

Town Board Minutes August 17, 2005

Present: Councilmen Brien M. Hopkins, Richard K. Hawkins, Karl J. Simmeth Jr., Dennis J. Mead, and Supervisor William A. Eagan.

Also Present: Highway Superintendent Telaak and Town Attorney Vacco.

PROCLAMATION EAGLE SCOUT CHRISTOPHER BURNS

A motion was made by Councilman Hawkins and seconded by Councilman Mead to approve the request for a leave of absence from Brian P. Wendling ending August 17, 2006.

five (5) Carried

RESOLUTION 2005-19 SUPPORT OF THE BOSTON FREE LIBRARY

RESOLUTION 2005-20 ELIMINATION OF ERIE COUNTY SHERIFF'S ROAD PATROL AND ADDITIONAL FEES FOR ROAD PATROL IN THE TOWN OF BOSTON

A motion was made by Councilman Simmeth and seconded by Supervisor Eagan to adopt the minutes of the July 20, 2005 regular meeting.

five (5) 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 August 11, 2005 in the amount of \$241,135.75 be paid.

five (5) Carried

Referred Notice of Claim from Verizon for damage near 6033 Thornwood Drive to Town Attorney Vacco for review.

Received and filed letter from Keith Kaszubik, 5550 Maple Grove Drive regarding a dead end street sign.

Received and filed letter from Erie County Department of Health regarding the Wildlife Vaccination Program which began on Monday August 1, 2005 and commencing August 28, 2005.

Received and filed notice of public hearing from the Erie County Legislature regarding the Modification of Agricultural Districts.

Received and filed letter from Joseph Antos, 5554 Northside Drive regarding Town Code Garbage, Rubbish and Refuse.

REQUESTS FROM THE FLOOR

Donna Bubar, 6162 Wildwood Drive: I was wondering if any decisions were made regarding the creek problems behind my house?

Supervisor Eagan: We believe that Mr. Emerling owns the property on the backside of the mobile home park. In addition, it seems that all the property on your side of the creek is also his. Highway Superintendent Telaak and I did meet with our grant writer, the DEC and Foit-Albert Engineers on this issue. We have to take additional steps to get cooperation from Mr. Emerling and we need to find funding. This is going to take some time.

Donna Bubar: It has flooded before, but not like it did last time.

Supervisor Eagan: We have discussed that with Tim Sperto of the DEC and he believes that the flooding has nothing to do with the engineering, but from the excessive amount of water that came down in a short period. Everyone had water problems. The work was done to slow down the every day flow of water. We will keep you informed on any progress that occurs.

A motion was made by Supervisor Eagan and seconded by Councilman Hopkins to approve Option #1 of the July 27, 2004 Proposal for the Mill Street Water Main Relocation.

five (5) Carried

Received and filed SPDES General Permit application from Donald P. Mitscher, 7942 Back Creek Road.

Referred Verizon Wireless's, Special Permit for Co-location of a Telecommunication tower, 6405 Ward Road to the Planning Board for review and recommendation.

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to authorize Highway Superintendent Telaak to attend the New York State Association of Highway Superintendent's Annual Conference.

five (5) Carried

DEPARTMENT ANNOUNCEMENTS/ACTIONS

Received and filed monthly reports from the Supervisor, Justice Court, Code Enforcement Officers, Dog Control Officers, and Town Engineer.

Supervisor Eagan noted that he would be inviting Legislator Jeanne Chase to attend a future agenda review to discuss the closing of the library.

Supervisor Eagan stated that the bid to the New York State police for a new barracks was filed. He stated that this was the first time that the State Police were told that they had to put a request out for bid.

Supervisor Eagan stated that he has sent out requests to all Department Heads to submit their budgets before the end of August. He stated that he would be appointing a group of five residents in hopes that they can get a better understanding of the budget procedure.

A motion was made by Councilman Mead and seconded by Councilman Hawkins to accept the Town Clerk's report for July 2005.

five (5) Ayes Carried

Town Clerk Shenk noted that the Records Management grant submitted in December 2004 was approved. This grant will be used to put the Town Code on the web page.

Highway Superintendent Telaak noted that the last two FEMA projects have been completed.

Highway Superintendent Telaak noted that the gas line from the Highway Barn to the Snack Shack has been hooked up.

A motion was made by Councilman Mead and seconded by Councilman Hawkins to authorize Town Attorney Vacco to retain Bennett, Di Filippo & Kurtzhalt with regard to certain real property litigation that was recently filed in Supreme Court.

five (5) Ayes Carried

Councilman Hopkins stated that Patchin Fire Company has received a grant for \$45,000.

Councilman Simmeth stated that he received a complaint from a resident on Chestnut Ridge Road concerning a road cut. He contacted Erie County Highway and was notified that the problem was fixed.

Councilman Simmeth stated that he received a call from a resident from the Creekside subdivision regarding the drainage study. He, Councilman Mead and Councilman Hawkins spoke with Engineers with the understanding that Highway Superintendent Telaak would be brought up to speed on the issue.

Councilman Hawkins stated that the Boston Community Days has purchased two picnic tables that will be located underneath the old snack shack.

Councilman Hawkins stated that there was a rally to support the Boston Library. He stated that Town of Boston taxpayers pay over \$250,000 a year in library taxes and receive less than \$100,000 to run ours. This means \$150,000 is going downtown to take care of the Erie County Library System. We are still going to pay \$250,000 whether our library is open or not. We need to do whatever it takes to keep our library open.

Robert Reynolds, 4301 Rushford Drive, Hamburg, NY announced his candidacy for the 12th Legislative District in Erie County.

A motion was made by Supervisor Eagan and seconded by Councilman Hopkins to adjourn the meeting at 8:04 p.m.

five (5) Ayes Carried

DAVID J. SHENK, TOWN CLERK