helbert	Voting AYE
Councilman Wreblewski	Voting AYE
Councilman Bystrak	Voting AYE
Councilman Kernocki	Voting AYE
Councilman Trejanski	Voting AYE

AYES: -6-

NOES: -0-

ABSENT: -1-

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

WHEREAS, the Cheektowaga Town Board in 1948 prescribed a maximum charge of \$4.00 for day towing and \$6.00 for night towing of automobiles when requested by the Police Department, and

WHEREAS, the Town Board is of the opinion that such charges are now inadequate,

BE IT RESOLVED, that a maximum charge of \$10.00, whether in the day time or at night be charged by garages for towing, in response to police requests.

Seconded by Councilman Wroblewski.

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

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

WHEREAS, emergency sewer repairs were required on Kenville Avenue in Sanitary Sewer District No. 5, which repairs were ordered by the Town Engineer, and

WHEREAS, the cost of the work and materials amounted to \$587.13, be it

RESOLVED, that the voucher of Strace Inc., in the amount of \$587.13 to do the work and furnish the materials be approved and ordered paid.

Seconded by Councilman Kernecki.

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

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

RESOLVED, that the New York State Electric and Gas Corporation be authorized to install six (6) pole type lighting standards with 2500 lumen lamps in Dingen Street beginning at Harlem and Dingen west to the Lehigh Valley Railroad Bridge.

Seconded by Councilman Wroblewski.

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

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Item No. 12 On a motion of Councilman Kernecki, seconded by Councilman Wroblewski the Erie County Water Authority was authorized and directed to install fire hydrants as per the request of the Walden Fire District No. 2.

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

Hereto are a list of locations specified by the Walden Fire District No. 2:

1. Corner of Abalos and Vincent Street;
2. in front of No. 164 McNaughton Avenue;
3. In front of Sublet No. 25, Patten Lane, (Hastings Subdivision);
4. In front of Sublet No. 9, McNaughton Avenue north (Hastings Subdivision);
5. In front of Sublet No. 43, McNaughton Avenue (Hastings Subdivision);
6. In front of Sublet No. 60, McNaughton Avenue (Hastings Subdivision);
7. in front of Sublet No. 95, St. Beniface Road (Hastings Subdivision);
8. Relocate present hydrant at Harlem and Walden Avenue to Harlem and Walden Terrace.

The hydrant to be placed in front of No. 164 McNaughton Avenue is in place of previous request for hydrant in front of No. 158 McNaughton Avenue.

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Item No. 13 On a motion of Councilman Weblewski, seconded by Councilman Helbert, that the Town Highway Supervisor's Bond in the amount of Twenty Thousand Dollars (\$20,000.00), expiring on December 31, 1957, be approved, and that the Town Clerk be authorized and directed to record a copy of same in the Erie County Clerk's Office and that a copy of same be sent to the County Treasurer of Erie County and the Department of Audit and Control of the State of New York.

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

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Item No. 14 On a motion of Councilman Kornecki, seconded by Councilman Trojanski, all Town Officials were authorized to attend the Annual Meeting of the Association of Towns at Buffalo, New York, to be held on February 12, 13 and 14, 1957, and Supervisor Helts was designated a delegate to the said meeting for the Town of Cheektowaga.

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Item No. 15 On a motion of Councilman Weblewski, seconded by Councilman Helbert, the Town Clerk was authorized and directed to issue Building Permits on applications processed by the Petitions Committee on January 5, 1957, after the same have been approved by the Building Inspector.

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

RESOLVED, Patrick A. Cosentino and Anthony H. Santiago have applied for a rezoning of the following described property from a Residential District to a First Industrial District, and
WHEREAS, the Zoning Board of Appeals recommended the granting of said application with certain exceptions, and
WHEREAS, the Town Board feels that such rezoning should not be granted due to the fact that if said rezoning would be granted a railroad siding would necessarily cross Bull Avenue, near Goblecki Street, thus devastating adjoining residential property and inconveniencing many residents in new homes recently erected in the vicinity; that it would be desirable to confine industrially zoned property in concentrated areas and that there is a large quantity of vacant industrial property in the Town of Cheektowaga, New York, be it

RESOLVED, therefore, that the application of Patrick A. Cosentino and Anthony H. Santiago to remove from a Residential District to a First Industrial District approximately 20 acres, commencing approximately 415 feet east of the intersection of Genesee Street and Dick Road, on the southerly side of Genesee Street, having a frontage on Dick Road of approximately 77 feet, be denied without prejudice to the applicants to re-apply for rezoning of certain portions of the described premises for motel purposes.

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

Supervisor Helts	Voting AYE
Councilman Helbert	"
Councilman Weblewski	"
Councilman Rystriek	"
Councilman Kornecki	"
Councilman Trojanski	"

AYES: -6-

NOES: -0-

ABSENT: -1-

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Item No. 17 Councilman Kornecki moved, seconded by Councilman Rystriek, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same. (Warrant No. 1 to 99, inclusive, drawn on the Supervisor).

Item No. 18 The Town Attorney advised Mr. Thaddeus Pawlicki that his request for an appeal relating to the rezoning of premises located at the corner of Harlem Road and George Urban Boulevard, was referred to the Zoning Board of Appeals for re-consideration. 19

Item No. 19 Councilman Nagel moved, seconded by Councilman Bystrak, to adjourn until 7:30 P.M., on January 14, 1957.

SEAL

Kenneth T. Hanley, Town Clerk.

Kenneth T. Hanley

Item No. 1 At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 14th day of January, 1957, at 7:30 o'clock P.M., there were:

PRESENT: Benedict T. Holtz	Supervisor
Felix T. Wroblewski	Councilman
Joseph Kornecki	"
Joseph Trojanoski	"
Stanley R. Bystrak	"

Absent: Joseph A. Neibert	"
Henry J. Nagel	"

Also present were: Town Clerk Kenneth T. Hanley, Assistant Town Attorney Thomas E. Delahunt and Town Engineer Albert J. Kamm.

Item No. 3 At the request of Councilman Wroblewski the Town Clerk was authorized and directed to inform the Town Board of West Seneca that in his opinion the assessment on Cheektowaga Disposal Plant No. 3, located at Clinton Street and Harlem Road, was excessive. 10 32

Item No. 4 The recommendation of Town Clerk Hanley that Election Districts No. 7-8-18-19-36-51 be split due to the fact that the vote for 1956 far exceeded the 650 limit as recommended by the Board of Elections was ordered referred to Committee for study. 11

Item No. 5 Petition for the improvement of Victoria Boulevard from Pine Ridge road to Markus Drive by the installation of street lighting equipment, ordered referred to the Assessors for a property check. 17 27

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

WHEREAS, Charles V. Switalski and Norma E. Switalski, his wife, are the owners of Subdivision Lots 831, 832, and 833, under Map Cover No. 1496, and

WHEREAS, it is necessary for the Town of Cheektowaga to acquire this property for drainage purposes, and

WHEREAS, the above mentioned owners are willing to convey the above mentioned property to the Town of Cheektowaga for the sum of \$555.42, which amount is the actual investment of the owners in the property.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to pay the amount of \$555.42 to Charles V. Switalski and Norma E. Switalski, his wife, for a conveyance to the Town of Cheektowaga of said property, and be it further

RESOLVED, that the Town Attorney be and he hereby is authorized to record said deed in the Erie County Clerk's Office.

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

Supervisor Holtz,	Voting---AYE
Councilman Wroblewski,	"
Councilman Brystrak,	"
Councilman Kornecki,	"
Councilman Trojanoski,	"

AYES: 5

NOES: 0

ABSENT: 2

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26

Item NO. 7 Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS, the Cheektowaga Town Board on January 7th, 1957, adopted a resolution enumerating therein the increase of pay for Town employees effective January 1, 1957, and

WHEREAS, the 1957 salaries for the two Justices of the Peace, due to typographical error, were listed at \$4,500.00, each of which salaries should have been listed at \$4,700.00, and

WHEREAS, THE 1957 salaries for two Janitors and one secretary to the Recreation Director were omitted from the resolution through error.

BE IT RESOLVED, that the salaries of the two Justices of the Peace be increased from \$4,500.00 each to \$4,700.00 each for the year 1957, effective January 1, 1957, and be it further

Item No. 7 Cont'd RESOLVED, that the salary of the secretary to the Recreation Director be increased from \$900.00 to \$1,000.00 for the year 1957, effective January 1, 1957.

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

	Supervisor Holtz,	Voting---AYE
	Councilman Wroblewski,	"
	Councilman Bystrak,	"
	Councilman Kornecki,	"
	Councilman Trojanosky,	"
AYES: 5	NOES: 0	ABSENT: 2

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

WHEREAS, emergency water line repairs were required on Borden Road in Water District No. 9, and

WHEREAS, the Town Engineer ordered that this work be performed by Ralph D. Young, Inc., and

WHEREAS, said work has been completed and approved by the Town Engineer and the voucher of Ralph D. Young, Inc. has been submitted for materials furnished and services performed in the amount of \$542.40.

BE IT RESOLVED, that the voucher of Ralph D. Young, Inc. in the amount of \$542.40 be approved and ordered paid.

Seconded by Councilman Trojanoski.

DATED: January 14, 1957

AYES: 5	NOES: 0	ABSENT: 2
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Item No. 9 Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Public Service Commission has indefinitely adjourned the hearing instituted upon the petition of the New York Central Railroad to close the Dick Road crossing in the Town of Cheektowaga, New York, and

WHEREAS, the Cheektowaga Town Board is cognizant of the dangers of the crossing as presently constituted, and

WHEREAS, the Cheektowaga Town Board is unanimously opposed to the closing of the crossing, having in mind the convenience, safety, protection and investment of the citizens of the Town, and

WHEREAS, the Cheektowaga Town Board is unanimously in favor of the construction of an underpass at the Dick Road crossing of the New York Central Railroad Tracks.

BE IT RESOLVED, that the Town Clerk be and he hereby is authorized to send a certified copy of this resolution to all New York State Legislators from the Cheektowaga area, seeking the support of said Legislators in obtaining the enactment of necessary legislation for the construction of said underpass at the expense of the State of New York and the New York Central Railroad Company, in accordance with Chapter 195 of the Laws of 1941 of the State of New York, as adopted and amended.

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

	Supervisor Holtz,	Voting---AYE
	Councilman Wroblewski,	"
	Councilman Bystrak,	"
	Councilman Kornecki,	"
	Councilman Trojanosky,	"
AYES: 5	NOES: 0	ABSENT: 2

Item No. 10 On a motion of Councilman Kornecki, seconded by Councilman Trojanoski, that the amount of \$25,000.00 be loaned to the Highway Fund from the General Fund in lieu of the collection of 1957 taxes which amount is to be returned to the General Fund as soon as said taxes are collected, and that the said \$25,000.00 be credited to the Highway Fund in the following named accounts:

	\$3,000.00.....	Item No. 1 Highway Fund
	\$5,000.00.....	Item No. 3 Highway Fund
	\$17,000.00.....	Item No. 4 Highway Fund
CARRIED:	AYES: 5	NOES: 0 ABSENT: 2

Item No. 11 On a motion of Councilman Bystrak, seconded by Councilman Kornecki, the Supervisor was authorized and directed to enter into a Snow Removal Contract between the County of Erie and the Town of Cheektowaga for the period of November 15, 1956 to November 14, 1957.

CARRIED: AYES: 5

NOES: 0 ABSENT: 2

Item No. 12 On a motion of Councilman Trojanoski, seconded by Councilman Kornecki, the Town Clerk was authorized and directed to publish in the Depew Herald-Cheektowaga News the Supervisors Annual Report for the year 1956, and the Town Clerk have printed 100 copies of same report.

CARRIED: AYES: 5

NOES: 0 ABSENT: 2

Item No. 12 NOTICE OF PUBLIC HEARING-GREENLEAF LANE STREET LIGHTS

LEGAL NOTICE

At a regular adjourned 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 14th day of January, 1957, at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT:
Benedict T. Holtz, Supervisor
Joseph Trojanoski, Councilman
Felix T. Wroblewski, Councilman
Joseph Kornecki, Councilman
Stanley R. Bystrak, Councilman

ABSENT:
Joseph A. Neibert, Councilman
Henry J. Nagel, Councilman

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

WHEREAS, a petition for the improvement of both sides of the public highways situated in Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 3rd day of January, 1957.

PUBLIC HIGHWAYS TO BE IMPROVED

Greenleaf Lane, from Harlem Road to Ridge Park Avenue.

TYPE OF STREET LIGHTING INSTALLATION

Seven Y-20 Standards — Under Ground Conduit.

WHEREAS, EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZINSKI, 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 4th day of February, 1957, at 2:30 P.M., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

Councilman Bystrak, voting Aye
Councilman Trojanoski, voting Aye
Councilman Kornecki, voting Aye
Councilman Wroblewski, voting Aye
Supervisor Holtz, voting Aye
Ayes: 5; Noes: 0; Abent: 2.

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 14th day of January, 1957, 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 14th day of January, 1957.

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

Item No. 12-Contd Posted as follows on the 22nd day of January, 1957:

- 1- Post at the corner of Greenleaf Lane and Harlem Rd.
- 2- Post in front of No. 11 Greenleaf Lane;
- 3- Post in front of No. 27 Greenleaf Lane;
- 4- Post in front of No. 51 Greenleaf Lane;
- 5- Telephone Pole at the corner of Greenleaf Lane and Ridge Park Avenue.

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, the undersigned, being duly sworn, deposes and says that he is the Publisher of the Depew Herald and 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 1 week, the first insertion being on the 17th day of Jan., 1957, and the last insertion being on the day of 1957, and that not more than six days intervened between any two publications thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 14th day of January, 1957.

Richard G. Bennett, Publisher of the Depew Herald and Cheektowaga News, N.Y.

Notary Public in and for Erie County

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 Jan., 1957, and the last insertion being on the day of 1957, and that not more than six days intervened between any two publications thereof.

Sworn to before me this day of

JAN 22 1957

Notary Public in and for Erie County

Item No. 12-Contd Posted as follows on the 22nd day of January, 1957:

- 1- Post at the corner of Greenleaf Lane and Harlem Rd.
- 2- Post in front of No. 11 Greenleaf Lane;
- 3- Post in front of No. 27 Greenleaf Lane;
- 4- Post in front of No. 51 Greenleaf Lane;
- 5- Telephone Pole at the corner of Greenleaf Lane and Ridge Park Avenue.

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

STATE OF NEW YORK
COUNTY OF ERIE

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

At a regular adjourned 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 14th day of January, 1957, at 7:30 o'clock P.M., Eastern Standard Time, there were:

Present: T. Holtz, Supervisor
Trojanoski, Councilman
T. Wroblewski, Councilman
Joseph Kornecki, Councilman
Rosalby R. Bystrak, Councilman

Absent: Joseph A. Nelbert, Councilman
Henry J. Nagel, Councilman

Mr. Bystrak offers the following resolution and moved its adoption: WHEREAS, a petition for the improvement of both sides of the public highways situated in Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth by the installation of street lighting equipment, hereinafter particularly designated, was presented to this Town Board on the 3rd day of January,

PUBLIC HIGHWAYS TO BE IMPROVED

Harlem Lane, from Harlem Road to Ridge Park Avenue.

STREET LIGHTING INSTALLATION

Under Y-20 Standards - Under Standard Conduit.

WHEREAS, EDWARD B. JEROME, ANDREW H. SCHWENK, EUGENE A. RUDZINSKI,

of said Town of Cheektowaga, have certified in writing to the Town Board that the above petition was signed and acknowledged in due and proper manner as a deed to be performed by the owners of more than one-half of the entire front lot or lots on both sides of each of said highways to be improved, hereinafter designated, and

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

NOW, THEREFORE, IT IS RESOLVED, 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 February, 1957, at 7:30 P.M., Eastern Standard Time, to consider the said petition and to hear all persons interested in the subject thereof concerning same, and

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

Witness my hand and the seal of said Town of Cheektowaga, this 14th day of January, 1957.

KENNETH T. HANLEY, Clerk of the Town Board.

Town of Cheektowaga, N. Y.

Ayes: 5; Noes: 0; Absent: 2.

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office and which was adopted by the Town Board of the Town of Cheektowaga in said County of Erie, on the 14th day of January, 1957, 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 14th day of January, 1957.

KENNETH T. HANLEY, Clerk of the Town Board.

Town of Cheektowaga, N. Y.

Councilman Kornecki presented the following resolution and moved its adoption:

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

(1) There shall be issued pursuant to the Bond Resolution entitled "Bond Resolution, dated October 8, 1956, authorizing the issuance of \$237,500 Serial Bonds and \$12,500 Capital Notes of the Town of Cheektowaga, in the County of Erie, pursuant to the Local Finance Law, to finance the reconstruction of the Town's incineration plant", adopted by the Board of Trustees on October 8, 1956, a Capital Note of the Town of Cheektowaga in the denomination of \$12,500.

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

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

Supervisor Holtz,	Voting---AYE
Councilman Wroblewski,	"
Councilman Bystrak,	"
Councilman Kornecki,	"
Councilman Trojanoski,	"
AYES: 5	NOES: 0
	ABSENT: 2

Item No. 14 This being the time and the place advertised for a public hearing for the purpose of considering a map and plan describing additional facilities for the sanitary sewer system maintained by Sewer District No. 5 of the Town of Cheektowaga, and an estimate of the cost thereof, and that the Town Board will hear all persons interested in the subject of such hearing.

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

The Supervisor announced that the Board would hear all persons interested in the subject of the hearing, and no person appearing in opposition thereof:

Councilman Kronecki presented the following resolution and moved its adoption:

WHEREAS, the Town Board of the Town of Cheektowaga, in the County of Erie, deems it advisable that additional facilities be provided for the sewage disposal system maintained by Sewer District No. 5 of the Town of Cheektowaga, and has caused Nussbaumer, Clarke and Velzy, who are competent engineers duly licensed by the State of New York, to prepare a map and plan of such additional facilities, together with an estimate of the cost thereof, and said map and plan and estimate are dated December 19, 1956, and have been presented to the Town Board and have been filed in the office of the Town Clerk, and

WHEREAS, the additional facilities hereinbefore referred to consist of a sanitary trunk relief sewer beginning at a manhole in existing 24-inch diameter sanitary trunk sewer located on west side of Beach Road, said manhole being at the southwest corner of Beach Road and Maryvale Drive. From said manhole a 24-inch diameter sanitary trunk sewer is to be constructed running about 70 feet northeasterly to a manhole to be constructed in an existing 18-inch diameter trunk sewer in east side of Beach Road, said manhole to be located at the northeast corner of Beach Road and Maryvale Drive; from said manhole there is to be constructed an 18-inch diameter trunk sewer to run northerly along the easterly side of Beach Road a distance of about 2,200 feet ending at a manhole; from the last mentioned manhole there is to be constructed a 15-inch diameter trunk sanitary sewer to run northerly along the easterly side of Beach Road about 1,335 feet to a manhole; from the last mentioned manhole there is to be constructed a 12-inch trunk sanitary sewer to run northerly along the easterly side of Beach Road a distance of about 1,015 feet to a manhole to be located on the south side of Cleveland Drive; thence from said manhole there is to be constructed a 12-inch diameter trunk sanitary sewer running in a northeasterly direction across Cleveland Drive a distance of about 70 feet, terminating in an existing manhole in an existing sanitary trunk sewer on the northside of Cleveland Drive, and the estimated expense of constructing such additional facilities in Ninety-Five Thousand Dollars (\$95,000.00), and

Item 14 Cont'd WHEREAS, the Town Board did, on the 28th day of December, 1956 duly adopt an order which provided that the Town Board should meet at the Town Hall, corner of Broadway and Union Road, in said Town, on the 14th day of January, 1957, at 7:30 o'clock P. M., Eastern Standard time, on that day, to consider said map and 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 (page A-30)

WHEREAS, a notice of said public hearing in the form prescribed by said resolution was published on the 3rd day of January, 1957, in the Depew Herald and Cheektowaga News, a newspaper published in the Town of Cheektowaga, and circulating in said Sewer District No. 5, and copies of said notice were posted conspicuously in seven public places within said District, on the 3rd day of January, 1957, 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 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 benefited by the construction of said improvements; (b) all the property and property owners benefited 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 plan as set forth in said map and plan.

(2) The improvements described in said map and plan shall be constructed in accordance with said map and plan, at a cost of not exceeding Ninety-Five Thousand Dollars (\$95,000.00).

(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.

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

Supervisor Holtz,	Voting---AYE
Councilman Wroblewski,	"
Councilman Bystrak,	"
Councilman Kornecki,	"
Councilman Trojanoski,	"
AYES: 5	NOES: 0
	ABSENT: 2

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Councilman Wroblewski presented the following resolution and moved its adoption:

BOND RESOLUTION, DATED JANUARY 14, 1957, AUTHORIZING THE ISSUANCE OF \$95,000 SERIAL 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 \$95,000, pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") is the construction of additional facilities for the sewage disposal system maintained by Sewer District No. 5 of said Town, to consist of a sanitary trunk relief sewer beginning at a manhole in existing 24-inch diameter sanitary trunk sewer located on west side of Beach Road, said manhole being at the southwest corner of Beach Road and Maryvale Drive. From said manhole a 24-inch diameter sanitary trunk sewer is to be constructed running about 70 feet northeasterly to a manhole to be constructed in an existing 18-inch diameter sanitary trunk sewer in east side of Beach Road, said manhole to be located at the northeast corner of Beach Road and Maryvale Drive; from said manhole there is to be constructed an 18-inch diameter trunk sanitary sewer to run northerly along the easterly side of Beach Road a distance of about 2,200 feet ending at a manhole; from the last mentioned manhole there is to be constructed a 15-inch diameter trunk sanitary sewer to run northerly along the easterly side of Beach Road about 1,335 feet to a manhole; from the last mentioned manhole there is to be constructed a 12-inch trunk sanitary sewer to run northerly long the easterly side of Beach Road a distance of about 1,015 feet to a manhole to be located on the south side of Cleveland Drive; thence from said manhole there is to be constructed a 12-inch diameter trunk sanitary sewer running in a northeasterly direction across Cleveland Drive a distance of about 70 feet, terminating in an existing manhole in an existing sanitary trunk sewer on the north side of Cleveland Drive, in accordance with resolution authorizing said improvements adopted by the Town Board of said Town on January 14, 1957, pursuant to the provisions of Section 202-b of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$95,000, 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 of purpose described in Subdivision 4 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

Section 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

Section 6. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said local Finance Law, and such publication shall be in the Depew Herald and Cheektowaga News, a newspaper published in the Town of Cheektowaga and circulating in said Sewer District No. 5. 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

Item No. 15 ^{Cont'd}

Section 6 ^{Cont'd}. 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.

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for 1 week, the first insertion being on the 17th day of Jan, 1957, 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

JAN 21 1957

19____

Kenneth J. Hawley
Notary Public in and for Erie County

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Section 6 Cont'd. 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.

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

STATE OF NEW YORK } ss:
COUNTY OF ERIE }

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

SECOND RESOLUTION, DATED JANUARY 14, 1957, AUTHORIZING THE ISSUANCE OF \$95,000 SERIAL 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 and operated

sewer system authorized by said Resolution No. 12; NOW, THEREFORE, IT IS 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 \$95,000, pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose hereinafter referred to as "purpose" is the construction of additional facilities for the sewage disposal system maintained by Sewer District No. 5 of said Town, to construct a sanitary trunk relief sewer beginning at a manhole in existing 24-inch diameter sanitary sewer located on west side of Beach Road, said manhole being at the southwest corner of Beach Road and Maryvale Drive. From said manhole a 24-inch diameter sanitary trunk sewer is to be constructed running about 70 feet easterly to a manhole to be constructed in an existing 15-inch diameter sanitary trunk sewer on the side of Beach Road, said sewer to be located at the north corner of Beach Road and Maryvale Drive; from said manhole there is to be constructed an 18-inch diameter trunk sanitary sewer to run northerly along the easterly side of Beach Road a distance of about 2,200 feet ending at a manhole; from the last mentioned manhole there is to be constructed a 15-inch diameter trunk sanitary sewer to run northerly along the easterly side of Beach Road about 1,335 feet to a manhole; from the last mentioned manhole there is to be constructed a 12-inch trunk sanitary sewer to run northerly along the easterly side of Beach Road a distance of about 1,000 feet to a manhole to be located on the south side of Cleveland Drive; thence from said manhole there is to be constructed a 24-inch diameter trunk sanitary sewer running in a northeasterly direction across Cleveland Drive a distance of about 70 feet, terminating in an existing manhole in an existing sanitary trunk sewer on the north side of Cleveland Drive, in accordance with resolution authorizing said improvements adopted by the Town Board of said Town on January 14, 1957, pursuant to the provisions of Section 202-b of the Town Law of New York.

