

July 1st 1907

Regular meeting of the Town Board and Board of Highway Commissioners of the Town of Cheektowaga. Present; Wildy, Fossett, Forster, Werick, Ryan and Kless.

Minutes of the last meeting approved as read.

Moved by Kless seconded by Werick that the bill of Joseph Bromnik for \$277.64 be allowed. Carried.

Moved by Fossett seconded by Kless that Frank Schulz be and he is hereby appointed a special constable of the Town of Cheektowaga to do duty until October first 1907 at John Oswalds grove on Walden Avenue, at no expense to the Town of Cheektowaga. Carried.

Moved by Fossett seconded by Werick that the bill of Joseph Metz; for lumber amounting to \$132.81 be allowed. Carried.

Moved by Werick seconded by Forster that the bill of Bernard Fossett for Justice fees amounting to \$4.45 be allowed. Carried.

Moved by Werick seconded by Fossett that the bills of Joseph Forster for Justice fees amounting to \$99.55 be allowed. Carried.

Judge Forster reports the collection of \$61.00 in fines.

Moved by Werick seconded by Ryan the bills of George Mueller for constables services amounting to \$99.55 be allowed. Carried.

Judge Forster reports the collection of \$61.00 in fines.

Moved by Werick seconded by Ryan the bills of George Mueller for constables services amounting to \$64.40 be allowed. Carried.

Moved by Forster seconded by Ryan that the of Christ P. Jensen for team work amounting to \$220.83 be allowed. Carried.

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

Whereas the electors of the Town of Cheektowaga, at the special Town meeting held June 27th 1907, declared in favor of the money Syolein of working the highways of the Town of Cheektowaga, Now therefore be it

Resolved, that the following rules shall govern the new system

First; that all moneys collected for highway purposes be expended on the highways on which the property against which the tax is levied and calculated is located.

Seconded; that persons living or having property on highways of the Town of Cheektowaga, liable to assessment for highway purposes be given the preference in working the highways on which they reside or are the owners of property

Third; that each resident and property owner shall be given opportunity and reasonable time to earn an amount out of the highway purposes, by doing team work upon such highways at the rate of \$4.00 per day of 8 hours actual work.

And be it further resolved that the commissioner of highways be and it is hereby instructed and directed to strictly observe the above resolution in working the highways of the Town of Cheektowaga

The Town Clerk read a list of charges and a petition for the removal from office of constable Theophil Senger. Gus Wende Attorney appears specially for the purpose of objecting to any action being taken by this Board on the ground that there is no constitutional power or provision allowing the same but that this proceeding is unconstitutional and without any warrant of laws and for the further reason that no proper proceedings have been instituted requiring the respondent the constable to be and appear before this board if it is a Board also for the reason that this body is not a proper or legal tribunal, also that no proper or legal proceedings have been had requiring any answer to be made by anyone and that this Board has no jurisdiction also that the office of constable is an office provided for by the constitution of the State of New York

and that the only method of removal is by impeachment and is not vested in any other or non judicial body also that the constitution of the State of New York provides for the Election of Constables and then respective term of office in that then removal there from can only be had by impeachment and that no power to dwest any constable of authority or oust him from office is vested in this Board but this respondent appearing specially as aforesaid claims that the complaints should apply to proper and legal authority for redness of any grievance they may claim that the charges preferred contain back matter relatively to the office of constable and said constables civil life outside of his office and said constable asks and demands that such matters as relate to his civil life outside of his office of constable be stricken from the charges presented likewise all after matters of an irrelevant character and those which attack him and his character and that character and the manner in which he conducts his lawful business and that such matters are only put in for the purpose of holding such respondent up to ridicule and disgrace and with malicious motive and that such charges as presented here in are improper, in complete, improperly executed and verified, insufficient and charge matters which this Board can take no cognizance of and that your respondent only appears specially herein

Moved By Fossett Seconded by Ryan that the objection of the respondents attorney be over-ruled. Carried.

Moved by Fossett Seconded by Ryan that we adjourn this meeting until on week from today at 2pm (July 8). Carried.

Edward S. Smith
Town Clerk

To the honorable the Town Board and Board of Highway
Commissioners
of the Town of Cheektowaga;

The petition of the Crosstown street Railway Company of Buffalo respectfully shows;

That your petitioner is a street Surface railroad Corporation
organized
and existing under and by virtue of the laws of the State of New York.

That your petitioner now maintains and operates double track
street
surface railroads in Delavan Avenue in the City of Buffalo, Eric County, New York,
extending to

the Easterly City Line of the city of Buffalo, which is also the boundary line of the Town
of
Cheektowaga.

And your petitioner proposes to extend its lines by constructing, maintaining and operating a double track street surface Electrical Railway for public use in the conveyance of persons and property in cars for Compensation in Delavan Avenue, in the Town of Cheektowaga, from the City Line of the City of Buffalo, where it connects with your petitioners railway in Delavan Avenue, Easterly to the Pine Hill Road, So called,

That the said extension of the lines of the Crosstown Street Railway Company of Buffalo proposed to be built, constructed, maintained, and operated by your petitioner as aforesaid is intended to be operated by the electric trolley system or by any motive power rather than locomotive steam power, which now or at any time thereafter may lawfully be used and employed omits route.

