

Town Board Minutes April 4, 2012

Present: Councilmen Jeffrey A. Genzel, Jay P. Boardway, Lawrence A. Murtha and Gary E. Vara

Absent: Supervisor Martin A. Ballowe

Also Present: Highway Superintendent Telaak, Town Attorney Kobiolka.

The issue of a person being absent or excused has been resolved. The terminology to be used will be absent. This will apply to all boards of Boston.

A motion was made by Councilman Boardway and seconded by Councilman Murtha to approve the minutes of the March 7, 2012 regular meeting.

Councilman Boardway stated that in the Minutes of March 21, 2012 Supervisor Ballowe stated that when Highway Superintendent Telaak took over the Highway Department was \$100,000 in debt. After review of the recording he actually said \$800,000. Today the Highway Department is debt free. This will be corrected for the final approved minutes.

A motion was made by Councilman Boardway and seconded by Councilman Genzel to approve the minutes of the March 21, 2012 regular meeting with the corrected change noted above.

four (4) Ayes Carried

A motion was made by Councilman Murtha and seconded by Councilman Vara, upon review by the Town Board, that fund bills on the Abstract dated March 30, 2012 in the amount of \$69,128.89 be paid.

four (4) Ayes Carried

Received and filed letter from Assemblyman Sean Ryan regarding Industrial Development Agencies of Erie County.

Received and filed Resolution from Town of Lancaster regarding Hydro Fracturing.

Ron Yormick of Deanna Drive requested the status of the valid zoning petition turned in approximately one month ago.

Town Attorney Kobiolka responded that the petition was forwarded to the Town Engineer, Hannon, to determine what percentage of signatures actually makes up the needed 20%. They are planning a meeting the beginning of next week. They do not have a determination at this point.

Kathy Praczkajlo invited the public to the general membership open house for the Historical Museum on May 15, 2012 in the Community Room; Potluck Dinner at 6 p.m., and a Presentation on Herbal Gardening at 7 p.m. The museum will be opening their doors in May.

A motion was made by Gary Vara and was seconded by Larry Murtha to accept the resignation of Patrick Penrod from the Zoning Board of Appeals.

four (4) Ayes Carried

A motion was made by Supervisor Ballowe and was seconded by Councilman Boardway to approve the total pay increase for the month of April for Jennifer A. Mulé to \$918.84 and Elizabeth A. Martin to \$1,308.98.

four (4) Ayes Carried

The salary adjustment for the month of April 2012 for Deputy Town Clerk Jennifer Mule' increased bi-weekly \$1,673.65 from regular bi-weekly \$1,214.23 for a difference of \$459.42 bi-

weekly adjustment. April 13th and 20th, # of pay periods is two. Total pay increase for April is \$918.84. Deputy Town Clerk Elizabeth Martin went from 19 hrs. per week to full time increased bi-weekly \$1,214.23 vs. 38 hrs. @ \$14.73 = \$559.74. Bi-weekly adjustment is \$654.49. April 13th and 20th, # of pay periods is two, for a total of \$2,428.46. Previous part time wages: 19 hrs./wk. @ \$14.73, four weeks = 76 hrs. @ \$14.73 =

\$1,119.48. Total pay increase for April is \$1,308.98.

At 7:40 p.m. a Public Hearing was held to hear comments regarding granting a franchise to Donald Rachwal residing at 5474 Keller Road, Boston, NY to mow, trim and/or cultivate the vacant land owned by the Town of Boston at 8555 Boston State Road, Boston New York SBL# 227.00*5*57.11 for the term of April 4, 2012 to October 30, 2012

Councilman Boardway read the legal notice.

Councilman Boardway noted that Mr. Rachwal would like to plant corn on that property. This is a Right to Farm Community. Because the town owns this property the town must legally grant him a franchise, which will run to the end of the growing season for \$1.00. It is open to anyone else in the future.

There were no public comments.

A motion was made by Councilman Boardway and seconded by Councilman Genzel to close the Public Hearing at 7:42 p.m.

four (4) Ayes Carried

RESOLUTION 2012-05 A RESOLUTION GRANTING A FRANCHISE TO MAINTAIN VACANT LAND AT 8555 BOSTON STATE ROAD, BOSTON, NEW YORK UNDER §64(7) OF THE NYS TOWN LAW.

A motion was made by Councilman Boardway and was seconded by Jeff Genzel to approve the Application for Use of Facility for Paula Litwin for July 15, 2012 from 11 a.m. to 6 p.m.

four (4) Ayes Carried

Councilman Boardway filling in as Deputy Supervisor reported that Supervisor Ballowe is on vacation and wishes everyone a safe, healthy and enjoyable holiday.

