

Cheektowaga April 1st, 1911

Special meeting of the Town Board and Board of Town Superintendents of the Town of Cheektowaga held at the house of Michael Bittermans April 1st, 1911 there was present Wildy, Schiesel, Fossett, Forster, Brennen, Durringer and Monin.

Meeting was called to order by the Supervisor in the Bennett Road matter and the following resolution was offered by Mr. Brennen and Seconded by Mr. Fossett and was duly adopted .

Whereas, the International Railway Company has declined to accept the proposed franchise or consent to occupy a portion of Bennett Road, in the Town of Cheektowaga, Erie County, New York in the form adopted by the Town Board and Board of Highway Superintendents of the Town of Cheektowaga on the 21st day of December 1910 and

Whereas said International Railway Company has agreed as a condition precedent to said consent that it will purchase and cause to be deeded to the Town of Cheektowaga for highway purposes a strip of land on the north and south sides of the portion of Bennett Road to be occupied by them under said consent so as to increase the width of said highway to a four (4) rod road and has agreed to construct a highway drainage ditch on the north side of said portion of said highway as widened in place of the one now existing. Now therefore be it

RESOLVED that the following portion or paragraph of said consent adopted as aforesaid on said 21st day of December to wit: -

That the Railway company shall maintain its tracks in good condition and pave with brick the space between its tracks and two feet outside thereof and keep said brick pavement in good condition so that the same shall not obstruct the free and safe travel along said Bennett Road be and the same is hereby amended to read as follows: -

That the Railway Company shall maintain its tracks in good condition and pave with brick the space between its tracks and two (2) feet outside thereof and keep said brick pavement in good condition for the term of ten years from the date of its completion and acceptance by the Town of Cheektowaga so that the same shall not obstruct the free and safe travel along said Bennett Road and be it further

RESOLVED that before this franchise or consent shall become operative the International Railway Company shall file with the Town Clerk of the Town of Cheektowaga its acceptance thereof in writing and its agreement to conform to and abide by all the conditions and covenants therein contained unless such acceptance and agreement shall be filed as

aforesaid on or before the 15th day of April 1911, then the said franchise or consent shall immediately cease, determine and become void. And be it further

RESOLVED that said franchise or consent with such amendments be and the same is hereby re-adopted, subject to the terms and conditions therein contained

Dated April 1st, 1911

Franks Wildy - Supervisor

Alois Schiesel - Town Clerk

Wm. Brennen - Justice of the Peace

Joseph Forster - Justice of the Peace

Arthur G. Durringer - Justice of the Peace

Bernard Fossett - Justice of the Peace

John Monin - Town Superintendent of Highways

Adjourned.

Alois Schiesel

Town Clerk

Cheektowaga April 3rd, 1911

Regular meeting of the of the Town Board of the Town of Cheektowaga held at the house of Arthur G. Durringer there was present Wildy, Schiesel, Fossett, Forster, Brennen, Durringer and Monin.

Reading of the minutes of the last regular meeting was dispensed with and the following bills and accounts were audited and allowed and the Clerk authorized to draw orders on the Supervisor for same.

General Fund

John V. Kaufman Erroneous Road and School Tax	\$11.48
John V. Kaufman Interest on note	\$45.00
Michael Kopp Interest on note	\$50.00
Witmer & Witmer civil Engineering services in Bennett Road matter	\$22.50
George C. Diehl civil engineering services	\$100.00
Fred Zeitz to Constable services	\$3.30
Amedeo Coppolla to Constable services	\$79.95
Frank Wesolek to Constable services	\$85.25

Andrew Klein to Constable services	\$12.50
Bernard Fossett to Justice services	\$14275
Fines turned over to the Supervisor by Justice Fossett	\$35.00
Wm. Brennen to Justice services	\$166.45
Fines turned over to the Supervisor by Justice Brennen	\$132.00

Poor Fund

John P. Kaufman for coal delivered to Poor	\$6.00
Philiph Greiner for coal and groceries to poor	\$11.52
Fred Smith for groceries delivered to poor	\$4.79
Christoph Miller for shoes delivered to poor	\$3.75

