

Town Board Minutes April 7, 2004

Present were Councilman Brien M. Hopkins, Councilman Karl J. Simmeth Jr., Councilman Dennis J. Mead, Councilman Richard K. Hawkins, Supervisor William A. Eagan, Deputy Town Attorney Michael M. Metzger and Deputy Highway Superintendent Tracy L. Hirsch.

Absent: Town Attorney Kelly A. Vacco

Reverend Sprehe of St. Martin's Lutheran Church opened the meeting with a prayer.

PROCLAMATION ST. MARTIN'S LUTHERAN CHURCH CELEBRATES THEIR 150TH YEAR ANNIVERSARY.

RESOLUTION 2004 ? 13 NEW YORK STATE UNIFIED COURT SYSTEM
JUSTICE COURT ASSISTANCE PROGRAM

A motion was made by Supervisor Eagan and seconded by Councilman Simmeth to adopt the minutes of the March 17, 2004 and the special meeting of March 30, 2004.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Hawkins upon review by the Town Board that fund bills on the Abstract dated March 31, 2004 in the amount of \$95,902.48 plus voucher #179 in the amount of \$176.42 be paid.

five (5) Ayes Carried

REQUESTS FROM FLOOR

Frank Yandura, 6377 Patchin Road, Patchin Fire Co. Assistant Chief/EMS Leader: Chief, Pluta attended your agenda review and announced that that Patchin Fire Company would be going on line as of Thursday, April 15th as a basic life support, non-transporting first response agency. I'm here to answer any questions the board may have regarding the program. The first being is this program going to cost the town? Absolutely not, however, I'd like to bring to the boards attention in regards to cost and the price that the Patchin Fire Company has paid in order to get this program started. It is not necessarily money, but in commitment, time, talents and training that the firefighters go through to get prepared for this program. The Public Access Defibrillation (PAD) program has been a very big success. PAD has been working very well. There was another concern by the Town Board, which was the cost of dispatching. It wasn't an issue when the PAD program went into effect, and it never changed as far as the cost of dispatching that the town pays out. We haven't had any kind of complaints from the Hamburg dispatch regarding that situation.

Supervisor Eagan: I spoke to Bob Mueller from Hamburg dispatch concerning costs for toning out. He too, did not seem to believe there would be any additional costs. I haven't seen any increase with the PAD program. Are you going to be toned out on every call?

Mr. Yandura: No, this program is set up very similar to the way the Buffalo Fire Department is toned out to emergencies. It's called the Buffalo Motto. It's based on EMS dispatching. It's a national program that they have throughout the United States. A true emergency meaning, cardiac arrest, respiratory arrest, where someone is not breathing, has difficulty breathing, chest pain problems and anything that is associated with trauma. It's not for minor injuries. There will never be an ambulance in the Patchin Fire Company.

Councilman Simmeth: Chief Pluta mentioned a letter going to the state that the Boston Emergency Squad was supposed to have signed.

Mr. Yandura: A Mutual Aid Agreement. It's between two agencies, Patchin Fire Company and Boston Emergency Squad.

Mr. Yandura Cont'd: I spoke with Jim Henry, President and he acknowledged they have it and are reviewing it.

Supervisor Eagan: So there will be no transporting/ambulance provisions in your program whatsoever?

Mr. Yandura: Not at all. The primary transporting agency is the Boston Emergency Squad. The Board needs to understand that this program is set up primarily to support and enhance the program that's already in place.

Supervisor Eagan: No contract is needed with the Town?

Mr. Yandura: No. All the paperwork was taken care of years ago. We've just updated it.

Councilman Mead: I know that the Boston Emergency Squad had some issues that they were dealing with. Have you been in communication with them regarding this as far as the transportation and putting this into effect?

Mr. Yandura: Jim Henry, President has the agreement and has acknowledged the fact that they have it.

Supervisor Eagan: As a follow up, I know last year there were a lot of meetings where state and county officials were brought in. Who were those people and what are their positions as far as executing this program?

Mr. Yandura: Dana Jonas, Department of Health, Director of Operations. John Adolph, Erie County EMS Coordinator. Casey Zimera, Western Regional Emergency Service Company. Scott Wander, Director, pre-hospital care. They give us our medical direction. They have been very supportive and look forward to us getting started.

