

October 1, 1906

Regular meeting of the Town Board of the Town of Cheektowaga. Present: Wildy, Fossett, Forster, Werrick, Ryan and Kless. Absent Smith

Mr. Fossett appointed Clerks protem.

Moved by Werrick seconded by Ryan that the Supervisor be and he is hereby empowered to borrow the sum of three thousand dollars (\$3000) and to issue a certificate of indebtedness therefore, carried

Moved by Forster seconded by Werrick that the bill of George Fenerstein for services as assessor amounting to \$12.00 be allowed, carried

Moved by Forster seconded by Werrick that the bill of Frank Wildy Supervisor for the year 1905 amounting to \$176.70 be allowed, carried

Moved by Ryan seconded by Smith that Wm Besser & Edward Lehde be appointed inspectors of Election for the first District, Geo Lenz and L.P. Fernback for the second district, John P. Sherrard and J.C. Hersentbutler for the 3rd district, Wallace G. Long and Edwin Gremer for the 4th district, carried

Moved by Ryan seconded by Werrick that the Supervisor be authorized to pay the land awards for the Huth Avenue Extension as ordered by the court, carried

Moved by Forster seconded by Werrick that the bills of Edward Ryan for Justices fees amounting to \$104.60 be allowed, carried. Justice Ryan reports the collection of \$101.80 in fines.

Moved by Ryan seconded by Kless that the petition of Joseph Lang in regard to the closing of Lang Avenue by John Stochreeter be referred to our attorney, carried.

Moved by Kless seconded by Ryan that the bill of John V. Kaufman of \$4.00 for blank books used as transcript of unpaid taxes be allowed, carried.

Moved by Ryan seconded by Forster that the bills of Wm. Gates amounting to \$158.90 be allowed, carried.

Moved by Forster seconded by Werrick that the bills of Louis Butch amounting to \$12.05 be allowed, carried.

Moved by Kless seconded by Ryan that we adjourn, carried

Bernard Fossett
clerk pro tem

To the Honorable, the Town Board and Highway Commissioner of the Town of Cheektowaga, in the County of Erie and State of New York, and the said Town of Cheektowaga:

The undersigned, Niagara, Lockport and Ontario Power Company, hereby accepts the franchise or resolution duly adopted by your Hon. Town Board and Highway Commissioner May 23rd, 1905, granting permission and consent to Niagara, Lockport and Ontario Power Company to construct, maintain and operate, the necessary poles, towers, wires, cables, conduct, subways, appliances and structures in, through, upon, under and across all of the streets, alleys, highways and public ways of the Town of Cheektowaga for the purpose of using, distributing, and furnishing electricity for light, heat or power to the Town of Cheektowaga, and the inhabitants thereof.

Dated, Lockport, N.Y. May 24, 1905

Niagara, Lockport and Ontario Power Co.
By Wm H. Higgs, Secretary

State of New York
County of Niagara
City of Lockport

On this 24th day of May, 1905, before me the subscriber personally came, William H. Higgs, who, being by me duly sworn, did dispose and say that he resided in the City of Lockport, Niagara County, New York; that he is the secretary of Niagara, Lockport and Ontario Power Company, the corporation described in and which executed the above instrument, that he knew the seal of said corporation, that the seal affixed to said instrument was such corporate seal and was so affixed by order of the Board of Directors of said Corporation, and that he signed the name of the corporation thereto by himself as secretary by like order

May A. Keing
Notary Public

Town Clerk's office of the Town of Cheektowaga, Erie County, N.Y.,
Filed, May 26, 1905.

Edward P. Smith
Town Clerk

November 12, 1906

Regular meeting of the Town Board. Present: Wildy, Smith, Fossett, Forster, Werrick, Ryan & Kless.

Moved by Fossett seconded by Werrick, that the bills of Theophil Feuger for constables services, amounting to \$51.00 be allowed, carried.

Moved by Ryan seconded by Werrick that the bills of B. Fossett for Justice Fees amounting to \$13.55 be allowed, carried. Fossett reports the collection of \$20.00 in fines. Forster reports the collection of \$30.00 in fines.

Moved by Werrick seconded by Ryan that the bills of Jos. Gallery for constables services amounting to \$25.05 be allowed, carried.

Moved by Fossett seconded by Werrick that the bills of Joseph Lippert Inspector of Election amounting to \$20.00 that of Orville A. Long amounting to \$18.00 and that of George Mueller amounting TO \$23.64 be allowed, carried

The following was offered by Forster and seconded by Ryan, Resolved that pursuant to provisions of Chapter 256 of the Laws of 1901, Justices of the Peace of the Town of Cheektowaga be and they are each hereby allowed \$5.00 per month, for rent of office; beginning April 4th, 1901.