Wherefore your petitioner prays and makes application to your honorable Board for consent and permission in to be granted to your petitioner its successors lessees or assigns, to extend its lines, is aforesaid, and to construct and maintain and operate a double track, street surface railway with all necessary connections, switches and crossovers for public use through upon and along Delavan Avenue in the Town of Cheektowaga, between the point and in the manner aforesaid, together with all necessary connections, switches and crossovers, also that the consent and permission of your honorable Board be granted to your petitioner, its successors, lessees or assigns to the erection upon said highway between the point aforesaid, of the necessary wires, so that the cars of said company may be moved by the means or power of electricity.

Dated Buffalo July 2nd 1907

Company

Crosstowns Streets Railway

Of Buffalo

By

J.F. Slvans

J.F. Slvans

Secretary Treasurer

I Edward S. Smith, Town Clerk of the Town of Cheektowaga, Erie County New York hereby certify that the foregoing is a true and correct Copy of the original petition of the Crosstown Street Railway Company of Buffalo to construct its railroad in Delavan Avenue in the Town of Cheektowaga.

Edward S. Smith
Town Clerk

July 2nd 1907

The Crosstown Street Railway Company of Buffalo having made application, in writing to this Board, for its consent and permission to extend its lines and construct, maintain and operation double track street surface railroad with its apparatuses in Delavan Avenue in the Town of Cheektowaga, Erie County, New York, and the statute providing in such case, that public notice thereof and the time and place said application will first be considered shall be published in the Town at least fourteen (14) days, in any newspaper published there in, if any there shall be, and if none then in two daily newspapers, if there be two, if not one, in the city nearest such town, and there being no newspaper published in the Town of Cheektowaga, the city of Buffalo being the city nearest thereto;

Be It resolved, that the said application be first considered by this Board on the 23rd day of July 1907 at the house of Louis Butch, Walden Avenue and City Line and

Be It further Resolved, that public notice of such application and of the time and place it first will be considered by this board be published in the Buffalo Express and in the Buffalo Courier daily for 14 days, said newspapers published in the City of Buffalo, and the Town Clerk is hereby directed to preview the publication of said notice.

Frank Wild Supervisor
Edward Ryan JP
Jos Forster JP

Bernard Fossett JP
Henry P Werick JP

I Edward S. Smith Town Clerk of the Town of Cheektowaga, Erie County, NY, hereby testify that the foregoing resolution was official by Mr. Ryan
Seconded by
Mr. Fossett put to vote and carried also that the foregoing is a true and correct copy of the original
and of the whole there of.

Edward S. Smith
Town Clerk

July 8th 1907

Adjourned meeting of the Town Board and Board of Highway Commissioners present Wildy, Smith, Fossett, Forster, Ryan, Werick, and Kless.

Moved by Forster Seconded by Ryan that Philip J Kless be and is hereby appointed special constable of the Town of Cheektowaga to service at Bellevue Park and along the route of the International Railway Company until Oct 1st, 1906 at no expense to the Town of Cheektowaga. Carried.

The case of the people against constable Teafil Senger Call

Mr. Godfrey Wende appeared specially for the respondent and asked for an adjournment Mr. Wm Brennen Jr. appeared specially for the petitioners and asked that the case go on.

Moved by Fossett Seconded by Smith that we adjourn this case until Monday July 15th 1907 at 8pm at Mr. Haidoz. Carried.

Edward S. Smith
Town Clerk

July 15th 1907

Adjourned meeting of the Town Board of the Town of
Cheektowaga,

Present; Wildy, Smith, Fossett, Werick, Ryan and Kless. Absent;
Forster.

The chairman called the meeting to order and amended that the Board would now hear and determine the case of Constable Theophil Senger against whom charges of misconduct in office have been preferred.

Attorney Wm Brennen Jr., for the petitioners asked for the removal of constable Theophil Senger on the grounds that he sold liquors to minors used obscene language in public places, and used a prisoner in his custody to his own advantage and profit.

Attorney Godfrey Wende appearing specially for constable Senger, objected to the proceedings upon the ground that this Board had no jurisdiction to try and determine the matter. The Board over ruled the objection

Mr. Brennen for the petitioners offered in evidence the affidavits of John Plewinski, Joseph Szyloski, Emil Blessing and M. Hruternayer to prove the charges of the petitioners. Affidavits admitted in evidence, Mr, Joseph Lutka a contractor and builder was sworn, and paid that on a recent date, parties who stood in front of Sengers saloon, threw stones at men working for said Lutka in the erecting of a church nearby also that he saw senger in the saloon at about the time said police were storming his men. In cross examination Mr. Lutka said that he personally did not see the stone throwing.

Mr. Wende for the respondent offered in evidence a certificate from the police department of the City of Buffalo certifying that at the time Plewinski claimed to have been fastened to a bed position said Sengers home said Senger had made several efforts to have said Plewinski confined at one of the police stations of the City of Buffalo with out success.