Section 3. It is hereby stated that (a) the maximum cost of said purpose, as estimated by the Town Board, is \$95,000, 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 Depew Herald and Cheektowaga News, a newspaper published in the Town of Cheektowaga and circulating in the County of Erie. No. 5. The va-

Item No. 15 Cont'd

Section 6 Cont'd. 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.

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

(a) the amount of said purpose is \$50,000, and (b) no money heretofore been authorized to be applied to the payment of the said purpose, and (c) the Board plans to finance the said purpose entirely from bonds raised by the issuance of said Bonds, and (d) all of such is to be paid by assessments on benefited real property in less than the area of said

Section 4. It is hereby determined that said purpose is an object described in Subdivision 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

Section 6. This resolution shall be published in full by the Town of said Town, together with the same in substantially the form required by Section 81.00 of said Finance Law, and such publication shall be in the Depew Herald-Cheektowaga News, a newspaper published in the Town of Cheektowaga and circulating in District No. 5. The validity of said Serial Bonds or of anticipation notes issued in connection with the sale of said Bonds may be contested only if such obligations are authorized for an object or purpose for which the 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 10th day of January, 1957, and the validity of the obligations authorized by such bond resolution may be contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding 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

Councilman Wroblewski presented the following resolution and moved its adoption:

BOND ANTICIPATION NOTE RESOLUTION, DATED JANUARY 14, 1957, AUTHORIZING THE ISSUANCE OF \$95,000 BOND ANTICIPATION NOTES OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PURSUANT TO THE LOCAL FINANCE LAW.

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

Section 1. The Town of Cheektowaga, in the County of Erie, New York, shall issue its Bond Anticipation Notes of the aggregate principal amount of Ninety-Five Thousand Dollars (\$95,000), pursuant to the Local Finance Law of New York, in order to finance the specific object or purpose hereinafter described, in anticipation of the issuance of Ninety-Five Thousand Dollars (\$95,000) Serial Bonds, authorized by the bond resolution entitled "Bond Resolution, Dated January 14, 1957, Authorizing the Issuance of \$95,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law".

Section 2. The specific purpose (hereinafter referred to as "purpose") is the construction of additional facilities for the sewage disposal system maintained by Sewer District No. 5 of said Town, to consist of a sanitary trunk relief sewer beginning at a manhole in existing 24-inch diameter sanitary trunk sewer located on west side of Beach Road, said manhole being at the southwest corner of Beach Road and Maryvale Drive. From said manhole a 24-inch diameter sanitary sewer is to be constructed running about 70 feet northeasterly to a manhole to be constructed in an existing 18-inch diameter sanitary sewer in east side of Beach Road, said manhole to be located at the northeast corner of Beach Road and Maryvale Drive; from said manhole there is to be constructed an 18-inch diameter trunk sanitary sewer to run northerly along the easterly side of Beach Road a distance of about 2,200 feet ending at a manhole; from the last mentioned manhole there is to be constructed a 15-inch diameter trunk sanitary sewer to run northerly along the easterly side of Beach Road about 1,335 feet to a manhole; from the last mentioned manhole there is to be constructed a 12-inch trunk sanitary sewer to run northerly along the easterly side of Beach Road a distance of about 1,015 feet to a manhole to be located on the south side of Cleveland Drive; thence from said manhole there is to be constructed a 12-inch diameter trunk sanitary sewer running in a northeasterly direction across Cleveland Drive a distance of about 70 feet, terminating in an existing manhole in an existing sanitary trunk sewer on the north side of Cleveland Drive, in accordance with resolution authorizing said improvements adopted by the Town Board of said Town on January 14, 1957, pursuant to the provisions of Section 202-b 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 not issued in anticipation of bonds for an assessable improvement.

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

This resolution shall take effect immediately upon its adoption.

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

Supervisor Holtz,	Voting---AYE
Councilman Wroblewski,	"
Councilman Brstrak,	"
Councilman Kornecki,	"
Councilman Trojanoski,	"
AYES: 5	NOES: 0
	ABSENT: 2

Item No. 16 Councilman Kornecki moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same.

Warrant No. 100 to No. 123, inclusive, drawn on the Supervisor.

Item No. 17 Councilman Wroblewski moved, seconded by Councilman Kornecki, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk

Kenneth T. Hanley

MEETING NO. 3Cheektowaga, New York
January 21, 1957

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 21st day of January, 1957, at 7:30 o'clock P.M., there were:

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

ABSENT: Joseph A. Neibert

Also present were: Town Clerk Kenneth T. Hanley; Assistant Town Attorney Thomas E. Delahunt; Recreational Director Edward Janiak and Town Engineer Albert J. Kamm.

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

Item No. 3 The request of Harold J. Kuehlewin to attend a New York Police Conference meeting in Albany, New York, on January 29, 1957, was granted. 31
42

Item No. 4 The request of Highway Superintendent John J. Zablotny to attend the American Road Builders Association Road Show in Chicago Ills., on January 28, 1957 to February 2nd, 1957, was granted. 13
42

Item No. 5 Report of the Chief of Police relating to traffic congestions at the intersection of Maryvale Drive and East Tiorunda Drive was referred to Councilman Wroblewski's Committee for study. 18
41

Item No. 6 The request of Police Chief John Mersmann for the purchase of two (2) new Police automobiles was referred to Councilman Kornecki, Chairman of the Finance Committee for study and recommendation. 18

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

RESOLVED, that the New York State Electric and Gas Corporation be authorized to install a 2500 lamp on existing poles No. 69 and No. 72 situate in Old Harlem Avenue.

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

Supervisor Holtz,	Voting---AYE
Councilman Nagel,	"
Councilman Wroblewski,	"
Councilman Bystrak,	"
Councilman Trojanoski,	"
Councilman Kornecki,	"
AYES: 6	NOES: 0
	ABSENT: 1

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

RESOLVED, that the Niagara Mohawk Power Corporation be authorized to repair or replace a 1348 lighting standard situate at 215 Huxley Drive in the Town of Cheektowaga, damaged by a person or persons unknown.

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

Item No. 8 Con'td Supervisor Holtz, Voting---AYE
 Councilman Nagel, " "
 Councilman Wroblewski, " "
 Councilman Bystrak, " "
 Councilman Trojanoski, " "
 Councilman Kornecki, " "

27
 AYES: 6 Noes; 0 ABSENT: 1

Item No. 9 On a motion of Councilman Wroblewski, Seconded by Councilman Trojanoski, the Town Clerk was authorized and directed to issue Building Permits on applications processed by the Petitions Committee on January 12, 1957 and January 19, 1957, after the same have been approved by the Building Inspector.

15
 35
 AYES: 6 NOES: 0 ABSENT: 1

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

WHEREAS, the Town Engineer of the Town of Cheektowaga has recommended the construction of Chlorination Revisions at the Sewage Treatment Plant serving Sanitary Sewer District No. 5, in accordance with proposed contract documents, plans, specifications and instructions to bidders prepared by Nussbaumer, Clarke and Velzy, Consulting Engineers for the Town of Cheektowaga, New York, and

WHEREAS, the Town Board deems the construction necessary.

BE IT RESOLVED, that the Town Clerk publish the annexed Notice to Bidders in the Depew Herald and Cheektowaga News, a newspaper having a general circulation in said Town, at least five days before the receipt of bids. That sealed bids be received no later than 2:30 o'clock P. M., on February 4th, 1957, at which time they will be publicly opened by the Town Board at a meeting called for that purpose, to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York.

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

NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, County of Erie, State of New York, sealed proposals shall be received and considered by said Town Board on the 4th day of February, 1957, at 2:30 o'clock P. M. Eastern Standard Time, in the Town Hall in the Town of Cheektowaga, Erie County, New York, for furnishing all materials and equipment, together with all labor for the construction of Chlorination Revision at the Sewage Treatment Plant serving Sanitary Sewer District No. 5, in accordance with proposed contract documents, plans, specifications and instructions to bidders, prepared by Nussbaumer, Clarke and Velzy, Consulting Engineers for the Town of Cheektowaga, New York, and approved by the Town Board of said Town, all of which are on file with the Town Clerk in his office at the Town Hall, where same may be examined during the usual business hours. Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be examined or secured at the office of the Consulting Engineers, Nussbaumer, Clarke and Velzy, 327 Franklin St., Buffalo 2, New York. One copy of said document may be obtained upon payment of \$25.00. Any bidder, upon returning such copy in good condition within thirty (30) days following the receipt of bids, will be refunded \$25.00, and any non-bidder upon so returning such copy will be refunded \$12.50.

Each proposal must be accompanied by a certified check or bid bond in the amount of five (5) percent of the amount of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Bid for Chlorination Revisions at Sewage Treatment Plant serving Sanitary Sewer District No. 5."

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities in, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any and all bids.

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

KENNETH T. HANLEY, TOWN CLERK

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

Supervisor Holtz,	Voting---AYE
Councilman Nagel,	"
Councilman Wroblewski,	"
Councilman Bystrak,	"
Councilman Kornecki,	"
Councilman Trojanosky,	"

AYES: 6

NOES: 0

ABSENT: 1

Hereto attached is a copy of the Notice to Contractors published in the Depew Herald-Cheektowaga News: 24

STATE OF NEW YORK } ss.
COUNTY OF ERIE }

NOTICE TO CONTRACTORS
NOTICE OF BIDDING

MC Award Winners
Mrs. Tom Farnsworth, Mrs. William Farnsworth

Formerly Operated Under M.

C. OELKERS F.

Kwik Car Wash
Herb Stumpf — Gerry Lathrop
No Delay — Immediate Service
WHITEWALLS —
Miraculously White — FREE
Mon.-Fri. 9-6; Sat. 8-6; Sun. Closed
6247 Broadway, Lancaster

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 1957, 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

JAN 28 1957

Notary Public in and for Erie County

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities in, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any and all bids.

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

KENNETH T. HANLEY, TOWN CLERK

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

Supervisor Holtz,	Voting---AYE
Councilman Nagel,	"
Councilman Wroblewski,	"
Councilman Bystrak,	"
Councilman Kornecki,	"
Councilman Trojanosky,	"

AYES: 6

NOES: 0

ABSENT: 1

Hereto attached is a copy of the Notice to Contractors published in the Depew Herald-Cheektowaga News: 1
24

STATE OF NEW YORK } ss.
COUNTY OF ERIE

NOTICE TO CONTRACTORS
NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Cheektowaga, County of Erie, State of New York, sealed proposals shall be received and considered by said Town Board on the 4th day of February, 1957, at 2:30 o'clock P.M. Eastern Standard Time, in the Town Hall in the Town of Cheektowaga, Erie County, New York, for furnishing all materials and equipment, together with all labor for the construction of Chlorination Revisions at the Sewage Treatment Plant serving Sanitary Sewer District No. 5, in accordance with proposed contract documents, plans, specifications, and instructions to bidders, prepared by Nussbaumer, Clarke and Velzy, Consulting Engineers for the Town of Cheektowaga, New York, and approved by the Town Board of said Town, all of which are on file with the Town Clerk in his office in the Town Hall, where same may be examined during the usual business hours. Copies of the proposed contract documents, plans, specifications, and instructions to bidders may be examined or secured at the office of the Consulting Engineers, Nussbaumer, Clarke & Velzy, 327 Franklin St., Buffalo 2, New York. One copy of said documents may be obtained upon payment of \$25.00. Any bidder, upon returning such copy in good condition within thirty (30) days following the receipt of bids, will be refunded \$25.00, and any non-bidder upon so returning such copy will be refunded \$12.50.

Each proposal must be accompanied by a certified check or bid bond in the amount of five (5) per cent of the amount of the bid, payable to the order of Benedict T. Holtz, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be submitted in sealed envelopes, plainly marked on the outside "Bid for Chlorination Revisions at Sewage Treatment Plant serving Sanitary Sewer District No. 5."

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

A surety bond by a company satisfactory to the Town Board and in an amount not less than 100% of the contract price will be required of the successful bidder.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities in, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any and all bids.

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

Dated: January 24, 1957.

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

Item No. 11 On a motion of Councilman Trojanoski, seconded by Councilman Bysstrak, that this Town Board does hereby uphold the decision of the Zoning Board of Appeals in denying the application of Berta Allgaier to rezone from residence district to business district. (Copy here-
to attached)
AYES: 6 NOES: 0 ABSENT: 1

DECISION OF ZONING BOARD OF APPEALS

In the matter of the Application of
BERTA ALLGAIER

To rezone from a residential district to a business district the
following described property.

DESCRIPTION

The property line begins from a point 233.0' East and
25.0' North of the center line of the intersection of Harlem Road and
Danbury Drive. It extends North 87.59' - East, 177.91' - South 96.93'
and West 178.16' to close the area. See plot plan.

Further described as follows:

Property location on the north side of Danbury Drive,
233 feet east of Harlem Road; frontage of this property on Danbury
is 178 feet. The depth on west end is 87.59 feet; the depth on the
east end is 96.93 feet. Farm Lot 26; Township 11; Range 7.

The petitioner desires that the premises be placed in
a Business District to be used as retail stores, offices, and stock
rooms.

A public hearing was held on said application on December
12th, 1956, and several property owners appeared in opposition.

Members of the Zoning Board of Appeals inspected the
property as well as other property in the immediate area and feel
that said application should be denied because it would cause a
congestion of traffic, decrease the value of homes in the immediate
vicinity, create a safety hazard for children and because of the
distance of the property from Harlem Road.

We recommend that the application to rezone the above
mentioned property, from a Residential District to a Business District,
be denied.

Dated: January 8, 1957

Leo Kurnick, Chairman
C. G. Hanson
Peter J. Rybka
Joseph P. Kubera
Lawrence Januszczak

19
Item No. 12 On a motion of Councilman Kornecki, seconded by Councilman Wroblewski, that this Town Board does hereby uphold the decision of Zoning Board of Appeals denying the application of John J. Bona to rezone from residential district to business district. (Copy here-
to attached)
AYES: 6 NOES: 0 ABSENT: 1

DECISION OF ZONING BOARD OF APPEALS

In the Matter of the Application of
JOHN J. BONA

To rezone from a Residential District to a Business District Lot No.
1 and 2 southeast corner of William Street and Colby Street.

The petitioner desires that the premises be placed in a business district to be used as a Soft Ice Cream Store.

A public hearing was held on December 12, 1956 and several property owners appeared in opposition.

Members of the Zoning Board of Appeals inspected the property as well as other property in the area and feel that said application should be denied on the grounds that this type of business is not suitable for the location.

We recommend that the application to rezone the above mentioned property, from a Residential District to a Business District, be denied.

Dated: January 8, 1957

Leo Kurnick, Chairman
Peter J. Rybka
C. G. Hanson
Lawrence Janusczak
Joseph P. Kubera

19

Item No. 13

DECISION OF ZONING BOARD OF APPEALS

In the matter of the application of
THEODORE DEMBLEWSKI

To rezone from a Residential District to a Business District land adjoining present parking lot located at Freda Ave. 140 feet from Harlem Road eastward, which is 70 ft. frontage on Freda Ave. and depth 107 ft. Sub lot 35 and 36 under Map Cover 1210

The petitioner desires that the premises be placed in a Business District to be used as a parking lot.

At the public hearing which was held on said application on December 12, 1956, the applicant withdrew his request.

Dated: January 8, 1957

19

Item No. 14

DECISION OF ZONING BOARD OF APPEALS

*-----
In the matter of the Application of
THADDEUS F. PAWLICKI

To rezone from a Residential District to a Business District Lots 343 and 344 on Harlem Road, Lots No. 346 and 347 on Geo. Urban Blvd. (Northeast corner of Harlem Road and Geo Urban Blvd.)

The petitioner desires that the premises be rezoned for business use to be used as a gasoline filling station.

The Zoning Board of Appeals previously recommended a denial of rezoning to a business district the property above described.

This matter was resubmitted to the Zoning Board of Appeals for reconsideration. The Zoning Board of Appeals has reconsidered this application and for the reasons listed in the original denial we recommend that the application to rezone the above mentioned property from a Residential District to a Business District be denied.

Dated: January 16, 1957.

Leo Kurnick, Chairman

19

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

described survey base line for the construction of the New York State Thruway; thence westerly along said division line 717.4 (plus or minus) feet to a point on the division line between the property of Fred A. Hirsch (reputed owner) on the west and the property of Adam J. Menges (reputed owner) on the east, the last mentioned point being the 541.1 (plus or minus) feet distant southerly measured at right angles from station 615+44.0 (plus or minus) of the said survey base line; thence northerly along said division line 697.8 (plus or minus) feet to a point being 150.00 feet distant northerly measured at right angles from Station 614+47.2 (plus or minus) of the said survey base line; thence S 81°53'50" E, 724.4 (plus or minus) feet to a point on the westerly boundary of said existing Transit Road, the last mentioned point being 150.00 feet distant northerly measured at right angles from Station 621+71.6 (plus or minus) of the said survey base line; thence southerly along the last mentioned westerly boundary of said existing Transit Road 593.4 (plus or minus) feet to the point of beginning, being 10.633 acres more or less.
Dated: January 21, 1957.

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

ja31

good only two pieces
dressers, \$8 and \$10, two
excellent condition, \$25, two
BLUE CHROME KITCHEN

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 1957, 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

February, 19 *57*
Kenneth T. Hanley

Notary Public in and for Erie County

hn 1086

19 The above Notice was posted on the Town Hall Bulletin Board on the 1st day of February, 1957.

STATE OF NEW YORK
COUNTY OF ERIE

LEGAL NOTICE

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

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

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

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

DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being the north part of Lot Number seventy-nine (79), Township eleven (11) Range seven (7) of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING on the east bounds of said lot at a distance of three (3) chains and sixty (60) links from the northeast corner of said lot, thence south along the east bounds of said lot, ten (10) chains and ninety-three (93) links; thence east parallel with north bounds of said lot, eleven (11) chains and thirty-seven (37) links; thence south parallel with the east bounds of said lot, fourteen (14) chains and fifty-three (53) links to the north line of said lot; thence along the north bounds, eight (8) chains and thirty-seven (37) links; thence south parallel with the east bounds of said lot, three (3) chains and sixty (60) links; thence east parallel with the north bounds of said lot, three (3) chains to the place of beginning, containing fifteen and one-half (15½) acres more or less.

EXCEPTING AND RESERVING that portion of land to be taken by the State of New York for the Ontario Thruway Section 14 being Parcel 841 Map 841, bounded and described as follows:

BEGINNING at a point on the westerly boundary of the existing Transit Road at the intersection of said boundary with the division line between the property of Catherine Metzinger (reputed owner) on the south and the property of Adam J. Menges (reputed owner) on the north, said point being 437.7 (plus or minus) feet distant southerly measured at right angles from Station 622+53.8 (plus or minus) of the hereinafter described survey base line for the construction of the New York State Thruway; thence westerly along said division line 717.4 (plus or minus) feet to a point on the division line between the property of Fred A. Hirsch (reputed owner) on the west and the property of Adam J. Menges (reputed owner) on the east, the last mentioned point being the 541.1 (plus or minus) feet distant southerly measured at right angles from station 615+44.0 (plus or minus) of the said survey base line; thence northerly along said division line 697.8 (plus or minus) feet to a point being 150.00 feet distant northerly measured at right angles from Station 614+47.2 (plus or minus) of the said survey base line; thence S 81°53'50" E, 724.4 (plus or minus) feet to a point on the westerly boundary of said existing Transit Road, the last mentioned point being 150.00 feet distant northerly measured at right angles from Station 621+71.6 (plus or minus) of the said survey base line; thence southerly along the last mentioned westerly boundary of said existing Transit Road 593.4 (plus or minus) feet to the point of beginning, being 10.633 acres more or less.

Dated: January 21, 1957.

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

Item No. 16 At the request of Councilman Wroblewski the Town Attorney and the Town Health Officer was authorized and directed to attend the Air Pollution meeting to be held in Buffalo, New York, at the State Office Building at 1:30 P.M., on January 24, 1957.

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Item No. 17 The complaint of Mrs Gerling of relating to the highway along side of her dwelling was referred to Councilman Wroblewski, Chairman of the Petitions Committee.

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Item No. 18 Arthur Massara reported to the Board that the petition for the proposed Sewer District No. 7 has been signed by about 55 or 65 per cent of the resident owners.

17
42

Item No. 19 Councilman Kornecki moved, seconded by Councilman Wroblewski that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same.

Warrant No. 124 to Warrant No. 192 inclusive, drawn of the Supervisor.

6

Item No. 20 Councilman Kornecki moved, seconded by Councilman Nagel, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk

Kenneth T. Hanley

MEETING NO. 4

Cheektowaga, New York
February 4, 1957

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 4th day of February, 1957, at 2:30 o'clock P.M., there were:

PRESENT: Benedict T. Holtz	Supervisor
Henry J. Nagel	Councilman
Felix T. Wroblewski	"
Joseph Kornecki	"
Joseph M. Trojanoski	"
Stanley R. Bystrak	"

ABSENT: Joseph A. Neibert

Also present were: Town Clerk Kenneth T. Hanley; Assistant Town Attorney Thomas E. Delahunt; General Foreman John Eberl; Town Engineer Albert J. Kamm; Building & Plumbing Inspector Carl Trafalski; Chief of Police John F. Mersmann; and Justice of the Peace Ralph J. Radwan.

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

Item No. 3 Petition for street lighting standards in Pinewood Terrace ordered referred to the Assessors for a property check. 17
27

Item No. 4 Petition for street lighting standards in Cresthaven Drive ordered referred to the Assessors for a property check. 17
27

Item No. 5 The request of Councilman Wroblewski, Carl Trafalski, and E.J. Boehm to attend a Building Inspectors School in New York City on February 20, 21 and 22, 1957, was granted. 31

Item No. 6 Report of findings and recommendation of the Chief of Police relative to Herbert Avenue was ordered referred to Mrs. Gerling of Olcott Place. 18
42

Item No. 7 ANNUAL REPORT OF THE TOWN HISTORIAN FOR THE YEAR 1956

To the Honorable Town Board:

The Month of January is the time required by law for the annual report of the Town Historian. The year 1956, as far as Cheektowaga's Town Historian is concerned, was very productive up until October, when illness prevented me from doing a great deal.

All during the past year I have been collecting material pertinent to the Town's History. The possession of a tape recorder, which was made possible by your generous budget, has aided me in this collection a great deal. Material of all sorts is filed against the time when I feel that I have enough source material to start writing an authoritative history of the town.

During the year, I have made an effort to acquire as many pictures as possible of the past years of the Town and its citizens. Where I have not been able to acquire the actual picture, I have had reproductions made of the originals so that the Office of the Town Historian will have copies for future use.

In February 1956, at the annual meeting of the Association of Towns in Buffalo, 3 large panels of maps were exhibited showing the growth of the towns in New York State. These panels were prepared from enlargements of maps which are reproduced in the Historical Atlas of Cheektowaga.

Item No. 7 Contd ANNUAL REPORT OF THE TOWN HISTORIAN FOR THE YEAR 1956

The reception of this exhibit was so favorable, that Mr. Uthe, the Association's Executive Secretary, has asked me to place a similar one on exhibit during the forthcoming Association of Towns meeting in February 1957. Maps which I have acquired during the past year will make this exhibit more complete, and I hope a credit to the Town of Cheektowaga.

At the Congress for Local Historical Societies, held in July at the University of Buffalo, part of this exhibit was again displayed at the request of Dr. John Horton, head of the History Dept. and Dr. Wilbur Glover, Erie County Historian.

The Dept. of History (Dept. 26) of the Erie County Fair used many maps from the Atlas as the basis of the theme of the exhibit "Transportation in Erie County 100 years ago. Pictures from the Town's collection were exhibited with those loaned by other Town Historians of Erie County.