Amended by Fossett seconded by Ryan that the resolution allowing Justices of the Peace \$5.00 per month for office rent be referred to our attorney, carried.

Moved by Ryan seconded by Fossett that the resolution allowing justices of the peace five dollar per month of office rent be laid on the table until one week from today and that we meet at the same time and place to take action in the matter.

Moved by Forster seconded by Ryan that we adjourn, carried

Edward P. Smith
Town Clerk

November 19, 1906

Adjourned meeting of the Town Board and Board of Highway Commissioners. Present: Wildy, Smith, Fossett, Forster, Werrick, Ryan & Kless.

Dr. Franczak presented the bill of Dr. Clark specialist in small pox cases the case examined by him being within the limits of the Village of Depew the bill was referred to the health authorities of Depew, upon motion of Mr. Ryan and seconded by Mr. Kless.

The chairman asked and received unanimous consent for Board meetings Nov 20th, at 2 p.m. to inect the City Engineer and at 8 p.m. to meet the Town Board of West Seneca.

The following was moved by Smith seconded Werrick put to vote and carried

Resolved, that the Supervisor be and he is hereby authorized to borrow the sum of two thousand dollars (\$2000) to pay current obligations of the Town of Cheektowaga, in anticipation of the levy of the annual town tax and of the receipt of excise movies of 1907, and that the Supervisor and Town Clerk, be and they are hereby authorized to issue a certificate of indebtedness of the Town of Cheektowaga for said sum of two thousand dollars (\$2000) payable May 15ht, 1907 with interest at the rate of six per cent per annum.

Ayes Wildy, Smith, Fossett, Werrick, Ryan and Kless. No Forster

Moved by Smith seconded by Ryan that we adjourn, carried

Edward P. Smith
Town Clerk

November 20, 1906

Special meeting of the Town Board and Board of Highway Commissioners of the Town of Cheektowaga, held at the office of John W. Fisher, on Nov 20th, 1906. Present: Frank Wildy, Supervisor, Messrs: Fossett, Forster, Ryan and Werrick, Justices of the Peace.

Moved by Werrick seconded by Ryan that Mr. Fossett act as secretary of the meeting in the absence of the Town Clerk.

Moved by Forster seconded by Werrick that the Supervisor and Messrs. Fossett and Ryan be and they are hereby directed on behalf of the Town of Cheektowaga to contract with the City of Buffalo, for the building of a sewer in Cochrane Street from the sewer in Clinton Street to a point approximately 1035 feet northerly therefrom according to plans and specifications prepared by the Commissioner of Public Works and Town Engineer Diehl at an expense not to exceed (1200.00) twelve hundred dollars, in pursuance of the provisions of Chapter 443 of the Laws of 1906, and that the expense of such work when built be assessed upon the property benefitted thereby as shown by the plan of the territory as drawn and prepared by the Department of Public Works of the City of Buffalo and Town Engineer Diehl, carried.

B. Fossett
Clerk Pro tem

November 20, 1906

Joint meeting of the Town Board and Board of Highway Commissioners of the Towns of West Seneca and Cheektowaga, at the office of John W. Fisher. Present: Henry C. Lein, Joseph Waldruff, Chas E. Brown, Louis J. Olt, Timothy Laveell, Bernard Mcaluse and Christian L. Schmidt of West Seneca. Frank Wildy, Edward P. Smith, Bernard Fossett, Joseph Forster, Henry P. Werrick and Jacob Kless of Cheektowaga.

Henry C. Leis of West Seneca chosen chairman and Edward P. Smith of Cheektowaga, secretary of the meeting. Mr. Fisher, attorney for both town, explained the object of the meeting and suggested that they Board of Each town ascertain the attitude of the taxpayers interested in the proposed grade crossings of the Terminal Railroad Company.

Moved by Mr. Werrick seconded by Mr. Olt, that the Supervisors of the Town of Cheektowaga and West Seneca in conjunction with attorney John W. Fisher, be empowered to employ additional counsel if they deem such actions necessary, carried

Moved by Wildy seconded by Fossett that a copy of the minutes of this meeting be given the Town Clerk of West Seneca, carried

Moved by Mr. Lavelle, seconded by Mr. Fossett that the action of appeal as taken by our attorney be sustained by the Board of such town, carried.

It was decided to call a meeting of the interested taxpayers of West Seneca at Mullins Hall Saturday, evening, Nov 24, at 7:00 p.m. and a meeting at the Forks Hotel, Monday Nov 26th, at 7:00 p.m.