Resolution offered by Mr. Schiesel and Seconded by Mr. Monin and was duly adopted:

Whereas that Doyle Volunteer Hose Company a hose company organized and having its headquarters in Doyle Fire District No. 1 of the Town of Cheektowaga Erie County New York has petitioned this board for permission to incorporate under the membership corporations laws of the state of New York and

Whereas it is the sense of this board that it will be for the best Interests of the Town of Cheektowaga generally to promote and encourage hose companies for the extinguishment of fires in said town. Now therefore be it

RESOLVED that permission be and the same is hereby given to the said Doyle Volunteer Hose Company to Incorporate in due form of law under the membership corporations law of the state of New York. Adopted. Dated April 3rd, 1911. Adjourned.

Alois Schiesel
Town Clerk

Cheektowaga April 15th, 1911

Special meeting of the Town Board and others held at the house of Louis Butsch April 15th, 1911 there was present Frank Wildy, Arthur Durringer, Wm. Brennen and John Monin. Absent - Schiesel and for.

Meeting was called to order by Supervisor Wildy in the Bennett Road matter and the following resolution was adopted.

Resolution offered by Mr. Durringer and Seconded by Mr. Monin that the following resolution be adopted.

RESOLVED that the time limited for the filing by International Railway Company of its acceptance and agreement required in and by the consent of this board dated December 21st, 1910 to said company of the right to construct, maintain and operate a street surface railroad in and upon a portion of the Bennett Road in the Town of Cheektowaga as modified and readopted on the first day of April 1911 be and the same is hereby extended until the 15th day of May 1911 and the filing of said acceptance and agreement any time on or before the 15th day of May 1911 shall be deemed and be a compliance with the requirements of said consent. Adopted.

Dated April 15th, 1911.

William Brennen Sr.

Acting Town Clerk

Moved by Brennen Seconded by Mr. Fossett that the following resolution be adopted.

RESOLVED that the legislature of the state of New York be and it is hereby requested to include in the annual supply bill an item of (\$75,000.00) to cover the share of contribution of the state of New York in the expense of constructing a viaduct on Harlem Avenue in the Town of Cheektowaga Erie County New York a town contiguous to the city of Buffalo over Delaware Lackawanna and Western Railroad Erie Railroad Lehigh Valley Railroad and Lehigh and Lake Erie Railroad and in the expense of constructing a subway at Lovejoy street in the village of Sloan in said Town of Cheektowaga near the city line of the city of Buffalo under the tracks of Delaware Lackawanna and Western Railroad to the end that said Improvements may go forward without delay. Adopted.

Dated April 15th, 1911.

Adjourned.

William Brennen

Acting Town Clerk

Cheektowaga April 21st, 1911

Special meeting of the Town Board and Board of Highway Superintendents held at the house of Michael Bittermans April 21st, 1911 there was present Wildy, Schiesel, Fossett, Brennen, Durringer, and Monin. Absent Forster.

Meeting was called to order by the Supervisor in the bridge matter on Pine Hill Road spanning Scajaquada Creek and the following resolution was adopted.

Moved by Mr. Fossett Seconded by Mr. Brennen that the following resolution be adopted.

RESOLVED that the Town Attorney be and he is hereby directed to take up with the several claimants for the moneys unpaid on the contract price and for alleged extras in the matter of the arch bridge in Pine Hill Road the matter of discontinuing the action now pending and the discharge of the various lines filed in said matter before the taking of any action on said bridge matter by this board and that said attorney be and he is likewise directed to notify the Contractor Frank C. Vedder and the Bank of Holland that the cracks in the retaining walls of said bridge must be filled in and repaired in a good workmanlike manner before any action will be taken by this board wither to accept or reject said bridge. Adopted.

Dated April 21st 1911.

Moved by Monin Seconded by Schiesel that this board adjourns. Carried.

Alois Schiesel

Town Clerk

Cheektowaga May 1st, 1911

Regular meeting of the of the Town Board of the Town of Cheektowaga held at the regular meeting place, there was present Wildy, Schiesel, Fossett, Forster, Brennen, Durringer and Monin.

