

## Town Board Minutes February 1, 2012

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

Also Present: Highway Superintendent Telaak, Town Attorney Kobiolka.

Reverend, Dr. Bonnie Bates, Faith United Church of Christ opened the meeting with a prayer.

A motion was made by Councilman Boardway and was seconded by Supervisor Ballowe to appoint Daniel Thiel, Patrick Penrod, Norman Queeno and Sandra Queeno as Boston Fire Police and will continue until such time as resignation, removal or replacement and with the condition that their certificates of training are submitted to the Town Clerk's office.

five (5) Ayes Carried

A motion was made by Councilman Boardway and seconded by Supervisor Ballowe to adopt the minutes of the January 18, 2012 regular meeting.

five (5) Ayes Carried

A motion was made by Councilman Boardway and was seconded by Supervisor Ballowe to make the following correction to the December 7, 2011 minutes:

Current Motion:

A motion was made by Councilwoman Maghran and was seconded by Councilman Genzel, on the recommendation of the Planning Board to appoint Michael Monin as a Regular Member, term to expire 3/1/2013 and Sharon Stuart as a Regular Member, term to expire March 1, 2012.

three (3) Ayes Carried

Corrected Motion:

A motion was made by Councilwoman Maghran and was seconded by Councilman Genzel, on the recommendation of the Conservation Advisory Council to appoint Michael Monin as a Regular Member, term to expire 3/1/2013 and Sharon Stuart as a Regular Member, term to expire March 1, 2012.

three (3) Ayes Carried

A motion was made by Councilman Murtha and seconded by Supervisor Ballowe, upon review by the Town Board, that fund bills on the Abstract dated January 26, 2012 in the amount of \$89,300.62 be paid.

five (5) Ayes Carried

Ron Yormick: Since the Planning Board has voted 5 to 1 to not recommend rezoning for the Brookfield Development, what is the next step.

Councilman Genzel: We do have a recommendation for approval from Town Engineer Hannon and Town Planner Brox that it fits within the scope of the Town Comprehensive Plan so we will be scheduling a public hearing for the rezoning of this property.

A motion was made by Councilman Vara and seconded by Supervisor Ballowe to approve the Use of Facility Application from the Boston Democratic Club for April 7, 2012.

five (5) Ayes Carried

A motion was made by Councilman Vara and seconded by Supervisor Ballowe to approve the Use of Facility Application from the Boston Emergency Squad for February 25, 2012.

five (5) Ayes Carried

A motion was made by Councilman Genzel and was seconded by Councilman Boardway to appoint Cathy Maghran as a Regular Member of the Planning Board, term to expire 2/1/2018.

Supervisor Ballowe Aye Councilman Boardway Aye

Councilman Genzel Aye Councilman Murtha Nay

Councilman Vara Nay

three (3) Ayes two (2) Nays Carried

A motion was made by Councilman Genzel and was seconded by Councilman Boardway to appoint Anthony Zeniuk as an Alternate member of the Planning Board, term to expire 12/31/2015.

five (5) Ayes Carried

A motion was made by Councilman Genzel and seconded by Supervisor Ballowe to schedule a Public Hearing for March 7, 2012 at 7:40 p.m. to hear comments regarding Local Law #2-2012 A Local Law To Rezone approximately 21.63 ACRES +/- of Land [Part of SBL no. 226.02-4-51] located on the west side of Boston State Road, south of Deanna Drive from R-A (Residential-Agricultural District) to R-3 (Two-or-More Family Residence District).

five (5) Ayes Carried

A motion was made by Councilman Boardway and was seconded by Councilman Genzel to designate The Orchard Park Press as the official town newspaper for 2012.

Supervisor Ballowe Aye      Councilman Boardway Aye

Councilman Genzel Aye      Councilman Murtha Nay

Councilman Vara Nay

three (3) Ayes two (2) Nays    Carried

A motion was made by Councilman Murtha and was seconded by Councilman Boardway to authorize Town Clerk Shenk to include the town information insert in the mailing of 2012 tax bills.

five (5) Ayes Carried

Received and filed monthly reports from the Assessor.

Supervisor Ballowe noted that the Water District #3, Ext. #1 installation is now complete for the 24 residences. The NYSERDA grant has been received and we will be updating all our lighting and exit signs. We are continuing to work on installing safety glass and cameras.

Town Clerk Shenk thanked the Town Board for approving the insert that goes out with the tax bills. He noted that they did not get a chance to fully discuss it and Supervisor Ballowe and he will finalize it. If anyone has any changes on the draft please convey those to Supervisor Ballowe or himself by Friday.

Town Clerk Shenk noted the next blood drive will be February 21, 2012 from 2:30 p.m. to 6:30 p.m. This will now be held in the Community Room. He also thanked Barbara Moore for her assistance in this process. Two (2) Sabres tickets will be raffled

Town Clerk Shenk noted that there was a new law signed by Governor Cuomo on January 3, 2012 and takes effect on February 2, 2012. The purpose of this law is to increase the ability of the public to understand what a municipal body is voting on before a meeting. Town Clerk Shenk noted that he, Supervisor Ballowe and Town Attorney Kobiolka have reviewed this law and have sought council from the New York State Association of Towns and to meet substantial

compliance as cost effectively as possible and making it most beneficial to the public. The Town Board packet prepared on the Friday before the meeting will be put together as a PDF file. The webmaster will post it to the Webpage the following Tuesday (which is her regularly scheduled workday) right next to the agenda and the public will be able to view what the board members received on Friday.

Town Clerk Shenk noted that some things do come up after Friday that needs to be discussed under preliminary matters. These things will not be posted due to the time frame. Because of its size, this PDF will be removed the Thursday after the meeting. There is no action necessary by the Town Board on this at this time.