By unanimous consent, it was agreed that the expense of fighting the Terminal Railroad Company in their attempt to cross the highways of our towns at grade be borne by the Towns of West Seneca and Cheektowaga, share and share alike.

Moved by Mr. Olt, seconded by Mr. Lowell, that our attorney be authorized to attend to the printing of notices and petitions and to the circulation of the same, carried

Moved by Mr. Wildy seconded by Mr. Lavelle that we adjourn, carried.

Stanley C. Lein Chairman
Edward P. Smith, Secretary

Dated Buffalo, N.Y.
Nov 20th, 1906

November 26, 1906

Special meeting of the Town Board and Board of Highway Commissioners in conjunction with a mass meeting of Cheektowaga, having met to remonstrate against the application of the Terminal Railroad Company of Buffalo to lay addition track at grade over the highways known as Rowley, Loosen, French and Union Roads now pending before the State Board of Railroad Commissioners.

Mr. John W. Fisher, Town Attorney, explained the aims and object of the Railroad Company in making this application who its effect upon the taxpayers of the town in the future.

All speakers and taxpayers at the meeting advised the Board to resist the application to the utmost.

Moved by Mr. Boothray seconded by Mr. Bleman that this meeting endorse the action of the Town Board in its preparations to resist the application of the Terminal Railroad Company to cross our highways at grade and that we urge them to keep up the fight as long as there is a court in the land to which they find it possible to appeal. The meeting then adjourned.

Edward P. Smith
Town Clerk

December 3, 1906

Regular meeting of the Town Board and Board of Highway Commissioners. Present: Wildy, Fossett, Forster, Ryan and Werrick.

Moved by Ryan seconded by Werrick that Mr. Fossett act as Clerk, carried. The following was moved by Forster seconded by Werrick.

Resolved, that the Supervisor of the Town of Cheektowaga, be and he is hereby directed and authorized to raise and have spread upon the taxable property in Water Supply district No One in the Town of Cheektowaga, he sum of eight hundred and forty-five dollars (\$845) for the year 1907 and

Resolved that the Supervisor of the Town of Cheektowaga, be and he is hereby directed and authorized to raise and have spread upon the taxable property in Water Supply Supply Number Two in the Town of Cheektowaga the sum of eight hundred and forty five dollars (\$845) for the year 1907, carried

Moved and seconded that a committee of one and the Supervisor attend a meeting at West Seneca, this evening to make certain necessary arrangements relative to the notice of intention of the State Board of Railroad Commissioners as served on this board, carried

The following bills of election officers were read

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|------------------------------|---------|
| John H. Stock Inspector | \$25.56 |
| John Collins, Inspector | \$27.40 |
| Fred G. Wander , inspector | \$20.00 |
| Frank Schwartz, Poll Clerk | \$8.00 |
| John Lenz, Poll Clerk | \$8.00 |
| Geroge Lenz, Inspector | \$20.00 |
| Wm. J Besser, Inspector | \$20.00 |
| John P. Sherrora, Inspector | \$18.00 |
| Edward Feuerstein, Inspector | \$25.72 |
| Edwin Greiner, Inspector | \$18.00 |
| Louis P. Feruback, Inspector | \$20.00 |
| George Schwabe, Poll Clerk | \$8.00 |
| Frank M. Balderf, Poll Clerk | \$8.00 |

| | |
|-------------------------------|---------|
| Frank M. Richer, Inspector | \$18.00 |
| George M. Weiner, Inspector | \$20.00 |
| Edward W. Sturm, Poll Clerk | \$8.00 |
| Michael Stranss, Poll Clerk | \$8.00 |
| Wallace G. Long Ballot Clerk | \$8.00 |
| Wm. C. Glindsman Poll Clerk | \$8.00 |
| Frank Conroy Poll Clerk | \$8.00 |
| Bernard Connelly Ballot Clerk | \$8.00 |
| Theophil Piatek, Ballot Clerk | \$8.00 |

Moved by Ryan seconded by Forster that the bills of election officers be allowed as read, carried.

Moved by Forster seconded by Ryan that the bills of Theophil Feuger amounting to be allowed carried.

The following was moved by Fossett seconded by Werrick.

Resolved, that the account of Joseph Kolb, for services rendered as constable of the Town of Cheektowaga, be and same is hereby audited at (\$157.15) \$120.00 thereof payable to John P. Rupp as per assignment filled with this Board and \$47.00 thereof, payable to Frank Wildy, Supervisor, for moneys, paid to Kolb in account during the year, carried.