In December 1956, I appeared as Town Historian, as a witness before the Public Service Commission, at a hearing held in Buffalo. During the year I have been able to be of assistance to Mr. Bossert and Mr. Spencer of the Erie County Planning Board, as well as to Mr. Tryon and the Town Engineering department in connection with research problems they have had.

My public appearances have been limited due to my health. However I gave six talks before groups within the Township, seven in Erie County and three outside the County in connection with "Historical Work. Students from the University of Buffalo, Buffalo State Teachers College and Canisius College, as well as from public schools both in Cheektowaga and outside have secured information and aid from me during the year. I am having increasing numbers of communication from all over the United States requesting genealogical and historical information. Some of this I was able to give immediately while some required a good deal of research.

In 1957, I hope to be able to continue research of phases of the Town's History, as well as to expand the collection of maps and statistical material upon which I have worked for some time. My services to Town Officials, Townspeople and others, will only be limited by my health and the time I have available to devote to a job which I thoroughly enjoy and consider a "labor of Love".

Respectfully submitted,

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Julia Boyer-Reinstein
Mrs. Victor Reinstein

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

WHEREAS, two (2) new 1957 Police automobiles are needed for the Police Department and it is necessary to solicit bids for same, be it

RESOLVED, that the Town of Cheektowaga purchase for the Police Department two (2) new 1957 Police Automobiles to meet the specifications referred to in the Notice to Bidders and the Town Clerk be directed to publish the annexed Notice to Bidders in the Depew Herald and Cheektowaga News, a newspaper having a general circulation in the Town. That sealed bids will be received no later than 7:30 o'clock P. M., Eastern Standard Time, on February 18th, 1957, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union Road, Town of Cheektowaga, New York. That the Notice to Bidders to be published shall be in substantially the following form.

NOTICE TO BIDDERS

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of two (2) Police Automobiles for use by the Police Department.

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

Item No. 8 Cont'd The Police Department of the Town of Cheektowaga now owns ~~two~~ used automobiles, being Nos. 1 and 3, which are to be accepted in their present condition as part payment of the price of the new Police Automobiles. These used automobiles ~~may~~ be inspected at all reasonable hours at the Cheektowaga Town Hall.

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Copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 7:30 o'clock P. M., on the 18th day of February, 1957 at which time they will be publicly opened by the Town Board at a Public Meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union Road, Town of Cheektowaga, New York.

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

Dated: February 4th, 1957.

KENNETH T. HANLEY, Town Clerk

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

Supervisor Holtz,	Voting---AYE
Councilman Nagel,	"
Councilman Wroblewski,	"
Councilman Bystrak,	"
Councilman Kornecki,	"
Councilman Trojanosky,	"

AYES: 6

NOES: 0

ABSENT: 1

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 BIDDERS
The Town of Cheektowaga hereby requires separate sealed bids for the purchase of two (2) Police automobiles for use by the Police Department.
The detailed specifications may be examined at the office of the Town Clerk, where the same are on file.
The Police Department of the Town of Cheektowaga now owns two used automobiles, being Nos. 1 and 3, which are to be accepted in their present condition as part payment of the price of the new Police automobiles. These used automobiles may be inspected at all reasonable hours at the Cheektowaga Town Hall.
Copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 7:30 o'clock P.M., on the 18th day of February, 1957 at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union Road, Town of Cheektowaga, New York.
This notice is published by direction of the Town Board of the Town of Cheektowaga, New York.
Dated: February 4th, 1957.
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 week, the first insertion being on the day of 1957, 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

FEB 15 1957

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Notary Public in and for Erie County

Item No. 8 Contd'

CAR : 1957 Two-Door Sedan-Deluxe or Equivalent.
MAKE : To be decided by the Town Board.
COLOR : Black (Others with special arrangement w/the Chief of Police or Supervisor.)
HORSEPOWER : 160 or better.
GENERATOR : Low cut-in for Police Work.
TRANSMISSION : Automatic Type.
BRAKES : Hydraulic - 11' Dia., Heavy Duty.
REAR SPRINGS : Heavy duty.
TIRES : 670 x 15 - 6 ply or 760 x 14 - 6 ply (Black).
(Which ever is manufacturer's standard.)
EQUIPMENT : Directional lights, arm rests, right hand sun visor, oil filter, oil bath air cleaner.
HEATER & DEFROSTERS : Fresh air - air flo-type.
UPHOLSTERING : Vinyl Type Plastic.
WINDSHIELD WIPERS : Electric.
LETTERING : As required by the Chief of Police.

The bids submitted will be for 2 cars individually or in any combination or series.

Chevrolets. Cars 1 & 3 will be traded in the order given 1955

Two cars will be delivered at a date specified by the Town Board within 30 days or sooner after the bids are accepted.

The Town Board may accept or reject any or all bids or accept any bids that it desires.

The Police cars to be traded can be seen by any bidder at the Police Garage at any reasonable hour after the bid proposal is released.

Item No. 9 This being the time and the place advertised for a public hearing on the proposed improvements of both sides of the Public Highway situated in the Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth by the installation of street lighting equipment hereinafter particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing.

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

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAY	FROM	TO
Greenleaf Lane	Harlem Road	Ridge Park Avenue

TYPE OF STREET LIGHTING INSTALLATION

Seven Y-20 Standards-Under Ground Conduit - Installation to be made on the north side of the Highway.

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

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

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

NAMES OF HIGHWAY
Greenleaf Lane

FROM TO
Harlem Road Pidge Park Avenue
TYPE OF STREET LIGHTING INSTALLATION

Seven Y-20 standards-under ground conduit

and all persons interested in the subject thereof.

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

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

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

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

BE IT FURTHER RESOLVED, that the Town Clerk shall cause a certified copy of this resolution to be recorded in the Office of the Clerk of Erie County, New York, within 10 days after the adoption hereof, in conformity with Section 195 of the Town Law.

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

Supervisor Holtz,	Voting---AYE
Councilman Nagel,	"
Councilman Wroblewski,	"
Councilman Kornecki,	"
Councilman Trojanosky,	"
Councilman Bystrak,	"

AYES: 6

NOES: 0

ABSENT: 1

STATE OF NEW YORK)
COUNTY OF ERIE) SS.

I, Kenneth T. Hanley, Town Clerk of the Town of Cheektowaga, New York, Do Hereby Certify that I have compared the foregoing with the original minutes of the meeting of the Town Board of said Town held on the 4th day of February, 1957, 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.

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 6th day of February, 1957.

It witness whereof, I have hereunto set my hand and the seal of said Town of Cheektowaga this 6th day of February, 1957.

SEAL

Kenneth T. Hanley, Town Clerk

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Item No. 10 On a motion of Councilman Bystrak, seconded by Councilman Trojanosky, that the Supervisor be authorized and directed to purchase from the Westinghouse Electric Corporation Seven Y 20 Street Lighting Standards to be used in Special Street Lighting District known as Greenleaf Lane, established on February 4, 1957.

CARRIED: AYES: 6

NOES: 0

ABSENT: 1

27

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

WHEREAS, the New York Central Railroad Company has submitted a bid in the amount of \$750.00 to purchase from the Town of Cheektowaga the following described real property:

ALL that certain piece or parcel of land situate in the Town of Cheektowaga, County of Erie and State of New York, bounded and described as follows:

BEGINNING at a point in the westerly line of Old Harlem Road or Avenue, sixty-six (66) feet wide, distant northerly one hundred ninety (190) feet as measured along said westerly line of Old Harlem Road or Avenue from its intersection with the northerly line of Broadway, said point of beginning being the southeasterly corner of that parcel of land conveyed by the New York Central Railroad Company to Joseph P. Hannon and Jules G. Frosell by deed dated August 14, 1951, recorded in the Office of the Clerk of said County of Erie in Book 4981 of Deeds at page 121; and running

Thence southerly, along said westerly line of Old Harlem Road or Avenue, ninety (90) feet, more or less, to a point distant northerly eighty-two and one hundredth (82.1) feet measured at right angles from the monumented center line of the New York Central Railroad;

Thence easterly, parallel with said monumented center line, sixty-seven (67) feet, more or less, to the easterly line of Old Harlem Road or Avenue;

Thence northerly, along said easterly line of Old Harlem Road or Avenue, sixty-six (66) feet, more or less, to a point distant northerly one hundred forty-seven (147) feet measured at right angles from said monumented center line, said point being the northwesterly corner of that parcel of land conveyed or about to be conveyed by the Thruway Super Plaza, Inc. to The New York Central Railroad Company;

Thence northwesterly, sixty-seven (67) feet, more or less, to the point and place beginning;

CONTAINING twelve hundredths (0.12) of an acre of land, more or less.

And

WHEREAS, the Town of Cheektowaga authorized Nussbaumer, Clarke and Velzy, Consulting Engineers to investigate said offer and to advise the Town Board whether the land involved could be used for any town purposes and whether any other parties were interested in acquiring this property, and

WHEREAS, Nussbaumer, Clarke and Velzy recommended the sale of these premises to the New York Central Railroad Company at a cost of Seven Hundred Fifty (\$750.00) dollars.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to execute a deed conveying the above described property to the New York Central Railroad, reserving an easement in the Town of Cheektowaga for drainage purposes as presently constituted.

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

Supervisor Holtz,	Voting---AYE
Councilman Nagel,	"
Councilman Wroblewski,	"
Councilman Bystrak,	"
Councilman Trojanesky,	"
Councilman Kornecki,	"

CARRIED: AYES: 6 NOES: 0 ABSENT: 1

Item No. 12 Councilman Kornecki presented the following resolution¹⁸
and moved its adoption:

WHEREAS, it is the intention of the Town Board of the Town of Cheektowaga, Erie County, New York, to establish a Recreation Youth Project, and

WHEREAS, the Town of Cheektowaga is about to submit an application for such a project to the New York State Youth Commission for its approval, and if approved, to apply subsequently to the State of New York for partial reimbursement of funds expended on said project, as provided by Chapter 556 of the Laws of 1945, as amended;

NOW, THEREFORE, BE IT RESOLVED that such application is in all respects approved and Benedict T. Holtz, Supervisor, is hereby directed and authorized to duly execute and to present said application to the New York State Youth Commission for its approval.

This resolution shall take effect immediately.

Seconded by Councilman Nagel.

CARRIED: AYES: 6 NOES: 0 ABSENT: 1

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Item No. 13 On a motion of Councilman Wroblewski, seconded by Councilman Nagel, that the Erie County Water Authority be authorized and directed to move a water hydrant located in front of No. 229 Clover Place, Town of Cheektowaga, New York, at least six feet west of its present location, without any charge to the said Town of Cheektowaga.

CARRIED: AYES: 6 NOES: 0 ABSENT: 1 28

Item No. 14 On a motion of Councilman Wroblewski, Seconded by Councilman Bystrak, that Reynders Electric Company be authorized and directed to install a traffic actuated signal light at the intersection of Pine Ridge Road and Parkview Terrace, Town of Cheektowaga, New York, in accordance with permit issued and approved by the Erie County Highway Superintendent.

CARRIED: AYES: 6 NOES: 0 ABSENT: 1

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Item No. 15 On a motion of Councilman Wroblewski, seconded by Councilman Trojanosky, that reynders Electric Company be authorized and directed to provide, erect, operate and maintain a 4-face, 3 section pedestrain actuated signal (Signal #105-P) on Clinton Street, Route 354, S. H. 371 at its intersection with Willowlawn Parkway, a Town Highway, to the north, and Beynton Street, a Town Highway, to the south, in the Towns of Cheektowaga and West Seneca,

RESOLVED, that the State Traffic Commission permit dated May 16, 1942 and rider thereto dated November 9, 1951, which authorized the Town of Cheektowaga, to install, operate and maintain a fixed time signal, be cancelled.

CARRIED: AYES: 6 NOES: 0 ABSENT: 1

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Item No. 16 On a motion of Councilman Wroblewski, seconded by Councilman Kornecki, the Chief of Police was authorized and directed to cause Corey Court to be posted to eliminate parking on the south side of the street.

CARRIED: AYES: 6 NOES: 0 ABSENT: 1

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ITEM No. 17 On a motion of Councilman Wroblewski, seconded by Councilman Nagel, WHEREAS, the Chief of Police has recommended that Parking be prohibited on the east side of East Tiorunda Drive from Maryvale Drive to a point 300 feet south on East Tiorunda Drive,

BE IT RESOLVED, that the said recommendation be granted and that the Chief of Police be authorized and directed to place appropriate signs at the above mentioned highway.

CARRIED: AYES: 6 NOES: 0 ABSENT: 1

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Item No. 18 On a motion of Councilman Wroblewski, seconded by Councilman Trojanoski, the Town Clerk was authorized and directed to issue building permits on applications processed by the Petitions Committee on January 26, 1957 and February 2, 1957, after the same have been approved by the building inspector.

CARRIED: AYES; -6-

Item No. 19 On a motion of Councilman Trojanoski, seconded by Councilman Kornecki, the application of the Benderson Development Company to erect a gasoline filling station at the south-east corner of Union and Bennet Road was granted.

The vote being as follows:

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Councilman Wroblewski Voting AYE
Councilman Nagel " "
Councilman Kornecki " "
Councilman Trojanoski " "
Councilman Bystrak " NAYE
Supervisor Holtz " AYE

CARRIED: AYES: -5- NAYES: -1-

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

WHEREAS, Walter Grzelewski applied to the Town of Cheektowaga for rezoning from a Residential District to a Business District, for the construction of a Gasoline Service Station, certain property located on Maryvale Drive, east of Harlem Road more specifically described as follows:

DESCRIPTION

ALL THAT TRACT AND PARCEL OF LAND, situate 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, further bounded and described as follows:

BEGINNING at a point in the north line of Maryvale Drive 3067.47 feet easterly from the intersection of said north line of Maryvale Drive with the east line of Harlem Road, as now laid out, said east line of Harlem Road being 17 feet easterly from the west line of Lot, No. 26; thence easterly along the north line of Maryvale Drive 200 feet to the west line of Rosary Boulevard, being the west line extended southerly of Rosary Boulevard, (formerly known as Sundale Boulevard) as laid out on Sub-division Map filed in the Erie County Clerk's Office under Map No. 1712; thence northerly along the extended west line of said Rosary Boulevard as above described, 180 feet; thence westerly parallel with Maryvale Drive 200 feet; thence southerly parallel with Rosary Boulevard, 180 feet to the point of beginning.

and

WHEREAS, the Town Board denied the petition for the rezoning, and

WHEREAS, the Supreme Court of the County of Erie, State of New York has ordered the Town Board to grant said petition on or before February 15, 1957.

BE IT RESOLVED, that the Town Board rezone the property hereinbefore described from a Residential District to a Business District for use as a Gasoline Service Station.

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Seconded by Councilman Kornecki, and duly put to a vote which resulted as follows: Supervisor Holtz, Voting---AYE
Councilman Wroblewski & Councilman Nagel, "
Councilman Bystrak & Councilman Kornecki, "
 Councilman Trojanoski, "
AYES: 6 NOES: 0 ABSENT: 1

Item No. 21 This being the time and the place advertised for the receiving of sealed bids for furnishing all materials and equipment, together with all labor for the construction of Chlorination revisions at the Sewage Treatment Plant serving Sanitary Sewer District No. 5.

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Councilman Kornecki moved, seconded by Councilman Trojanoski that the Town Clerk be authorized and directed to open the sealed bids on hand.

Hereto is a summary of the bids received:

- 1- Kipphut-Newman 11 Minnesota Avenue, Buffalo N.Y.....\$10,259.00
- 2- Geo. H. Drake 218 Lexington Avenue, Buffalo N.Y..... 10,891.00
- 3- C.E. Knowles Company, Gowanda N.Y..... 11,670.00

At the request of the Chairman the bids were referred to the Town Attorney for analysis and tabulation.

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Item No. 22 Dr. Victor Reinstein was granted the floor and spoke as follows in regard to the proposed Sewer District No. 7.

RE: SEWER DISTRICT # 7

The Cheektowaga Town Board and developers committed themselves to try to get sewers into the Walden-George Urban area by July 1957.

At a conference in the Supervisors Office, last September, with officials of Ross Heater Division of American Radiator, the Town promised to give them sewers on Walden near Dick Road, by July 1957, in return for which, the industry promised to build two plants this year. If temporary sewerage disposal had to be installed, their construction would be greatly curtailed. Since then, July 1957, has been used as a target date for the installation of the sewers.

Last summer and fall in various conferences, attempts were made to solve all problems of disagreement that could delay the installation of the district. It started with a conference in Albany, on July 19, 1956, in the State Comptrollers Office with Mr. Kelley and Mr. Hughes of the comptrollers staff. Supervisor Holtz, Attorney Delahunt, and Highway Supt. Zablotny represented the Town. I was also there as an interested property owner. The only formula discussed in that Albany meeting was 75% on assessed valuation and 25% on area.

Several days after the return from Albany, a newspaper release given by Supervisor Holtz disclosed the new method of assessment (75% assessed valuation; 25% area) proposed for new sewer districts.

Later in the fall prior to the drawing of the District petitions, an informal meeting was called by Town Attorney George Doyle, consisting of members of the Town Board and the larger property owners, to reach an agreement as to the proposed method of assessment. Shortly after the start of the meeting, Supervisor Holtz excused himself, saying as he left that anything the Town Attorney and the Councilmen agreed upon was all right with him. At this meeting there was considerable discussion on the percentage of cost to be based on assessment and area. It varied from 60% on assessed valuation and 40% on area to the method proposed in West Seneca, which is 90% on assessed value. The final compromise which the Town Board and everyone present agreed to was 70% on Assessed Valuation and 30% on area. The reason for this agreement at that time was so that those people taking the petitions around could explain how the costs were to be assessed.

As the result of several meetings between large property owners and the Town's Engineers (including the Town's Consulting Engineers), the district boundaries were agreed upon. The extension out Genesee Street to include Cornell Lab was at the suggestion of the Town's Engineers in order to relieve the overloading of Sewer District #6's trunk sewer, which carries sewerage from Westinghouse (District # 6) to Sewer District # 5, which contracts to treat it.

About Holiday time, Officials of Cornell Lab. were given a copy of the petition for investigation and signatures. Action on this petition by Cornell Lab. was repeatedly deferred until the persons circulating the petitions reported to the Town Board at the January 21, 1957 evening meeting that they were unable to get any definite decision from Cornell Lab. Officials. Supervisor Holtz stated at the meeting that he would advise Cornell Lab. to sign the petitions.

Item No. 22 Contd: SEWER DISTRICT # 7

On January 24th., Supervisor Holtz informed the Councilmen at a meeting called for the purpose of meeting with Depew Officials, that he had been advised by Cornell Lab. that they were going to sign the petition to be part of sewer District # 7.

On inquiry about February 1, as to whether Cornell Lab. had signed, I was informed by those in charge of the petitions that Cornell Lab. had not signed, and wanted to know what their cost would be. At present they are paying a nominal rental of \$2000.00 per year for disposal of sewerage from their multimillion dollar establishment. They use a connection that was put across Genesee Street into District # 6 at the time that Curtiss Wright operated both the present Westinghouse and the original Cornell Lab. Plant. No record of any agreement permitting this connection across Genesee St. can be found either by the Town or Cornell Lab. Officials. At that time Curtiss Wright had all of District # 6 which is entirely north of Genesee, and the wind tunnel (the nucleus of present Cornell Lab.) on the south side of Genesee.

When Cornell Lab. later acquired the property south of Genesee St., it was undoubtedly done in good faith, not knowing that the sewer connection was not based on any previous agreement. The Town later charged Cornell Lab. a nominal amount for sewer service they received, knowing that through Dist. # 6 was the only method by which Cornell Lab. could be serviced at the time, since the area south of Genesee Street was not ripe for the establishment of a new sewer district. Recently when Cornell Lab. built a large addition, no new agreement was made with the Town for sewer service to that addition. Thus if Cornell was innocent of the illegitimate nature of the original sewer connection, they were not innocent of tying in sewer connections to their new addition without an agreement with the Town for service.

I was wrong in predicting that Cornell Lab. would be glad to sign the petition for the new District # 7 in order to have their property in a permanent district where they had a legal right to the service they received instead of going along as at the present, at the discretion of the Town Board without any agreement for the furnishing of service.

Before signing the petition, Cornell Lab. wants to know how much it will cost them. Anyone who can accurately estimate taxes years in advance is a soothsayer. If anyone in the United States should be able to solve questions relating to the unknown, it should be Cornell Lab. That is their business. They have 1200 experts working on solving the unknown.

Getting back to the question as to what their cost will be, it will be the result of five unknown factors.

First: What will be the cost of the district be?

That depends upon the contractors bids. The engineers' estimates were based on prices prior to July 1956. Everyone knows that prices shift from year to year, even from month to month.

Second: What will the interest rate be?

Last summer and fall, interest rates on Class A municipalities were going up until they reached a peak of 3.28% in December. Since then they have been dropping and were down of 3.14% last week (January 28).

Third: What will the cost of maintenance be?

Everyone knows that such costs depend on labor costs and general market conditions.

Fourth: What will be the charge by Sewer District # 5 for treatment of the new District Sewerage?

That is the question all of us in the District # 7 would like to know. The cost depends on a number of unknown factors, one of which is, what District # 5's costs of treatment are; how much of the capital cost of the treatment plant should be included? We are all going on the assumption that whatever the cost by District # 5 will be, it will still be less than it would cost to build a new treatment plant for District # 7.

Fifth: Last but not least, what will be the assessed valuation of the proposed District # 7 when the assessors books are closed on June 30, 1957?

Everyone knows that the Walden Ave. area is the fastest growing one on the Niagara Frontier. There are millions of dollars of industrial and commercial projects either under way, or in the planning stage. The 1956 figure of \$1,600,000 is no fair estimate of the value at the end of this year.

Every year the valuation of the district will increase. Even Cornell Lab.'s valuation will shift. They have just finished a large expansion, and are reportedly contemplating another addition. What Cornell Lab.'s assessment will be is the jurisdiction of the Cheektowaga Board of Assessors, as is every one else's.

With a estimate of cost based on five unknown quantities, how can anyone vouch for the accuracy of the resulting figure?

Every taxpayer in the district will be affected up or down just as well as Cornell Lab. The others have faith in the growth of the district and in the fairness of the method of assessment. Nobody denies that the district is ripe for development.

Even after petitions are signed by sufficient numbers of property owners and the creation of the district is approved by the Cheektowaga Town Board, the whole must still be approved by the experts of the New York State Comptroller's Office before the district can be legally established. The Comptroller's organization have the legal responsibility of approving the creation of new sewer districts throughout the entire State, and probably know more about these districts than any other organization in the State. Numerous conferences with the with the Comptroller's Office have disclosed that two of the main factors that they are interested in, are (1) that the district is economically and financially feasible; (2) that the formula for spreading costs will not be confiscatory on any group of taxpayers in the proposed district.

The State is very much interested in maintaining the fine financial rating that exists in all the Towns of the State. Officials do not want a repetition of the bankruptcy of some 65,000 parcels of vacant land that occurred mostly in Cheektowaga, Tonawanda and Amherst during the 1920's, where the area method of spreading sewer taxes was used.

For the Town to hire at this late date, experts to study what the effect of the 70-30 method of assessment will be on Cornell Lab. will simply duplicate studies that will be made by the State Comptroller's Office. Such a Town study would cause unnecessary delay in setting up the district, beside unnecessary expense; for the cost of the comptroller's study is part of State expense. Then too, after the studies would be made, there is no indication whether Cornell Lab. will sign the petition to be included in the sewer district under consideration.

If Cornell Lab. comes into Sewer District # 7, where its property is actually located, and cuts off its connection to District # 6, the amount of sewerage passing through the overloaded trunks of District # 5 will be correspondingly reduced. It is no secret that the flooding of cellars during storms, in District # 5, is due to overloaded trunk sewers. If the Town Board could induce Cornell Lab. to include its property in District # 7, where it rightfully belongs, the people of the U-Crest sections whose cellars get flooded, would be very grateful, for they would know that an attempt was being made to reduce the flow through the overloaded trunks of District # 5. Some day the victims of these overloaded trunks may realize that their plight could be partially reduced if the area south of Genesee St. were disconnected from the renting District # 6, of which they are actually no part. The voters could demand that the Town discontinue services to the area south of Genesee through District # 6, especially since property owners (Cornell Lab. and Spenser Kellogg) refused to sign the original petitions for the creation of Sewer District # 7; such refusal causing a reduction in the size of the new district. The only possible reason for refusing to sign is the difference in cost between the present nominal charge and the equitable charge which will be made in District # 7.

