

Planning Board Minutes January 27, 2009

BOSTON PLANNING BOARD JANUARY 27, 2009

PRESENT: David Stringfellow, Chairman

Mark Coppola

Bill McGirr

David Ruzzine

Rick Skinner

EXCUSED: Keith Clauss

ABSENT: Patricia Hacker

ALSO Cathy Maghran Councilwoman ? Town Board Liaison

PRESENT: Brian Downey Town Attorney

Thelma Faulring Secretary to the Boards and Committees

Chairman Stringfellow called the meeting to order at 7:30 PM. He also advised those present that any vote would have to be a majority vote of four members. Currently there are no alternate members and so no appointment was made this evening to act as a regular member in place of Mrs. Hacker or Mr. Clauss.

MINUTES

Mr. Stringfellow asked if there were any additions or corrections to the minutes of December 9, 2008. Being none Mr. McGirr made a motion to accept the minutes, seconded by Mr. Coppola. All were in favor.

GENERAL CORRESPONDENCE

Secretary reported the following:

- ? Planning Board letter dated December 10, 2008 to the Town Board with Planning Board election results
- ? Planning Board letter dated December 10, 2008 to the Town Board with the recommendation of appointment for Keith Clauss as a regular member
- ? Erie County Department of Environment and Planning dated January 6, 2009 advising of new on-line tutorials offered by New York State to obtain required four hours of annual training (previously mailed)
- ? Erie County Department of Planning and Department of Health advising of a Review / Planning Workshop (previously mailed)
- ? Town Board letter dated December 18, 2008 to Keith Clauss advising him of his appointment to the Planning Board
- ? Code Enforcement Officer Ferguson's December End of Month Report
- ? Deputy Code Enforcement Officers' Lisowski and Juda December End of Month Report

PLANNING BOARD CONSULTANT APPOINTMENT DISCUSSION

Mr. Stringfellow stated that not everyone in attendance this evening was in attendance during the interviews with Wendel Duchscherer and Nussbaumer & Clarke.

Correspondence:

- ? Received Schedule of Fees from Wendel Duchscherer, which were mailed to the Planning Board members for their review.

Mr. Stringfellow: I met with the bookkeeper and the Planning Board budget in 2009 for contract services is \$3250.00. Wendel Duchscherer is slightly over that; Mr. Brox quoted \$225.00 per meeting with a minimum of ten meetings per year.

A very lengthy discussion followed.

Mr. Skinner made a motion not to consider Nussbaumer Clarke for 2009, seconded by Mr. Ruzzine. All were in favor.

Mr. Coppola made a motion to make recommendation to the Town Board for the appointment of Wendel Duchscherer as Planning Consultant for 2009.

Mr. Stringfellow: There is a motion, is there a second? Hearing no second the motion dies.

Mr. Skinner: I'll make a motion to recommend Mr. Brox for Planning Consultant for 2009.

Mr. Ruzzine: I'll second.

Mr. Stringfellow: There is a motion made and seconded. Is there any further discussion?

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Mr. McGirr: My only concern is with his health.

Mr. Downey: I was left with the impression that Wendel Duchscherer would come in mid-term if Mr. Brox is unable to continue. Mrs. Hacker talked to Mr. Brox about his health issues and he would be gentleman enough to let us know if he is unable to continue.

In response to some comments: cost has to be taken into account; it's unrealistic not to consider cost. Right now everything is cut back. We don't know what else may have to be cut. It might be different if we had some absolute big projects on the horizon; I think that is something that has to be taken into account.

Mr. Stringfellow: If there is no other discussion we'll take a vote on the motion.

Secretary Faulring: The motion is to recommend appointment of Richard Brox as Planning Consultant for 2009.

Mr. Coppola nay

Mr. McGirr aye

Mr. Ruzzine aye

Mr. Skinner aye

Mr. Stringfellow aye

Mr. Downey: I was impressed with Wendel Duchscherer, as I think many of you were. There was a suggestion as to making the application site plan process, etc., to pay for itself, not profit making, but to make it pay for itself, which would also pay for them, somewhat self-serving. Make a user fee, but a true user fee. You pay for what you get and you get what you pay for. They said that they would have some suggestions so that's something that we may want to look at and talk to them again; they may have some ideas as how to define that difference; if that is a strong consideration.

Mr. Stringfellow: There is no reason the taxpayers of Boston should be paying to help companies start businesses in Town. We should be collecting enough fees to pay our costs. A lot of the costs are in a sense, fixed costs: the secretary has a salary, reviewing site plans. Right now I don't have any way of finding out how much the Town is taking in for the things that the Planning Board does.

Mr. Downey: The Town Board in January always approves its Schedule of Fees. They are now working on final revision changes to the Code Book, so now would be the time to make any suggestions.

Discussion followed on fees, what do other towns charge, and how to break even.

PROSPECTIVE MEMBER APPOINTMENT DISCUSSION

Discussion followed on the request of Donald Mania for appointment to the Planning Board.

Mr. Stringfellow: Would someone like to make a motion that we do or do not recommend his appointment?

Mr. Coppola: I'll make a motion that we do not recommend his appointment.

Mr. Ruzzine: I'll second.

Mr. Downey: I believe the proper procedure would be to ask for a motion to recommend, and then if that fails we can tell the Town Board there was no motion to recommend.

Mr. Coppola: I'll withdraw my motion.

Mr. Stringfellow: Is there a motion to recommend Donald Mania as an alternate member?

There was no motion.

PLANNING BOARD ?HOUSEKEEPING?

Secretary Faulring distributed a schedule of ?first Planning Board discussion? of referrals from the Town Board.

Mr. Downey said that with the acceptance of the new Code, this schedule would be a moot point.

Secretary Faulring asked, which of the following, the members wanted/needed for general correspondence:

- ? Planning Board letters to the Town Board with recommendation for appointment
- ? Planning Board letters to prospective members advising of interview date and time
- ? Planning Board letters to the Town Board advising of Election of Officers
- ? Town Board letters to prospective members advising of their appointment to the Planning Board
- ? Code Enforcement Officer and Deputy Code Enforcement Officer's End of Month Reports

After discussion, the members asked that they be given the CEO and DCEO End of Month Reports. One copy of the other reports will be given to the Chairman and one copy will be kept for the file.

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Secretary Faulring also advised the members that if they call her home and leave a message that they will not be in attendance, they will be marked excused instead of absent, as long as the message is left prior to starting time of the meeting. Also, the Community Room door is to be used as a back entrance to the Town Hall until the usual back door repair is completed.

LIAISON ? COUNCILWOMAN MAGHRAN

Mrs. Maghran had no report for this evening.

TOWN ATTORNEY DOWNEY

Mr. Downey: We have been going over the Code Revisions with the Town Board, so that hopefully we can schedule a Public Hearing soon to get these revisions into the Code Book. Was it this Board that recommended Section 123-128, ?Prohibition on Mixed Use? be eliminated in its entirety; and if so, why?

Discussion followed.

Secretary Faulring said that she did not believe that the Planning Board even got that far with their recommendations for Code revisions. She will check the minutes and tapes from previous meetings to see, through what Code Section was completed by the Planning Board.

Mr. Stringfellow asked that the members of the Board be advised as to what Sections were completed by the Planning Board with their revision recommendations.

Chairman Stringfellow asked if there was any further business for this evening.

Being none, Mr. Coppola made a motion to adjourn at 8:39 PM, and seconded by Mr. McGirr. All were in favor.

Respectfully submitted,

Thelma Faulring

Secretary to the Boards and Committees