

Town Board Minutes April 2, 2003

REGULAR BOARD MEETING TOWN HALL

APRIL 2, 2003 7:30 P.M.

Present were Councilman Damian P. Wiktor, Councilman Richard K. Hawkins, Councilman Karl J. Simmeth Jr., Councilman Dennis J. Mead, Supervisor William A. Eagan, Highway Superintendent Wayne C. Kreitzbender and Town Attorney Kelly A. Vacco.

Florence Wendling, St. John the Baptist Roman Catholic Church, opened the meeting with a prayer.

RESOLUTION 2003-12 AMEND BOND RESOLUTION 1996-26

FOR WATER DISTRICT NO. 3

Supervisor Eagan announced that a not-for-profit Boston Community Foundation is being formed to diversify the Town's funding sources for projects that are difficult to acquire funding for using only state, federal or county programs.

A motion was made by Supervisor Eagan and seconded by Councilman Wiktor to approve an amount not to exceed \$1,300 toward the application fees and legal preparation for the creation of the Boston Community Foundation.

five (5) Ayes Carried

Directors on the Boston Community Foundation will be from the business community. The Town Supervisor and a Town Councilman will sit on the Board as liaisons but will not have voting rights.

A motion was made by Councilman Hawkins and seconded by Councilman Simmeth to appoint Councilman Mead as Town Board Liaison to the Boston Community Foundation.

five (5) Ayes Carried

Supervisor Eagan reported that a \$90,000 FEMA Block Grant fund was received toward the Irish Gulf Bank Stabilization Project.

A motion was made by Councilman Simmeth and seconded by Councilman Mead to authorize Supervisor Eagan to execute an agreement with Foit-Albert Engineering for Engineering Services for the Irish Gulf Bank Stabilization Project.

five (5) Ayes Carried

A motion was made by Councilman Simmeth and seconded by Councilman Hawkins to adopt the minutes of the March 19, 2003 regular meeting.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Wiktor, upon review by the Town Board, that the fund bills on Abstract #4, dated April 2, 2003, amount of \$34,387.20 be paid.

five (5) Ayes Carried

Received and filed notification of Adelphia Cable Franchise Fee Changes.

Received and filed NYS DEC Annual Well Report.

REQUESTS FROM THE FLOOR

Leo Obad, 7287 Woodland Drive: After the snow plowing our streets are torn up and we have to pay our highway crew again to return and fix it. There must be another solution. Perhaps we have to retrain our snowplowers or hire an outside firm. The land about five feet from the road is torn up all around the subdivision.

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REQUESTS FROM THE FLOOR (CONT.):

Highway Superintendent Kreitzbender: What residents call their lawn is Highway right-of-way and it is higher than the road. State law states that snow shall be removed from the road and the right-of-way. Extending the blacktop is major rehabilitation.

Leo Obad: Is there an ordinance regarding fences being proposed in Boston? I got a lawyer and still have problems with a neighbor that put up old wood, metal and political signs for a fence.

Supervisor Eagan noted that this should be addressed and Town Attorney Vacco and Code Enforcement Officer Lisowski will review ordinances in surrounding towns.

Councilman Wiktor: The Town would need to adopt a town code regulating heights and types of fences.

Received a request from Patchin Fire Co. to amend their request for use of the Town Park facilities for the Boston Community Days event from July 9-14th to June 18-23, 2003. Alcoholic Beverages will be served and a Certificate of Insurance has been submitted.

A motion was made by Councilman Mead and seconded by Councilman Wiktor to grant the Patchin Fire Company use of the Town Park facilities for the Community Days Event for June 18-23, 2003.

five (5) Ayes Carried

Received a request from Boston Fire Company to amend their request for use of South Boston Park from June 21 to June 7, 2003 for a family picnic. Alcoholic Beverages will be served and a Certificate of Insurance has been submitted.

