

## Town Board Minutes April 15, 2009

Present: Supervisor William A. Eagan, Councilmen James E. Pluta and Richard K. Hawkins and Councilwoman Cathy A. Maghran.

Excused: Councilwoman Cathleen M. Dobson

Also Present: Town Attorney Downey, and Code Enforcement Officers Ferguson, Lisowski and Juda.

Reverend Bonnie Bates, Faith United Church of Christ opened the meeting with a prayer.

A motion was made by Supervisor Eagan and was seconded by Councilman Hawkins to authorize Supervisor Eagan to enter into a contract with Jack Hanania as Project Inspector for the construction of the New York State Police Barracks, at an estimated cost of \$38,000, beginning April 20, 2009 until completion.

four (4) Ayes Carried

A motion was made by Councilwoman Maghran and was seconded by Councilman Hawkins to authorize Supervisor Eagan to enter into a contract with TVGA Engineers, for Construction Administrative Services for the construction of the New York State Police Barracks, at an estimated cost of \$58,000.

four (4) Ayes Carried

A motion was made by Councilman Pluta and seconded by Councilman Hawkins to approve the minutes of 04/1/09.

four (4) Ayes Carried

A motion was made by Councilman Pluta and seconded by Councilwoman Maghran, upon review by the Town Board, that fund bills on the Abstract dated April 9, 2009 in the amount of \$160,214.24 be paid.

four (4) Ayes Carried

A motion was made by Councilman Pluta and seconded by Supervisor Eagan to approve the Use of Facility Application for Boy Scout Troop 491 for June 14, 2009.

four (4) Ayes Carried

A motion was made by Councilwoman Maghran and seconded by Councilman Hawkins to set the summer schedule as follows:

July 15 Wednesday 5:30 PM Agenda Review

7:30 PM Town Board

August 5 Wednesday 5:30 PM Agenda Review

7:30 PM Town Board

four (4) Ayes Carried

A motion was made by Councilwoman Maghran and was seconded by Supervisor Eagan to appoint the following to the Summer Recreation Program starting June 1, 2009 through August 10, 2009:

Name	Position	Hourly Wage
Cary Catonia	Site Supervisor	\$10
Doris Pilato	Supervisor/Arts-Crafts/Asst Site	\$10
Jennifer Trim	Site Supervisor	\$10
Amanda Vara	Site Supervisor	\$10
Samantha Vara	Supervisor/Tennis	\$10

four (4) Ayes Carried

A motion was made by Councilwoman Maghran and was seconded by Councilman Hawkins to approve the directional signs labeled as numbers 7, 8 & 9 the on plot plan submitted for Tim Horton's, 7074 Boston State Road, dated 3/12/09.

four (4) Ayes Carried

Received and filed monthly reports from the Supervisor, Town Clerk, Tax Collector, Assessor, Code Enforcement Officers and Dog Control Officers.

Town Clerk Shenk noted that a blood drive will be held on Tuesday, April 21, 2009 from 2:30 pm to 6:30 pm.

A motion was made by Councilman Hawkins and was seconded by Supervisor Eagan to allow Highway Superintendent Telaak to sell a used piece of surplus plastic pipe to Dave Schupp for \$200.

four (4) Ayes Carried

Supervisor Eagan requested that a copy of the request be given to Town Clerk Shenk.

Highway Superintendent Telaak noted that the Erie County Sewer Project on Valley Circle Lane will be bid this summer and should start this fall.

Highway Superintendent Telaak requested permission to have TVGA Engineers prepare a set of plans for the design and bid out the drainage work at Richard Jerome's property on Liebler Road.

Councilman Pluta asked if Highway Superintendent Telaak thought it was necessary for TVGA to do the work.

Highway Superintendent Telaak commented that the Highway Department does not have the time to do this project. He stated that an excavator would have to be rented at \$750 a week.

Supervisor Eagan asked how long it would take the highway department to do the work.

Highway Superintendent Telaak stated that it depended on what they ran into with the utilities, gas lines and the weather. He noted that there is a 6 inch main gas line that would be crossed and a lot of rock has to be hauled.

Councilman Pluta asked if Highway Superintendent Telaak was requesting that the Town Board approve TVGA to do the Engineering design?

Highway Superintendent Telaak stated yes, then would like it bid out.

Supervisor Eagan noted that he did not disagree with TVGA developing the design, but noted that the bidding needs to be discussed. He noted that if the Highway Department can do it cheaper then that would be the right thing to do in the best interest of the taxpayers.

Highway Superintendent Telaak noted that the Highway Department doesn't really have time to get into a major project when they haven't even started patching roads or cleaning ditches. He recommended that the plans be drawn and the job be put out to bid.