Mr. Brennen for the petitioners objected to the certificate in the ground that it was incompetent and material evidence. The certificate was admitted in evidence and Mr. Brennen received an exception

Mr. Wende for the respondent asked for an adjournment in order that he may have an opportunity to see but the affidavit of the petitioners contended that there were new changes contained in the affidavits that were admitted in evidence Mr. Brennen objected to delay in the matter and asserts that there were no new charges contained in the affidavits as admitted in evidence.

Moved by Ryan Seconded by Smith that we proceeded with the case without adjournment. Carried.

Mr. Brennen stated that the petitioners rest.

Mr. Wende for the respondent refused to introduce any further evidence.

Moved by Ryan Seconded by Fossett that we go into executive session in order to consider the evidence now before us. Carried.

Moved by Ryan Seconded by Smith that Theophil Senger be and he is hereby removed from the office of constable of the Town of Cheektowaga. Carried unanimously. Moved by Kelss Seconded by Ryan that we adjourn. Carried.

Edward S. Smith
Town Clerk

July 23rd 1907

Special meeting of the Town Board and Board of Highway
Commissioners

Present; Wildy, Smith, Fossett, Forster, Werick, Ryan & Kless.

Hearing on the application of the Crosstown Street Railway Company of Buffalo had Attorney Godfrey Wende stated that he appeared for Mr. Feiler and objected to the grant being given at present and asked for an adjournment of one week until his client shall have had time to enquire into the matter more thoroughly. Several trustees of Cemeteries having property on Delavan Avenue also objected to granting the application at present

Moved by Ryan Seconded by Fossett that we adjourn this meeting one week from today (July 30 – 07) at 8 o'clock pm. Carried.

The following was moved by Mr. Fossett Seconded by Mr. Werick put to vote and Carried.

Resolved, that George C. Diehl be employed to prepare plans and specifications for a sewer in Cochrane Street, between Clinton Street and the North End of Cochrane Street, to connect with the sewer in Clinton Street in the City of Buffalo.

Resolved, that George C. Diehl be employed to prepare plans and specifications for a sewer in Walden Ave between the City Line of Buffalo and a point and sewers in Bowery Street, Randolph Street and Pine Hill Road, Rugby Street, Waverly Street, Woodell Avenue and Cushing Avenue to connect until a proposed sewer in Walden Avenue Sewer to connect within the Sewer in Walden Avenue in the City of Buffalo

Resolved that George C. Diehl be employed to lay out a proposed sewer district at Pine Hill and prepare plans and specifications for a system of sewers therein to connect with the sewer in Genesee Street in the City of Buffalo

Moved By Forster Seconded by Ryan that we adjourn. Carried.

Edward S. Smith
Town Clerk

July 30th 1907

Special adjourned meeting of the Town Board and Board of Highway Commissioners present; Wildy, Smith, Fossett, Forster, Werick, Ryan and Kless.

The hearing on the application of the Crosstown Street Railway Company of Buffalo for a grant on Delavan Avenue declare in order.

Mr. Godfrey Wende attorney for Mr. Seiler stated that he still objected to the grant of the Franchise on the ground that the Street was too narrow and asked that the Board adjourn and have the Street surveyed

Moved by Ryan Seconded by Fossett that we go into Executive session. Carried.

The following was moved by Ryan Seconded by Werick put to vote and Carried.

Resolved that permission be and the town is hereby granted the Crosstown Street Railway Company of Buffalo, to construct, extend, maintain and operate a double track electric street railway with necessary crossovers in the Town of Cheektowaga and to use this overhead single trolley Electric System of motive power in the operation there of over through and upon the following street, avenue and highway in the said town, to wit: In Delaware Avenue, from the City Line of the City of Buffalo, to the Pine Hill Road

So called upon the following terms and Conditions:

First: That said road shall be constructed in a good and work manlike manner under the Supervision of the Board of Highway Commissioners of the Town of Cheektowaga, and no work of construction shall be done until the said Crosstown Street Railway Company shall filed with the Town Clerk plans showing said road to be laid in the center of said Delavan Avenue, and where the Cross-overs are to be placed and the grade at which the tracks of said road shall be laid and providing for garder rails and until said plans shall have been approved by the Board of Highway Commissioners of said town. After such plans shall have been approved by the Board of Highway Commissioners of said town the work of construction shall be under the Supervision of the Board of Highway Commissioners and the expense of the inspection thereof shall be paid by the said Crosstown Street Railway Company.

Second: The said Crosstown Street Railway Company of Buffalo shall save the Town of Cheektowaga harmless from any and all damages or liabilities by reason of anything done or omitted to be done by said Crosstown Street Railway Company, in the construction maintainance and operation of said road.

Third: The said Crosstown Street Railway Company shall widen the roadway in Delavan Avenue so that there shall be not less than twelve feet driveway for carriages and wagons to drive in said Company and on either side there of, and shall pave Delavan Avenues between the outer rails of its tracks and two feet on either side thereof with slave pavement, and in such manner as shall be approved by the Board of Highway Commissioners of said Town of Cheektowaga and shall maintain said pavement at its own expense, and the Crosstown Street Railway Company of Buffalo shall do said work in a manner that shall in no wise interfere with or obstruct the drainage of said Delavan Avenue, and if necessary shall construct proper and suitable ditches or sewers on either side of said roadway, So asto properly drain the same.