Because of Cornell Lab.'s large valuation they cannot be overridden by the balance of the property owners in the district. The district will have to be reduced both in area and costs of construction to correspond to the area's valuation and ability to pay within the smaller district.

To maintain the present economic and financial feasibility the cost of the curtailed District # 7 will have to be reduced by reducing the size of the trunk sewers to what is actually needed inside the new reduced-in-size district, without any extra capacity to take care of future enlargements. Then should Cornell Lab. later desire to come into the smaller District # 7, either voluntarily or as the result of District # 6 being un-able to accept their sewerage, the plant Officials will find that the curtailed District # 7 will also be unable to accept their sewerage as the size of the trunks had had to be reduced in order to correspond to the reduced valuation at the time of the District's creation.

Item No. 22 Contd' SEWER DISTRICT NO. 7

It can also be argued that by permitting Cornell Lab. to connect their new additions to the already overloaded trunk of District # 6 except on a temporary basis, they were given preferential treatment. Loblaws', two years ago, were given an agreement to connect into Sewer District # 5 temporarily, only until their property could be included in a new sewer district. The owners of property in the area around the West Shore and Dick Road, last year were refused to be allowed to join District # 5 on any condition, on the grounds that the district was already overloaded.

To permit Cornell Lab. to continue to sewer their sewer out-of-the-district building into the already overloaded trunks, while at the same time refusal of the same privilege is denied to other property owners, may cause one to come to the conclusion that Cornell Lab. is receiving preferential treatment.

Many of the arguments which apply to Cornell Lab. also apply to Spencer Kellogg's Research Center, for they also did not sign the petitions when asked. However in their case they have a five year agreement with the Town of Cheektowaga to use the sewer trunk of District # 6. Their present small valuation cannot effect the outcome of the proposed Sewer District # 7, as in the case of Cornell Aeronautical Laboratory.

Summary and Conclusion:

(1) The inclusion of the Cornell Lab. and Spencer Kellogg areas on the south side of Genesee St. are vital to the creation of the new sewer district # 7, which is to take care of the Walden and George Urban Blvd. areas.

(2) Cornell Lab.'s request as to what the sewer tax will be is a question that cannot be accurately answered, as it is based upon the answers to five unknown factors, variation of any one would cause a different result.

(3) All that can be assured Cornell Lab. is an equitable assessment. This is guaranteed by the State Comptroller checking all features of the proposed district before approving its creation.

(4) The inclusion of Cornell Lab. in the new district was for the purpose of relieving already overloaded trunks in sewer districts # 6 and # 5, and was one step in a program to relieve the flooded cellar conditions in District # 5.

(5) The inclusion of Cornell Lab. in the proposed # 7 would guarantee that they would receive future service, both for their present installations, and any future additions. Their present service is not based on any agreement with the Town of Cheektowaga.

(6) Because of a target date of July 1957, there can be no further delay in proceeding with the creation of the proposed district. Cornell Lab. has had the petition for a month, which is more than a reasonable time to make a final decision.

(7) Without any desire by Spencer Kellogg or Cornell Lab. to be included in the proposed district, there is no necessity to include any area on the south side of Genesee St. beyond that owned by Loblaw, Inc.

(8) With a loss of Cornell Lab.'s valuation, the new reduced valuation is not sufficiently large to justify the installation of oversized trunk sewers to take care of all possible future extensions. The maintaining of an economically sound financial basis is a necessary concern of those planning expansion in the proposed district.

(9) There can be a further saving in costs in the reduced-in-size district, by reducing the depths of construction to levels which will only take care of the property within the district, instead of deep enough construction to take care of any further future extensions."

VICTOR REINSTEIN
Feb. 4, 1957

24
42

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

WHEREAS, the Zoning Board of Appeals of the Town of Cheektowaga, New York, held a public hearing for the purpose of considering the application of Edward Seeborg for the rezoning of premises from Residential District to 1st Industrial District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, the Zoning Board of Appeals having rendered its decision granting the application of the petitioner to rezone from Residential District to 1st Industrial District the property hereinafter described, be it

RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petitioner to rezone premises from Residential District to 1st Industrial District be and the same is hereby confirmed, be it

RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended, be and the same hereby is amended by changing the Zoning Map so as to change the following described property from that of Residential District to 1st Industrial District.

DESCRIPTION

All those tracts or parcels 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 and according to a map of Ontario Land Assn. Subdivision filed in the office of the Clerk of the County of Erie under Cover No. 372 are known and distinguished as Subdivision Lots Numbers 88 to 116, inclusive, on the West side of the Avenue, and Lots Numbers 158 to 168, inclusive, on the East side of the Avenue.

Dated: February 4, 1957.

KENNETH T. HANLEY,

Town Clerk, Town of Cheektowaga, New York

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for week, the first insertion being on the day of 1957, and the last insertion being on the day of 1957, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

is day of
15 1957

19

A copy of the above was posted on the Town Hall Bulletin Board on the 8th day of February, 1957.

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

WHEREAS, the Zoning Board of Appeals of the Town of Cheektowaga, New York, held a public hearing for the purpose of considering the application of Edward Seeborg for the rezoning of premises from Residential District to 1st Industrial District of the property hereinafter described and amending the Zoning Map and Ordinance accordingly, and

WHEREAS, the Zoning Board of Appeals having rendered its decision granting the application of the petitioner to rezone from Residential District to 1st Industrial District the property hereinafter described, be it

RESOLVED, that the decision of the Zoning Board of Appeals granting the application of the petitioner to rezone premises from Residential District to 1st Industrial District be and the same is hereby confirmed, be it

RESOLVED, by this Town Board that the Ordinance adopted December 21, 1942, and as now amended, be and the same hereby is amended by changing the Zoning Map so as to change the following described property from that of Residential District to 1st Industrial District.

DESCRIPTION

All those tracts or parcels 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 and according to a map of Ontario Land Assn. Subdivision filed in the office of the Clerk of the County of Erie under Cover

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 1957, and the last insertion being on the day of 1957, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

Sworn to before me this day of

FEB 15 1957

1957

Kenneth T. Hanks
Notary Public in and for Erie County

hn 1086

A copy of the above was posted on the Town Hall Bulletin Board on the 8th day of February, 1957.

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Item No. 24 The request of Daniel Nawrocki to tap into the Sanitary Sewer on Helen Street was referred to the Town Engineer.

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Item No. 25 The Chairman advised Attorney Ralph J. Radwan that the expense of Mr. C. Rotarski for repair of a lateral sewer was an individual charge not a Town charge.

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Item No. 26 The request of Mrs. Nicholson in relation to a swimming pool was ordered referred to the Town Board.

Item No. 27 Councilman Kornecki moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same.

6 Warrant No. 193 to No. 332 , inclusive, drawn on the Supervisor.

Item No. 28 Councilman Nagel moved, seconded by Councilman Kornecki, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk

Kenneth T. Hanley

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 18th day of February, 1957, at 7:30 o'clock P.M., there were:

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

ABSENT: Benedict T. Holtz Supervisor
Joseph A. Neibert Councilman

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

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

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

Item No. 3 Petition for street lighting equipment in Parkview Terrace from Pine Ridge Road to Victoria Boulevard; Melcourt Drive east from Camel Road to Lot No. 16; Camel Road from Crestcent Street to Melcourt Drive east, ordered referred to the Assessors for a property check.

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Item No. 4 Petition for the Extension of Water District No. 4 (U-Crest-Genesee Street) ordered referred to the Assessors for a property check.

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Item No. 5 Request of the U-Crest Hose Company that Clover Place and Evergreen Street be posted FIRE LANE with no parking on the north side of Clover Place and no parking on the south side of Evergreen Street from the Fire House to Pinehurst Street, was referred to the Chief of Police for investigation.

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Item No. 6 Petition bearing the names of 54 persons complaining about flooded cellars in the Valeway section of the Town was ordered referred to the Town Engineer.

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Item No. 7 On a motion of Councilman Wroblewski, seconded by Councilman Trojanoski, the Town Clerk was authorized and directed to issue Building Permits on applications processed by the Petitions Committee on February 9, 1957 and February 11, 1957 after the same have been approved by the Building Inspector.
CARRIED: AYES: -5- NOES: -0- ABSENT: -2-

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Item No. 8 Councilman Kornecki moved, seconded by Councilman Nagel:

WHEREAS the Town Highway Superintendent has advised this Town Board that he has inspected the highways known as Claude Drive, running 500 lineal feet north of Dingens Street and also has inspected the entire length of Laura Court and find that they meet with the specifications as set forth by the Town of Cheektowaga,

RESOLVED, that this Town Board does hereby accept the above mentioned highways as Town Highways and that the same are to be maintained by the Town Highway Superintendent,

Item No. 8 Cont'd FURTHER RESOLVED, that the Town Attorney be and he hereby is authorized and directed to record a copy of a deed to same highways in the Office of the Clerk of Erie County.

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

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

WHEREAS, at the present time the intersection at Walden Avenue and Harlem Road is illuminated with ten (10) 10,000 lumen sodium vapor lamps; Two (2) of these lamps are attached to wood poles and eight (8) lamps are attached to steel poles on the bridge, and a change has been recommended by the Niagara Mohwak Power Corporation that the sodium vapor lamps be replaced with mercury vapor lamps, in accordance with the attached layout submitted by Niagara Mohwak Power Corporation, which change will afford much more effective lighting, and

WHEREAS, the replacing of the eight (8) lamps on the bridge with 21,000 lumen (400 watt type EH-1) mercury vapor lamps and replacing the two (2) 10,000 lumen sodium vapor lamps on the Walden Avenue approach with three (3) 21,000 lumen (400 Watt type EH-1) mercury vapor lamps will entail the purchase of the following material from the Union Metal Manufacturing Company:

- 8 - Control #157969 8ft. single curved upsweep mast arms arranged for 1 1/4" slip fitter.
- 8 - Control #16828 scrolls for use with above.
- 8 - Control #5790 special hex head cap screws.
- 16 - 1/2" x 1/2" hex head cap screws.

BE IT RESOLVED, that the Supervisor be and he is herewith authorized to purchase through Westinghouse Electric Corporation, the said material, and that the Niagara Mohwak Power Corporation, be authorized to effect this change.

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

Councilman Nagel,	Voting---AYE
Councilman Wroblewski,	"
Councilman Bystrak,	"
Councilman Trojanosky,	"
Councilman Kornecki,	"

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

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

WHEREAS, bids were received on February 4th, 1957, after proper publication, for the installation of Chlorination Equipment on the Cheektowaga sewer District No. 5 Sewage Treatment Plant, and

WHEREAS, Kipphut Neumann Company bid on the Fischer Porter Company equipment in the sum of \$5,998.00 for item No. 1, and \$4,261.00 for item No. 2, making a total bid of \$10,259.00, and

WHEREAS, the Town Engineer has recommended that this bid, which was the lowest of three bids submitted, be accepted.

BE IT RESOLVED, that the Supervisor be and he hereby is authorized to enter into a contract and order the work completed in accordance with the bid submitted.

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

Councilman Nagel,	Voting---AYE
Councilman Wroblewski,	"
Councilman Bystrak,	"
Councilman Kornecki,	"
Councilman Trojanosky,	"

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

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

WHEREAS, the Yeager Construction Co. is the owner of two lots on the Southeast corner of Kennedy Street and Wojcik Avenue in the Town of Cheektowaga, New York. The corner lot being 75 feet wide and the adjacent lot being 45 feet wide, and

WHEREAS, the Yeager Construction Co. has requested permission to amend the map on file in the Assessors Office so that the corner lot would be 70 feet wide and the adjacent lot would be 50 feet wide, and

WHEREAS, a study of the matter has been made by the Supervisor and the Town Engineer.

BE IT RESOLVED, that Yeager Construction Co. be granted permission to amend their map as requested above.

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

Councilman Nagel,	Voting---AYE
Councilman Wroblewski,	"
Councilman Bystrak,	"
Councilman Kornecki,	"
Councilman Trojanosky,	"
CARRIED: -5-	NOES: -0- ABSENT: -2-

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

WHEREAS, DANIEL NAWROCKI is the owner of the abutting property on Nandale Drive, in the Town Of Cheektowaga, New York, commencing at the wasterly line of present Nandale Drive and extending north easterly for a distance of 500 feet, to Henry Street.

WHEREAS, DANIEL NAWROCKI Has constructed the foundation for the highway on said street as above described, and there is constructed in said highway a sanitary sewer, and the said Daniel Nawrocki has entered into a contract with the Erie County Water Authority for the construction of water lines in said highway, and has paid the Erie County Water Authority the cost thereof, but has not placed the topping on said highway because heavy trucks are still operating on said highway, in connection with the construction of homes, and it is the desire of the Town Highway Department that the topping on be placed on said highway until the construction of homes on said highway has been completed and

WHEREAS, the Town Board of the Town of Cheektowaga, New York, has fixed the sum of Two Thousand Dollars (\$2,000.00) to be deposited with the said Town Board, and

WHEREAS, DANIEL NAWROCKI has agreed to place the topping on said highway and complete the same in accordance with the specifications of the Town Highway Department and Town Regulations, be it

RESOLVED, that the Town of Cheektowaga enter into a contract with DANIEL NAWROCKI, which contract is to provide that the said DANIEL NAWROCKI will place the topping on said street and complete the highway in all respects and in accordance with the specifications of the Town Highway Department and the Regulations of the Town of Cheektowaga, New York, on or before August 1, 1957, and that the annexed contract is hereby approved and the Supervisor is authorized to execute the same for the Town of Cheektowaga, New York and be it further

RESOLVED, that DANIEL NAWROCKI deposit in cash with the Town of Cheektowaga, the sum of Two Thousand Dollars (\$2,000.00) as security for the faithful performance of the aforementioned contract, and be it further

RESOLVED, that said contract contain a provision that in the event the sum of Two Thousand Dollars (\$2,000.00) is insufficient to pay the cost of the completion of said highway, then the said DANIEL NAWROCKI agrees to pay any sum required in excess of that amount.

Item No. 12 Cont'd Seconded by Councilman Trojanosky and duly put to a vote, which resulted as follows:

	Councilman Nagel,	Voting---AYE
	Councilman Kornecki,	"
	Councilman Trojanosky,	"
	Councilman Bystrak,	"
	Councilman Wroblewski,	"
CARRIED:	AYES: -5-	NOES: -0- ABSENT: -2-

AGREEMENT

THIS AGREEMENT made this 18th day of February, 1957 by and between the TOWN OF CHEEKTOWAGA, a municipal corporation of the State of New York, with its office and principal place of business in the County of Erie, State of New York, party of the first part, and DANIEL NAWROCKI, with his office at 65 Groell Street, in the Town of Cheektowaga, County of Erie and State of New York, party of the second part;

W I T N E S S E T H:

WHEREAS, the party of the second part in the owner of the abutting property on Nandale Drive, in the Town of Cheektowaga, New York, commencing at the easterly line of present Nandale Drive and extending north easterly for a distance of 500 feet, and

WHEREAS, the party of the second part has constructed the foundation for the highway on Nandale Drive as above described, and has also constructed in said highway a sanitary and storm sewer, and has entered into a contract with Erie County Water Authority for the construction of water lines in said highways, and has paid the Erie County Water Authority the cost thereof, and

WHEREAS, the party of the second part has requested the Town of Cheektowaga to accept, as a Town Highway, Nandale Drive, as above described, and is willing to enter into a contract with the Town of Cheektowaga, New York, to place the topping on said street and complete the same so that the same will comply with the specifications of the Town Highway Department and the Regulations of the Town of Cheektowaga, New York, it is hereby

AGREED, that the party of the second part agrees to place topping on Nandale Drive, in the Town of Cheektowaga, New York commencing as the easterly line of Nandale Drive and extending North easterly for a distance of 500 feet, on or before August 1, 1957. He further agrees, where necessary, to reconstruct the foundations of said highways and complete the same so that said highways will conform in every respect with the specifications of the Town Highway Department and the Regulations of the Town of Cheektowaga, New York, and if is further

UNDERSTOOD AND AGREED, that the party of the second part will furnish the party of the first part, cash security in the sum of Two Thousand Dollars (\$2,000.00), said sum to be held by the Town of Cheektowaga, in escrow, conditions in all respects, that the party 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 the 1st day of August, 1957. In the event the party of the second part fails to live up to the terms of this agreement, then the party of the first part is authorized to complete said highway so that the same complies with the minimum specifications of the Town Highway Department and Regulations of the Town of Cheektowaga in every respect, and all expenses incurred by it in completing said highways shall be paid by the party of the second part. In the event the said sum of Two Thousand Dollars (\$2,000.00) is insufficient to pay such cost, then the party of the second part agrees to pay any sum required in excess of that amount,

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

Town of Cheektowaga, New York
By Benedict T. Holtz
Daniel Nawrocki

Item No. 12 Cont'd

STATE OF NEW YORK)
COUNTY OF ERIE) SS.

On this 25 day of February 1957 before me personally came Benedict T. Holtz, to me personally known, who being by me duly sworn, did depose and say that he resides in the Town of Cheektowaga, Erie County, New York, that he is the Supervisor of the Town of Cheektowaga, the corporation described in and which executed the above instrument; that he knows the seal of the said corporation; that the seal affixed to the said instrument is such corporate seal. That is was so affixed by order of the Town Board of the Town of Cheektowaga, New York, and that he signed his name there- to by like order.

Kenneth T. Hanley
Notary Public

STATE OF NEW YORK)
COUNTY OF ERIE) SS.

On this 25 day of February 1957, before me, the subscriber, personally appeared Daniel Nawrocki, to me personally known and known to me to be the same person described in and who executed the within instrument, and he duly acknowledged to me that he executed the same.

Kenneth T. Hanley
Notary Public

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

WHEREAS, the Cheektowaga Zoning Ordinances are completely inadequate, outmoded, outdated and very controversial and are in need of complete revision.

Now on motion of Stanley R. Bystrak,

BE IT RESOLVED, that A. Russell Tryon be and he hereby is authorized, in conjunction and collaboration with the Town Attorney and the Town Building Inspector, to undertake a study of the Cheektowaga Zoning Ordinances and maps and submit recommended revisions to the Town Board for future use.

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

Councilman Nagel,	Voting---AYE
Councilman Wroblewski,	"
Councilman Bystrak,	"
Councilman Kornecki,	"
Councilman Trojanosky,	"

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

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Item No. 14 This being the time and the place advertised for the receiving of sealed bids for the purpose of purchasing two (2) Police automobiles for use by the Police Department.

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

On a motion of Councilman Kornecki, seconded by Councilman Trojanoski, that the Town Clerk be authorized and directed to open the sealed bids on hand.

Hereto is a summary of the bids received:

1-Mernan Chevrolet Inc.....	\$2,820.00
2-Zapfel Bros.....	3,160.00
3-Suor Chevrolet Inc.....	2,807.00

The Chairman ordered the bids referred to the Chief of Police for analysis and tabulation.

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Item No. 15 Councilman Trojanoski offered the following resolution and moved its adoption:

WHEREAS, a petition for the extension of the existing Water District No. 8 in the Town of Cheektowaga, New York, pursuant to the Town Law, was presented to this Town Board on the 17th day of March, 1956, and

WHEREAS, it appears to this Town Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property situate in the territory proposed to be annexed to said Water District as an extension thereof, owned by resident taxpayers and also signed non-resident taxpayer owning taxable real property aggregating more than one-half of the assessed valuation of all taxable real property situate in the territory proposed to be annexed to said Water District as an extension owned by non-resident taxpayers, and

WHEREAS, said petitions is accompanied by a map prepared by Nussbaumer, Clarke & Velzy, Inc., Engineers, duly licensed by the State of New York, showing the boundaries of the proposed extension, and

WHEREAS, said petition does not propose or require that the Town finance the cost for the extension of the District by the issuance of bonds, notes, or any other evidences of indebtedness, and

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

DESCRIPTION OF TERRITORY PROPOSED TO BE
ANNEXED TO WATER DISTRICT NO. 8

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

Beginning at the point of intersection of the easterly line of the existing water district with the northerly line of the Village of Depew.

Running thence easterly along the northerly line of the Village of Depew to the easterly line of the New York Central Railroad right-of-way.

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

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

Thence southwesterly along the southerly line of the West Shore Railroad right-of-way to the easterly line of the U-Crest Water District No. 4.

Thence southeasterly along the easterly line of the U-Crest Water District No. 4 to the northerly line of the Village of Depew.

Thence easterly along the northerly line of the Village of Depew to the westerly line of the existing district.

Thence northerly along the westerly line of the existing district to the northerly line of the existing district.

Thence easterly along the northerly line of the existing district to the easterly line thereof.

Thence southerly along the westerly line of the existing district to the northerly line of the Village of Depew, which is the point of beginning

Item No. 15 Contd' and

WHEREAS, the territory hereinbefore described is situated entirely in said Town outside of any incorporated Village or city therein,

NOW, THEREFORE,

IT IS ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, in the Town of Cheektowaga, on the 4th day of March, 1957, 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

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Depew Herald and Cheektowaga News, a newspaper having general circulation in the territory affected, not less than ten or more than twenty days before the date set herein for the hearing aforesaid, and that copies of this order be posted conspicuously in five public places within the proposed extension of said Water District, not less than ten nor more than twenty days before said day designated for the hearing.

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

	Councilman Wroblewski,	Voting---	AYE
	Councilman Bystrak,		"
	Councilman Nagel,		"
	Councilman Trojanosky,		"
	Councilman Kornecki,		"
CARRIED:	AYES: -5-	NOES: -0-	ABSENT: -2-

1957:

Posted as follows on the 21st day of February,

- 1- Telephone Pole No. 22 on East Sobieski Street;
- 2- Telephone Pole No. 6 on Washington Street;
- 3- Telephone Pole No. 40 on East Sobieski Street;
- 4- Post in front of No. 82 Meadowlawn Road;
- 5- Post in front of No. 222 Meadowlawn Road.

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

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STATE OF NEW YORK
COUNTY OF ERIE

...ce northw... along the...
...of the Lehigh Valley Rail-
...ly
...of Erie, have compared the
...ed
...foregoing copy of resolution with
...he
...the original resolution now on file
...he
...at this office, and which was passed
...re
...by the Town Board of the Town of
...st-
...Cheektowaga in said County of
...is-
...Erie, on the 18th day of February,
...he
...1957, and that the same is a cor-
...er
...rect and true transcript of such
...er
...original resolution and the whole
...pe
...thereof.

In Witness Whereof, I
have hereunto set my hand
(seal) and affixed the seal of said
Town this 18th day of Feb-
ruary, 1957.

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheek-
towaga, Erie County, New York, that notice of which the
annexed printed slip taken from said newspaper, is a copy,
was inserted and published therein once a week for
1 week, the first insertion being on the
21st day of Feb., 1957, and
the last insertion being on the day of
1957, and that not
more than six days intervened between any two publi-
cations thereof.

Richard G. Bennett

Sworn to before me this day of

FEB 1957

19

Kenneth T. Hanley

Notary Public in and for Erie County

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, corner of Broadway and Union Road, in said Town, on the 18th day of February, 1957, at 7:30 o'clock p.m., Eastern Standard Time, there were:

PRESENT:

Edith T. Wroblewski, Councilman
Joseph R. Bystrak, Councilman
Joseph J. Nagel, Councilman
Joseph Trojanoski, Councilman
Joseph Kordecki, Councilman

ABSENT:

Benedict T. Holtz, Supervisor
Joseph A. Nelbert, Councilman
Councilman Trojanoski offered the following resolution and moved its adoption:

WHEREAS, a petition for the extension of the existing Water District No. 8 in the Town of Cheektowaga, New York, pursuant to the Town Law, was presented to this Town Board on the 17th day of March, 1956, and

WHEREAS, it appears to this Town Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property situated in the territory proposed to be annexed to said Water District as an extension thereof, owned by resident taxpayers and also signed by non-resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property situated in the territory proposed to be annexed to said Water District as an extension thereof by non-resident taxpayers, and

WHEREAS, said petition is accompanied by a map prepared by H. J. Hammer & Clarke, Inc., Engineers, duly licensed by the State of New York, showing the boundaries of the proposed extension, and

WHEREAS, said petition does not propose or require that the Town finance the cost for the extension of the District by the issuance of bonds, notes, or any other evidences of indebtedness, and

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

DESCRIPTION OF TERRITORY PROPOSED TO BE ANNEXED TO WATER DISTRICT NO. 8

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

Beginning at the point of intersection of the easterly line of the existing water district with the southerly line of the Village of Depew;

Thence northerly along the southerly line of the Village of Depew to the easterly line of the New York Central Railroad right-of-way.