At 7:52 p.m. a Public Hearing was held to Consider the adoption of a resolution Pursuant to section 267 of the Real Property Tax Law of the State of New York whereby certain tax exemptions up to 50 percent of assessed valuation may be granted to real property owners within the Town of Boston of 65 years of age or over, all in accordance with provisions of section 467 of the Real Property Tax Law.

Supervisor Eagan read the legal notice.

Dolores Seufert, President Boston Seniors: I think we are all in favor of it. We are very grateful. We thank you very much.

A motion was made by Councilman Mead and seconded by Councilman Simmeth to close the public hearing at 7:55 p.m.

five (5) Ayes Carried

RESOLUTION 2004 ? 10 SENIOR TAX EXEMPTION

Supervisor Eagan read a resignation letter from Highway Superintendent Kreitzbender effective March 26, 2004.

A motion was made by Councilman Mead and seconded by Councilman Hopkins to accept Highway Superintendent Kreitzbenders' resignation effective March 26, 2004.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Simmeth to approve the Transfer of Appropriations as follows:

General Fund:

From:

Appropriation A960 \$ 7,042.99

Youth Programs-Per. Svc. 7310.1 \$ 7,042.99

To:

Appropriation A960 \$ 7,042.99

Justice-Per. Svc. 1110.1 \$ 79.00

Justice-Contractual 1110.4 \$ 374.58

Buildings-Contractual 1620.4 \$ 1,787.43

Traffic Control-Contractual 3310.4 \$ 269.27

Garage-Contractual 5132.4 \$ 1,942.22

Youth Programs-Contract 7310.4 \$ 2,590.49

Highway Fund:

From:

Appropriation D960 \$16,268.68

General Repairs-Per Svc. 5110.1 \$ 637.37

General Repairs-Contract 5110.4 \$15,631.31

To:

Appropriation D960 \$16,268.68

Machinery-Contractual 5130.4 \$ 4,699.24

Snow Removal-Per Svc. 5142.1 \$ 5,784.72

Snow Removal-Per Svc. 5148.1 \$ 5,784.72

five (5) Ayes Carried

RESOLUTION 2004 ? 11 ELIMINATION OF SUNSET PROVISIONS

TO THE LGRMIF & CEF

RESOLUTION 2004 ? 12 EXTEND PROPERTY TAX DUE DATE FOR

DEPLOYED MILITARY PERSONNEL

A motion was made by Councilman Mead and seconded by Councilman Simmeth to approve the application for use of facility from Recreation Director, Gregory Kummer for the Summer Concert Series for the following Wednesdays, July 7, 14, 21, 28, August 4, 11, 18, 25 and September 1, 2004.

five (5) Aye Carried

A motion was made by Supervisor Eagan and seconded by Councilman Mead to table hiring outside counsel, to represent the Town of Boston regarding a highway termination.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilman Hopkins to appoint the following Boston Emergency Squad members:

Aiple, George O?Bryant, Don

Braun, Jack O?Bryant, Joe

Brown, Ken O?Bryant, Wendy
Crotty, Jenny Odoj, Donna
Crotty, Sean Rich, Michael
Frank, Mike Smerka, Linda
Gerber, Lynn Steward, Larry
Glogowski, Casey Stringfellow, Dave
Helmbrecht, Diane Stringfellow, Peggy
Henry, Jim Thiel, Debra
Kester, William Ware, Pat
Luka, Tom Webber, Kathy
Mead, Robin Wells, Joseph
Measer, David Will, Rosemary
Metcalf, Russell Worth, Ray
Muraco, Chris Yandura, Kathy
Neighbor, Anna Zemrac, Chris
Norton, Mike

five (5) Ayes Carried

A motion was made by Councilman Hopkins and seconded by Councilman Simmeth to forward the Willow Drive turnaround request from Anthony Bernardi to the Planning Board and Highway Department for review and recommendation.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Simmeth to schedule a public hearing for the special use permit application from Marcia Beaumler on May 5th, 2004 at 7:45 p.m.

five (5) Ayes Carried

SUPERVISOR REPORT

The Annual Update Document Report for the year 2003 was received and is on file in the Town Clerk's office. Copies are available upon request.

The Supervisor's Annual Financial report for 2003 was received and is on file in the Town Clerk's office.