Fourth; The said Crosstown Street Railway Company of Buffalo shall operate its city cars over the lines for which permission is hereby given in Winter and Summer and shall run cars with sufficient frequency to accommodate the traveling public, and shall not charge any additional fare but shall carry all passengers, riding upon its cars, over the road constructed under this permission for the one fare collected by it for carrying passengers over its road and the roads which it exchange passengers with in the City of Buffalo.

Fifth: The Crosstown Street Railway Company of Buffalo in removing or cleaning snow from its tracks, shall level off the Snow so removed or cleaned from its tracks in the space outside of its tracks, So that the use of said Delavan Avenue by the public for its traffic with sleighs and Carriages shall no be interfered with, and in default of the same being done by said Crosstown Street Railway Company of Buffalo, the same shall be done by the Board of Highway Commissioners of the Town of Cheektowaga, and the expense thereof collected from the said Railway Company.

Sixth: This grant is made from a period of forty years from the date of its acceptance and unless extended for a further period by action of the Town Board and Board of Highway Commissioners of the Town of Cheektowaga, it shall expire and all rights and privileges granted hereunder shall cease at the expiration of forty years from the date of the acceptance hereinafter provided for.

Seventh: The Crosstown Street Railway Company shall, during the period from the first day of May, and the first day of October in each year, Sprinkle said Delavan Avenue between its tracks with sufficient frequency to prevent a unisance by reason of the flowing of dirt therefrom.

Eighth: The said Crosstown Street Railway Company of Buffalo shall comply with all the provisions of Article IV of the railroad Law of the State of New

York, and the acceptance of this permission as hereinafter provided shall be deemed a waiver of any objection to the validity of the said law or any amendments thereto, now existing.

Nineth: This permission and consent shall not be operative until the said Crosstown Street Railway Company of Buffalo shall file with the Town Clerk of the Town of Cheektowaga a written acceptance of all the terms and conditions thereof, expressly waiving any and all objections as to the reasonableness or legality of any of the provisions of the same, or any part thereof, as to the legal right or authority of the Town Board or Board of Highway Commissioners of the Town to impose the same which acceptance shall be properly acknowledged by the said Crosstown Street Railway Company of Buffalo, and this permission and consent shall become void and of no force and effect unless such acceptance in the form herein provided for shall be filed within Sixty days after the adoption thereof by the Board of Highway Commissioners of the Town of Cheektowaga.

I, Edward S. Smith, Town Clerk of the Town of Cheektowaga hereby certify that the foregoing is a true and correct copy of a consent granted the Crosstown Street Railway Company of Buffalo, by the Town Board and Board of Highway Commissioners of the Town of Cheektowaga, at a meeting of said Board, held on the 30th day of July, 1907, at which a _____ of said Board was present and voted in favor thereof.

Edward S. Smith
Town Clerk

The Crosstown Street Railway Company of Buffalo, a domestic Street railway Corporation having its principal office in the City of Buffalo, New York and being the Corporation mentioned in a certain Consent, grant or franchise passed by the Town Board and Board of Highway Commissioners, of the Town of Cheektowaga, on the 30th day of July, 1907.

Hereby accepts the said consent, operator franchise passed by the Town Board and Board of Highway Commissioners of the Town of Cheektowaga in relation to the building of a railraod in Delavan Avenue to the Pine Hill Road, so called on the Town of Cheektowaga, and hereby accepts all of the terms and Conditions thereof, and Expressly waives any and all objections as to the reasonableness or legality of any of the provisions of the same, or any part thereof, or as to the legal right or authority of the said Town Board or Board of Highway Commissioners of the said Town to pass the same

In witness whereof, the said Crosstown Street Railway Comapany of Buffalo has caued this instrument and its seal to be attached this 31st day of July, 1097

The Crosstown Street Railway Company of Buffalo

By~

J.F. Slocum
Secretary & Treasurer

Attest
G.H. Whitwell
Asst. Secretary

State of New York:
County of Erie: SS.

On the 31st day of July, in the year One Thousand Nine Hundred and Seven, before we personally Come J.F. Slocum, to me known, who, being by me duly Sworn, did elapse and say: that he resided in the City of Buffalo, New York; that he is the secretary & Treasurer of the Crosstown Street Railway Comapany of Buffalo, the Corporation described in, and which executed the above Instrument; that the seal affixed to said instrument was such corporate seal: that it was so affixed by order of the Board of Directors of said Corporation, and than he signed his name thereto by like order,

George J. Eckehardt
Notary Public, Erie C., N.Y.

I Edward S. Smith, Town Clerk of the Town of Cheektowaga, Erie County N.Y., hereby Certify that the foregoing is a true and Correct Copy of the original franchise consenting to the laying of tracks in Delavan Avenue by the Crosstown Street Railway Company of Buffalo and the endorsements thereon, the original of which is now on file in my office.

Edward S. Smith
Town Clerk

Dated Aud 3rd 1907

Aug 10th 1907

Special meeting of the Town Board and Board of Highway Commissioners of the Town of Cheektowaga, duly called for the purpose of taking action relative to the Western New York Water Company in digging up the public highway without first giving notice of such intention or filing a map of its proposed mains.

Present; Wildy, Smith, Fossett, Forster, Ryan and Kless.