C.A.P Smith attorney for the Kolb estate object to the order given by J. Kolb dated March 13th, 1906, also objects to the assignment to John P. Rupp April 25, 1906, on the ground that they are not legal claims against this fund and cannot be charged against the claim.

Moved by Fossett seconded by Ryan that we adjourn until Monday, Dec 10th at 3 o'clock p.m. at the house of Peter Ticks, carried

Bernard Fossett
Clerk pro tem

December 10, 1906

Special meeting of the Town Board and Board of Highway Commissioners. Present: Wildy, Smith, Fossett, Forster, Werrick, Ryan and Kless.

Mr. Ramsey of the Buffalo Southern Railway Company presented a map of that Railway which was accepted and filed.

Moved by Fossett seconded by Kless that the Buffalo Southern Railway Company be accorded permission to hand material on to William Street and Union road but such material shall not be placed where it will obstruct the highways, carried.

Moved by Ryan seconded by Werrick that Melprs Wildy and Fossett be appointed a committee of two to accompany attorney John W. Fisher, to New York City for the purpose of opposing the latest application of the Terminal Railroad Company before the Board of Railway Commissioners, carried.

Moved by Ryan seconded by Fossett that an attorney be notified to give his written opinion, relative to the resolution allowing Justices of the Peace office rent, at our next meeting, carried

Adjourned

Edward P. Smith
Town Clerk

Regular auditing day meeting, called to order at 10 a.m. Present: Wildy, Smith, Fossett, Forster, Werrick, Ryan and Kless.

On examination of the accounts of Frank Wildy, Supervisor, the Board found them correct and that the total amount of receipts were \$21712.08 and disbursements were \$21105.48, leaving a balance due the Town of Cheektowaga of \$606.60.

On examination of the accounts of Jacob Kless, Commissioner of Highways, the board found them correct and found receipts of \$3586.75 and disbursements of 3888.37 leaving a balance due Jacob Kless commissioner of Highways of \$301.62

On examination of the accounts of Frank Kohlbrenner overseer of the poor the Board found them correct and found receipts amounting to \$509.78 and disbursement of \$373.15 leaving a balance of \$136.63, due the town.

Moved by Ryan seconded by Fossett that the bill of Jac. Kless for Team work amounting to \$421.50 be allowed, carried

The following was offered by Fossett seconded by Ryan put to vote and carried as follows: Ayes Wily, Smith, Fossett, Forster, Werrick and Ryan: No Kless.

Whereas Chapter 816 of the Laws of 1895, Section 2, provides that the Supervisor, Town Clerk, Justices of the Peace and Commissioner of Highways, constitute a Board of Highway Commissioners and the Town Board of said Town and section of said act provides that said Board shall possess and exercise all the powers and be subject to all the duties now or hereafter imposed by the general laws of this state upon a highways commissioner or highway commissioners and that every act or all the powers which Highway Commissioners is authorized to exercise only on authority or approval of the Town Board by any general law, may be done and performed by said Board on its own motion, and

Whereas, section 47 of said act provides that the Supervisor shall be the fiscal officer of the town, now therefore,

Resolved, that from and after January 1, 1907, all moneys of every kind belonging to the Town of Cheektowaga, including the moneys paid for commutation of highway taxes, be paid to the Supervisor of the said town and disbursed only upon the resolution of the Town Board and Board of Highway Commissioners.

Whereas, the provisions of the Highway Law subdivision 3 of section 4, provides that the town shall be divided into as many highway districts as the commissioners shall judge convenient, by a writing signed by the commissioners and filed with the Town Clerk: and subdivision 5 of said section 4, provides, that on the 15th day of April, of each year, the commissioner of highways shall make and file with the Town Clerk a written appointment of a resident of each district to be overseer of highways therein: and subdivision 7 of Section 4, provides that the highway commissioner shall expend all the moneys raised and collected from the town at large for highway purposes upon the borders of the Town or highway districts in the town in which such moneys were raised and collected in such proportion as they may deem just and proper, therefore,

Resolved, that this Board of Highway Commissioners, pursuant to Chapter 816 of the Laws of 1895, will meet on the 15th day of April 1907, at the office of the Town Clerk, in the Town of Cheektowaga, for the purpose of dividing said town into highway districts and appointing overseers of highways; one for each district, and apportioning the moneys among the several districts in said town.