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

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

Thence southwesterly along the southerly line of the West Shore Railroad right-of-way to the easterly line of the U-Crest Water District No. 4.

Thence southeasterly along the easterly line of the U-Crest Water District No. 4 to the northerly line of the Village of Depew.

Thence easterly along the northerly line of the Village of Depew to the westerly line of the existing district.

Thence northerly along the westerly line of the existing district to the northerly line of the existing district.

Thence easterly along the northerly line of the existing district to the easterly line thereof.

Thence southerly along the easterly line of the existing district to the northerly line of the Village of Depew, which is the point of beginning.

and
WHEREAS, the territory hereinbefore described is situated entirely in said Town outside of any incorporated village or city therein,
NOW, THEREFORE,

IT IS ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, in the Town of Cheektowaga, on the 4th day of March, 1957, 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
IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Depew Herald and

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

the northern line of the existing district.

Thence easterly along the northerly line of the existing district to the easterly line thereof.

Thence southerly along the easterly line of the existing district to the northerly line of the Village of Depew, which is the point of beginning.

and

WHEREAS, the territory hereinbefore described is situated entirely in said Town outside of any incorporated village or city therein,
NOW, THEREFORE,

IT IS ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, in the Town of Cheektowaga, on the 4th day of March, 1957, at 2:30 o'clock P. M., Eastern Standard Time, to consider said petition and to hear any persons interested in the subject matter concerning the same.

It is further ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Depew Herald and Cheektowaga News, a newspaper having general circulation in the territory affected, not less than ten nor more than twenty days before the day set forth for the hearing of said petition, and that copies of this order be posted conspicuously in public places within the proper jurisdiction of said Water District, not less than ten nor more than twenty days before said day set forth for the hearing.

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

Councilman Wroblewski, voting Aye
Councilman Bystrak, voting Aye
Councilman Nagel, voting Aye
Councilman Trojanoski, voting Aye

Councilman Kermack, voting Aye
Yeas: 5; Nays: 0; Absent: 2
County of New York)

County of Erie)
Clerk of the)
Town of Cheektowaga)

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 18th day of February, 1957, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand (seal) and affixed the seal of said Town this 18th day of February, 1957.

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

Item No. 16 The following resolution was offered by Councilman Kornecki, who moved its adoption, seconded by Councilman Trojanoski, to wit:

WHEREAS, this Town Board has heretofore determined it to be in the public interest to undertake the reconstruction of the plant maintained by this Town for the incineration and disposal of ashes, garbage or refuse, which plant is located on Union Road, in this Town, and

WHEREAS, this Board duly adopted a bond resolution dated October 8, 1956, authorizing the issuance of \$237,500 serial bonds and \$12,500 capital notes of this Town to finance the cost of such purpose, which resolution was subject to a permissive referendum and has taken effect as prescribed by law, and

WHEREAS, this Town Board directed Nussbaumer, Clarke and Velzy, Consulting Engineers, to prepare the necessary plans, specifications, and, with the assistance of the Town Attorney, the proposed contract for the performance of the work required, and

WHEREAS, such plans, specifications and proposed contract have been filed in the Office of the Town Clerk,

NOW, THEREFORE,

BE IT RESOLVED as follows:

1. That the said plans, specifications and proposed contract for the reconstruction of the said incineration plant be and they hereby are approved.

2. That bids for the performance of the work called for by said plans and specifications shall be received by this Town Board at a meeting thereof to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at 7:30 o'clock P. M., Eastern Standard Time, on the 18th day of March, 1957.

3. That the Town Clerk be and he hereby is directed to publish the following Notice to Contractors in the issues of the Depew Herald and Cheektowaga News, a newspaper having a general circulation in the Town, on February 21, 1957 and February 28, 1957:

NOTICE TO CONTRACTORS

Sealed proposals for the construction of the following improvements to the Municipal Incinerator will be received by the Town Board in the Town Hall Building, Cheektowaga, New York, until 7:30 P. M., Eastern Standard Time, March 18, 1957, at which time and place they will be publicly opened and read:

(a) Improvements to the present project including a new ash lift shaft and storage bin, site improvements, etc.

(b) Repairs and replacements to the existing two incinerator units.

(c) Repairs and replacements to the stack.

Together with such incidental and appurtenant work as is required by the plans and Specifications.

All bids shall be sealed and addressed to the Town Board, Town of Cheektowaga, New York and shall be marked on the outside with the contractors' name, and "Bid for Incinerator Construction".

The Plans, specifications, and other documents relating to such construction work, may be examined at the office of Nussbaumer, Clarke & Velzy, 327 Franklin Street, Buffalo 2, N.Y., and copies thereof may be obtained for \$35.00 for each set, the same to be refunded to bidders upon return of the plans and specifications, in good condition, within ten days after the opening of bids. No refund will be made except to general contractors submitting a valid bid before the opening of bids as herein provided.

The Town Board reserves the right to waive any formalities in, or reject any or all, bids, or to make an award to other than the low bid, as permitted by law.

Each bid must be accompanied by cash, by the certified check of the bidder, or by a bid bond, having a surety thereon a surety company acceptable to the Supervisor in an amount not less than five percentum (5%) of the amount of the base bid.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw the same at any time prior to the scheduled time for the opening of bids.

Kenneth T. Hanley
Town Clerk

Dated: February 18, 1957
PUBLISHED

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

Councilman Nagel,	Voting---AYE
Councilman Wroblewski,	"
Councilman Kornecki,	"
Councilman Trojanosky,	"
Councilman Bystrak,	"

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

The resolution was duly adopted.

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

STATE OF NEW YORK } ss.
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 1957, and the last insertion being on the day of 1957, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

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

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

DESCRIPTION

18 1/2 acres, New Walden Avenue south side, approximately one quarter of a mile east of Union Road (300 feet frontage on New Walden Avenue and 630 feet on Duke Road, fronting 1400 feet from New Walden to Duke Road, etc.

Sworn to before me this day of

FEB 25 1957

Notary Public in and for Erie County

Each bid must be accompanied by cash, by the certified check of the bidder, or by a bid bond, having a surety thereon a surety company acceptable to the Supervisor in an amount not less than five percentum (5%) of the amount of the base bid.

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw the same at any time prior to the scheduled time for the opening of bids.

Kenneth T. Hanley
Town Clerk

Dated: February 18, 1957
PUBLISHED

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

Councilman Nagel,	Voting---AYE
Councilman Wroblewski,	"
Councilman Kornecki,	"
Councilman Trojanosky,	"
Councilman Bystrak,	"

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

The resolution was duly adopted.

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

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... for the purpose of ...
... the application of ...
... from Residential District ...
... District of the ...
... hereinafter described and ...
... the Zoning Map and Co ...
... accordingly, and ...
... the Zoning Board of ...
... its de ...
... the application of ...
... from Resi ...
... to First Industrial ...
... the property hereinafter de ...
... that the decision of ...
... Board of Appeals grant ...
... application of the petition ...
... remove premises from Residen ...
... District to First Industrial Dis ...
... and the same is hereby con ...
... he is ...
... by this Town Board ...
... the Ordinance adopted De ...
... of 1942, and as now amend ...
... the same hereby is ...
... by changing the Zoning ...
... to as to change the following ...
... property from that of ...
... District to First Indus ...
... District.

DESCRIPTION

... acres, New Walden Avenue ...
... side, approximately one quar ...
... of a mile east of Union Road ...
... feet frontage on New Walden ...
... and 630 feet on Duke Road, ...
... 1400 feet from New Wal ...
... to Duke Road, as per sketch ...
... in the Town Clerk's Office.

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

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

Richard G. Bennett, Town of Cheektowaga, Erie County, New York, at the Town Hall in the said Town, at the corner of Broadway and Duke Road, on the 23rd day of January, 1957 at 7:30 p.m., of said day for the purpose of considering the application of Theodore Demblewski for the rezoning from "Residential District" to "First Industrial District" of the property hereinafter described and amending the Zoning Map and Ordinances accordingly.

DESCRIPTION
15 1/2 acres, New Walden Avenue, south side, approximately one quarter of a mile east of Union Road (100 feet frontage on New Walden Avenue and 630 feet on Duke Road, reaching 1400 feet from New Walden to Duke Road, as per sketch on file in the Town Clerk's Office. To be used for First Industrial purposes.

All parties in interest and citizens shall be given an opportunity to be heard in respect to such proposed application and amendments.

By order of the Zoning Board of Appeals:
Leo H. Kurnick, Chairman
Charles Hanson
Joseph Kubera
Lawrence Januszcak
Peter J. Rybka
Dated: January 8, 1957.
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 week the first insertion being on the day of January, 1957, 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 13 day of

John T. Hanley 19.57
Notary Public in and for Erie County

hn 1086

The above Notice was posted on the Town Hall Bulletin Board on the 25th day of February, 1957.

Item No. 18 Mr. John O'Donnell, Attorney for Cornell Laboratory Inc., was granted the floor and requested information in regard to his clients petition for the rezoning of premises on Genesee Street, near the present buildings of the Cornell Laboratory Inc., the reason why the rezoning action was being delayed.

Councilman Wroblewski Chairman of the Petitions Committee advised Mr. O'Donnell the reason for the delay was due to the fact that the company has made no arrangements in regard to sewage facilities in that area.

At the request of the Board the matter was tabled for further study.

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41 Item No. 19 Councilman Bystrak advised the Board that the Town of West Seneca will pay the fee necessary for the installation of a traffic signal light at the intersection of Clinton Street and Willowlawn Parkway.

42 Item No. 20 The request of Councilman Bystrak that the Town Board meet weekly was tabled for study.

42 Item No. 21 Theodore Rossie of Harvard Avenue, Depew, was advised by the Town Attorney that the residents must sign easements in order that the Town Highway Department can proceed in the matter of cleaning the creek.

Item No. 22 Councilman Kornecki moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same.

6 Warrant No. 333 to No. 434, inclusive, drawn on the Supervisor.

Item No. 23 Councilman Nagel moved, seconded by Councilman Bystrak, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk

Kenneth T. Hanley

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 4th day of March, 1957, at 2:30 o'clock P.M., there were:

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

ABSENT: -0-

Also present were: Town Clerk Kenneth T. Hanley; Assistant Town Attorney Thomas E. Delahunt; Receiver of Taxes & Assessments Edward H. Pfohl; Town Engineer Albert J. Kamm; Lieut. William Graham and Lieut. Benedict Kostrzewski.

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

Item No. 3 Petition for Curbing, etc., on Treehaven Road ordered referred to the Assessors for a property check.

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Item No. 4 Petition presented bearing approximately 43 names in opposition to the rezoning of premises located at the corner of William Street and Randolph (or Claude) from Residential to Business Zone. Ordered referred to the Petitions Committee.

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Item No. 5 On a motion of Councilman Wroblewski, Seconded by Councilman Trojanoski, the Town Clerk was authorized and directed to issue Building Permits on applications processed by the Petitions Committee on February 23, 1957 and March 2, 1957, after same have been approved by the Building Inspector.

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

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

WHEREAS, the resolution presented and passed on the 7th day of January, 1957, established salaries of employees of the Town Of Cheektowaga erroneously omitted the position of Police Matron establishing the salary at \$1400.00 per annum, therefore be it

RESOLVED, that the salary of Police Matron be set at \$1400.00 per annum.

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

Supervisor Holtz,	Voting---AYE
Councilman Wroblewski,	"
Councilman Nagel,	"
Councilman Neibert,	"
Councilman Bystrak,	"
Councilman Trojanoski,	"
Councilman Kornecki,	"

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

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

WHEREAS, bids were received for two (2) Police cars, and

Whereas, the lowest bid submitted was that of Suor Chevrolet, Inc., in the amount of \$2,807.00.

BE IT RESOLVED, that the bid of Suor Chevrolet, Inc., for \$2,807.00 be accepted and that the Supervisor be authorized to enter into a contract for the purchase of said Police automobiles; that he also be authorized to execute and deliver to Suor Chevrolet, Inc., a bill of sale for two police cars, for which a credit of \$3,005.00 has been granted, leaving a net balance due for the purchase of said police automobiles in the sum of \$2,807.00.

Seconded by Councilman Trojanoski.

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

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

RESOLVED, that the New York State Electric and Gas Corporation be authorized to remove the present 10,000 Sodium Vapor Light existing at the intersection of Walden and Dick Roads and install a 10,000 Lumen Incandescent Light and be it further

RESOLVED, that the New York State Electric and Gas Corporation be authorized to install a Sodium Vapor Light at the intersection of Henry and Cayuga Roads in the Town of Cheektowaga.

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

Supervisor Holtz,	Voting---AYE
Councilman Nagel,	"
Councilman Wroblewski,	"
Councilman Neibert,	"
Councilman Bystrak,	"
Councilman Trojanosky,	"
Councilman Kornecki,	"

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

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

WHEREAS, the Erie County Department of Highways issued a permit for the installation of an actuated stop and go signal at the intersection of Rossler and Dings Street in the year 1954, and

WHEREAS, the signal was not installed due to thruway construction in the area, and

WHEREAS, Rossler Street is one of the few streets crossing Dings Street in this vicinity and has exceedingly a large amount of traffic, which density of traffic will increase as the thruway construction progresses.

BE IT RESOLVED, that the Erie County Highway Department be requested to grant a permit for the installation of a regular traffic signal at this intersection, and be it further

RESOLVED, that the Town Clerk be and he hereby is authorized and directed to send a certified copy of this resolution to the Erie County Highway Department.

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

Item No. 9 Contd

Supervisor Holtz,	Voting---AYE
Councilman Neibert,	"
Councilman Nagel,	"
Councilman Wroblewski,	"
Councilman Bystrak,	"
Councilman Trojanosky,	"
Councilman Kornecki,	"

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

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

WHEREAS, the amount of vehicle traffic at the intersection of Walden and Harlem Road in the Town of Cheektowaga, New York has increased tremendously, and

WHEREAS, the Town Board deems it necessary to undertake certain steps to facilitate the flow of traffic at this point and feels that the installation of green arrows on each of the four corners permitting vehicle traffic to turn right against the red signal would tend to help the traffic situation at this point.

BE IT RESOLVED, that the Town Clerk be and he hereby is authorized to request permission from the Erie County Highway Department to install four green arrows at the four corners of this intersection to allow traffic to turn right against the red signal, and be it further

RESOLVED, that the Town Clerk be and he hereby is authorized to send a certified copy of this resolution to the Erie County Highway Department.

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

Supervisor Holtz,	Voting---AYE
Councilman Neibert,	"
Councilman Nagel,	"
Councilman Wroblewski,	"
Councilman Bystrak,	"
Councilman Trojanosky,	"
Councilman Kornecki,	"

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

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

RESOLVE to request the Traffic Division of the New York State Highway Department to study the need of Traffic Signal lights at the following intersections in the Town of Cheektowaga, Erie County, New York:

1 - Genesee Street at Beach Road - There is numerous requests from people residing in this vicinity for a safe pedestrian crossing as well as vehicle traffic to and from the Tiorunda Housing Development.

2 - Union Road at George Urban Boulevard - There is a great need for traffic light to allow safe entrance to Union Road.

3 - Union Road at Broadway - There is also a great need for traffic signal light for those who want to enter Broadway from Union Road particularly between the hours of 7 A. M. TO 9 A. M. AND 3 P. M. to 6 P.M.

Seconded by Councilman Kornecki.

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

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

WHEREAS, emergency hydrant repairs were required on Borden Road in the Borden Water District No. 9, which repairs were ordered by the Town Engineer, and

WHEREAS, the cost of the work and materials amounted to \$268.73.

BE IT RESOLVED, that the voucher of Ralph D. Young, Inc. in the amount of \$268.73, to do the work and furnish the materials be approved and ordered paid.

Seconded by Councilman Wroblewski.

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

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

WHEREAS, emergency sewer repairs were required on Rogers Road in Sanitary Sewer District No. 5, which repairs were ordered by the Town Engineer, and

WHEREAS, the cost of the work and materials amounted to \$1,126.06.

BE IT RESOLVED, that the voucher of Straco, Inc., in the amount of \$1,126.06 to do the work and furnish the materials be approved and ordered paid.

Seconded by Councilman Kornecki.

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

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

WHEREAS, the Cheektowaga Town Board on December 17, 1956, by resolution agreed to accept the conveyance of Certain Real Property adjacent to the Thruway on the offer of a gift from Dr. Victor Reinstein, and

WHEREAS, said property was subsequently conveyed to the Town of Cheektowaga by deed recorded in Erie County Clerks Office on January 2, 1957, and

WHEREAS, on the segregation of taxes on said premises the Town owes \$61.51 to the Town Tax Collector as its share of the 1957 County Tax, be it

RESOLVED, that the Supervisor be and he hereby is authorized to submit payment to the Town Tax Collector the sum of \$61.51 in full payment of said taxes.

Seconded by Councilman Wroblewski.

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

Councilman Wroblewski presented the following resolution and moved its adoption:

WHEREAS, the Town Board desires to provide for the issuance of \$12,500 Capital Notes authorized by bond resolution adopted by the Town Board on October 8, 1956; NOW, THEREFORE,

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

(1) Capital Notes of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$12,500 shall be issued pursuant to the bond resolution entitled "Bond Resolution, Dated October 8, 1956, Authorizing the Issuance of \$237,500 Serial Bonds and \$12,500 Capital Notes of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance the Reconstruction of the Town's Incineration Plant", which was adopted by the Town Board on October 8, 1956.

(2) Said Capital Notes shall consist of two (2) notes of the denomination of \$6,250 each, numbered 1 and 2, in the order of their maturity, shall be dated January 1, 1957, and shall constitute an issue of Capital Notes payable in annual installments on January 1 in each year as follows, viz.: \$6,250 in each of the years 1958 and 1959, and shall bear interest not exceeding 2½ per centum (%) per annum, payable at maturity.

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

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

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

Supervisor Holtz,	Voting---AYE
Councilman Nagel,	"
Councilman Wroblewski,	"
Councilman Kornecki,	"
Councilman Trojanosky,	"
Councilman Neibert,	"
Councilman Bystrak,	"

CARRIED: AYES: -7-

NOES: -0-

ABSENT: -0-

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Councilman Kornecki presented the following resolution and moved its adoption:

WHEREAS, the Bond Resolution hereinafter referred to have taken effect in accordance with law and the Town Board, desires to make provision for the issuance of the bonds authorized by said Bond Resolution; NOW, THEREFORE,

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

(1) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$30,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, Dated April 19, 1956, Authorizing the Issuance of \$47,500 Serial Bonds and \$2,500 Capital Notes of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, for Park and Playground Improvements", Which was adopted by the Town Board on April 19, 1956. Said bonds shall be designated "Serial Park Bonds" and shall consist of thirty (30) bonds of the denomination of \$1,000 each, numbered from 1 to 30, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$4,000 in each of the years 1958 to 1960, inclusive; and \$3,000 in each of the years 1961 to 1966, inclusive.

(2) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$33,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, Dated February 19, 1954, Authorizing the Issuance of \$120,000.00 Serial Sewer District No. 5 Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law", which was adopted by the Town Board on February 19, 1954, and which bonds are to be issued in addition to the issue of \$87,000 of bonds heretofore issued pursuant to the infomentioned bond resolution. Said bonds shall be designated "Serial Sewer District No. 5 Bonds, Series A of 1957", and shall consist of thirty-three (33) bonds of the denomination of \$1,000 each, numbered from 1 to 33, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$2,000 in each of the years 1958 to 1965, inclusive, and \$1,000 in each of the years 1966 to 1982, inclusive.

(3) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$85,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, Dated January 14, 1957, Authorizing the Issuance of \$95,000 Serial Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law", which was adopted by the Town Board on January 14, 1957. Said bonds shall be designated "Serial Sewer District No. 5 Bonds, Series B of 1957", and shall consist of eighty-five (85) bonds of the denomination of \$1,000 each, numbered from 1 to 85, inclusive, in the order of their maturity, and shall constitute and issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$3,000 in each of the years 1958 to 1985, inclusive, and \$1,000 in the year 1986.

(4) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$237,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, Dated October 8, 1956, Authorizing the Issuance of \$237,500 Serial Bonds and \$12,500 Capital Notes of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance the Reconstruction of the Town's Incineration Plant", which was adopted by the Town Board on October 8, 1956. Said bonds shall be designated "Serial Incineration Bonds", and shall consist of two hundred thirty seven (237) bonds of the denomination of \$1,000 each, numbered from 1 to 237, inclusive, in the order of their maturity, and shall constitute and issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$12,000 in each of the years 1958 to 1974, inclusive, and \$11,000 in each of the years 1975 to 1977, inclusive.

Item No. 16 Cont'd

(5) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$7,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution, Dated April 19, 1956, Authorizing the Issuance of \$11,500.00 Serial Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance the Construction of a Lateral Sewer", which was adopted by the Town Board on April 19, 1956. Said bonds shall be designated "Serial Sewer District No. 5 Bonds, Series C of 1957", and shall consist of seven (7) bonds of the denomination of \$1,000 each, numbered from 1 to 7, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$2,000 in each of the years 1958 to 1960, inclusive, and \$1,000 in the year 1961.

(6) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$2,500 shall be issued pursuant to the bond resolution entitled "Bond Resolution, Dated April 19, 1956, Authorizing the Issuance of \$4,800.00 Serial Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance the Construction of a Lateral Sewer", which was adopted by the Town Board on April 19, 1956. Said bonds shall be designated "Serial Sewer District No. 5 Bonds, Series D of 1957", and shall consist of one bond of the denomination of \$1,000, numbered 1 and three (3) bonds of the denomination of \$500 each, numbered from 2 to 4, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$1,000 in the year 1958, and \$500 in each of the years 1959 to 1961, inclusive.

(7) Bonds of the Town of Cheektowaga, in the County of Erie, of the aggregate principal amount of \$14,000 shall be issued pursuant to the bond resolution entitled "Bond Resolution Dated December 26, 1956, Authorizing the Issuance of \$22,000.00 Serial Bonds of the Town of Cheektowaga, in the County of Erie, Pursuant to the Local Finance Law, to Finance the Construction of a Lateral Sewer", which was adopted by the Town Board on December 26, 1956. Said bonds shall be designated "Serial Sewer District No. 5 Bonds, Series E of 1957", and shall consist of fourteen (14) bonds of the denomination of \$1,000 each, numbered from 1 to 14, inclusive, in the order of their maturity, and shall constitute an issue of bonds payable in annual installments on January 1 in each year as follows, viz.: \$4,000 in each of the years 1958 to 1960, inclusive, and \$2,000 in the year 1961.

(8) All of said bonds shall be dated January 1, 1957 and shall bear interest from their date at a rate which shall not exceed five per centum (5%) per annum. Such interest shall be payable semi-annually on January 1, and July 1.

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

(10) Each of said bonds shall be payable to bearer with coupons attached for the payment of interest to bearer, and such bond shall be convertible into a registered bond. Each of said bonds shall be executed by the Town Supervisor of said Town and shall be attested by the Town Clerk of said Town. Each of said bonds shall be sealed with the seal of said Town. Each of the interest coupons to be attached to said bonds shall be authenticated by the facsimile signature of said Town Supervisor.

(11) The power to prescribe the terms, form and contents of said Serial Bonds, subject to the provisions of this resolution, and all powers and duties pertaining or incidental to the sale and issuance of said Serial Bonds, are hereby delegated to the Town Supervisor. Said bonds shall bear interest at the rate specified in the proposal to purchase said bonds which shall be accepted by the Town Supervisor at the public sale of said bonds.

