

Town Board Minutes August 10, 2011

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

Excused: Councilwoman Cathy Maghran

Also Present: Town Attorney Kobiolka and Highway Superintendent Telaak.

A motion was made by Councilman Boardway and seconded by Councilman Genzel to adopt the minutes of the July 13, 2011 regular meeting.

four (4) Ayes Carried

Councilman Boardway noted that at the last meeting, the Town Board awarded the roof replacement work to Sahlem's Roofing at a cost of \$7,150. We have not been able to get this work scheduled. Procedurally, the Town Board needs to contact the next bidder which was Pat White Construction at a cost of \$9,900. Town Attorney Kobiolka will look into what procedure the Town Board must follow. We will give Sahlem's the courtesy of the awarded bid if they contact us, but we cannot wait as the weather is changing.

A motion was made by Councilman Wieckowski and seconded by Councilman Boardway, upon review by the Town Board, that fund bills on the Abstract dated August 04, 2011 in the amount of \$305,858.35 which includes voucher #644 in the amount of \$600.00 be paid.

four (4) Ayes Carried

Letter from Lisa Dellamore requesting to have No Parking-Tenant only sign installed on Boston Cross Road on the side of the Boston Hotel.

Councilman Boardway noted that this request will be referred to Code Enforcement Officer Ferguson.

A motion was made by Councilman Wieckowski and was seconded by Councilman Genzel to allow Assessor McSkimming to attend the New York State Assessor's Association Seminar from September 11 - September 14, 2011 at the Adam's Mark Buffalo. All appropriate expenses to be paid.

Councilman Boardway noted that because the Assessor's services are shared with the Town of Cheektowaga, expenses are split 60/40, with the Town of Boston's share being 40.

A motion was made by Supervisor Ballowe and seconded by Councilman Wieckowski to approve the Use of Facility Application for Boston Patriots Football/Cheerleading starting August 1, 2011 through November 1, 2011.

four (4) Ayes Carried

A motion was made by Supervisor Ballowe and seconded by Councilman Boardway to approve the Use of Facility Application for Robert Wojcinski for September 10, 2011.

four (4) Ayes Carried

The following quotes were received for a new postal meter:

NAME MONTHLY COST

Pitney Bowes \$284.00

Lineage \$313.31

A motion was made by Supervisor Ballowe and seconded by Councilman Genzel on the recommendation of Deputy Town Clerk Mule', to award the contract for a new postal meter to Lineage at a cost of \$313.31 per month.

four (4) Ayes Carried

At 7:40 p.m. a Public Hearing was held to hear comments regarding the Proposed Establishment of Extension No. 1 to Water District No. 3, in the Town of Boston.

Supervisor Ballowe read the legal notice.

Kathy Graves, 8741 Cole Road: If I choose not to install the water from the main back to my house, do I still incur any expenses?

Town Attorney Kobiolka: Yes, there is a component in the proposal, some for use, and some for benefit. Those who actually use it would also pay a benefit use charge. If you do not connect than you would just pay the benefit charge for it because your property was actually improved by having it.

Kathy Graves: Do you know how much that is?

Town Attorney Kobiolka: I do not have those figures available right now. It was in the Map, Plan, and Report. If you leave your phone number, I could call you tomorrow.

Supervisor Ballowe closed the public hearing at 7:43 p.m.

four (4) Ayes Carried

A motion was made by Councilman Genzel and was seconded by Councilman Boardway that after careful review and upon the recommendation of Town Engineer Hannon the Town Board classify the Water District No. 3, Ext. No. 1 project as a Type 2 action under SEQR and therefore declare lead agency status for the Town of Boston.

four (4) Ayes Carried

A motion was made by Councilman Genzel and was seconded by Councilman Boardway that after careful review and upon the recommendation of Town Engineer Hannon the Town Board as Lead Agency has determined that after taking a long hard look into Water District No. 3, Ext. No. 1 project find the proposed action will not have significant impact on the environment and declare a negative declaration and that no further action is required per Section 6 NYCRR part 617.

four (4) Ayes Carried

RESOLUTION 2011 ? 09

A RESOLUTION ESTABLISHING THE TOWN BOARD AS LEAD AGENCY FOR SEQRA REVIEW

OF WATER DISTRICT NO. 3, EXTENSION NO. 1 AND DECLARING A NEGATIVE DECLARATION.