Mr. Dan Allen for the Western New York water Company stated that his Company had acted under the erroneous impression that the Commissioner of Highway was the sole authority in Highway matter in the Town of Cheektowaga and that his company had asked the Highway Commissioner of the Town of Cheektowaga for consent to upon the highways for the purpose of laying water mains, but they now acknowledge their error and now appeared before the Board for the purpose of receiving consent to dig up the highways under the supervision and municipal ordinances of the Town of Cheektowaga.

Moved by Smith Seconded by Fossett that we made officials of the Western New York Water Company with power to act to a conference with this Board at its regular meeting Aug 12th at 2:30pm and that our attorney be requested to draw up a set of proper restrictions under which the said water Company shall be allowed to open up the highways of the Town for the purpose of laying water mains therein when approved by this Board. Carried.

Moved by Ryan Seconded by Fossett that we adjourn.

Edward S. Smith
Town Clerk

Aug 12 1907

Regular meeting of the Town Board and Board of Highway Commissioners, Present; Wildy, Smith, Fossett, Forster, Werick, Ryan & Kless.

The Crosstown Street Railway of Buffalo having made application in writing to the Board for its consent and permission to extend its lines and construct maintain and operate a double track street railroad with its oppurtenances in Delavan Avenue, providing however in said consent that no work of construction should be done

by said Crosstown Street Railway Company until shall have filed with the Town Clerk plans for the construction of said road and said Crosstown Street Railway Company of Buffalo, having complied with said condition, filed said plans, which are attached hereto and make a part of the following Resolution;

Be it resolved, that said plans of the Crosstown Street Railway Company of Buffalo, herewith submitted for the construction of said railroad in Delavan Avenue, are hereby approved

Signed, Frank Wildy, Supervisor
Edward S. Smith, Town Clerk
Joseph Forster, Justice of Peace
Bernard Fossett, " " "
Edward Ryan, " " "
Henry P. Werick, " " "
Jacob Kless, Comm. Of Highways

The matter of the Western New York Water Company was taken up.

The Board requested the Water Company to lay water mains for the purpose of furnishing water to residents of the following streets Broadway, Cass Avenue, Pluiden Street, Presron Street, and Parker Street

Moved by Forster Seconded by Mr. Ryan that a committee of the Board of directors of the western NY Water Company with power to act be requested to meet this Board on Sept 3^d at the home of J.C. Smith for the purpose of arriving at satisfactory understanding regarding the rights of both the Towns people and the Water Company. Carried

Moved by Fossett Seconded by Ryan that the Supervisor and Town Clerk be authorized to grant the permit for the Western NY Water Company to open Union Raod, Bennet Road Indian Road and William Street providing however that the said company first agree to save the Town of Cheektowaga, harmless for any and all damages by reason of doing such work. Carried.

Moved by Ryan Seconded by Kless that the highway Commissioner be continued as inspection of the work of the water Company while said Company is Engage in laying water mains.

Amended by Forster Seconded by Fossett that Mr. George Mueller be appointed as such inspector. The amendment was put to vote and carried.

Moved by Fossett Seconded by Ryan that Frank Wesolek be and is hereby appointed constable of the Town of Cheektowaga. Carried.

Moved by Fossett Seconded by Forster that Jos Weieham be and he is hereby appointed Special Constable in and for the Town of Cheektowaga. Carried.

The following was Moved by Fossett Seconded by Forster put to vote and carried.

Resolved that the Town Clerk be and he is hereby directed to notify the New York Central & Hudson River Railroad; the West Shore Railroad; the Terminal Railway of Buffalo, the Delaware Lackawanna Western Railway Company, the Erie Railway Company and the Lehigh Valley Railway Company, to plant the highway crossings in said Town, within 10 days from the date of such notice; same to be planted 16 feet wide and unless the same be done within 10 days from the giving of said notice, that the Board of Highway Commissioners cause the same to be done and the expense to be charged to and collected from said railway Companies.

Moved by Fossett Seconded by Werick that the bill of J. Weichman for team work amounting to \$56.00 be allowed. Carried.

Moved by Forster Seconded by Ryan that the bill of Jos Bromnik for hauling crushed stone amounting to \$120.96 be allowed. Carried.

Moved by Werick Seconded by Ryan that the bill of Conrad Kless amounting to \$54.00 be allowed. Carried.

Moved by Ryan Seconded by Fossett that the bill of the Diamond Fire Clay Co. for \$88.35 be allowed. Carried.

The following was Moved by Fossett Seconded by Werick put to vote and carried.

Resolved that the Town Clerk be and he is hereby directed to advertise for sealed proposals for the construction of sewers in Walden Avenue, Randolph Street, Bowery Street, Pine Hill Road, Rugley Avenue, Waverly Avenue Woodell and Cashing Avenue according to the laws and specification therefore prepared by George C. Diehl, Engineer for the Town of Cheektowaga: such sealed proposals to be received at a special meeting of this Board to be held, on the 7th day of Sept, 1907, at the house of Mr. tenbrook, in the Town of Cheektowaga at 4 o'clock in the afternoon such proposals to be accompanied by a certified check drawn upon some responsible Banking institution in the City of Buffalo NY for a sum of not less than One Thousand Dollars or by a bond approved by the Supervisor of the town in the penalty of not less than Two Thousand Five Hundred Dollars, conditions that if the work is awarded to the bidder, he will later into a contract for same and well execute for then security as may be required for the faithful performance of the contract in the event of his proposal being accepted, such certified check to be drawn without conditions and payable to Frank Wildy supervisor

The following was Moved by Fossett Seconded by Werick put to vote and carried.

