

## Town Board Minutes February 2, 2000

REGULAR BOARD MEETING      TOWN HALL

FEBRUARY 2, 2000      7:30 P.M.

Present were Councilman Damian P. Wiktor, Councilman Stephen K. Tills, Councilman Karl J. Simmeth Jr., Councilman Dennis J. Mead, Supervisor Lisa M. Rood, Highway Superintendent Wayne C. Kreitzbender and Town Attorney Michael F. Perley.

A motion was made by Councilman Simmeth and seconded by Councilman Tills to adopt the minutes of the January 19, 2000 monthly meeting.

five (5) Ayes      Carried

A motion was made by Councilman Wiktor and seconded by Councilman Simmeth, upon review by the Town Board, that the General Fund and Special District Bills on Abstract #2, dated February 2, 2000 in the amount of \$38,756.67 be paid.

five (5) Ayes      Carried

A motion was made by Councilman Tills and seconded by Councilman Mead, upon review by the Town Board, that the Highway Bills on Abstract #2, dated February 2, 2000, amount of \$11,928.71 be paid.

five (5) Ayes      Carried

A motion was made by Councilman Simmeth and seconded by Councilman Tills to accept the Town Clerk's Report for January 2000.

five (5) Ayes Carried

Received and filed the Conservation Advisory Council Annual Report for 1999.

Supervisor Rood commended the Conservation Advisory Council on the work that they do and noted that their efforts are appreciated.

Received a letter and resume from Marie A. Edwards, 7789 Back Creek Road, requesting to join the Boston Conservation Advisory Council.

A motion was made by Councilman Simmeth and seconded by Councilman Tills to appoint Marie A. Edwards to the Boston Conservation Advisory Council, term to expire 2/1/02.

five (5) Ayes Carried

A motion was made by Supervisor Rood and seconded by Councilman Simmeth to refer the site plan of the Boston Grille, 7115 Boston State Road, to the Planning Board for review and recommendation.

five (5) Ayes Carried

Supervisor Rood summarized her research of natural gas suppliers and concluded that National Fuel Resources, Inc. offered the Town of Boston the greatest savings on a natural gas discount program.

A motion was made by Supervisor Rood and seconded by Councilman Wiktor to enter into a contract with National Fuel Resources, Inc. as the Town of Boston natural gas supplier for the period of February 2000 through January 2002.

five (5) Ayes Carried

Received approval from NYS Department of Audit and Control for the Town of Boston to establish Water District No. 3, pursuant to Article 12-A of the Town Law.

Town Attorney Perley gave a brief history of the process involved with the creation of Water District No. 3 which began approximately thirteen (13) years ago.

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A motion was made by Supervisor Rood and seconded by Councilman Simmeth to accept the approval from Audit and Control for Water District No. 3.

five (5) Ayes      Carried

Supervisor Rood distributed a map and work schedule for Water District No. 3 to the news reporters in attendance. A ball park estimate for completion of the district would be that the design work is done by summer, bid out and shovels in ground by fall, and a good year from then to completion, due to the fact that there is 45,000 feet of line to be installed.

A motion was made by Councilman Wiktor and seconded by Councilman Supervisor Rood to adopt the Final Order Establishing the East Hill Water District No. 3, in the Town of Boston, pursuant to Article 12A of Town Law.

five (5) Ayes      Carried

RESOLUTION 2000-04      WATER DISTRICT NO. 3 BOND RESOLUTION

SUPERVISOR REPORT

Supervisor Rood congratulated Town Attorney Perley upon being named the "Citizen of the Week" by the Southtown Citizen newspaper and presented him with a laminated copy of the news article. Town Board members and Town Clerk Shenk also congratulated Town Attorney Perley.

#### TOWN CLERK REPORT

A motion was made by Councilman Tills and seconded by Councilman Simmeth to grant Town Clerk Shenk permission to include a Town of Boston informational flyer with the 2000 Town and County tax bills and receipts.

five (5) Ayes Carried

#### HIGHWAY SUPERINTENDENT REPORT

A motion was made by Councilman Wiktor and seconded by Councilman Simmeth to grant Highway Superintendent Kreitzbender permission to attend the Cornell Local Roads Program Seminar, April 20, 2000, for a fee of \$30.00.

five (5) Ayes Carried

Highway Superintendent Kreitzbender requested that Town Attorney Perley aid in a dispute with Western Inc. regarding a plow that is not working properly.

#### TOWN ATTORNEY REPORT

Town Attorney Perley requested that a formal decision regarding the Heffley vs. Town of Boston, et al, suit be deferred until the February 16, 2000 Town Board meeting.

Town Attorney Perley thanked Patricia Ball, reporter for the Southtowns Citizen, for writing the article naming him as "Citizen of the Week".