RESOLUTION 2011 ? 10

A RESOLUTION AND ORDER OF THE TOWN OF BOSTON, NEW YORK, ADOPTED AUGUST 10, 2011, APPROVING THE ESTABLISHMENT OF EXTENSION NO. 1 TO WATER DISTRICT NO. 3.

RESOLUTION 2011 ? 11

A BOND RESOLUTION, DATED AUGUST 10, 2011 OF THE TOWN BOARD OF THE TOWN OF BOSTON, ERIE COUNTY, NEW YORK (THE ?TOWN?), AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT WITHIN THE TOWN OF BOSTON EXTENSION NO. 1 TO

WATER DISTRICT NO. 3, AT AN ESTIMATED MAXIMUM COST OF \$300,000, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$300,000, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

Town Attorney Kobiolka noted that Town Engineer Hannon is working on the plans and he expects those to be done in the next 20 to 30 days. Then the project will be put out to bid.

Supervisor Ballowe stated that they hope to break ground by Fall.

Ron Yormick inquired as to the status of the Deanna Drive project.

Dana Darling, Builder for the Deanna Drive Project: I am here to give an update on the proposed manufactured community project. After numerous meetings with the Town Board and hearing comments from the community, I decided to look at other avenues that may better benefit the town. I am looking at keeping the 24 acres at the end of Deanna Drive single-family homes. The other 34 acres that is adjacent to that property is being considered for patio homes/town houses. This is still being considered and discussed with the Engineer. We want to work this so that everyone is happy.

Dana gave the Town Board copies of preliminary photos of what these homes may look like.

Supervisor Ballowe noted that there are similar homes on Rollin Drive.

Councilman Boardway: How far away from the site plan stage are you?

Dana Darling: It is questionable. I just met with an engineer this afternoon and gave him a run through on the changes I want to make. I am waiting on his cost proposal. I am hoping to keep the process moving forward.

Councilman Boardway: Have you met or notified the Planning Board?

Dana Darling: No, we just came up with this in the past few days.

Supervisor Ballowe noted that he met with Dana and his attorney to hopefully cement these plans.

Ron Yormick: (inaudible) did not come to the microphone.

Dana Darling: It is going to benefit the town as well because it will be a project where the town will not have to accept the road or any kind of infrastructure. There will be an association formed.

Ron Yormick: What kind of Zoning are you requesting?

Dana Darling: I think it might be R-2 or R-3. From looking at the town's master plan, it fits in well with the adjacent property.

Ron Yormick: Which projects takes preference?

Dana Darling: They will go simultaneously.

Councilman Genzel: Officially we can say the modular home community has been taken off the table.

Supervisor Ballowe noted that the bid opening scheduled for the NYSERDA grant on August 3, 2011 at 10 a.m. resulted in zero bids received. The Town Board will look into the results other towns have received and rebid later.

A motion was made by Councilman Wieckowski and was seconded by Councilman Boardway to schedule a public hearing for Proposed LL #2 of the year 2011 entitled Property Maintenance Law for the Town of Boston, New York for September 7, 2011 at 7:40 p.m.

four (4) Ayes Carried

A motion was made by Councilman Boardway and was seconded by Councilman Wieckowski upon the recommendation of Code Enforcement Officer Ferguson to deny the application for the Sprague Mobile Home Park until all violations cited have been remedied.

four (4) Ayes Carried

Councilman Boardway noted that the Boston Hills Homes and Estates License has been tabled due to the fact that the application fee has not yet been fully paid. Once the fee has been paid, the license will be granted.

Received and filed monthly reports from the Town Clerk, Dog Control and Code Enforcement Officer.

Supervisor Ballowe noted that Councilwoman Maghran has been dealing with a family emergency which has kept her out of town. She is available through email. Summer Recreation has been a success and through the counselors and dedication of all those who helped. On a daily basis we averaged from 140 to 180 children with 245 children total. We did not have to worry about busing by having all the children at one location

Supervisor Ballowe: August 5th was the grand opening of the New Recreation Center. Visit www.townofboston.com to see pictures. Also, it was the second annual Kid's Day. Thank you to Bella and Brunner's Pizzerias for their Food donations, North Boston Market for rolls, chips, and plates. Council members, town hall employees and Town Historical Society members were also there helping. The Recreation Center was on a wish list for Councilwoman Maghran.