Councilman Boardway reported that he had attended meetings throughout the week with different organizations; mostly with the fire service.

Councilman Boardway noted that the town is continuing to work with the Auditing team on The Service Award Program which was investigated after the 2010 year for award system points. There has been some suggestions made by the company that handles this money for us regarding the point system; they are in the process of refining the point system for 2011. The board is in the process of making final approvals to award the service award contract points for the various companies.

A motion was made by Councilman Murtha and was seconded by Councilman Vara to refer the request for appointment from Richard Skinner to the Planning Board for review and recommendation.

Councilman Murtha Aye Councilman Vara Aye

Councilman Boardway Nay Councilman Genzel Nay

two (2) Ayes two (2) Nays Failed

Attorney Kobiolka explained that a motion was made, but did not receive a majority, so it failed.

Councilman Vara asked if there were any openings on the Planning Board. Deputy Town Clerk Mule' responded that there are two alternate positions open. Councilman Vara asked if those two positions were going to be left vacant.

Deputy Town Clerk Mule' reported that the next Blood Drive will be on Tuesday, April 17, 2012, from 2:30 p.m. to 6:30 p.m. in the Community Room. There will also be a Lyme Disease Seminar on Tuesday, April 17, 2012 in the Court Room at 7 p.m.

Parks Superintendent Telaak noted that brush pickup continues. Get your brush to the roadside as soon as possible, stacked neatly with no stumps. The leaf machine is not in operation so any leaves needing pick up should be bagged. Call the Highway Department to schedule pickup.

Highway Superintendent Telaak noted that the Highway Department has been working on Liebler Road drainage. Also, they have been working on Rice Road. The Highway Dept. has fill and wood chips.

Councilman Murtha noted that there is a cleanup scheduled for April 14, 2012 at the Historical Society Museum starting at 10 a.m. Everyone is welcome to help. If interested in becoming a guide for the Historical Society, training is April 22, 2012 from 2 p.m. to 4 p.m. Councilman Murtha stated his frustrations with not being able to help the residents who are losing their backyards and in some cases, substantial property. There are residents requesting speed limit reduction signs and/or children at play signs. He has not been able to help too many people, because he feels he is not getting cooperation.

Councilman Genzel as Planning Board Liaison noted that the last meeting was a work session only, because there was no agenda. He did not attend that meeting. The next meeting will be April 10, 2012 at 7:30 p.m. The Planning Board does have an agenda for that meeting. They are looking for volunteers. Please submit a letter of interest to the Town Clerk's office.

Councilman Genzel as Engineering Liaison spoke with Town Engineer Hannon and the pressure tests are completed on the Cole Road, Water District No. 3, Ext. No. 1. They are waiting for the test results from the disinfectant tests. They should be starting to do the pushes under the road for residents on the opposite side of the main. Cleanup has been ongoing. There have been some companies in the Mill Street and Boston State Road area locating underground utilities. Also, surveyors are going to be in that area, so please drive safely. They are doing a predesign survey for the Boston Cross Road drainage relief project which we received a \$100,000 grant. He and Supervisor Ballowe have signed the grant request for payment of \$100,000..

Councilman Genzel as Boston Community Foundation Liaison noted he is proud to announce that they have already received \$3000 in sponsorships for the fireworks display on July 4, 2012. He would like to make it very clear to the public that no tax dollars are being spent on fireworks. We hope to have all donations from businesses and private citizens. Our goal is to collect \$2,000 more. If anyone would like to make a donation, please send it to the Supervisor Ballowe's Office. The Supervisor's Assistant will be designing a poster to be put up around town for the event.

Councilman Genzel has recently become the Affirmative Action Officer for fair housing and attended training on March 22, 2012. This is required of the Officer to receive Block Grants from the county. Training is required every year for this. Councilman Genzel is the go-between the citizens with housing discrimination claims and the county. If anyone feels they may have been discriminated based on a number of different things, there is literature available in the Town Clerk's Office. You can contact Councilman Genzel anytime if there are any problems with your housing or you have heard of any. We will be able to work on them.

Councilman Vara reported that he met with Peter Martin of Waste Management about solar dumpsters. He said all we needed was a place to put them. He thought they would have been in by today, because he had called yesterday. Councilman Vara spoke with the Parks Department on where they could be located. Since they have not arrived yet, he will stay on top of the situation. There will be an Easter Egg Hunt on Saturday, April 7, 2012 at 1 p.m. for children age 12 and younger.

A motion was made by Councilman Boardway and seconded by Councilman Vara to adjourn the meeting at 7:54 p.m.

four (4) Ayes Carried

JENNIFER A. MULÉ, DEPUTY TOWN CLERK