

## Town Board Minutes April 6, 2011

Present: Supervisor Martin A. Ballowe, Councilmen Jay P. Boardway, Jeffrey A. Genzel, Eugene S. Wieckowski, Jr. and Councilwoman Cathy A. Maghran.

Also Present: Town Attorney Kobiolka.

Rev. James Laun, Churchill United Methodist Church opened the meeting with a prayer.

A motion was made by Councilman Wieckowski and was seconded by Councilman Boardway to extend the Waste Management Contract for (2) two, two-year terms, for a total of four years for the collection, hauling and disposal of mixed municipal solid waste, bulky waste and white goods and collection hauling and processing of recyclables per paragraph eight (8) of the current contract. The price will be \$179.99 per unit for the 2011-12 years and 2012-13 years. There will be a CPI increase capped at 2.5% for the 2013-14 and 2014-15 years. This will be contingent upon the approval of the contract by Town Attorney Kobiolka.

Supervisor Ballowe Abstain Councilman Wieckowski Aye

Councilman Boardway Aye Councilman Genzel Aye

Councilwoman Maghran Aye

four (4) Ayes one (1) Abstain Carried

Supervisor Ballowe abstained from the vote due to conflict of interest.

Councilman Wieckowski noted that this year, each resident paid \$197.93 for garbage collection. We will now go back to 2006 pricing of \$179.99. This will be a savings of \$17.94 per household, \$63,000 town wide.

A motion was made by Councilman Boardway and seconded by Councilwoman Maghran to adopt the minutes of the March 16, 2011 regular meeting.

five (5) Ayes Carried

A motion was made by Councilman Wieckowski and seconded by Councilman Genzel, upon review by the Town Board, that fund bills on the Abstract dated March 31, 2011 in the amount of \$114,115.58 be paid.

five (5) Ayes Carried

Received and filed letter from Gregory & JoAnne Stubbs regarding the increase in tax levy for Water District #2, Ext. #2.

Frank Lisowski stated his concerns about gas well drilling in the Town of Boston. He stated he was not against fracking, but was against the monitoring or lack of it.

Frank Lisowski Cont'd: Last fall he called the DEC and they indicated to him that the Town of Boston was not in the Marcellus Shale area but yet the DEC map show Marcellus Shale all the way from Lackawanna, East Aurora, Wales and into Livingston County. The DEC stated that Hydrofracking was permitted and the state did not have a ban on it only in Marcellus Shale and yet we were in Marcellus Shale, so the DEC did nothing about it. He inquired as to where they dumped the possible 80,000 gallons of contaminated water when they fracked the well next to his property? He feels they may have dumped it into an Eighteen Mile Creek, a protected stream that runs into Lake Erie and Lake Ontario.

Supervisor Ballowe asked Frank Lisowski if he reported the dumping and did he get any pictures.

Frank Lisowski: I found out they were doing the fracking because I had them clean Zimmerman Road and the truck drivers said they were there to frack the wells. I was not there when they dumped the water.

Councilman Genzel: I know they have been taking it to the water treatment facilities.

Frank Lisowski: The City of Buffalo and the Erie County Sewer Authority do not want the water anymore because it is so contaminated. Also, they should be made to return the area to its original condition, or plant grass or some kind of undergrowth. NYS also says we need to have a Storm Water Run-Off Plan. I would like to see the town take over the duty of protecting our drinking water. I would like to see Town Attorney Kobiolka write a code with a large enough fee, where it is profitable for the town's personnel to go out and inspect and any money left over be put into a fund for water line extensions for residents of Boston.

A motion was made by Councilman Boardway and was seconded by Councilwoman Maghran per the recommendation of Code Enforcement Officer Ferguson to reimburse the Boston Fire Company the \$150 Special Permit for Dumping of Material fee paid on February 11, 2011.

five (5) Ayes Carried

RESOLUTION 2011-04 AMENDING THE TOWN OF BOSTON'S PROCUREMENT POLICY OF 2011

A motion was made by Councilwoman Maghran and was seconded by Councilman Genzel to allow Deputy Town Clerk Mule' to attend the NYS Town Clerk's Conference at the Adam's Mark Hotel on May 1-2, 2011, all appropriate expenses to be paid.

five (5) Ayes Carried

A motion was made by Councilwoman Maghran and was seconded by Councilman Wieckowski on the recommendation of Recreation Director Clesse, to appoint the following to the Summer Recreation Program, terms to expire 8/23/11:

Name	Position	Hourly Rate
Mary Lou Zeis	Camp Supervisor	\$12.50
Nicholas Accordino	Counselor/Lifeguard	\$ 8.50