Town Attorney Perley commented that the Town Board requested that he research the legality of making additional payments through the fire protection district to the contracting fire companies. A letter regarding this matter was given to Board members and the Town Clerk noting that it is not permissible for this government to make any payments to any fire companies in addition to the amounts that are specified in the contracts. This includes

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#### TOWN ATTORNEY REPORT (CONT.)

Town Attorney Perley (Cont.): contributions of equipment, materials, gasoline, reimbursement for expenses, or any other form of additional compensation to the fire companies. To do so would violate Section 184, Subdivision 5, of the Town Law which requires that the contracts for the relationship between the Fire Protection District, the Town Board and the contracting companies be defined by a "definite sum" of money. Town Attorney Perley noted he would be happy to discuss this matter further with anyone who wishes more information.

#### COUNCILMAN REPORT

Councilman Mead reported that he attended the Capital Improvements Committee meeting on February 1, 2000. Several items and plans for the future were reviewed and the Town of Boston Grants Writer put forth grant proposals for consideration.

Councilman Wiktor reported that he and Supervisor Rood attended the North Boston Volunteer Installation/Awards Dinner. James Carr was the "Firefighter of the Year" and Thomas Edington was given awards for Outstanding Service and the Highest Service Points. The Special Service Award went to Warren Skinner.

The North Boston Volunteer Fire Company answered sixty-six (66) calls during 1999, twelve (12) of which were mutual aid. A new rescue truck and portable defibrillator was put in service and four (4) new members were added to the Fire Company for 1999.

Councilman Wiktor and Supervisor Rood attended the Emergency Squad Installation/Awards dinner on January 29, 2000. The Highest Training Points in 1999 were awarded to Pat Ware for 1000 hours of service, Audrey Frank (1320 hrs), Diane Helmbrecht (1107.5 hrs), Warren Berger, (1075 hrs), Dorothy Berger (1065 hrs), George Aiple (1043.5 hrs), Barb Cudeck (1019.5 hrs), Dave Nernas (1013 hrs), Jenny Crotty 1003.5 hrs), and Sue Keller (1001.5 hrs).

Councilman Wiktor and Supervisor Rood attended the Boston Youth Advisory Board meeting on January 29, 2000. The indoor Tuesday and Thursday Soccer League directed by Melinda Rieske has ninety (90) children participating, ages 5 to 9 years old.

Councilman Wiktor reported that attendance in the Friday Night Recreation Program is growing every week and there is now eighty-three (83) children.

Councilman Wiktor reported that Girls Softball registration is in progress and sixty (60) girls have signed up. In May, a Softball Players and Coaches Clinic will be sponsored. Boys Baseball registration is in progress. Currently, a clinic is being sponsored at the Colden School on Thursdays from 6:00 to 9:00 p.m. until springtime.

Councilman Wiktor reported that the Football Program has new officers and registration will be in May and June. The 1999 Varsity Football team finished in third place in the Daytona Florida National Championships.

Councilman Wiktor reported that the 1999 Cheerleading season had the largest turnout of girls to date and are hoping for continuance.

Councilman Wiktor announced that Councilman Tills is organizing a co-ed soccer program for adults, ages twenty (20) years and older. This will be a six (6) week program run during July and August.

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Councilman Wiktor attended a Haz-Mat meeting on January 29, 2000 and reported that the team has applied for a grant to purchase a new Emergency Squad vehicle. In 1999 the Haz-Mat Team responded to twenty-three (23) calls of which six (6) were due to amtrax threats, six (6) to fuel/oil spillage by trucks or tanks and the remaining eleven (11) were various industrial or chemical calls.

Councilman Simmeth reported that he is working on speed limit reductions for Boston State and Back Creek Roads and a street lighting problem on Holiday Drive.

Councilman Tills noted that he is looking for interest in the adult soccer league and hopes to begin the latter part of summer.

Supervisor Rood noted that the Hillfest Committee has been having two (2) or three (3) meetings a month. The next meeting is scheduled for Tuesday, February 8, 2000 and if anyone is interested in joining, there are open positions on the committee.

#### CODE ENFORCEMENT OFFICERS REPORT

A) Code Enforcement Officers monthly report for January 2000 was received and is on file in the Clerk's Office.

#### DOG CONTROL OFFICER MONTHLY REPORT

A) Dog Control Officer monthly report for January 2000 was received and is on file in the Clerk's Office.

## TOWN ENGINEER REPORT

A) Town Engineer's monthly report for January 2000 was received and is on file in the Clerk's Office.

## PLANNING BOARD REPORT

Received and filed notification that due to a lack of agenda items, the Planning Board meeting scheduled for January 25, 2000 has been cancelled. The next scheduled meeting is February 8, 2000 at 7:30 p.m.

A motion was made by Councilman Mead and seconded by Councilman Simmeth to adjourn the meeting at 8:08 p.m.

DAVID J. SHENK, TOWN CLERK