Supervisor Ballowe noted that came up with an idea of a flag contest, the kids drew pictures of what the Recreation program meant to them. Congratulations to Brandon Bain winner of the Flag design contest.

Supervisor Ballowe noted that he has a meeting with Mark Gaston, Erie County Soil and Water to work on some of the bank erosion projects in town.

Deputy Town Clerk Mule' noted that the next Blood Drive will be held on Tuesday, August 23, 2011 from 2 pm to 7 pm.

Deputy Town Clerk Mule' noted that there have been many inquiries for the Bagster, which is a portable dumpster that Town of Boston residents can pick up here (one per household) with additional fees paid directly to Waste Management for pick-up.

Deputy Town Clerk Mule' noted that Sporting Licenses go on Sale Monday, August 15, 2011.

Highway Superintendent Telaak noted brush pick up will begin on September 1st, and will cover the town at least once, maybe twice in September, then again in October. Paving work has been completed on several roads throughout the town and tarring and stoning will start tomorrow on West Hillcroft, Shero, Keller, Patchin, Colonial, Rice, Heinrich, Hillside, Hillcrest and Westwood.

Highway Superintendent Telaak noted that fill and wood chips are still available.

The Town Board members all attended the Grand Opening of the Recreation Center. They are all proud to be a part of the creation of this Recreation Center.

Councilman Wieckowski noted that he looked at some drainage issues within the town. He also reminded residents to sign up for the Think Green Rewards Program.

Councilman Genzel as Planning Liaison he noted that he site plan for the Cycle Shop was tabled, but were approved to do some maintenance on the building while waiting for the site plan to be approved. The Planning Board is reviewing the town's Comprehensive Plan to update and include the new census data.

Councilman Genzel as Engineering Liaison he spoke with Town Engineer Hannon about the water 3 ext. No. 1 design. Clear Creek Surveyors were hired to do the topographic mapping of the right-of-way for the water line. The project manual was submitted for the \$50,000 Parks Grant and is hopefully looking at construction beginning in spring 2012. Town Engineer Hannon has finished up a cross over structure for Boston Cross Road that will be installed by the Highway Department. The Dollar General Design has been completed.

Councilman Genzel as Drainage Liaison noted that the Eighteen Mile drainage project is now complete. He noted also noted that he had met with a couple residents regarding issues on their property.

Councilman Genzel noted he attended the Horton Hill Cemetery Dedication on Feddick Road on Saturday, August 5th. There was a sign donated and placed there. He thanked Town Historian Kaszubik for all of his efforts in helping obtain this sign and Kathy Prackajlo for attending.

Councilman Genzel noted that he would like to see the Recreation Center be used by other Town Organizations

Councilman Genzel noted that Assemblyman Smardz thanked all those who contributed to the Christmas in July program. A large box of toys was collected at the Recreation Center.

Councilman Genzel noted that he spoke with a resident regarding Right to Farm signs and how we can have those installed within the town.

Councilman Boardway noted that the town has to begin renegotiating the dispatch contract for 2012.

Councilman Boardway noted that he met with Supervisor Ballowe and representatives from the Operating Engineers Local Union in regards renegotiating the contract for 2012.

Councilman Boardway noted that many members of the Horton family attended the rededication of the Horton Cemetery. It was a nice event and the historical marker sign is very informative about early events in the Town of Boston.

Councilman Boardway noted that meetings took place with the fire chief and representative from Boston Fire Company with Town Attorney Kobiolka to review the compliance information sent in for the fire contract and their check was approved in the fund bills tonight.

Councilman Boardway congratulated Kathy Prackajlo who is now serving as President of the Historical Society.

A motion was made by Supervisor Ballowe and seconded by Councilman Wieckowski to adjourn the meeting at 8:24 p.m.

four (4) Ayes Carried

JENNIFER A. MULE', DEPUTY TOWN CLERK