Sarah Telaak Counselor/Lifeguard \$ 8.50  
Tylor Ball Counselor \$ 8.00  
Mandy Burns Counselor \$ 8.00  
Courtney Gorrell Counselor \$ 8.00  
Lauren Gruchala Counselor \$ 8.00  
Jonathan McCloud Counselor \$ 8.00  
Jenna Bloom Substitute Counselor \$ 8.00  
Anita Burns Substitute Counselor \$ 8.00  
Kaelyn Gamel Substitute Counselor \$ 8.00  
Allison Koczur Substitute Counselor \$ 8.00  
Kacie Rich Substitute Counselor \$ 8.00  
Dan Borodzik Counselor \$ 8.00  
Sabree Gamel Substitute Counselor \$ 8.00

five (5) Ayes Carried

A motion was made by Councilwoman Maghran and seconded by Supervisor Ballowe to approve the Use of Facility Application for Boston Youth Baseball for July 28, 2011.

five (5) Ayes Carried

A motion was made by Councilman Genzel and was seconded by Councilman Boardway to schedule a bid opening for the Selective Clearing of the Eighteen Mile Creek Streambed for April 28, 2011 at 10 a.m.

five (5) Ayes Carried

Councilman Genzel noted that bids will be received for the stretch from 219 to Zimmerman Road and selectively cut up logs that are in or hanging over the stream bank. There will be no equipment or any removal of the debris from the stream. This will essentially help us with our logjams and clear up any potential flooding in the future. Councilman Genzel noted that he would eventually like to see a walking path from one end of town to the other along the creek.

Received and filed monthly reports from the Assessor.

Supervisor Ballowe noted that new park benches were purchased and will replace the old wooden ones along the football field which will be safer for the children and will last longer. This will cut down on the maintenance of these benches. We started with five, which will be installed within the next two months here at the town park.

Councilman Genzel noted that the beam, designed by Town Engineer Hannon has been installed in the Recreation Center. He noted that we are moving forward for design and topography for the Water District #3 Cole Road Water Line Extension. Town Engineer Hannon received a letter from Erie County Water Authority stating that there is capacity and we can service 19 more homes.

Councilman Genzel as Planning Board Liaison noted that the Planning Board has approved the Boston Fire Companies new fire hall site plan pending the variance approval. The Planning Board also received an application for a new commercial building on Boston State Road.

Councilman Genzel noted we are waiting for comments on two small town drainage projects from the DEC.

Councilman Genzel noted that the Erie County Storm Water Coalition has a proposal out wanting all the members of the Coalition to pay 25% of a project to go out and map all of the storm water facilities within Erie County.

Councilman Boardway noted that the Town of Boston is in receipt for the bill for Hamburg Dispatch Services for both of our Fire Companies and Emergency Squad. What our residents may not be aware of is the amount of money this costs the town per year. Our bill for dispatch services for 2011 is \$52,949.48. We are paying essentially \$1,000 a week for dispatch services. They have also provided to us an estimated cost of \$55,942 for 2012, which is an increase of

over \$3,000. I will be in contact with the financial officers in Hamburg to see if there is some way to rework this formula to get more efficient dispatch services based on the call volumes our town actually experiences.

Councilman Wieckowski noted that this contract goes back to 1984 and has not been updated since.

Councilman Boardway noted that May 14th is the annual Conservation Advisory Council Fishing Derby.

Councilman Boardway on behalf of the Town Board extended condolences to Trooper Dobson's Family and the entire State Police Force for the tragic accident that took place.

Councilwoman Maghran noted that she attended a meeting with the Boston Historical Society and watched a presentation on the cost and requirements of building a steel building. They are looking for property to house a new Historical Society building. She noted she has been in contact with Grant Writer Connie Miner to see what may be available. There was a tour of the facility with the boy scouts. The Town Board will continue to work with them regarding a contract.

Councilwoman Maghran noted that Recreation Director Clesse is in the process of seeking sponsors and donations for the concert series and have encouraged girl scouts, boy scouts to utilize the concert nights and do some fund raising.

Councilwoman Maghran noted that she is pleased to announce the remodeling of the old troopers barracks for use as the new Town of Boston Recreation Center. There will be a grand opening in June. She thanked the entire Town Board for their support in getting this project underway. There has been no taxpayer money used for this project so far. Legislator Dixon, Senator Gallivan, and Assemblyman Smardz will be donating two laptops to the recreation center. There have been pool, foosball, ping-pong and air hockey tables and some furniture donated. We are also still looking for a small refrigerator.

Councilwoman Maghran stated that applications for the Summer Recreation program are now available on the Town of Boston website.

A motion was made by Supervisor Ballowe and seconded by Councilman Boardway to adjourn the meeting at 8:02 p.m.

five (5) Ayes Carried

---

JENNIFER A. MULE', DEPUTY TOWN CLERK