Supervisor Eagan thanked Mr. Yandura and the members of the Patchin Fire Company for extending an invitation to attend their installation dinner. It was an honor to swear in your officers.

Supervisor Eagan reported the warranty on the Town Hall roof is scheduled to expire in May of 2004. We have a proposal from Garland Company who put the current roof on in 1994. We discussed that if we had another company do the work, it would cost more. The estimated cost for this work was \$3,800-\$4,200. This budget number is subject to the work being awarded in the next 30 days.

A motion was made by Councilman Mead and seconded by Councilman Hopkins to award Garland Company the work for roof repair, estimated at \$3,800-\$4,200.

five (5) Ayes Carried

Supervisor Eagan reported Earth Day is scheduled for May 1, 2004 at the Boston Valley Elementary School. They will also dedicate of the new playground that will be constructed between April 19th and the 21st. Everyone is welcome.

TOWN CLERK REPORT

A motion was made by Councilman Mead and seconded by Councilman Simmeth to approve the Town Clerk's monthly report for March, 2004.

five (5) Ayes Carried

A motion was made by Councilman Simmeth and seconded by Supervisor Eagan to approve the request of Town Clerk Shenk to send Deputy Town Clerk Ellis to the PERMA Conference, Bolton Landing, New York from May 19-21, 2004. All appropriate expenses to be paid.

five (5) Ayes Carried

Town Clerk Shenk thanked Frank Yandura and the Patchin Fire Company for the privilege of swearing in the officers of the Ladies Auxiliary.

DEPUTY HIGHWAY SUPERINTENDENT REPORT

Deputy Highway Superintendent Hirsch reported that everything at the highway garage is going very well. The crew is busy addressing concerns of residents. If there are any other concerns, the Town Board is more than welcome to contact me.

COUNCILMAN REPORT

Councilman Mead thanked Deputy Highway Superintendent Hirsch for filling in and taking over the responsibilities of the Highway Department. Advertisement for the Highway Superintendent position will run in the media. Deadline for Résumés is April 14, 2004.

Councilman Mead reported that the creative playground at the Boston Valley School raised more money than expected. Because of this, BVS will hire a construction company to assemble the playground. Volunteers are no longer needed. Construction will be done in a quick and professional manner.

Councilman Hopkins thanked Mr. Yandura and the Patchin Fire Company for the invitation to their installation dinner.

Councilman Hopkins thanked Deputy Superintendent Hirsch for his positive efforts in Highway Department..

Councilman Simmeth reported that Erie County Environmental Compliance Services will be selling backyard composting units at TOPS Friendly Market on McKinley Parkway on April 24, 2004 from 8 a.m. to 4 p.m.

Councilman Simmeth read a letter from CAC Chairman Lee regarding the WNY Nursery and Landscapers Association in conjunction with NYSEG to plant ten trees in the Town of Boston. Anyone who has knowledge of dying trees in the Town can call Supervisor Eagan's office.

Councilman Simmeth reported that the sign committee met to discuss the changes of the temporary sign section relating to the duration and their fees. The next meeting will involve discussion on billboards. Orchard Park Town Board is having a public hearing tonight regarding their sign regulation.

Councilman Simmeth is working on getting streetlights in the Hickory Meadow Subdivision and should know the approximate placement of the poles and the cost pertaining to this project shortly.

Councilman Simmeth reported that Town Attorney Vacco modified the Erie County Right of Entry Form to fit the Town of Boston. This form will be discussed with the new Highway Superintendent to give some type of drainage relief to the residents in the Hillcroft/Rollin Drive area.

Councilman Simmeth thanked the New York State Police for their recent speed enforcement on Omphalius Road.

Councilman Hawkins thanked Deputy Superintendent of Highways Hirsch for filling that position as best he can.

Councilman Hawkins reported that the Town will look into lowering the 55 mph speed zone on Zimmerman Road.

TOWN JUSTICE REPORT

A) Town Justice monthly reports for February and March of 2004 were received and are on file in the Town Clerk's Office.

CONSERVATION ADVISORY COUNCIL

A) Received and filed letter from Chairman Lee, regarding a Billboard Amendment to the Boston sign code.

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to adjourn the meeting at 8:16 p.m.

DAVID J. SHENK, TOWN CLERK