A motion was made by Supervisor Eagan and seconded by Councilman Mead to grant the Boston Fire Company use of the South Boston Park on June 7, 2003 for a family picnic.

five (5) Ayes Carried

RESOLUTION 2003-11 NYS UNIFIED COURT SYSTEM

JUSTICE COURT ASSISTANCE PROGRAM

A motion was made by Councilman Wiktor and seconded by Councilman Mead, on the recommendation of Recreation Director Clesse, to re-appoint the following to the Summer Day Camp, term effective immediately and to expire on August 31, 2003:

NAME TITLE HOURLY WAGE

Mary Callahan Day Camp Director \$2,500 per season

Kate Barbati Camp Counselor \$ 5.95

Tracy Guzzetta Counselor \$5.65

Cathleen Klein Counselor \$5.95

Emily Lundberg Counselor \$5.50

Andrew Mead Camp Counselor \$5.85

Jennifer Oliveri Camp Counselor \$5.75

Kellie Rosiek Camp Counselor \$5.50

Nathan Wright Camp Counselor \$5.75

Cassandra Clark Counselor/lifeguard \$5.50/7.25

Michael McCloud Counselor/lifeguard \$5.50/7.25

Kelly Murphy Craft Supervisor \$6.15

Jill Thomas Craft Supervisor \$6.15

Doris Pilato Consultant \$7.00

Amanda Vara Ast. Site Supervisor \$6.25

Scott Bihl Site Supervisor \$7.60

Robert Rooney Site Supervisor \$7.60

Andrew Smith Site Supervisor \$8.00

Ashley Guzzetta Sub. Camp Counselor \$5.25

five (5) Ayes Carried

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A motion was made by Councilman Mead and seconded by Councilman Simmeth, on the recommendation of Recreation Director Clesse, to schedule the Yellow Bus Transportation bid opening for April 28, 2003 at 10:00 a.m.

five (5) Ayes Carried

A motion was made by Councilman Simmeth and seconded by Councilman Mead to approve the following transfer of appropriations:

General Fund:

From: Estimated Revenues A510 125,125.02

Approp. A960 20,505.56

Justice Court-Per Svc 1110.1 597.62

Street Lighting contractual 5182.4 7,121.41

Youth Programs-Per svc 7310.1 12,786.53

State Aid-traffic Light 3089 32,109.01

Federal Aid-Erosion 4089 93,016.01

TOTAL 145,630.58 145,630.58

To: Appropriation A960 145,630.58

Justice Court Contractual 1110.4 597.62

Town Attorney Contractual 1420.4 83.27

Engineering Contractual 1440.4 7,512.00

Building-Equipment 1620.2 8,012.30

Building-Contractual 1620.4 1,076.84

Traffic Control-contractual 3310.4 32,109.01

Garage Contractual 5132.4 3,173.53

Historian Equipment 7510.2 50.00

Erosion & Flood-Contract 8745.4 93,016.01

TOTAL 145,630.58 145,630.58

HIGHWAY FUND:

From: Appropriation D960 36,408.86

General Repairs-Per Svc 5110.1 24,376.81

Snow Removal, Tn-Per Svc 5142.1 6,016.02

Svc Other Gov't-Snow 5148.1 6,016.03

TOTAL 36,408.86 36,408.86

TO: Appropriation D960 36,408.86

Machinery-Equip. 5130.2 35,013.95

Unemployment Ins. 9050.8 901.82

BAN interest 9730.7 493.09

TOTAL 36,408.86 36,408.86

five (5) Ayes Carried

Received an application for a Soil Removal Permit from Gregory Dake, 7825 Back Creek Road.

A motion was made by Councilman Mead and seconded by Councilman Wiktor to grant a Soil Removal Permit to Gregory Dake, 7825 Back Creek Road.

five (5) Ayes Carried

Received an application from Robert Rucker for rezoning a vacant lot on Boston State Road from C-1 to R-3, SBL# 242.00-1-10-12.

A motion was made by Supervisor Eagan and seconded by Councilman Mead to refer to the Planning Board an application from Robert Rucker for rezoning a vacant lot on Boston State Rd. from C-1 to R-3, SBL#242.1-10-12.

five (5) Ayes Carried

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Received Annual Refuse License for BFI and Waste Management.