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

Item No. 16 Cont'd

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

Supervisor Holtz,	Voting---AYE
Councilman Nagel,	"
Councilman Wroblewski,	"
Councilman Kornecki,	"
Councilman Trojanoski,	"
Councilman Neibert,	"
Councilman Bystrak,	"

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

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

WHEREAS, two (2) new 1957 Harley Davidson Solo Motorcycles are needed for the Police Department and it is necessary to solicit bids for the same, be it

RESOLVED, that the Town of Cheektowaga purchase for the Police Department two (2) new 1957 Harley Davidson Solo Motorcycles to meet the specifications referred to in the Notice to Bidders and the Town Clerk be directed to publish the annexed Notice to Bidders in the Depew Herald and Cheektowaga News, a newspaper having a general circulation in the town. That sealed bids be received not later than 7:30 o'clock P. M. on March 18th, 1957 at which time they will be publicly opened by the Town Board at a public meeting called for the purpose to be held at the Town Hall, corner of Broadway and Union Road, Town of Cheektowaga, New York.

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

NOTICE TO BIDDERS

The Town of Cheektowaga hereby requires separate sealed bids for the purchase of Two (2) 1957 Harley Davidson Solo Motorcycles for the use by the Police Department.

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

The Police Department of the Town of Cheektowaga now owns two used motorcycles, which are to be accepted in their present condition as part payment of the price of the new Police Motorcycles. These used motorcycles may be inspected at all reasonable hours at the Cheektowaga Town Hall.

Copies of the specifications are made available for all prospective bidders. Sealed bids must be received not later than 7:30 o'clock P. M. on March 18th, 1957, at which time they will be publicly opened by the Town Board at a public meeting called for that purpose to be held at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York.

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

Dated: March 4, 1957

Kenneth T. Hanley, Town Clerk

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

Supervisor Holtz,	Voting---AYE
Councilman Neibert,	"
Councilman Nagel,	"
Councilman Wroblewski,	"
Councilman Bystrak,	"
Councilman Trojanoski,	"
Councilman Kornecki,	"

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

1957 Harley Davidson Solo Motorcycle with
the following equipment:

Front and rear safety guards
Jiffy Stand
5:00 x 16 wheels and tires with safety tubes (blow-type)
Air Cleaner
Four Speed Transmission
Pedal Pads
Deluxe Saddle
Roar Wheel Siren
Speedometer Hand Control
Pursuit Lamps
Mirror - Two (2)
Windshield
Police Plate
Radio Generator with regulator
Radio Battery
Special oil tank and radio carrier
Police silver finish
Rubber mounted bars
Heavy duty seat post springs
Oil Filter

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, Publisher of the Depew Herald-Cheektowaga News, 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 March, 1957, 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

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 March, 1957, and
the last insertion being on the day of
....., 19....., and that not
more than six days intervened between any two publi-
cations thereof.

Richard G. Bennett

Sworn to before me this day of

MAR 8 1957, 19.....

Notary Public in and for Erie County

LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 4th day of March, 1957, 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 Kornecki, Councilman
Joseph Trojanoski, Councilman
Joseph A. Neibert, Councilman
Stanley R. Bystrak, Councilman

ABSENT: 0

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

WHEREAS, a petition for the improvement of both sides of the public highways situated in Consolidated Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described was presented to this Town Board on the 4th day of March, 1957.

PUBLIC HIGHWAYS TO BE IMPROVED

Cresthaven Drive, from Cleveland Drive to Amherst Town Line (12-1348 standards)
Pinewood Terrace, from Pine Ridge Road to Victoria Blvd. (5-1348 standards)
Parkview Terrace, from Pine Ridge Road to Victoria Blvd. (6-1348 standards)
Victoria Blvd., from Pine Ridge Road to Markus Drive (17-1348 standards)

TYPE OF STREET LIGHTING INSTALLATION

Ornamental Standards — Underground Conduit.

WHEREAS, EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZINSKI, 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 18th day of March, 1957, at 7:30 P.M., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

Councilman Nagel, voting Aye
Councilman Wroblewski, voting Aye
Councilman Kornecki, voting Aye
Councilman Trojanoski, voting Aye
Councilman Neibert, voting Aye
Councilman Bystrak, voting Aye
Supervisor Holtz, voting Aye
Ayes: 7; Noes: 0; Absent: 0.

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 4th day of March, 1957, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 4th day of March, 1957.

KENNETH T. HANLEY,
Clerk of the Town Board,

m7 Town of Cheektowaga, N. Y.

The foregoing notice was posted as follows on the 8th day of March, 1957:

CRESTHAVEN DRIVE:

- 1- Post at the corner of Cresthaven Drive and Cleveland Drive;
- 2- Post at the corner of Cresthaven Drive and Manlon Terrace;
- 3- Tree in front of No. 31 Cresthaven Drive;
- 4- Tree in front of No. 81 Cresthaven Drive;
- 5- Tree in front of No. 130 Cresthaven Drive.

PINEWOOD TERRACE:

- 1- Post at the corner of Pinewood Terrace and Victoria Blvd.
- 2- Telephone Pole at the corner of Pinewood Terrace and Pine Ridge Road;
- 3- Tree at the corner of Pinewood Terrace and Pine Ridge Road;
- 4- Post in front of No. 14 Pinewood Terrace;
- 5- Post in front of No. 31 Pinewood Terrace.

PARKVIEW TERRACE:

- 1- Post at the corner of Parkview Terrace and Victoria Blvd.
- 2- Telephone pole at the corner of Parkview Terrace and Pine Ridge Road;
- 3- Post in front of No. 56 Parkview Terrace;
- 4- Post at the corner of Parkview Terrace and Pine Ridge Road;
- 5- Post on Parkview Terrace 50 feet east of Pine Ridge Road.

VICTORIA BLVD:

- 1- Post at the corner of Victoria Blvd. and Markus Drive;
- 2- Telephone Pole in front of No. 110 Victoria Blvd.;
- 3- Post at the corner of Victoria Blvd. and Parkview Terrace;
- 4- Post at the corner of Victoria Blvd. and Pinewood Terrace;
- 5- Telephone Pole in front of No. 46 Victoria Blvd.

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

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STATE OF NEW YORK
COUNTY OF ERIE

ss.:

ALL THAT TRACT OR PARCELS OF LAND situated in the Town of Cheektowaga, County of Erie, State of New York, being part of the Holland Land Company's Survey of 1800, and more particularly described as follows: A parcel of land bounded northerly by the center line of Cayuga Creek; easterly by lands now owned by the center line of Cayuga Creek; southerly by the south line of the Town of Cheektowaga, being also the center line of Cayuga Creek; and on the west by lands of the Niagara Mohawk Power Corporation. 2. (a) Your petitioner NIAGARA MOHAWK POWER CORPORATION, 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 7th day of March, 1957, and the last insertion being on the day of 1957, 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 1 week, the first insertion being on the 7th day of March, 1957, and the last insertion being on the day of 1957, and that not more than six days intervened between any two publications thereof.

Richard G. Bennett

Sworn to before me this day of

MAR 8 1957

19

Arthur T. Daily

Notary Public in and for Erie County

STATE OF NEW YORK
COUNTY OF ERIE

Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 4th day of March, 1957, at 2:30 P.M., Eastern Standard Time, there were:

Richard T. Holtz, Supervisor
Harry J. Nagel, Councilman
John T. Wroblewski, Councilman
Joseph Kornecki, Councilman
Joseph Trojanoski, Councilman
Joseph A. Neibert, Councilman
Joseph R. Bystrak, Councilman

Bystrak offered the following resolution and moved its adoption: WHEREAS, a petition for the improvement of both sides of the highways situated in Council Lighting District of the Town of Cheektowaga, hereinafter particularly set forth, by the installation of street lighting equipment was presented to this Town on the 4th day of March,

PUBLIC HIGHWAYS TO BE IMPROVED

Seven Drive, from Cleveland to Amherst Town Line (both standards)

Terrace, from Pine Road to Victoria Blvd. (both standards)

Terrace, from Pine Road to Victoria Blvd. (both standards)

Blvd., from Pine Ridge to Markus Drive (17-1243)

STREET LIGHTING INSTALLATION

Under Standards - Under

Richard T. Holtz, Supervisor

Joseph A. Neibert, Councilman

of said Town of Cheektowaga, certified in writing to

that the above petition was signed and acknowledged

in the manner as a deed to be

by the owner of more

half of the entire front

on both sides of each

highways to be improved.

and

the portions of said

to be improved are sit-

in said Town out-

incorporated village or

therefore, it is

ORDERED that the

Board of the Town of

Cheektowaga meet at the Town

said Town of Cheektowaga

18th day of March, 1957,

2:30 P.M., Eastern Standard

to consider the said petition

and hear all persons interested

in respect thereof concerning

and

IS FURTHER ORDERED

that a copy of this order, certi-

by the Town Clerk, be published

once in the Depew Her-

and Cheektowaga News, a

paper having a general cir-

in the town, not less

than (10) nor more than

(20) days before the date

for the hearing afore-

that copies of this order

be conspicuously in five

places on each of the said

to be, however, not less

than (10) nor more than two-

days before the day desig-

for the hearing as aforesaid.

by Councilman Nagel,

only put to a vote which re-

as follows:

Councilman Nagel, voting Aye

Councilman Wroblewski, voting Aye

Councilman Kornecki, voting Aye

Councilman Trojanoski, voting Aye

Councilman Neibert, voting Aye

Councilman Bystrak, voting Aye

Supervisor Holtz, voting Aye

Ayes: 7; Noes: 0; Absent: 0.

State of New York)

Erie County)

Office of the Clerk of the) ss:

Town of Cheektowaga)

This is to certify that I, KENNETH T. HANLEY, Clerk of

the Town of Cheektowaga, in the

said County of Erie, have compared

the foregoing copy of resolution

with the original resolution now on

file at this office and which was

passed by the Town Board of the

Town of Cheektowaga in said

County of Erie, on the 4th day of

March, 1957, and that the same

is a correct and true transcript of

such original resolution and the

whereof.

In Witness Whereof, I

have hereunto set my hand

and affixed the seal of said

Town this 4th day of

March, 1957.

KENNETH T. HANLEY,

Clerk of the Town Board,

Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

EXTRACTS FROM MINUTES OF TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, corner of Broadway and Union Road in said Town, on the 4th day of March, 1957, at 2:30 o'clock P. M., Eastern Standard Time, there were:

PRESENT:	XXXXXXXXXXXX	XXXXXXXXXXXX
	Felix T. Krehlewski	Councilman
	Stanley R. Nyszak	Councilman
	Joseph A. Heibert	Councilman
	Henry J. Nagel	Councilman
	Joseph Trojanoski	Councilman
	Joseph Kosmicki	Councilman
ABSENT:	Benedict T. Melts	Supervisor

Councilman Trojanoski offered the following resolution and moved its adoption:

WHEREAS, a petition was duly presented to this Town Board on the 17th day of March, 1956, for the extension of the existing Water District No. 8 of the Town of Cheektowaga, and

WHEREAS, said petition does not propose or require that the Town finance the costs for the extension of the District by the issuance of bonds, notes, certificates or any other evidences of indebtedness, and

WHEREAS, this Town Board, on the 18th day of February 1957, duly adopted an order specifying that this Board meet at the Town Hall in the Town of Cheektowaga, on the 4th day of March, 1957, 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

WHEREAS, the Town Clerk has presented to this Board proof of due publication of a certified copy of said order and posting of copies thereof, pursuant to Section 193 of the Town Law, and

WHEREAS, this Town Board, pursuant to such order, has met at the time and place specified in such order and considered such petition and heard all persons interested in the subject

Resolution Town of Cheektowaga, N.Y.

FILED

1957 MAR 25 PM 3 36

ERIE COUNTY
CLERK'S OFFICE

210

Mar 4/1957

Resolved To

6691
Resolution
Town of Cheektowaga

*Cheektowaga
(Extend Water
District #8)*

LIBER 6144 PAGE 340

thereof, desiring to be heard concerning the same,

hereby NOW, THEREFORE, after due deliberation thereon, it is

RESOLVED and determined:

FIRST: That said petition is signed and acknowledged as required by law and is otherwise sufficient.

SECOND: That all the property and property owners within the proposed extension of said District are benefited thereby.

THIRD: That all the property and property owners benefited and included within the limits of the proposed extension of said District.

FOURTH: That it is in the best interest to grant in whole the relief sought in said petition, and

BE IT FURTHER RESOLVED, that this Town Board does hereby extend Water District No. 8 of the Town of Cheektowaga, Erie County, New York, to include the following described territory:

Resolution Town of Cheektowaga, N.Y.

DESCRIPTION OF TERRITORY PROPOSED TO BE
ANNEXED TO WATER DISTRICT NO. 8

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

Beginning at the point of intersection of the easterly line of the existing water district with the northerly line of the Village of Depew.

Running thence easterly along the northerly line of the Village of Depew to the easterly line of the New York Central Railroad right-of-way.

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

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

Thence southwesterly along the southerly line of the West Shore Railroad right-of-way to the easterly line of the U-Crest Water District No. 4.

Thence southeasterly along the easterly line of the U-Crest Water District No. 4 to the northerly line of the Village of Depew.

Thence easterly along the northerly line of the Village of Depew to the westerly line of the existing district.

Thence northerly along the westerly line of the existing district to the northerly line of the existing district.

Thence easterly along the northerly line of the existing district to the easterly line thereof.

Thence southerly along the easterly line of the existing district to the northerly line of the Village of Depew, which is the point of beginning.

Resolution Town of Cheektowaga N.Y.

6144 342

and

BE IT FURTHER RESOLVED and ordered that the Town Clerk of this Town shall forthwith cause a certified copy of this resolution, determination and order to be duly recorded in the office of the Clerk of the County of Erie.

Seconded by Heibert and duly put

to a vote which resulted as follows:

~~Supervisor - 2010~~

~~Voting AYE~~

Councilman Wroblewski

Voting AYE

Councilman Bystrak

Voting AYE

Councilman Heibert

Voting AYE

Councilman Nagel

Voting AYE

Councilman Trojanoski

Voting AYE

Councilman Kornecki

Voting AYE

AYES: - 6 -

NOES: 0

ABSENT: - 1 -

Resolution Town of Chubbuck, N.Y.

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

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

1. A regular meeting of the Town
 Board of the Town of Cheektowaga, a town located in the County
 of Erie, State of New York, was duly held on March 4, 1957
 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-34, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and
 have hereunto affixed the corporate seal of said Town, this
18 day of March, 1957.

Kenneth T. Hanley
 Town Clerk

Resolution Town of Cheektowaga 27

STATE OF NEW YORK - ERIE COUNTY CLERK'S OFFICE

Recorded in Liber 6144 page 339 of deeds
25 day of March AD, 1957 at 336 o'clock P. M.
 and examined.

Edward A. Rath CLERK

STATE OF NEW YORK }
COUNTY OF ERIE }

I, BENEDICT T. HOLTZ, 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 March 4th 1957, 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
34, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed
the corporate seal of said Town, this 31st day of October,
1969.

Benedict T. Holtz
Town Clerk

Item No. 19 This being the time and the place advertised for a public hearing for the extension of the existing Water District No. 8 in the Town of Cheektowaga, New York, (copy of same hereto attached)

DESCRIPTION

DESCRIPTION OF THE TRACT OR PARCEL OF LAND TO BE ADDED TO WATER DISTRICT NO. 8

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

Beginning at the point of intersection of the easterly line of the existing water district with the northerly line of the Village of Depew.

Running thence easterly along the northerly line of the Village of Depew to the easterly line of the New York Central Railroad right-of-way.

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

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

Thence southwesterly along the southerly line of the West Shore Railroad right-of-way to the easterly line of the U-Crest Water District No. 4.

Thence southeasterly along the easterly line of the U-Crest Water District No. 4 to the northerly line of the Village of Depew.

Thence easterly along the northerly line of the Village of Depew to the westerly line of the existing district.

Thence northerly along the westerly line of the existing district to the northerly line of the existing district.

Thence easterly along the northerly line of the existing district to the easterly line thereof.

Thence southerly along the easterly line of the existing district to the northerly line of the Village of Depew, which is the point of beginning.

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

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

LEGAL NOTICE

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

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

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

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

DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, and State of New York, being part of Lot Thirty-six (36), Township Eleven (11), and Range Seven (7) of the Holland Land Company's Survey and according to map filed in Erie County Clerk's Office under Cover 1612 is known as Subdivision Lot "A", situate on the southwest corner of Cleveland Drive and South Century Road having a north line along Cleveland Drive of One Hundred Eighty-one and Forty-three Hundredths (181.43) feet, a west line of One Hundred twenty (120) feet, a south line of Two Hundred Fifty (250) feet, an east line of Fifty-one and Forty-three Hundredths (51.43) feet along the westerly line of South Century Road, and a chord of Ninety-six and Ninety-seven Hundredths (96.97) feet, at the circle.

Dated: March 4, 1957.

KENNETH T. HANLEY,

Town Clerk, Town of
m7 Cheektowaga, New York

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The above Notice was posted on the Town Hall Bulletin Board on the 9th day of March, 1957.

LEGAL NOTICE

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

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

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

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

DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, and being part of Lot No. 17, Township 11 and Range 7 of the Holland Land Company's Survey and according to a map filed in the Erie County Clerk's Office under Map Cover 1822 is known and distinguished as subdivision lot number forty (40) and more commonly known as No. 920 George Urban Boulevard, and further described as a lot on the north side of George Urban Boulevard at the intersection of Cherokee Drive, having a frontage of approximately 85 feet on George Urban Boulevard and a frontage of 85 feet on Cherokee Drive with a depth of 135 feet along the west side and a depth of 85 feet along the east side.

Dated: March 4, 1957.

KENNETH T. HANLEY,
Town Clerk, Town of
m7 Cheektowaga, New York

The above Notice was posted on the Town Hall Bulletin Board on the 9th day of March, 1957.

LEGAL NOTICE

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

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

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

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

DESCRIPTION

All that piece or parcel of land situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot 78, T-11, R-7 and described as follows:

Beginning at a point in the southerly boundary of the West Shore Railroad right of way, said point being 100 feet distant southeasterly measured at right angles from a point in the northerly boundary of said right of way, this last mentioned point being 636.50 feet distant northeasterly measured along said northerly boundary from its intersection with the west line of Lot 78, T-11, R-7; thence northeasterly along the southerly boundary of said right of way 1300.00 feet to a point, said point being 50.0 feet distant southeasterly measured at right angles from the railroad center line station 2202+700; thence southeasterly along a line measured at right angles to said southerly boundary 216.37 feet to a point 50 feet distant northwesterly measured along a radial line from the center line of the existing Gardenville connecting railroad track on the east; thence southwesterly and southerly along a curving line having a radius of 1813.18 feet and being concentric with the center line of said track 1028.20 feet to a point measured 50 feet westerly at right angles from the center line of said track; thence westerly along said right angle line produced 140.00 feet to a point, said point being 50 feet distant northeasterly measured on a radial line from the center line of the existing connecting railroad track on the west; thence northwesterly and westerly along a curving line having a radius of 1323.57 feet and being concentric with the center line of the last mentioned railroad track 1022.20 feet to a point, said point being 123.88 feet distant southeasterly measured along a line at right angles with the first mentioned southerly boundary of the West Shore Railroad; thence northwesterly along said right angle line 123.88 feet to the point of beginning, the same being 15.9 acres more or less.

Dated: March 4, 1957.

KENNETH T. HANLEY,
Town Clerk, Town of
m7 Cheektowaga, New York

The above Notice was posted on the Town Hall Bulletin Board on the 9th day of March, 1957.

LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 4th day of March, 1957, at 2:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT:

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

ABSENT:

Benedict T. Holtz, Supervisor

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 18th day of February, 1957.

PUBLIC HIGHWAYS TO BE IMPROVED

Isabelle Road, from Applewood Road to Applewood Road.
Applewood Road, from Isabelle Road to Cayuga Road.
Camel Road, from Crescent Street to Melcourt Drive, East.
Malcourt Drive, East, from Camel Road to Lot No. 18, M. C. 1970.

TYPE OF STREET LIGHTING INSTALLATION

Isabelle Road — 8 Y 19 Ornamental Standards — Underground Conduit.
Applewood Road — 6 Y 19 Ornamental Standards — Underground Conduit.
Camel Road — Y-19 Standards — Underground Conduit.
Malcourt Drive, East — Y 19 Standards — Underground Conduit.

WHEREAS, EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZINSKI, 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 1st day of April, 1957, at 2:30 P.M., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

Councilman Nagel, voting Aye
Councilman Wroblewski, voting Aye
Councilman Kornecki, voting Aye
Councilman Trojanoski, voting Aye
Councilman Neibert, voting Aye
Councilman Bystrak, voting Aye

Ayes: 6; Noes: 0; Absent: 1.

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 18th day of March, 1957, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 18th day of March, 1957.

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

Item No. 22-A Contd' Posted as follows on the 22nd day of March,
1957:

ISABELLE ROAD-

- 1- Post at the corner of Isabelle Rd. and Applewood Rd., south wester corner.
- 2- Post at the corner of Isabelle Rd. and Applewood Rd., north east corner.
- 3- Post in front of No. 22 Isabelle Rd.
- 4- Post in front of No. 30 Isabelle Rd.
- 5- Post in front of No. 59 Isabelle Rd.

MELCOURT DRIVE-EAST-

- 1- Post in front of No. 81 Melcours Drive East.
- 2- Post in front of No. 97 " " "
- 3- Post in front of No. 112 " " "
- 4- Post in front of No. 92 " " "
- 5- Post at the corner of Melcourt Drive East and Camel Road.

CAMEL ROAD-

- 1- Post at the corner of Camel Rd. and Melcourt Drive-West.
- 2- Post in front of No. 53 Camel Rd.
- 3- Telephone Pole No. 11-Camel Road.
- 4- Post at the corner of Camle Rd. and Crescent Crt.
- 5- Telephone Pole at the corner of Camel Rd. annd Crescent Crt.

APPLEWOOD ROAD-

- 1- Post at the corner of Applewood Rd. and Isabelle Rd.
- 2- Post in front of No. 116 Applewood Rd.
- 3- Post in front of No. 105 Applewood Rd.
- 4- Post in front of No. 89 Applewood Rd.
- 5- Post at the corner of Applewood Rd. and Cayuga Rd.

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

STATE OF NEW YORK

COUNTY OF ERIE

not herein for the hearing aforesaid and that copies of this order be posted conspicuously in five public places on each of the said highways to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

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

Councilman Nagel, voting Aye
Councilman Wroblewski, voting Aye
Councilman Kornecki, voting Aye
Councilman Trojanoski, voting Aye
Councilman Neibert, voting Aye
Councilman Bystrak, voting Aye
Ayes: 6; Noes: 0; Absent: 1.

State of New York

Erie County

Office of the Clerk of the

Town of Cheektowaga

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 18th day of March, 1957, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 18th day of March, 1957.

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

NOTARY PUBLIC

Sworn to before me this _____ day of

MAR 23 1957

19

Kenneth T. Hanley
Notary Public in and for Erie County

In 1086

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 21st day of March, 1957, 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

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

LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 4th day of March, 1957, at 2:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT:

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

ABSENT:

Benedict T. Holtz, Supervisor

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 18th day of February, 1957.

PUBLIC HIGHWAYS TO BE IMPROVED

Isabelle Road, from Applewood Road to Applewood Road.

Applewood Road, from Isabelle Road to Cayuga Road.

Camel Road, from Crescent Street to Melcourt Drive, East.

Melcourt Drive, East, from Camel Road to Lot No. 18, M. C. 1970.

TYPE OF STREET LIGHTING INSTALLATION

Isabelle Road — 8 Y 19 Ornamental Standards — Underground Conduit.

Applewood Road — 6 Y 19 Ornamental Standards — Underground Conduit.

Camel Road — Y-19 Standards — Underground Conduit.

Melcourt Drive, East — Y 19 Standards — Underground Conduit.

WHEREAS, EDWARD B. JERZEWski, ANDREW H. SCHWENK and EUGENE A. RUDZINSKI, 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 1st day of April, 1957, at 2:30 P.M., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

Councilman Nagel, voting Aye
Councilman Wroblewski, voting Aye
Councilman Kornecki, voting Aye
Councilman Trojanoski, voting Aye
Councilman Neibert, voting Aye
Councilman Bystrak, voting Aye

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

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STATE OF NEW YORK
COUNTY OF ERIE

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 April, 1957, at 2:30 P.M., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

Councilman Nagel, voting Aye
Councilman Wroblewski, voting Aye
Councilman Kornecki, voting Aye
Councilman Trojanoski, voting Aye
Councilman Neilbert, voting Aye
Councilman Bystrak, voting Aye
Ayes: 6; Noes: 0; Absent: 1.