A motion was made by Councilman Pluta and was seconded by Councilwoman Maghran to allow TVGA to complete the design work for the Liebler Road project and address the bidding process after the plans are completed.

four (4) Ayes Carried

Highway Superintendent Telaak stated there are some uprooted trees within the town that are hanging over power lines and streets. He noted that when these trees are on private property, the homeowner is responsible.

Highway Superintendent Telaak inquired as to the status of Keith Kaszubik's property on Maple Grove Drive regarding the appraisal?

Town Attorney Downey noted that a couple appraisers have been contacted and is awaiting their feedback on the cost.

Highway Superintendent Telaak stated that brush pickup continues and chips are available.

Highway Superintendent Telaak stated that there was an article in the Hamburg Sun about him spending \$300 on Christmas Decoration removal. He commented that this past year the Town Board spent \$687.

Supervisor Eagan noted that Highway Superintendent Telaak rented a bucket truck that could have been borrowed from the Town of Hamburg at no cost at that time.

Highway Superintendent Telaak asked why the Town of Hamburg charged us this time.

Supervisor Eagan noted that is the Town of Hamburg's position now.

Highway Superintendent Telaak asked why the Town Board approved the purchase of four jackets December 2008 and now have a problem with the purchase of two more.

Councilman Pluta stated that when the bills were reviewed they were not clear on what they really were. When the second billing came, he questioned it more.

Highway Superintendent Telaak stated that the purchase request was signed.

Supervisor Eagan stated that the Town Board has the right to question when \$144 is being spent on one winter jacket.

Highway Superintendent Telaak stated that the new Parks Superintendent was officially appointed on April 1, 2009, but from a reliable source heard that he has been paid since January, 2009.

Supervisor Eagan stated that was correct.

Highway Superintendent Telaak inquired what the new Parks Superintendent has been doing to receive a paycheck.

Supervisor Eagan stated whatever he was asked to do. Supervisor Eagan stated that he would have to get a written report from the Parks Superintendent.

Highway Superintendent Telaak stated that the Town Board has the Highway Department plowing the Town Hall, Trooper's Barracks and Park and Ride when you are paying for a gentleman to sit at home and collect \$400 every pay period, when there is a brand new snow plow sitting in the shop.

Supervisor Eagan stated that the town had to purchase the snow plow because Highway Superintendent Telaak decided not to plow those areas because he didn't get reappointed as the Parks Superintendent at the organizational meeting. Supervisor Eagan stated that Highway Superintendent Telaak claims that the Parks Department was responsible for plowing. Supervisor Eagan asked who, and with what equipment, plowed these lots when Highway Superintendent Telaak was the Parks Superintendent. All the people plowing and all the equipment used were from the Highway Department. Before January 8th, 2009, the Highway Department always plowed the facilities in question.

Highway Superintendent Telaak stated that it was always him.

Supervisor Eagan asked Highway Superintendent Telaak what equipment was used to do the plowing.

Highway Superintendent Telaak stated it was his pickup truck, which is Highway equipment. He stated that he should have been charging the town to use that truck to plow these lots. A Parks Superintendent plowed these lots. He asked when within the last four years did this Town Board ever direct him, as Highway Superintendent, to plow these lots.

Supervisor Eagan stated that long before Mr. Telaak became Highway Superintendent, Clarence Kreitzbender and Gene Ruchalski plowed these facilities, and they weren't Parks Superintendents.

Highway Superintendent Telaak stated that the Highway Superintendent takes care of the Highways. The Town Board never directed him to plow these lots until January, 2009.

Councilman Pluta noted that the residents on Butternut Road are inquiring about how they can obtain cable service.

Councilman Pluta also noted that residents on Meadow Drive are concerned about the traffic with Tim Horton's opening. He asked Highway Superintendent Telaak to install Local Traffic Only signs there.

Councilman Pluta noted that Saturday, May 2 at 10 a.m. is the Town of Boston 5th annual Earth Day Fishing Derby.

Councilwoman Maghran noted that Saturday, May 9th from 9am-2pm there will be a Household Hazardous Waste Drop off at Erie Community College North Campus.

Councilman Hawkins noted that he met with Legislator Reynolds and Mark Gaston from Erie County Soil and Water in regards to the Eighteen Mile Creek projects. A list of projects to be worked on will be submitted to him by May 15th.

Received and filed notice from the Zoning Board of Appeals recommending the reappointment of Ralph Gibson as Chairman for 2009.

A motion was made by Supervisor Eagan and seconded by Councilwoman Dobson to adjourn the meeting at 7:53 p.m.

four (4) Ayes Carried

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DAVID J. SHENK, TOWN CLERK