On March 28, 2003 at 10:00 a.m. the following bids for (2) New and Unused Ford 550 Truck Cab and Chassis or Equal were opened and read aloud:

McCarthy Ford \$22,550.00

Emerling Ford ? Mercury \$24,055.00

Bison Truck Center \$24,494.00

Delacy Ford Inc. \$25,994.00

On March 28, 2003 at 10:15 a.m. the following bid for Chevrolet Silverado 2500HD Ext Cab. was opened and read aloud:

Emerling Chevrolet \$29,911.00

On March 28, 2003 at 10:30 a.m. the following bid for a New and Unused Single Axle 4 Wheel Drive Truck was opened and read aloud:

Boyle?s Motor Sales, Inc. \$116,515.00

On March 28, 2003 at 10:30 a.m. the following bid for a Dump Body, Hydraulic Plow & Wing was opened and read aloud:

Valley Fab & Equip. Inc. \$47,288.00

A motion was made by Councilman Wiktor and seconded by Councilman Mead, on the recommendation of Highway Superintendent Kreitzbender, to award:

McCarthy Ford ? (2) Ford 550 Cab&Chassis -	\$ 22,550
Emerling Chevrolet-2003 ¾ Town Pick-up -	\$ 29,911
Valley Fab Equip.Inc.-Dump Body-Hydraulic	- \$ 47,288
Boyle?s Motor Sales,Inc-Oshkosh Dump Trk -	\$116,515

five (5) Ayes Carried

SUPERVISOR REPORT

A) Supervisor?s monthly report for March 2003 was received and is on file in the Clerk's Office.

PROCLAMATION ? MUNICIPAL CLERK?S WEEK ? APRIL 27 - MAY 3, 2003

HIGHWAY SUPERINTENDENT REPORT

Highway Superintendent Kreitzbender thanked the Town Board for accepting the vehicles put out to bid.

Highway Superintendent Kreitzbender reported that April 14, 2003 begins the first brush pick-up which will include the Christmas tree pick-up.

TOWN ATTORNEY REPORT

Town Attorney Vacco reported that there is new drafted legislation regarding pressure logging, recreational ponds and signs for Town Board review and future action.

Town Attorney Vacco noted that regarding the "Children at Play" signs discussed at the previous Town Board meeting, she recommends such signs not be installed in the Hickory Meadows subdivision as it does not speak to the original intent of the signs. "Be a good neighbor" signs or other such signs could be considered.

COUNCILMEN REPORT

RESOLUTION 2003-13 SODEXHO CRISIS WILL DEVASTAE WNY

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COUNCILMEN REPORT (CONT.):

Councilman Wiktor reported that the Traffic Safety Committee held an informational meeting on April 1, 2003 regarding the Holiday Drive subdivision. Drivers are not obeying a "Yield" sign at the intersection of Maplelawn and Holiday. Meadowbrook and North Greenbrier has a "Stop" sign but the intersection of Meadowlawn and Maplelawn has a "Yield" sign. The recommendation of the committee is to request the Highway Department replace the "Yield" signs with "Stop" signs and trim trees at Holiday and Maplelawn to improve visibility.

Highway Superintendent Kreitzbender, in response to Councilman Mead's inquiry, noted that one tree is on the edge of the Highway right-of-way.

Councilman Wiktor reported that a resident on Back Creek Road also requested a "Children at Play" sign.

Councilman Wiktor received a call from a Meadow Drive resident with a drainage problem.

Councilman Simmeth reported that Eighteen-Mile Creek was stocked with 700 Brown Trout. A thank-you to Jim Henry, Larry Quirk and Aaron Antelek for helping with the stocking program.

Councilman Simmeth reported that notification was received from NYS DOT that a speed limit reduction request for Chestnut Ridge Road is not warranted.

Received from Sarah K. desJardins, 7230 Liebler Road, a request for appointment to the Conservation Advisory Council.

A motion was made by Councilman Simmeth and seconded by Councilman Hawkins to appoint Sarah K. desJardins, 7230 Liebler Road, to the Conservation Advisory Council, term to expire 3/1/05.

five (5) Ayes Carried

Councilman Hawkins reported that eligible Emergency Services Personnel receiving a 10% tax break must apply at the Assessor's office before May 1, 2003.

Councilman Hawkins received a Health Advisory Memo regarding Severe Acute Respiratory Syndrome (SARS) for all Disaster Coordinators from Erie County Department of Emergency Services.

A motion was made by Councilman Wiktor and seconded by Councilman Simmeth to adjourn the meeting at 8:20 p.m.

KAREN A. ELLIS, DEPUTY TOWN CLERK.