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 18th day of March, 1957, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand (seal) and affixed the seal of said Town this 18th day of March, 1957.

KENNETH T. HANLEY,
Clerk of the Town Board,
m7 Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER of the

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Item No. 23 Town Clerk Kenneth T. Hanley was granted the floor and related to the Town Board a report of his attendance of a meeting held in the Buffalo Athletic Club on February 28, 1957, in relation to Permanent Personal Registration in Erie County.

The Clerk called to the attention of the Board that Sub Division 1 and 2 of the Election Law calls for only 600 to 650 registered voters in an election district.

The Clerk requested the Supervisor to appoint a Committee to study P.P.R. in the Town of Cheektowaga, consisting of three members of the Town Board, including the Town Clerk, the Democratic and Republican Chairman of the town.

The Town Clerk called attention to the Board that the Board of Elections want the election district split on or before May 1, 1957, due to the fact that Central Registration will take place in the Town of May 20 and 21, 1957, and this is to be known as a "Blitz".

The Clerk advised the Board that he is as of this date reserving the Council Chamber for the above mentioned dates.

In closing the Clerk advised the Board that he has the data on the first school for P.P.R. and anyone wishing to study same may at his office during the usual business hours.

In closing the Town Clerk asked for the co-operation of the Board in the matter of P.P.R. and expressed the feeling that in his opinion that P.P.R. being new will no doubt cause a bit of confusion for the first year.

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Item No. 24 The request of Joseph Bianchni that the Town or Fire District pay the charge for moving a fire hydrant on premises owned by him at Genesee Street and Long Avenue, was referred to the Town Board.

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Item No. 25 Councilman Kornecki moved, seconded by Councilman Wroblewski, that all claims presented at this meeting for audit be approved and that the Town Clerk be authorized and directed to draw a warrant on the Supervisor for payment of same.

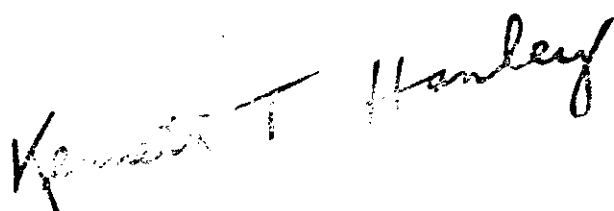
Warrant No. 435 to No. 533, inclusive, drawn on the Supervisor.

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Item No. 26 Councilman Nagel moved, seconded by Councilman Bystrak, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk



Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 18th day of March, 1957, at 8:30 o'clock P. M., there were:

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

ABSENT: Benedict T. Holtz Supervisor

Also present were: Town Clerk Kenneth T. Hanley; Assistant Town Attorney Thomas E. Delahunt; Town Engineer Albert J. Kamm; Chief of Police John F. Mersmann; Building & Plumbing Inspector Carl J. Trafalski; Peter J. Rybka member of the Zoning Board of Appeals and Newell Nussbaumer Consulting Engineer for the Town of Cheektowaga.

Item No. 2 Due to the absence of Supervisor Holtz, Councilman Wroblewski was designated to act as Chairman for this meeting.

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

Item No. 4 Petition for street lighting equipment in HILLSIDE AVENUE and WHITE ROAD ordered referred to the Assessors for a property check.

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Item No. 5 The request of the Cheektowaga Chamber of Commerce to hold a Easter Egg Hunt at the Town Park on Easter Sunday was granted with a stipulation that in case of bad weather on Easter Sunday the event would be held the following week.

42

Item No. 6 The request of Patrolman Harold J. Kuehlewind to attend a meeting of the New York State Police Conference in Albany, New York, on March 25, 1957, was granted.

31

Item No. 7 The request of the Board of Assessors to attend the State Assessors Conference at Syracuse, New York, on April 1st, 2nd, and 3rd, 1957, was granted.

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Item No. 8 On a motion of Councilman Wroblewski, seconded by Councilman Neibert, the Town Clerk was authorized and directed to issue Building permits on applications processed by the Petitions Committee on March 9, 1957 and March 16, 1957, after the same have been approved by the Building Inspector.

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

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

WHEREAS, previous resolutions of the Cheektowaga Town Board have been submitted to the U. S. Army Engineers and the New York State Soil Conservation Department concerning requests for work to be undertaken to eliminate flood conditions in Cayuga Creek and Scajaquada Creek in the Town of Cheektowaga, and

WHEREAS, no funds have been appropriated and no work has been done to alleviate these conditions which are increasing in scope at a steady rate, be it

Item No. 9 Cont'd

RESOLVED, that an application be made to the U. S. Army Engineers and the New York State Soil Conservation Department for a survey to ascertain what work can be done to remedy the conditions complained of and that funds be made available to deepen the channels of said creeks and make such other changes as are necessary to relieve the flood conditions, and that a certified copy of this resolution be sent to the U. S. Army Engineers and the New York Soil Conservation Department and the Honorable John R. Pillion, House of Representatives, Washington, D. C.

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

Councilman Nagel,	Voting---AYE
Councilman Wroblewski,	"
Councilman Neibert,	"
Councilman Bystrak,	"
Councilman Trojanoski,	"
Councilman Kornecki,	"

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

Item No. 10 (Page A-34)

Councilman Trojanoski offered the following resolution and moved its adoption:

WHEREAS, a petition was duly presented to this Town Board on the 17th day of March, 1956 for the extension of the existing Water District No. 8 of the Town of Cheektowaga, and

WHEREAS, said petition does not propose or require that the Town finance the costs for the extension of the District by the issuance of bonds, notes, certificates or any other evidences of indebtedness, and

WHEREAS, this Town Board, on the 18th day of February, 1957, duly adopted an order specifying that this Board meet at the Town Hall in the Town of Cheektowaga, on the 4th day of March, 1957, 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

WHEREAS, the Town Clerk has presented to this Board proof of due publication of a certified copy of said order and posting of copies thereof, pursuant to Section 193 of the Town Law, and

WHEREAS, this Town Board, pursuant to such order, has met at the time and place specified in such order and considered such petition and heard all persons interested in the subject thereof, desiring to be heard concerning the same,

NOW, THEREFORE, after due deliberation thereon, it is hereby

RESOLVED AND DETERMINED:

FIRST: That said petition is signed and acknowledged as required by law and is otherwise sufficient.

SECOND: That all the property and property owners within the proposed extension of said District are benefited thereby.

THIRD: That all the property and the property owners benefited are included within the limits of the proposed extension of said District.

FOURTH: That it is in the best interest to grant in whole the relief sought in said petition, and

BE IT FURTHER RESOLVED, that this Town Board does hereby extend Water District No. 8 of the Town of Cheektowaga, Erie County, New York, to include the following described territory:

DESCRIPTION OF TERRITORY PROPOSED
TO BE ANNEXED TO WATER DISTRICT
NO. 8

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

Beginning at the point of intersection of the easterly line of the existing water district with the northerly line of the Village of Depew.

Running- thence easterly along the northerly line of the Village of Depew to the easterly line of the New York Central Railroad right-of-way.

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

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

Thence southwesterly along the southerly line of the West Shore Railroad right-of-way to the easterly line of the U-Crest Water District No. 4.

Thence southeasterly along the easterly line of the U-Crest Water District No. 4 to the northerly line of the Village of Depew.

Thence easterly along the northerly line of the Village of Depew to the westerly line of the existing district.

Thence northerly along the westerly line of the existing district to the northerly line of the existing district.

Thence easterly along the northerly line of the existing district to the easterly line thereof.

Thence southerly along the easterly line of the existing district to the northerly line of the Village of Depew, which is the point of beginning.

and

BE IT FURTHER RESOLVED and ordered that the Town Clerk of this Town shall forthwith cause a certified copy of this resolution, determination and order to be duly recorded in the office of the Clerk of the County of Erie.

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

Councilman Wroblewski,	Voting---AYE
Councilman Bystrak,	"
Councilman Neibert,	"
Councilman Nagel,	"
Councilman Trojanoski,	"
Councilman Kornecki,	"

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

17
29

Item No. 11 On a motion of Councilman Nagel, seconded by Councilman Neibert, the Chief of Police was authorized and directed to post the north side of Clover Place and the south side of Evergreen Street, both from the Fire House to Pinehurst Street as follows:

FIRE LANE, NO PARKING

18
41
CARRIED: AYES: -6- NOES: -0- ABSENT: -1-

Item No. 12 On a motion of Councilman Trojanoski, seconded by Councilman Kornecki, the Lehigh Valley Railroad Company was authorized and directed to install a blinker warning signal on their crossing at French Road in the Town of Cheektowaga, New York, due to the fact that a recent fatality occurred at this point.

41
CARRIED: AYES: -6- NOES: -0- ABSENT: -1-

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

WHEREAS, there is a dangerous traffic situation at the intersection of Como Park Boulevard and Bennett and Rowley Roads, and

WHEREAS, the Town Board is of the opinion that a red "STOP AND GO" Blinker at this three-way intersection will tend to decrease traffic hazards, be it

RESOLVED, that permission be requested from the Erie County Highway Department for the installation of a Red "STOP AND GO" Blinker at the intersection of these streets and be it

FURTHER RESOLVED, that the Town Clerk be and he is hereby authorized to submit a certified copy of this resolution to the Erie County Highway Department.

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

Councilman Nagel,	Voting---AYE
Councilman Wroblewski,	"
Councilman Neibert,	"
Councilman Bystrak,	"
Councilman Trojanoski,	"
Councilman Kornecki,	"

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41
CARRIED: AYES: -6- NOES: -0- ABSENT: -1-

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

RESOLVED, that the New York State Electric and Gas Corporation be authorized to install one (1) 10,000 Lumen Incandescent light on Marilyn Drive on the east side of the intersection at Cayuga Road and one (1) 10,000 Lumen Incandescent light on Applewood on the east side of the intersection of Cayuga Road and

BE IT FURTHER RESOLVED, that the New York State Electric and Gas Corporation be authorized to move the existing light on Pole 34 to Pole No. 48 situate in Cayuga Creek Road.

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

Councilman Nagel,	Voting---AYE
Councilman Wroblewski,	"
Councilman Bystrak,	"
Councilman Neibert,	"
Councilman Trojanoski,	"
Councilman Kornecki,	"

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

Item No. 15 Councilman Kornecki, presented the following resolution 39 and moved its adoption:

WHEREAS, the Town of Cheektowaga and other municipalities within the County of Erie are presently engaged in litigation with the City of Buffalo and the City of Lackawanna before the State Board of Equalization and Assessment, and

WHEREAS, the City of Buffalo and the City of Lackawanna are petitioning for the setting aside of the Equalization Rates as promulgated by the Erie County Board of Equalization and Assessment for the years 1954, 1955 and 1956 and, in effect, are requesting the substitution of the Equalization Rates as promulgated by the State Board of Equalization and Assessment for like years, or other equalization rates more beneficial to the Cities of Buffalo and Lackawanna, and

WHEREAS, if the City of Buffalo and City of Lackawanna are successful in their litigation, the Town of Cheektowaga will be compelled to pay additional taxes for the past years 1955, 1956 and 1957 in an amount estimated to be \$103,125.57, and

WHEREAS, prolonged conferences between representatives of this Town and others and the City of Buffalo have been unsuccessful in an attempt to adjust and settle this litigation on a plan equitable to the Towns, and

WHEREAS, THE City of Buffalo has made an informal offer to compromise said litigation on the following basis:

1. That the City will take the sum of \$51,562.82, covering the years 1955, 1956 and 1957 in full settlement thereof for said years, BUT
2. NO guarantee is given that the City of Buffalo will not file objections to future Erie County Equalization Rates, and

WHEREAS, it is the opinion of this Town and others that the Equalization Rates promulgated by the Erie County Equalization Board are for the purpose of allocation of the Erie County Budget and as such, said rates have been determined by an independent board of equalization composed of personnel familiar with the economic conditions and the assessing practice of the various Towns and Cities within said County of Erie and therefore reflect a more equitable method for allocation of the Erie County tax burden than those equalization rates set by the State of New York based upon standards and promulgated for purposes relative to State purpose only, and

WHEREAS, Holloway & Company, Certified Public Accountants, has agreed to devote their services and facilities in assisting the Town Attorneys in the preparation and presentation of data, and in consultation in connection with efforts to defeat the purpose of the City of Buffalo and City of Lackawanna on the basis of overall fees as outlined in proposal dated March 15, 1957, and

WHEREAS, it is the desire of this Town Board to have the Town of Cheektowaga participate in this effort,

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Town of Cheektowaga hereby engages the firm of Holloway and Company, Certified Public Accountants, to assist and co-operate with the Town Attorney for the Town of Cheektowaga, along with Town Attorneys of other participating towns. A proposal for an overall fee bearing date of March 15, 1957 has been submitted and is included herein by reference. The Town of Cheektowaga, as a participating Town, shall pay a fee to Holloway & Company which is the portion of the overall fee represented by this Town's estimated liability (if the City of Buffalo and the City of Lackawanna should be successful) to the total liability of all towns should the City of Buffalo and the City of Lackawanna be successful according to present estimate as shown by schedule bearing date of March 15, 1957, submitted with proposal of fees. For the purpose of computation the figure for the City of Tonawanda shall be included and treated as being amounts relating to participating Towns.

Item No. 15 Cont'd

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

Councilman Nagel	Voting---AYE
Councilman Kornecki,	"
Councilman Trojanoski,	"
Councilman Neibert,	"
Councilman Bystrak,	"
Councilman Wroblewski,	"

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

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

WHEREAS, Hellings, Ulsh, Morey and Stewart, Attorneys and Counselors at Law, have agreed to devote their services and facilities in assisting the Town Attorneys in the preparation and presentation of data, and in consultation in connection with efforts to defeat the purposes of the City of Buffalo and City of Lackawanna on the basis of overall fees as outlined in proposal dated March 15, 1957,

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

The Town of Cheektowaga does hereby employ the firm of Hellings, Ulsh, Morey and Stewart to assist and cooperate with the Town Attorney of the Town of Cheektowaga, and with Town Attorneys of other participating Towns, and agrees to compensate said firm of Hellings, Ulsh, Morey and Stewart according to their fee proposal dated March 15, 1957. The proportion of such fees and disbursements which we agree to pay is 3.557 % of the total to be incurred.

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

Councilman Nagel,	Voting---AYE
Councilman Kornecki,	"
Councilman Trojanoski,	"
Councilman Neibert,	"
Councilman Bystrak,	"
Councilman Wroblewski,	"

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

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

WHEREAS, a petition for the extension of the existing U-Crest Water District No. 4 in the Town of Cheektowaga, New York, pursuant to Town Law, was presented to this Town Board on the 7th day of February, 1957, and

WHEREAS, it appears to this Town Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property situate in the territory proposed to be annexed to said Water District as an extension thereof, owned by resident taxpayers and also signed by non-resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property situate in the territory proposed to be annexed to said Water District as an extension owned by non-resident taxpayers, and

WHEREAS, SAID petition is accompanied by a map prepared by Nussbaumer, & Clarke, Inc., Engineers, duly licensed by the State of New York, showing the boundaries of the proposed extension and,

WHEREAS, said petition does not propose or require that the Town Finance the cost for the extension of the District by the issuance of bonds, notes, or any other evidences of indebtedness, and

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

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

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

BEGINNING at the point of intersection of the easterly line of the existing district with the center line of Genesee Street.

Running thence easterly along the center line of Genesee Street to the westerly line of lands now or formerly owned by W. Poston and Wife.

Thence northerly along the westerly line of lands now or formerly owned by W. Poston and Wife, 353 feet more or less to the southerly line of lands conveyed under Liber 2043 of Deeds, Page 190.

Thence easterly along the southerly line of land so conveyed 374 feet more or less to the northeasterly line of lands conveyed under Liber 1871 of Deeds, Page 188.

Thence southerly along the easterly line of lands so conveyed, 354 feet more or less to the center line of Genesee Street.

Thence easterly along the center line of Genesee Street to the westerly line of lands of the Cornell Laboratories.

Thence southerly along the westerly line of lands of the Cornell Laboratories to the southerly line of the West Shore Railroad.

Thence southwesterly along the southerly line of the West Shore Railroad to the easterly line of the existing district.

Thence northerly along the easterly line of the existing district to the center line of Genesee Street or the point or place of beginning.

Wherever in the above description reference is made to the north-south lines of the properties of W. Poston and Wife, and Cornell Laboratories, such description shall be construed to mean the extention of such lines to the center line of Genesee Street, in those cases where the descriptions in the property deeds do not run to said center line of Genesee Street.

and

WHEREAS, THE territory hereinbefore described is situated entirely in said Town outside of any incorporated village of city therein,

NOW, THEREFORE,

IT IS ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, in the Town of Cheektowaga, on the 1st day of April, 1957, 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

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Depew Herald and Cheektowaga News, a newspaper having general circulation in the territory effected, not less than ten nor more than twenty days before the date set herein for the hearing aforesaid, and that copies of this order be posted conspicuously in five public places within the proposed extention of said Water District, not less than ten nor more than twenty days before said day designated for the hearing.

Item No. 17 Cont'd

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

Councilman Nagel,	Voting---AYE
Councilman Wroblewski,	"
Councilman Neibert,	"
Councilman Bystrak,	"
Councilman Trojanoski,	"
Councilman Kornecki,	"

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

Posted as follows on the 22nd day of March, 1957:

- 1- Telephone Pole No. 197 on Genesee Street;
- 2- Telephone Pole No. 205 on Genesee Street;
- 3- Telephone Pole No. 217 on Genesee Street;
- 4- Telephone Pole No. 232 on Genesee Street;
- 5- Telephone Pole No. 332 on Genesee Street.

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

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

LEGAL NOTICE
County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 18th day of March, 1957, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 18th day of March, 1957.

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

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew Cheektowaga
Herald and News

a public newspaper published at Depew, Town of Cheektowaga, Erie County, New York, that notice of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published therein once a week for one week, the first insertion being on the 21st day of March, 1957, 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

MAR 23 1957

Kenneth T. Hanley

Notary Public in and for Erie County

hn 1086

Bus Riders To Schedule

Vol 69 - No. 12

HERE'S YOUR FRIENDLY NEWSPAPER

works department to correct a drainage condition on Kokomo St. Authorized the mayor, police chief and attorney to attend a public hearing Apr. 3 when the Public Service Commission considers the French Rd. railroad crossing; refer from the County

Item No. 17 Cont'd

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

Councilman Nagel,	Voting---AYE
Councilman Wroblewski,	"
Councilman Neibert,	"
Councilman Bystrak,	"
Councilman Trojanoski,	"
Councilman Kornecki,	"

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

Posted as follows on the 22nd day of March, 1957:

- 1- Telephone Pole No. 197 on Genesee Street;
- 2- Telephone Pole No. 205 on Genesee Street;
- 3- Telephone Pole No. 217 on Genesee Street;
- 4- Telephone Pole No. 232 on Genesee Street;
- 5- Telephone Pole No. 332 on Genesee Street.

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

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

LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga, New York, on the 18th day of March, 1957 at 7:30 o'clock P. M. Eastern Standard Time, there were:

PRESENT:

Henry J. Nagel, Councilman
Felix T. Wroblewski, Councilman
Joseph A. Neibert, Councilman
Stanley R. Bystrak, Councilman
Joseph M. Trojanoski,
Councilman

Joseph Kornecki, Councilman

ABSENT:

Benedict T. Holtz, Supervisor
Councilman Neibert

the following resolution and its adoption:

WHEREAS, a petition for the extension of the existing U-Crest Water District No. 4 in the Town of Cheektowaga, New York, pursuant to Town Law, was presented to this Town Board on the 7th day of February, 1957, and

WHEREAS, it appears to this Town Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property situate in the territory proposed to be annexed to said Water District as an extension thereof, owned by resident taxpayers and also signed by non-resident taxpayers owning taxable real property aggregating more than one-half of the assessed valuation of all the taxable real property situate in the territory proposed to be annexed to said Water District as an extension owned by non-resident taxpayers, and

WHEREAS, said petition is accompanied by a map prepared by Nussbaumer & Clarke, Inc., Engineers, duly licensed by the State of New York, showing the boundaries of the proposed extension and,

WHEREAS, said petition does not propose or require that the Town finance the cost for the extension of the District by the issuance of bonds, notes, or any other evidences of indebtedness, and

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

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

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

BEGINNING at the point of intersection of the easterly line of the existing district with the center line of Genesee Street.

Running thence easterly along the center line of Genesee Street to the westerly line of lands now or formerly owned by W. Poston and wife.

Thence northerly along the westerly line of lands now or formerly owned by W. Poston and wife, 353 feet more or less to the southerly line of lands conveyed under Liber 2043 of Deeds, Page 190.

Thence easterly along the southerly line of land so conveyed 374 feet more or less to the northeasterly line of lands conveyed under Liber 1871 of Deeds, Page 188.

Thence southerly along the easterly line of lands so conveyed, 354 feet more or less to the center line of Genesee Street.

Thence easterly along the center line of Genesee Street to the westerly line of lands of the Cornell Laboratories.

Thence southerly along the westerly line of lands of the Cornell Laboratories to the southerly line of the West Shore Railroad.

Thence southwesterly along the southerly line of the West Shore Railroad to the easterly line of the existing district.

Thence northerly along the easterly line of the existing district to the center line of Genesee Street or the point or place of beginning.

Wherever in the above description reference is made to the north-south lines of the properties of W.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

Item No. 17 Cont'd

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

Councilman Nagel,	Voting---AYE
Councilman Wroblewski,	"
Councilman Neibert,	"
Councilman Bystrak,	"
Councilman Trojanoski,	"
Councilman Kornecki,	"

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

Posted as follows on the 22nd day of March, 1957:

- 1- Telephone Pole No. 197 on Genesee Street;
- 2- Telephone Pole No. 205 on Genesee Street;
- 3- Telephone Pole No. 217 on Genesee Street;
- 4- Telephone Pole No. 232 on Genesee Street;
- 5- Telephone Pole No. 332 on Genesee Street.

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

Thence southerly along the westerly line of lands of the Cornell Laboratories to the southerly line of the West Shore Railroad.

Thence southwesterly along the southerly line of the West Shore Railroad to the easterly line of the existing district.

Thence northerly along the easterly line of the existing district to the center line of Genesee Street or the point or place of beginning.

Wherever in the above description reference is made to the north-south lines of the properties of W. Poston and wife, and Cornell Laboratories, such description shall be construed to mean the extension of such lines to the center line of Genesee Street, in those cases where the descriptions in the property deeds do not run to said center line of Genesee Street.

WHEREAS, the territory hereinbefore described is situated entirely in said Town outside of any incorporated village or city therein.

NOW, THEREFORE,

IT IS ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, in the Town of Cheektowaga, on the 1st day of April, 1957, 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

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in the Depew Herald and Cheektowaga News, a newspaper having general circulation in the territory effected, not less than ten nor more than twenty days before the date set herein for the hearing aforesaid, and that copies of this order be posted conspicuously in five public places within the proposed extension of said Water District, not less than ten nor more than twenty days before said day designated for the hearing.

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
Councilman Trojanoski, voting Aye
Councilman Kornecki, voting Aye

AYES: 6; NOES: 0; ABSENT: 1.

Dated: March 18, 1957.

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 18th day of March, 1957, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand (seal) and affixed the seal of said Town, this 18th day of March, 1957.

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

Item No. 18 This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highways situated in the Consolidated Lighting District of the Town of Cheektowaga hereinafter particularly set forth, by the installation of street lighting equipment hereinafter particularly described the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing.