Resolved, that the Town Clerk be and he is hereby directed to advertise for sealed proposals, for the construction of the sewer in Cochrane St between Clinton Street and a point but north thereof, according to the plans and specifications therefor prepared by Geo C. Diehl Engineer of the Town of Cheektowaga; such sealed proposals to be received at a special meeting of this Board to be held on the 7th day of September 1907, at the house of Mr. Benbrook, in the Town of Cheektowaga, at 4 o'clock in the afternoon. Such proposals to be accompanied by a certified check drawn upon some responsible Banking institution of the City of Buffalo, New York for a sum not less than one Thousand Dollars or by a bond approved by the Supervisor of the Town in the penalty of not less than Two Thousand Five Hundred Dollars, conditioned that if the work is awarded to the bidder he will enter into a contract for the same and will execute further security as may be required for the faithful performance of the contract, in the even of his proposal being accepted. Such certified check to be drawn without condition and payable to Frank Wildy Supervisor.

Moved by Fossett Seconded by Ryan that we adjourn. Carried.

Edward S. Smith
Town Clerk

Sept 7th 1907

Special meeting of the Town Board of the Town of Cheektowaga called for the purpose of receiving bids on the Walden Avenue and Cochrane Street Sewers Present; Wildy, Smith, Fossett, Forster, Werick and Kless. Absent; Ryan

Moved by Fossett Seconded by Werick put to vote and carried.

Resolved that this board reserves the right to reject any and all bids submitted for building either the Walden Avenue System of Sewers or the Cochrane Street Sewer and to waive any informality in any bid submitted for either sewer.

Moved by Fossett Seconded by Forster that the bids submitted be now opened. Carried.

Bid no.1 Was that of Geo. W. Moore on the Walden Avenue System of sewers, amount \$7500, Bid accompanied by a bond

Bid no. 2 On the Walden Avenue System of Sewers was that of J.M. Dwyer Sons amount of bid \$7370. Bid accompanied by bond

Bid no. 3 On the Walden Avenue system of Sewers was that of Wm Franklin amount of bid \$8500. Bid accompanied by certified check

Bid no.4 Was that of Johnst Hock & Sons amount of bid \$8502.25. Bid accompanied by certified check.

Bid no. 5 Was that of Frederick J. Mumm amount of bid \$4980. Bid accompanied by certified check.

Bid no. 6 Was that of Geo. C. Waite, amount of bid \$6670. Bid accompanied by a bond.

Bid no. 7 Was that of William Wieberg, amount of bid \$8322. Bid accompanied by bond.

On the Cochrane Street Sewer the following bids werereceived.

Bid no. 1	Frederick J. Mumm	\$1580.
Bid no. 2	Geo C. Waite	\$1395.
Bid no. 3	George W. Moore	\$1591.
Bid no. 4	J.W. Dwyer Sons	\$1263.
Bid no. 5	Wm. Franklin	\$1375.
Bid no. 6	Johnst Hock & Sons	\$1308.20
Bid no. 7	Wm. Wieberg	\$1274.

Moved by Forster Seconded by Fossett that we lay all bids on the table until our next regular meeting on Monday Sept 9th at 2:00 pm. Carried.

Edward S. Smith
Town Clerk

Sept 9th 1907

Regular meeting of the Town Board of the Town of Cheektowaga
Present; Wildy, Smith, Fossett, Forster, Werick, Ryan and Kless

Moved by Werick Seconded by Kless that we award the construction of the Walden Ave System of Sewers to the lowest bidder Fred J. Mumm at his bid of \$4980.00. Carried.

Moved by Forster Seconded by Ryan that the Cochrane Street Sewer be awarded to William Wieber at his bid of \$1274.00. Carried. Town Clerk Smith arrived and took his place in the meeting.

Moved by Smith Seconded by Ryan that the Supervisor be authorized to procure badges of office for our Constable force.

Agreed to by unanimous consent.

Moved by Forster Seconded by Smith that the bills of Constable Jos. Prestine amounting to \$4.95 be allowed. Carried.

Moved by Ryan seconded by Werick that the bills of Theophil Senger amounting to \$110.50 be allowed. Carried.

Moved by Ryan seconded by foss that the bills of Frank Wesolek amounting to \$80.80 be allowed. Carried.

Moved by Ryan seconded by foss that the bills of Peter Kless for 15 days mason work amounting to \$60.00 be allowed. Carried.

Moved by Ryan seconded by Werick that the bills of B. Fossett amounting to \$30.20 be allowed. Carried.

Judge Fossett reports the collection of \$20.00 in fines.

Moved by Fossett seconded by Werick that the bills of Judge Forster amounting to \$76.30 be allowed. Carried.

Judge Forster reports the collection of \$53.50 in fines.

Moved by Fossett seconded by Werick that the bill of Geo. M. Zimmerman for lumber amounting to \$54.60 be allowed. Carried.