Reading of the minutes of the last regular meeting was dispensed with and the following bills and accoutns were audited and allowed and the clerk authorized to draw orders on the Supervisor for same.

John Graney to Assessor services	\$6.00
Bernard Fossett fire commissioner of	
Fire Dist No. 2 for fire tax	\$28.25
Estate of E.W. Eames for five years rental	
Of election booth No. 3	\$25.00
Geo. Gillig to constable services	\$54.70
William Keifer to constable services	\$35.30
Amedeo Coppolla to constable services	\$30.30
Frank Wesolek to constable services	\$77.20
Joseph Forster to constable services	\$73.05
Fines turned over to the Supervisor by Forster	\$78.00

Bernard Fossett to justice services	\$36.80
Fines turned over to the Supervisor by Fossett	\$12.50
William Brennen to justice services	\$100.45
Fines turned over to the Supervisor by Brennen	\$30.00
Poor Fund	
John P. Kaufman delivering coal to poor	\$12.25

Moved by Mr. Fossett seconded by Mr. Durringer that the petition presented to this board to establish a lamp district in school district No. 11 in Pine Hill be accepted and filed and referred to the Board of Assessors. Carried.

Moved by Brennen seconded by Fossett that International Railway Company be and it is hereby directed to forthwith make the chnges in its roadbed in conformity with the resolution and order heretofore adopted and served upon said company by this board and be it further

RESOLVED that the Town Attorney be and he is hereby directed to notify said company of the adoption of the foregoing resolution. Carried.

Whereas by written communication addressed to the Town Board and Board of Highway Superintendents of the Town of Cheektowaga dated the 18th day of April 1911 George C. Diehl the county engineer in and for the county of Erie has recommended the acceptance by the Town of Cheektowaga of the reinforced concrete arch bridge in Pine Hill Road across Scajaquada Creek in the Town of Cheektowaga and has recommended the payment by the said Town of the balance of the due under the contract and

Whereas under the provisions of the Highway Law of the State of New York the plans and specifications for said brideg were prepared and the said bridge was built under the direction of the said County Engineer and

Where certain notices of lines have heretofore been filed by material men and others for moneys due from the contractor who had the contract for the construction of said bridge and

Whereas there is an action now pending in the Supreme Court to foreclose one of said lines, now therefore be it

RESOLVED that the recommendation of said County Engineer be and the same is hereby received and filed, and be it further

RESOLVED that upon said recommendation of said County Engineer that said bridge be and the same is hereby accepted: subject however to the following conditions to wit: -

First: - That before any further payment on account of said bridge, all cracks if any now appearing in the retaining walls of said bridge be filled in by the contractor or his agent or that a sufficient allowance be made to the Town of Cheektowaga out of the moneys unpaid on said bridge contract to cover the cost of filling in said cracks.

Second: - That before any moneys be paid over on account of said bridge all outstanding lines growing out of the construction of said bridge notices of which have been heretofore filed against the Town of Cheektowaga be satisfied and notices thereof cancelled and the alleged actions now pending against the Town of Cheektowaga and others to foreclose any of the said alleged lines be discontinued without costs against the Town of Cheektowaga and be it further

RESOLVED that upon the satisfaction of said lines and cancellation of the notices thereof and the repair of the retaining walls of said bridge or the allowance to the Town of Cheektowaga of the cost of the necessary repairs thereto, as aforesaid the Supervisor be and he is hereby authorized and directed to pay over to the person or corporation entitled thereto the balance due on the contract price and for any extras heretofore audited or which may hereinafter be audited by the Town Board and Board of Highway Superintendents of the Town of Cheektowaga in the matter of the construction of said bridge. Adopted.

Dated May 1st 1911.

Moved by Brennen seconded by Monin that this Board adjourns. Carried.

Alois Schiesel

Town Clerk

Cheektowaga May 13th, 1911

Special meeting of the Town Board and Board of Town Superintendents held at the house of Michael Bittermans there was present Wildy, Schiesel, Fossett, Forster, Brennen and Monin absent Durringer.

Meeting was to order by the Supervisor and the following resolution was offered by Mr. Fossett and seconded by Mr. Brennen and was duly adopted.