Resolved that bills for all expenses erected by any number of the Town Board and Board of Highway Commissioners, against the Town of Cheektowaga, be reported to said Board at its meeting on the first Monday in each month, by the person creating or authorizing such expenses, and that the bills therefore be audited at such meetings for the purpose of keeping the said Board advised at all times as to the amount of money expended by said Town, and the amount of money remaining available for other town purposes.

Resolved, that no expenses against the Town of Cheektowaga be created by any member of the Board of Highway Commissioners of said town, except the same be first reported at a meeting of said board, and be duly authorized by a resolution of said board.

Resolved that the Supervisor of the Town of Cheektowaga, be and he is hereby directed to file a bond in the sum of fifteen thousand dollars, to be approved by the Town Board and Board of Highway Commissioners conditioned to forthfully account for all moneys which shall come into his possession or under his control as Supervisor, and for the faithful, prompt and efficient execution of his duties.

Adjourned

Edward P. Smith
Town Clerk

December 4, 1906

Pursuant to the call. A meeting was held at the Hose House of the Rescue Hose Co No 1 by the resident taxpayers of Walden Fire district No 2 of Cheektowaga, N.Y. for the purpose of Electing a Fire Commissioner in place of W.J. Graap and a treasurer in place of E.C. Wieberg and also for voting and appropriation of \$350.00 for the ensuing year.

Mr. Peter J. Fick acted as chairman and Mr. Joseph S. Lippert as secretary of the meeting.

The minutes of all meetings of the past year were read.

Moved by Mr. Bernard Fossett seconded by Mr. Wm J. Graap, that the minutes of all meetings of last year be adopted as read except as relates to the cash balance, carried

Moved by Bernard Fossett seconded by Wm. J Graap that we proceed to nominate a fire commissioner for 3 years, carried

Mr. R. J. Fick nominated Mr. Wm J. Graap for Fire Commissioner, there were no other candidates nominated.

Moved by Mr. B. Fossett seconded by Mr. Peter J. Fick that the secretary case one ballot in favor of the candidate nominated, carried

The chairman appointed Mr. Wm. Balk teller, the secretary cast one ballot in favor of Wm J. Graap for Fire Commissioner for 3 years.

The Chairman declared Mr. Wm. J. Graap duly elected fire commissioner for 3 years.

Moved by Mr. B. Fossett seconded by Mr. Wm. J. Graap that we proceed to nominate candidates for treasurer of the fire district for 1 year, carried

Mr. Wm. J. Graap nominated Mr. Jacob Rosebart, Mr. Peter J. Fick, was also nominated. Mr. Jacob Rosebart declines to accept the nomination as no other nominations were made the chairman declared the nomination closed.

Moved by B. Fossett seconded by Wm. J. Graap, that the secretary cast one ballot for the candidate Mr. Peter J. Fick as treasurer for one year, carried

The secretary cast one ballot as per motion for the candidate.

The chairman declared Mr Peter J. Fick duly elected treasurer of this board of fire commissioners for one year. An appropriation for the fire district was [was] submitted to the resident taxpayers as follows:

December 4, 1906

To the resident taxpayers of Walden Fire District No 2 Cheektowaga, N.Y.

We the undersigned Fire Commissioners of Walden Fire district No 2, Town of Cheektowaga, N.Y. hereby make a request for an appropriation of \$350.00 for the ensuing year 1907, to

be used for the maintenance of Fire apperatives and protection against fires in this district as follows:
For 15 months rent from Sept 3, 1906 to Dec 3rd, 1907.

| | |
|--|----------|
| To Hose Company for balance for ropes-pulley's repairs on carts etc | \$100.00 |
| For 2 tons coal | \$12.50 |
| For salaries of secretary and treasurer @ \$15.00 each | \$30.00 |
| For one extension ladder 24 ft. repairs to store cart one new axle and sundries | \$57.50 |
| Total | \$350.00 |

Signed Bernard Fossett
Wm. J. Graap Fire Commissioners

The following seated on the request of an appropriation of \$350.00.

Wm. Ball Walden Ave
Wm. J. Graap Pine Ridge Road
Bernard Fossett Walden Ave
Peter J. Fick Walden Ave
Joseph S. Lippert Bowery Pace

The teller counted five votes, and found them all in favor of the appropriation.

The appropriation of \$350 was declared duly carried.

The commissioners directed the secretary to notify Mr. Ernest C. Wieberg of a meeting to be held by the Board of Fire Commissioners at the house of P.J. Fick at 8 p.m. Dec 6, 1906, the books and balance of moneys on hand to the newly elected treasurer.

It was moved and seconded that we adjourn

Signed Jos. L. Lippert
Secretary to the Board of Fire Commissioners

Per. Edward P. Smith
Town Clerk