Moved by Ryan seconded by Werick that the bill of E.S. Smith for assisstant clerk for 15 days making up road warrants amounting to \$30.00 be allowed. Carried.

Moved by Fossett seconded by Ryan that John M. Roher be and he's hereby appointed attendance officer for the ensuing year at the Sauve salary of last year. Carried.

Moved by Werick seconded by Fossett that the Joseph Lippertbe and he is hereby appointed attendance offic for the ensuing year for the north side of the Town. Carried.

Moved by Kless seconded by Fossett that we now adjourn.

Edward S. Smith
Town Clerk

Sept 13th 1907

Special meeting of the Town Board called for the purpose of further action in the matter of the Walden Avenue System of Sewers and the Cochrane Street Sewer.

Present; Wildy, Smith, Fossett, Forster, and Ryan

Jos Dwyer son's attorney protested against awarding the Cochrane Street Sewer's Construction to William Wieberg as Jos Dwyer were the lowest bidders.

Moved by Fossett seconded by Ryan that that we go into executive session.

Mr. Mumm the lowest bidder on the Walden Avenue System of Sewers asked to be released from his bid.

The Board decided not to rescuid it its action in either the Cochrane Street Sewer matter or the Walden Avenue System of Sewers.

Edward S. Smith
Town Clerk

Second District

At a session of the public Service Commission, second district, held in the City of Buffalo on the 17th day of September, 1907.

Present:

Frank W. Stevens, - Chairman

Charles L. Keefs

Thomas M. Osborne

Martin S. Decker

James E. Sange

Commissioners

In the matter of the application

~of~

Crosstown Street Railway Company of Buffalo for permission and approval as to a proposed extension of an electric railroad in Delavan Avenue in the Town of Cheektowaga, Erie County, N.Y.

The petitioner, Crosstown Street Railway Company of Buffalo, having duly applied to this Commission for its approval and permission to construct an extension of its electric Street railroad in the Town of Cheektowaga, Erie County N.Y. in and through Delavan Avenue from the City Line of the City of Buffalo, to the Pine Hill Road, so called and it appearing that the Town Board and Board of Highway Commissioners heretofore and on or about the 30th day of July 1907, duly granted its consent to the construction of said extension, upon certain conditions therein contained, and it further appearing that all requisite, preliminary steps have been taken by the said petitioner and a hearing have been had before the commission in the City of Buffalo, New York on the 17th day of September, 1907 and proofs having been taken and the petitioner having appeared by Thomas Permey, Esq., its counsel, and the Buffalo Cemetery Association having appeared in opposition thereto by Peter Maul, Esq., its counsel and the Town of Cheektowaga having appeared by John W. Fisher Esq., its counsel, and due deliberation having been had virtue on and this commission having determined that such construction and the exercise of said franchise are necessary and convenient for the public service;

Now, therefore, the commission hereby grants its permission and approval for the exercise of the said franchise and the construction of said extension, subject, however, to all the terms and conditions contained in the afore said grant or franchise from the Town Board and Board of Highway Commissioners of said Town of Cheektowaga.

(Signed) By the Commission
J.S. Kennedy
Secretary

State of New York
Office of the Public Service Commission S.S;
Second District

I have compared the preceding copy with the original order of this commission dated September 17th 1907, in the matter of the application of Crosstown Street Railway Company of Buffalo, for permission and approval as to a proposed extension of an Electric railroad in Delaware Avenue in the Town of Cheektowaga, Erie County, N.Y., on file in this office and I do hereby certify the same to be a correct transcript there from and of the whole thereof.

Witness, my hand and the seal of office of the public service commission second District, at the city of Albany, this 20th day of September, One Thousand nine hundred and seven

J.S. Kennedy
Secretary

I Edward S. Smith, Town Clerk of the Town of Cheektowaga hereby certify that I have compared the foregoing order of the public service commission of the State of New York – second District- dated Sept 17th, 1907 in the matter of the application of the Crosstown Street Railway Company of Buffalo, for permission and approval as to approved extension of an Electric railroad in Delaware Avenue in the Town of Cheektowaga, Eric County, N.Y. a copy of which was filed in this office on the 23rd day of Sept., and I do hereby further certify the foregoing to be a correct transcript there from and of the whole thereof

Edward S. Smith
Town Clerk

Sept 26th 1907

Regular auditing day meeting Present; Wildy, Smith, Fossett, Forster, Werick, Ryan, and Kless.

The following were moved by Werick Seconded by Fossett put to vote and carried.

Whereas the Town of Cheektowaga is in debted to various persons in an amount aggregating th sum of Five Thousand Dollars (\$5,000.00) to be paid from the taxes to be collected in said town in the year 1908, and its desirous to pay said indebtedness at the present times, now therefore,

Resolved, that the supervisor be and he is hereby authorized to borrow the sum of Five Thousand Dollars (\$5,000.00), and to issue therefore promissory notes of the Town of Cheektowaga, to be signed by supervisor and Town Clerk, payable six months from the date of six percent per annum.

State of New York,
Erie County,
Town of Cheektowaga, S.S.