RESOLVED that the time limited for the filing by International Railway Company of its acceptance and agreement required in and by the consent of this board dated December 21st, 1910 to said company of the right to construct, maintain and operate a street surface railroad in and upon a portion of the Bennett Road in the Town of Cheektowaga as modified and readopted on the first day of April 1911 be and the same is hereby extended until the

first day of June 1911 and the filing of said acceptance and agreement any time on or before the first day of June 1911 shall be deemed and be a compliance with the requirements of said consent. Adopted.

Dated May 13th, 1911.

Adjourned.

Alois Schiesel

Town Clerk

Cheektowaga June 5th, 1911

Regular meeting of the Town Board of the Town of Cheektowaga held at the regular meeting place there was present Wildy, Schiesel, Fossett, Forster, Durringer Brennen and Monin.

Reading of the minutes of the last regular meeting was dispensed with and the following accounts were audited and allowed and the clerk authorized to draw orders on the Supervisor for same

General Fund

Herman Seege to services as attendance officer	\$100.00
Western New York Water Company to Hydrant Rental	\$756.33
George C. Diehl to civil engineering services	\$270.00
Fred Zeitz to constable services	\$26.85
Frank Wesolek to constable services	\$62.15
Amedeo Coppolla to constable services	\$79.25
George Gillig to constable services	\$33.50
Louis Butsch to constable services	\$38.50
William Keifer to constable services	\$6.10
William Brennen to justice services	\$139.00
Fines turned over to the Supervisor by Brennen	\$76.50
Bernars Fossett to justice services	\$90.10
Joseph Forster to justice services	\$83.95
Fines turned over to the Supervisor by Forster	\$20.00
John M. Rohr to services as attendance officer	\$100.00
John V. Kaufman to erroneous sewer tax	\$.69

Poor Fund

John B. Weber to delivering groceries to poor	\$54.34
Fred Smith to delivering groceries to poor	\$4.79
Stephan Kopydowski to delivering groceries to poor	\$5.00
A. Josefiak to delivering groceries to poor	\$5.56
William Cook Optician	\$2.00

Moved by Schiesel seconded by Fossett that the petition to establish a lamp district in school district No. 10 be received and filed and referred to the Board of Assessors. Carried.

Moved by Mr. Brennen seconded by Mr. Fossett that the Town Superintendent of Highways be directed to notify the Lancaster light power and conduit company to remove their poles of the highway in Bennett Road in the Town of Cheektowaga. Carried.

Moved by Mr. Brennen seconded by Mr. Monin that the Town Attorney be directed to notify the Lehigh Valley Railroad Company to widen the bridge over its cut under Bennett Road in the Town of Cheektowaga. Carried.

Moved by Mr. Fossett seconded by Mr. Brennen that the following resolution be adopted.

RESOLVED that the Western New York Water Company be requested to extend their water mains Eight hundred feet in Cushing Ave. north from Walden Ave. and Eight hundred feet in Woodell Ave. north from Walden and to install two additional hydrants thereon one on each street and the clerk be directed to mail a copy of this resolution to mr. John T. Mooney Superintendent of the Western New York Water Company – Carried.

Moved by Mr. Fossett seconded by Mr. Schiesel that the following resolution be adopted.

RESOLVED that the Town Attorney be and he is hereby directed to notify the members of the legislature and the governor that the Town of Cheektowaga is oopossed to the passage of the bill introduced by Mr. Gittins placing water companies under the jurisdiction of the publice service comission in the present form of said bill and be it further

RESOLVED that the said Town Attorney be and he is hereby directed to take such actions as he shall deem advisable to cause said bill to be withdrawn defeated or amended. Carried.

Moved by Mr. Wildy seconded by Mr. Brennen and was duly adopted.

RESOLVED that Philip J. Kaiser Special Constable be and he is hereby remaooved from office and that the Town Clerk be instructed to serve a copy of this resolution of Philip J. Kaiser.

Dated June 5th, 1911.

Adjourned.