Town Clerk Shenk noted that there are certain things in these packets that would be considered a violation of personal privacy, so these items will be redacted before they are posted on the webpage.

Parks Superintendent Telaak noted that the Parks workers will be putting the manger away by Friday morning.

Highway Superintendent Telaak noted dirt fill available. He noted that the Highway Department has used approximately 1,300 ton of salt and 2,000 ton of sand. Overtime is at 225 hours which is down from last year, but this has been a mild winter so far.

Town Attorney Kobiolka noted that Boy Scout Troop 491 will be holding their annual Pancake breakfast at the Boston Fire Company, February 5th from 8 a.m. to 1 p.m.

Councilman Murtha noted that he has collected about 140 signatures opposing the cancellation of the NFTA bus route to Boston.

Councilman Murtha noted that he has had several appointments with residents with drainage problems.

Councilman Genzel noted that services for the residents in the Water District #3, Ext. #1 will begin this spring. He noted that the pipe was extended a little farther than anticipated because sediment can build up at the end of the pipes.

Councilman Genzel noted that Town Engineer Hannon has written a recommendation for the Brookfield subdivision.

Councilman Genzel as Planning Board Liaison noted that the Emerling expansion was discussed because they have to bring the building up to Chevy standards where all the dealerships have to look the same.

Councilman Genzel Cont'd: A building permit has been issued. They also discussed the Brookfield subdivision. The Planning Board did motion to make a negative recommendation for rezoning. This Town Board would like to see this project move forward so a public hearing has been scheduled. Councilman Genzel noted that they are always looking for members.

Councilman Genzel as Liaison to the Boston Community Foundation has been working with Supervisor Ballowe to create a 4th of July fireworks display. It is in the beginning stages right now, but would like to make it where town groups, i.e. boy scouts, girl scouts, soccer, baseball, etc. to set up a booth to relate information about their group.

Councilman Genzel noted that as being the Drainage Liaison for the past two years and working hard to get this project off the ground read a letter stating that the projects submitted by the Town of Boston for funding assistance through the Erie County Consortium Development Block Grant Program have been approved for the project selection committee for inclusion in the draft of the 2012 annual action plan. The Boston Cross Road, storm drain extension, received \$100,000, and Rural Transit Service received \$265,559. The selection committee received 29 proposals; unfortunately the available funds limited the number of approved applications to 12. This reflects the very competitive nature and great interest in this program throughout the county. The draft plan is scheduled for public review between January 13 and February 13, 2012.

Councilman Genzel noted that the Rural Transit service is a low cost transportation program for seniors and disabled.

Councilman Genzel stated Town Engineer Hannon and Drainage Liaison Murtha will be brought up to speed on these projects.

Councilman Genzel congratulated Town Clerk Shenk on being short-listed for the Erie County Comptroller position.

Town Clerk Shenk thanked Councilman Genzel and also noted that at this point has passed the Citizen's Review Committee and still has to go before the Erie County Legislature.

Councilman Boardway noted that he has spoken with Recreation Director Clesse and the Friday Night Recreation Program has tremendous attendance and the Ski program is also in full speed as best as mother nature will provide for it. He noted that she attended the mandatory Youth Services Meetings that ensure that we comply with the grants that we receive yearly. This year that grant is offsetting the entire cost of the Friday Night Recreation Program which makes this a free service to our residents.

Councilman Boardway noted that Emerling Chevrolet is a cornerstone business in this town not just that it is a large employer but a tremendous benefit to the town. This is a solid family run business. They were under tremendous time constraints from GM National Corporation to get their project going to update and build this new building to come into compliance. As a Town Board we were able to come to consensus and approve that building permit.

Councilman Boardway noted that the Town Board received a letter from Bill Solak of Emerling Chevrolet thanking them for their assistance and speedy response in this matter.

Councilman Boardway reported the number of year-end calls for Patchin Fire Co., 117 (57 of which were EMS); North Boston Fire Co, 74; Boston Emergency Squad, 402 and Boston Fire Co, 65.

Councilman Boardway noted that the Town of Boston pays the Town of Hamburg \$54,000 per year for dispatch services. We pay \$82.07 every single time someone is dispatched in town. He noted that he, Supervisor Ballowe and Hamburg Supervisor Walters will meet Friday morning at 9 a.m. to discuss renegotiating this contract.

Councilman Boardway noted that there will be a public hearing tomorrow evening at Erie Community College South, Building #5 regarding the NFTA's elimination of the bus service into the Town of Boston. He noted that the town has invested a lot of money trying to keep the NFTA here with blacktopping and striping the Park and Ride and ordering the bus shelter. We are doing our part to contribute to the overall need for a ridership here in Boston.

Councilman Vara noted he attended the Boston Emergency Squad Installation dinner. He congratulated the many officers that have given hundreds and even thousands of hours of service to the town.

Councilman Vara noted that the Conservation Advisory Council is looking for members.

Councilman Vara noted that the NYS Stay Fit Dining program will now serve frozen meals for weekend use.

Councilman Vara noted that he is still working on getting a speaker for the senior's Kentucky Derby day in May.

Supervisor Ballowe noted stated that the reason he and Councilman Boardway are meeting with Hamburg Supervisor Walter is because other towns are paying a considerably lower rate than what the Town of Boston pays. The original agreement is from 1985.

A motion was made by Supervisor Ballowe and seconded by Councilman Boardway to adjourn the meeting at 8:08 p.m.

five (5) Ayes Carried

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DAVID J. SHENK, BOSTON TOWN CLERK