41

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

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Cresthaven Drive	Cleveland Drive	Amherst Town Line
Pinewood Terrace	Pine Ridge Road	Victoria Blvd.
Parkview Terrace	Pine Ridge Road	Victoria Blvd.
Victoria Blvd.	Pine Ridge Road	Markus Drive

TYPE OF STREET LIGHTING INSTALLATION

Cresthaven Drive	12-1348 Standards	Under Ground Conduit
Pinewood Terrace	5-1348 Standards	Under Ground Conduit
Parkview Terrace	6-1348 Standards	Under Ground Conduit
Victoria Blvd.	17-1348 Standards	Under Ground Conduit

(Resolution Town of Cheektowaga, New York)

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

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

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

PUBLIC HIGHWAYS TO BE IMPROVED

NAMES OF HIGHWAYS	FROM	TO
Cresthaven Drive	Cleveland Drive	Amherst Town Line
Pinewood Terrace	Pine Ridge Road	Victoria Blvd.
Parkview Terrace	Pine Ridge Road	Victoria Blvd.
Victoria Blvd.	Pine Ridge Road	Markus Drive

TYPE OF STREET LIGHTING INSTALLATION

Cresthaven Drive	12-1348 Standards	Under Ground Conduit
Pinewood Terrace	5-1348 Standards	Under Ground Conduit
Parkview Terrace	6-1348 Standards	Under Ground Conduit
Victoria Blvd.	17-1348 Standards	Under Ground Conduit

and 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 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

Item 18 Cont'd 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. Kornecki and duly put to a vote, which resulted as follows:

Councilman Nagel,	Voting---AYE
Councilman Wroblewski,	"
Councilman Kornecki,	"
Councilman Trojanoski,	"
Councilman Neibert,	"
Councilman Bystrak,	"

17
27
CARRIED: AYES: -6- NOES: -0- ABSENT: -1-

Item No. 19 On a motion of Councilman Bystrak, seconded by Councilman Kornecki, the Supervisor was authorized and directed to purchase the following street lighting standards from the Westinghouse Manufacturing Company:

Cresthaven Drive	12-1348 Standards
Pinewood Terrace	5-1348 Standards
Parkview Terrace	6-1348 Standards
Victoria Blvd.	17-1348 Standards.

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

Item No. 20 This being the time and the place advertised for the receiving of sealed bids for the purchase of two (2) 1957 Harley Davidson Solo Motorcycles for use in the Police Department.

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

On a motion of Councilman Kornecki, seconded by Councilman Trojanoski, the Town Clerk was authorized and directed to open the sealed bids on hand.

The Clerk advised the Board that only one bid was received and that was the one of Buffalo Harley Davidson Company in the amount of \$2,239.40.

18
At the request of the Chairman the bids was ordered referred to the Police Department for analysis.

Item No. 21 This being the time and the place advertised for the receiving of sealed bids for the construction of the following improvements to the Municipal Incinerator:

(a) Improvements to the present project including a new ash lift shaft and storage bin, site improvements, etc.

(b) Repairs and replacements to the existing two incinerator units.

(c) Repairs and replacements to the stack.

Together with such incidental and appurtenant work as is required by the Plans and Specifications.

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

On a motion of Councilman Korneck, seconded by Councilman Trojanoski, the Clerk was authorized and directed to open the sealed bids on hand.

Hereto is a list of the bids received:

<u>CONTRACTOR</u>	<u>BID ITEMS</u>			
	1	2	3	4
L.A. Monroe-Buffalo	\$182,987	-	-	-
Frank C. Huber-Buffalo	185,475	-	-	-
International Chimney-Buffalo	192,413	16,980	14,448	-
Nichols Engr. & Research, New York	-	-	-	17,990

1
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Councilman Kornecki, moved, seconded by Councilman Trojanoski, that the bids be referred to the Town Engineer for analysis and tabulation.

LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 4th day of March, 1957, at 2:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT:

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

ABSENT:

Benedict T. Holtz, Supervisor
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 18th day of February, 1957.

PUBLIC HIGHWAYS TO BE IMPROVED

Isabelle Road, from Applewood Road to Applewood Road.
Applewood Road, from Isabelle Road to Cayuga Road.
Camel Road, from Crescent Street to Melcourt Drive, East.
Malcourt Drive, East, from Camel Road to Lot No. 16, M. C. 1970.

TYPE OF STREET LIGHTING INSTALLATION

Isabelle Road — 8 Y 19 Ornamental Standards — Underground Conduit.

Applewood Road — 6 Y 19 Ornamental Standards — Underground Conduit.

Camel Road — Y-19 Standards — Underground Conduit.

Malcourt Drive, East — Y 19 Standards — Underground Conduit.

WHEREAS, EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZINSKI, 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 m7

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 1st day of April, 1957, at 2:30 P.M., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

Councilman Nagel, voting Aye
Councilman Wroblewski, voting Aye
Councilman Kornecki, voting Aye
Councilman Trojanoski, voting Aye
Councilman Neibert, voting Aye
Councilman Bystrak, voting Aye

Ayes: 6; Noes: 0; Absent: 1.

State of New York)

Erie County)

Office of the Clerk of the) ss:

Town of Cheektowaga)

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 18th day of March, 1957, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand (seal) and affixed the seal of said Town this 18th day of March, 1957.

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

Posted as follows on the 22nd day of March, 1957:

- ISABELLE ROAD 1- Post at the corner of Isabelle Road and Applewood Road, south west corner;
2- Post at the corner of Isabelle Road and Applewood Road, north east corner;
3- Post in front of No. 22 Isabelle Road;
4- Post in front of No. 30 Isabelle Road;
5- Post in front of No. 59 Isabelle Road.

1957: APPLEWOOD ROAD

- 1-Post at the corner of Applewood Road and Isabelle Road;
- 2-Post in front of No. 116 Applewood Road;
- 3-Post in front of No. 105 Applewood Road;
- 4-Post in front of No. 89 Applewood Road;
- 5-Post at the corner of Applewood Road and Cayuga Road.

CAMEL ROAD

- 1-Post at the corner of Camel Road and Melcourt Drive West;
- 2-Post in front of No. 53 Camel Road;
- 3-Telephone Pole No. 11 on Camel Road;
- 4-Post at the corner of Camel Road and Crescent Court;
- 5-Telephone Pole at the corner of Camel Road and Crescent Court.

MELCOURT DRIVE * EAST

- 1-Post in front of No. 81 Melcourt Drive East;
- 2-Post in front of No. 97 Melcourt Drive East;
- 3-Post in front of No. 112 Melcourt Drive East
- 4-Post in front of No. 92 Melcourt Drive East;
- 5-Post at the corner of Melcourt Drive East and Camel Road.

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

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STATE OF NEW YORK
COUNTY OF ERIE

ss.:

LEGAL NOTICE

THAT a copy of this order, certified by the Town Clerk, be published at least once in the Depew Herald and Cheektowaga News, a newspaper having a general circulation in the town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing aforesaid and that copies of this order be posted conspicuously in five public places on each of the said highways to be improved not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid.

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

Councilman Nagel, voting Aye
Councilman Wroblewski, voting Aye
Councilman Kornecki, voting Aye
Councilman Trojanoski, voting Aye
Councilman Neibert, voting Aye
Councilman Bystrak, voting Aye
Ayes: 6; Noes: 0; Absent: 1.

State of New York)
Erie County)
Office of the Clerk of the) ss:
Town of Cheektowaga)
This is to certify that I, KENNETH T. HANLEY, Clerk of

For Any Kind of Life, Mortgage
Redemption, Hospital or Group
Insurance, Call
BILL WIEPERT
RE 4935 or MO 2846
33 Garfield St.
Lancaster
Representative of
METROPOLITAN LIFE INSURANCE CO.

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 21st day of March, 1957, 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

MAR 23 1957

19____

Kenneth T. Hanley
Notary Public in and for Erie County

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

LEGAL NOTICE

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall, in said Town of Cheektowaga, on the 4th day of March, 1957, at 2:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT:

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

ABSENT:

Benedict T. Holtz, Supervisor

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 18th day of February, 1957.

PUBLIC HIGHWAYS TO BE IMPROVED

Isabelle Road, from Applewood Road to Applewood Road.
Applewood Road, from Isabelle Road to Cayuga Road.
Camel Road, from Crescent Street to Melcourt Drive, East.
Malcourt Drive, East, from Camel Road to Lot No. 16, M. C. 1970.

TYPE OF STREET LIGHTING INSTALLATION

Isabelle Road — 8 Y 19 Ornamental Standards — Underground Conduit.

Applewood Road — 6 Y 19 Ornamental Standards — Underground Conduit.

Camel Road — Y 19 Standards — Underground Conduit.

Malcourt Drive, East — Y 19 Standards — Underground Conduit.

WHEREAS, EDWARD B. JERZEWSKI, ANDREW H. SCHWENK and EUGENE A. RUDZINSKI, 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 1st day of April, 1957, at 2:30 P.M., Eastern Standard Time to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and

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

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

Councilman Nagel, voting Aye
Councilman Wroblewski, voting Aye
Councilman Kornecki, voting Aye
Councilman Trojanoski, voting Aye
Councilman Neibert, voting Aye
Councilman Bystrak, voting Aye
Ayes: 6; Noes: 0; Absent: 1.

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

This is to certify that I, KENNETH T. HANLEY, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office and which was passed by the Town Board of the Town of Cheektowaga in said County of Erie, on the 18th day of March, 1957, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand (seal) and affixed the seal of said Town this 18th day of March, 1957.

KENNETH T. HANLEY,
Clerk of the Town Board,
m7 Town of Cheektowaga, N. Y.

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

Depew

Cheektowaga

Item No. 23 Councilman Kornecki moved, seconded by Councilman, 44
Bystrak that all claims presented at this meeting for audit
be approved and that the Town Clerk be authorized and directed
to draw a warrant on the Supervisor for payment of same.

Supervisor. Warrant No. 534 to 727 inclusive drawn on the 6

Item No. 24 On a motion of Councilman Neibert seconded by
Councilman Kornecki this meeting was adjourned until 1 P.M.,
on March 23, 1957.

SEAL

Kenneth T. Hanley, Town Clerk.

Kenne T. Hanley

Item No. 1 At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York, held at the Town Hall in the said Town of Cheektowaga on the 23rd day of March, 1957, at 1:00 o'clock P.M., E.S.T., there were:

PRESENT: Henry J. Nagel Councilman
Felix T. Wroblewski "
Joseph Kornecki "
Joseph Trojanoski "
Joseph A. Neibert "

ABSENT: Benedict T. Holtz Supervisor
Stanley R. Bystrak Councilman

Item No. 2 Due to the absence of Supervisor Holtz, Councilman Wroblewski was designated to act as Chairman for this meeting.

Item No. 3 The Town Clerk proceeded to read the following communication:

March 16, 1957

Hon. Town Board of the
Town of Cheektowaga, New York.

Gentlemen:

Due to continued illness on my part, it is with deep regret that I submit my resignation as Town Attorney of the Town of Cheektowaga, New York, to become effective April 16th, 1957.

With the many complex problems that arise every day, because of the tremendous growth in the Town of Cheektowaga, the position of Town Attorney is a demanding one and requires someone to be in full attendance.

My appointment has been a source of great enjoyment and satisfaction in having been able to represent the Town in which I have resided for so many years.

I would deem it a great pleasure to be called upon at any time for whatever assistance and counsel I may be able to render.

Sincerely,

George B. Doyle,
Town Attorney.

The Chairman announced with great regret that the Board accepts the resignation of George B. Doyle as Town Attorney.

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Item No. 4 The request of Arthur J. Oberkircher to use the old schools at Dick Road and Broadway and Maryvale Drive and Cayuga Road was referred to Councilman Trojanoski for investigation.

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Item No. 5

NOTICE OF COMPTROLLER'S EXAMINATION

of the accounts and fiscal affairs of the Town of Cheektowaga, Erie County, for the period beginning on January 1, 1954, and ending on December 31, 1955. The report of such examination has been filed in my office where it is a public record, available for inspection by all interested persons.

KENNETH T. HANLEY,
Town Clerk

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

CAPITAL NOTE RESOLUTION DATED MARCH 23, 1957,
AUTHORIZING THE ISSUANCE OF \$5,000.00
LIGHTING DISTRICT CAPITAL NOTES OF THE TOWN
OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, PUR-
SUANT 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 improvements and to annually apportion and assess upon the several lots and parcels of land especially benefited by such improvements in proportion of 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 \$5,000.00, 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) Verne Lane from William Street north a distance of 2700 feet.
- b) Lyman Avenue from Harlem Road to end of street.
- c) Greenway Boulevard from Fairhaven Drive to end of street.
- d) Abeles Street from Harlem Road to Tillotson Avenue.

Section 3. It is hereby stated that:

- a) The maximum cost of said purpose as estimated by the Town Board is \$5,000.00.
- b) No money has heretofore been applied to the payment of the cost of said purpose except payment of \$4,006.30 from Construction and Improvement Fund, to be repaid from proceeds of capital notes.
- c) The Town Board plans to finance the cost of said purpose from funds raised by the issuance of said capital notes.
- d) All of such cost is to be paid by assessments upon benefited real property in an area less than the area of said Town.

Section 4. For the purpose of paying the cost of such purpose, there are hereby authorized to be issued, pursuant to the Local Finance Law, \$5,000.00 capital notes of the Town of Cheektowaga, to be designated substantially Lighting District Capital Notes Series A of 1957, which shall bear a date not earlier than March 23, 1957, to be fixed by the Supervisor in the following denominations and to be numbered as follows, and mature as follows, to wit:

1. In the amount of \$2,500.00 maturing on April 1, 1958, and
2. In the amount of \$2,500.00 maturing on April 1, 1959,

each of said notes to bear interest at a rate not exceeding two and one-half per centum ($2\frac{1}{2}\%$) 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 of and the 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 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 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 (5) years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be not later than April 1, 1959.

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 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 *Denew Herald and Cheektowaga News*, a newspaper published and having a general circulation in said 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 Kornecki	" "
Councilman Trojanoski	" "
Councilman Neibert	" "
Councilman Wroblewski	" "

AYES: -5-

NOES: -0-

ABSENT: -2-

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

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 Depew Herald and Cheektowaga News, a newspaper published and having a general circulation in said Town.

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

The Capital Note Resolution published herewith has been adopted on the 23rd day of March, 1957, 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

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 28th day of March, 1957, 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 1st day of

April, 1957

Lucian A. Terbet
Notary Public in and for Erie County

hn 1086

58

AYES: -5-

NOES: -0-

ABSENT: -2-

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

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

LEGAL NOTICE

**CAPITAL NOTE RESOLUTION
DATED MARCH 23, 1957, 1957,
AUTHORIZING THE ISSUANCE
OF \$5,000.00 LIGHTING DIS-
TRICT CAPITAL NOTES OF
THE TOWN OF CHEEKTO-
WAGA, IN THE COUNTY OF
ERIE, PURSUANT TO THE
LOCAL FINANCE LAW.**

RICHARD G. BENNETT

being duly sworn, deposes and says that he is the

PUBLISHER

of the

WHEREAS, the expense of mak-
ing the improvements hereinafter
described must be borne by local
assessment upon the several lots
and parcels of land within the dis-
tricts 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 mainten-
ance in a sewer district as the
same shall be annually determined
and apportioned by the Town
Board, and the Town Board desires
to 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 im-
provements in proportion to the
amount of benefit which the im-
provements shall confer upon the
same, an amount sufficient to pay
the principal of and interest on the
capital notes issued for such im-
provements as the same shall be-
come due and payable, all of which
shall be done in accordance with
the provisions of Subdivision 6 of
Section 198 of Chapter 634 of the
Laws of 1932 as amended by Chap-
ter 325 of the Laws of 1946,

NOW, THEREFORE,

BE IT RESOLVED, by the Town
Board of the Town of Cheektow-
aga, in the County of Erie, as fol-
lows:

Section 1. In order to finance the
specific object or purpose herein-
after described, the Town of Cheek-
towaga, in the County of Erie, shall
issue its capital notes of the aggre-
gate principal amount of \$5,000.00,
pursuant to the Local Finance Law
of New York.

Section 2. The specific object or
purpose (hereinafter referred to as
"purpose") to be financed pursu-
ant to this resolution is the pur-
chase and installation of street
lighting equipment pursuant to Sec-
tion 198 of the Town Law of New
York, along the highways as here-
inafter set forth, to serve proper-
ties on both sides of said highways,
to wit:

- a) Verne Lane from Wilham
Street north a distance of
2700 feet.
- b) Lyman Avenue from Harlem
Road to end of street.
- c) Greenway Boulevard from
Fairhaven Drive to end of
street.
- d) Abeles Street from Harlem
Road to Tillotson Avenue.

Section 3. It is hereby stated
that:

- a) The maximum cost of said
purpose as estimated by the Town
Board is \$5,000.00.
- b) No money has heretofore been
applied to the payment of the cost
of said purpose except payment of
\$4,005.30 from Construction and
Improvement Fund, to be repaid
from proceeds of capital notes.
- c) The Town Board plans to fi-
nance the cost of said purpose from
funds raised by the issuance of said
capital notes.
- d) All of such cost is to be paid
by assessments upon benefited real
property in an area less than the
area of said Town.

Section 4. For the purpose of
paying the cost of such purpose,
there are hereby authorized to be
issued, pursuant to the Local Fi-
nance Law, \$5,000.00 capital notes
of the Town of Cheektowaga, to
be designated substantially Light-
ing District Capital Notes Series A
of 1957, which shall bear a date not
earlier than March 23, 1957, to be
fixed by the Supervisor in the fol-
lowing denominations and to be
numbered as follows, and mature
as follows, to wit:

1. In the amount of \$2,500.00 ma-
turing on April 1, 1958, and
 2. In the amount of \$2,500.00 ma-
turing on April 1, 1959,
- each of said notes to bear interest
at a rate not exceeding two and
one-half per centum (2½) per an-
num, 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, ex-
cept as provided herein, relating
to such capital notes shall be de-
termined by the Supervisor. Such
capital notes shall contain substan-
tially the recital of validity clause
provided for in Section 52.00 of the
Local Finance Law, and shall oth-
erwise be in such form and con-
tain such recitals in addition to
those required by Section 51.00 of
the Local Finance Law, as the Sup-
ervisor shall determine.

Section 6. The faith and credit of
the Town of Cheektowaga are here-
by irrevocably pledged to the pay-
ment of the principal of and in-
terest on such capital notes as the
same respectively become due and
payable. An annual appropriation
shall be made in each year suffi-
cient to pay the principal of and in-
terest on such capital note becom-
ing due and payable in such year.
There shall annually be apportion-
ed and assessed upon the several
lots and parcels of land especially
benefited by the aforesaid improve-
ments 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.

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 Kornecki	"	"
Councilman Trojanoski	"	"
Councilman Neibert	"	"
Councilman Wroblewski	"	"

AYES: -5-

NOES: -0-

ABSENT: -2-

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

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 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 208-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 30 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 9. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be not later than April 1, 1963.

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 Depew Herald and Cheektowaga News, a newspaper published and having a general circulation in said Town.

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

The Capital Note Resolution published herewith has been adopted on the 23rd day of March, 1957, 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

Item No. 7 1:22 P.M.

At this phase of the meeting Councilman Bystrak presented himself and took his place at the meeting.

Item No. 8 On a motion of Councilman Neibert, seconded by Councilman Trojanoski, Councilman Bystrak was authorized and directed to attend the New York State Assessors Conference at Syracuse, New York, on April 1, 2 and 3, 1957.

Item No. 9 REZONING GRANTED-MARION AND EDWARD KRYSTOFF

STATE OF NEW YORK
COUNTY OF ERIE

ss.:

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

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

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

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

DESCRIPTION

Lots No. 26 and 27, Union Road, west side, 80x159 feet.

Dated: March 23, 1957.

KENNETH T. HANLEY,
Town Clerk

MC. 1179

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

28th day of March, 1957, 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 1st day of

April, 1957

Lucian G. Ferbet

Notary Public in and for Erie County

hn 1086

Notary Public State of New York

Qualified in Erie County

My Commission Expires March 30, 1958

The above Notice was posted on the Town Hall Bulletin Board of the 1st day of April, 1957.

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

WHEREAS, a petition has been presented to this Town Board bearing the signatures of approximately forty three (43) names in opposition to the rezoning of premises known as:
(WILLIAM DEVELOPMENT COMPANY)

ALL THE
CEL OF
Town of
Erie and State of New York, being
part of Lot No. 75, according to
a map filed in the Erie County
Clerk's Office under Cover No.
868 and more particularly bound-
ed and described as follows:

point of the in-
therly line of
the easterly
line of Claude Street (formerly
called Randolph Street but here-
inafter referred to as Claude
Street) running thence at approxi-
mate right angles with Claude
Street, along the southerly line of
William Street 125 feet to a point,
then at approximate right angles
with said point approximately 120
feet southerly on a line parallel
with Claude Street to a point, then
at approximately right angles with
said point 125 feet westerly, par-
allel with the southerly line of
William Street to a point on the
easterly line of Claude Street, then
at approximate right angles with
said point along said easterly line
of Claude Street 120 feet northerly
to the point and place of begin-
ning.

BE IT RESOLVED, that the said application of
the aforementioned property to rezone from Residential District
to Business District, be denied.

Seconded by Councilman Bystrak.

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

17
19

Councilman Trojanoski presented the following resolution 48
and moved its adoption:

WHEREAS, the Niagara Mohawk Power Corporation has requested permission from the Zoning Board of Appeals of the Town of Cheektowaga, New York, to construct electric power transmission lines through the Town of Cheektowaga, and

WHEREAS, the Niagara Mohawk Power Corporation, officials of the Town of Cheektowaga and Dr. Victor Reinstein, the owner of property being affected which has been transferred to the Town of Cheektowaga under certain restrictions, have been negotiating the terms of a proposed three (3) party contract, a proposed copy of which is attached herewith and made a part of this resolution, and

WHEREAS, said contract has been approved as to its form by the legal department of the Town of Cheektowaga and the Town Board has examined the same and finds it in the interest of the Town to approve said instrument in the form submitted, and

WHEREAS, the Zoning Board of Appeals, after a public hearing held March 20th, 1957 concerning the application of the Niagara Mohawk Power Corporation for permission to construct the electric power lines previously mentioned, have granted permission to the Niagara Mohawk Power Corporation to construct said lines pending the approval of the Town Board of the Town of Cheektowaga, New York.

BE IT RESOLVED, that said agreement between the Niagara Mohawk Power Corporation, the Town of Cheektowaga and Dr. Victor Reinstein be and the same hereby is in all respects approved and the Supervisor is hereby authorized to execute, acknowledge and deliver said agreement for and on behalf of the Town of Cheektowaga, and be it further

RESOLVED, that the Supervisor be and he hereby is authorized to execute and acknowledge for and on behalf of the Town of Cheektowaga the easement described in paragraph A of Article 3 of said agreement and to deliver said easement to the Niagara Mohawk Power Corporation concurrently with the performance of the requisite acts on the part of Dr. Reinstein and the Niagara Mohawk Corporation under and pursuant to Articles 1, 2 and 5 of said agreement, and be it further

RESOLVED, that upon acquisition by the Town of Cheektowaga of the two (2) parcels of land from the County of Erie particularly referred to in paragraph B of Article 3 of said agreement, the Supervisor is hereby authorized to execute and acknowledge for and on behalf of the Town of Cheektowaga the easement described in paragraph B of Article 3 of said agreement and to deliver said easement to the Niagara Mohawk Power Corporation concurrently with the delivery by the Niagara Mohawk Power Corporation to the Town of Cheektowaga, the agreement provided for in Article 4 of said agreement, and be it further

RESOLVED, that the Town Board of the Town of Cheektowaga hereby approve the permission granted by the Zoning Board of Appeals to the Niagara Mohawk Power Corporation to construct electric power transmission lines in accordance with the application submitted, and be it further

RESOLVED, that the Town of Cheektowaga accept from Dr. Victor Reinstein the property described in Article 5 of said agreement and that the Town Attorney be and he hereby is authorized and directed to record said deed in the Erie County Clerk's Office and to record all easements referred to in said agreement.

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

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

CARRIED: AYES: -6-

NOES: -0-

ABSENT: -1-

Item No. 11 - Contd THE AFORESAID AGREEMENT IS ON FILE IN
GENERAL FILE. TFD W. B. ... LIBER ... ETC

Item No. 11 - Contd THE AFORESAID AGREEMENT IS ON FILE IN

GENERAL FILE.

TFD WI B-100 21350 H FTL

Item No. 12 Also present at this meeting were: Town Clerk Kenneth T. Hanley; Assistant Town Attorney Thomas E. Delahunt; Highway Superintendent John J. Zablotny and Town Engineer Albert J. Kamm.

Item No. 13 Councilman Neibert moved, seconded by Councilman Bystrak, to adjourn.

SEAL

Kenneth T. Hanley, Town Clerk.