Alois Schiesel

Town Clerk

Cheektowaga June 19th, 1911

Special meeting of the Town Board of the Town of Cheektowaga held at the house of Alois Schiesel Town Clerk there was present Wildy, Schiesel, Fossett, Brennen, Durringer and Monin absent Forster.

The following preamble and resolution presented by Mr. Fossett and seconded by Mr. Durringer was duly adopted: -

Whereas the Depew and Lancaster Light Power and Conduit Company has by application in writing dated the 17th day of June 1911 applied to the Town Board of Highway Superintendents of the Town of Cheektowaga Erie County New York for permission to place along the south side of William Street in said Town three poles with wires and cross arms in order to supply power to the plant of American Agricultural chemical company at its Milson plant in the Village of Sloan now therefore be it

RESOLVED that permission be and it is hereby granted three additional poles along the south side of William Street between the plant of the Buffalo Fertilizer company and the Milson plant of American Agricultural Chemical Company in the Village of Sloan New York under the following conditions. To wit: -

First: - The said poles wires and crossarms shall be located and erected under the direction of the Town Board of Highway Superintendents of the Town of Cheektowaga.

Second: - The said Depew and Lancaster Light Power and Conduit Company shall construct and maintain said poles wires and appurtenance attached thereto in a safe and proper manner and so as not to interfere with the use of said highway by the public and shall save the Town of Cheektowaga harmless from all loss or damage sustained through the negligence of said Depew and Lancaster Conduit Company, in or about its occupation of said highway.

Dated June 19th 1911

The following resolution presented by Mr. Brennen seconded by Mr. Monin was duly adopted.

RESOLVED that the Town Attorney be and he is hereby directed to prepare a draft of an ordinance or of ordinances for the proper regulation of Railroad crossings over highways in the Town of Cheektowaga.

The following resolution presented by Mr. Fossett seconded by Mr. Brennen was duly adopted.

Whereas there is now before the governor of the State of New York awaiting his action, senate bill No. 759, 1567 introduced by Mr. Burd providing for the refund by the County of Erie of certain moneys erroneously collected from tax payers in the several Towns of said county and

Whereas it is the honest judgement of the Town Board of the Town of Cheektowaga that this bill should in the interest of Justice and fairness be approved and become law so that those who have been wronged may have an opportunity of reimbursement for the money erroneously taken from them, now, therefore be it

RESOLVED that his excellency the governor of the state of New York be and he is hereby respectfully urged to approve the said measure and be it further

RESOLVED that the Town Attorney of the Town of Cheektowaga be and he is hereby authorized and directed to appear before the governor at any hearing if one be given and urge the approval of the said act.

Dated June 19, 1911.

Adjourned.

Alois Schiesel

Town Clerk

Cheektowaga June 29th, 1911

Special meeting of the Town Board and Board of Highway Superintendents held at the house of Michael Bittermans in said Town on the 29th day of June 1911 there was present Wildy, Schiesel, Fossett, Durringer, Brennen and Monin.

Whereas this Town through its attorney did on the 14th day of January 1911 take an appeal on the 14th day of January 1911 take an appeal to the appellate division of the Supreme Court fourth department of this state from that portion of the determination made by the public service commission in and for the second district of the state of New York on the 16th day of November 1909 and filed in the office of the clerk of said public service

commission for the second district of New York which relates to the Losson Road as therein specified: and

Whereas, the terminal railway of Buffalo has offered, subject to the approval of said Public Service Commission to change alter, modify and improve the westerly approval to the viaduct of the Losson Road as appears upon the map and plan filed this day with this Board by the terminal railway of Buffalo and marked exhibit (A):

Moved by Mr. Fossett and seconded by Mr. Brennen that the attorney for the Town of Cheektowaga be directed to appear before the public service commission of the second district and request that said determination made on the 16th day of November (1909) be modified in accordance with the said plan (A) so filed with this Board and that upon the approval of the said public service commission being secured that the attorney for the town be directed to withdraw the said appeal taken with reference to Losson Road on the 14th day of January (1910) as aforesaid and also that the existing highway between the points of junction with the new highway be closed and discontinued when the new highway including the bridge and approaches shall have been fully constructed and opened for public use.

Carried. Adjourned.

Alois Schiesel

Town Clerk