I Edward S. Smith, Town Clerk of the Town of Cheektowaga, do hereby certify that I have compared the foregoing resolution with the minutes of a meeting of the Town Board and Board of Highway Commissioners of said Town of Cheektowaga, held on the 26th day of September, 1907 and on file in this office, and the same is a true and correct transcript thereof and the whole thereof
Dated Sept 26, 1907

Edward S. Smith
Town Clerk

Whereas, the Town of Cheektowaga has contracted for the building of a system of sewers in Walden Avenue, Randolph Street, Bowery Street; Pine Hill Road; Rugby Avenue; Waverly Avenue, Woodell Avenue, and Cushing Avenue, and it is necessary to borrow temporarily the moneys to pay for the building of said sewers approximately Six Thousand Dollars (6,000.00),

Now Therefore Resolved, that the Supervisor be and he is hereby authorized to borrow the sum of \$6,000.00 to be credited to the Walden Avenue Sewer System Fund and to issue therefore promissory notes of said town to be signed by said Supervisor and the Town Clerk, payable four months from the date thereof with interest thereon at the rate of six per cent per annum.

Moved by Ryan Seconded by Smith that the bills of Bernard Fossett for Justice fees amounting to \$9.05 be allowed. Carried.

Moved by Ryan Seconded by Fossett that the bills of Joseph Forster amounting to \$104.85 be allowed. Carried.

Judge Forster reports the collection of \$80.00 in fines.

Moved by Werick Seconded by Ryan that the bill of E.S. Smith registrar of vital Statistics amounting to \$101.50 be allowed. Carried.

Moved by Ryan Seconded by Werick that the bill of E.S. Smith, Town Clerk, amounting to \$308.20 be allowed. Carried

Moved by Werick Seconded by Ryan that the bill of Rev. F.X. Seherer, vital statistics, amounting to \$9.50 be allowed. Carried.

Moved by Werick Seconded by Ryan that the bill of the Williamson Law Company amounting to \$10.20 be allowed. Carried.

Moved by Ryan Seconded by Werick that the bill of Dr. W.E. Ewell of \$15.00 be audited at \$5.00 and allowed. Carried.

Moved by Ryan Seconded by Smith that the bill of Henry W. Werick for Board Meetings and office rent amounting to \$108.00 be allowed. Carried.

Moved by Ryan Seconded by Werick that the bill of Jos. Forster for Board meetings and office rent amounting to \$115.00 be allowed. Carried.

Moved by for Seconded by Werick that the bill of Edward Ryan for Board meetings and office rent amounting to \$117.00 be allowed. Carried.

Moved by Ryan Seconded by Werick that the bill of Bernard Fossett for board meetings and office rent amounting to \$129.00 be allowed. Carried.

Moved by Fossett Seconded by Werick that the bills of Justice Ryan amounting to \$92.95 be allowed. Carried.

Justice Ryan reports the collection of \$54.00 in fines.

Moved by Forster Seconded by Ryan that the bills of James Gallery amounting to \$64.40 be allowed. Carried.

Moved by Smith Seconded by Ryan that the bill of Jac. Kless amounting to \$460.00 be allowed. Carried.

Moved by Ryan Seconded by Werick that the bills of

John P. Rupp, assessor amounting to	\$478.47
P.J. Juda, " "	\$290.00
George Mueller Clerk,	\$ 72.00
Joseph Bromnik hauling crushed stone	\$112.64
Dr. Fronzak salary amounting to	\$300.00
Dr. Fronzak vital statistics and supplies	\$ 90.20
Dr. Wm G. Bissell Bacteriologist	\$ 18.00
Wm. Wieberg assessor	\$290.00
Louis Butch Constable	\$291.25

Be allowed. Carried. Rate of Clerk's pay objected.

Moved by Werick seconded by Kless that we now adjourn.

Carried.

Edward S. Smith
Town Clerk

Whereas, the Town of Cheektowaga has contracted has contracted for the building of a sewer in Cochrane Street, and it is necessary to borrow temporarily the monies to pay for the building of said sewer approximately One Thousand Five Hundred Dollars (1,500.00).

Now Therefore Resolved, that the Supervisor be and he is hereby authorized to borrow the sum of One Thousand Five Hundred Dollars (1,500.00) to be credited to the Cochrane Street Sewer fund and to issue therefore promissory notes of said town to be signed by said Supervisor and the Town Clerk, payable four months from the date thereof with interest thereon at the rate of six per cent per annum.

Sept 28 – 1907

Special meeting of the Town Board and Board of Highway Commissioners called for the purpose of conferring with the Lackawanna Railroad officials relative to abating the grade crossing at Harlem Avenue. Present; Wildy, Smith, Fossett, Forster, Werick, Ryan and Kless.

Mr. Babcock Attorney for the Lackawanna offered to divert the highway by building a new meadow highway to lead from Harlem Avenue to the city line thence to cross underneath the Lackawanna tracks to William Street and back to Harlem Avenue, at the Expense of the Lackawanna Railroad Company.

The plan was not satisfactory to the Board and it was decided to have the Town Engineer go over the ground and advise the Board at the earliest possible date as to the most feasible way of abolishing the grade crossing at Harlem Avenue at the least Expense to the Town.

Edward S. Smith
Town Clerk