

Town Board Minutes February 7, 2001

REGULAR BOARD MEETING TOWN HALL

FEBRUARY 7, 2001 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, and Town Attorney Perley.

Absent: Highway Superintendent Wayne C. Kreitzbender.

Rev. James Laun, Churchill Memorial, opened the meeting with a prayer.

A motion was made by Councilman Simmeth and seconded by Councilman Tills to adopt the minutes of the January 17, 2001 regular meeting with the following corrections:

Page (1):

Supervisor Rood commented that this is her second year as a Director of the Association of Erie County Governments and that she also serves on the Water Committee, the Buffalo Development Fund (BDF) Loan Committee for Erie County and the Project Site Committee for the Community Development Block Grants (CDBG).

Page (1) Correction:

Supervisor Rood commented that this is her second year as a Director of the Association of Erie County Governments and that she also serves on the Water Committee, the Buffalo Development Fund (BDF) Loan Committee for Erie County and the Project Site Selection Committee for the Community Development Block Grants (CDBG).

Page (4):

Supervisor Report:

Supervisor Rood announced that on January 31, 2001 she is hosting a meeting regarding opening up trails in county parks.

Page (4) Correction:

Supervisor Report:

Supervisor Rood announced that on January 31, 2001 she is hosting a meeting regarding opening up horse trails in county parks.

five (5) Ayes Carried

A motion was made by Councilman Tills and seconded by Councilman Simmeth, upon review by the Town Board, that the General Fund and

Special District Bills on Abstract #2, dated February 7, 2001 in the amount of \$69,353.91 be paid.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Wiktor, upon Town Board review, that Highway Bills on Abstract #2, dated February 7, 2001 in the amount of \$28,304.70 be paid.

five (5) Ayes Carried

A motion was made by Councilman Wiktor and seconded by Councilman Mead to adopt the Town Clerk's Monthly Report for January 2001.

five (5) Ayes Carried

Received and filed notification of a liquor license renewal application CAMC Inc. a/k/a Valley View Inn, 8326 Boston State Road.

Received and filed Planning Board letter of approval to Gary Eckis for a request to increase size of parcel #25, Boston Hills, LLC on Deer Run Rd.

Supervisor Rood commented that a foundation was poured inches off a property line onto land owned by Mr. Eckis. Mr. Eckis will deed property owner the needed land required for a legal building lot.

REGULAR BOARD MEETING TOWN HALL

FEBRUARY 7, 2001 7:30 P.M.

Attorney Perley noted Planning Board approval is required to change a lot in an approved subdivision.

REQUESTS FORM THE FLOOR

Robert Vaughn, 7418 Heinrich Road, sarcastically thanked the Town Board for the Town Board meeting schedule in the Buffalo News.

A motion was made by Supervisor Rood and seconded by Councilman Wiktor to refer to the Planning Board, a Site Plan for Faith United Church of Christ, 8651 Boston State Road, for review and recommendation.

five (5) Ayes Carried

A motion was made by Supervisor Rood and seconded by Councilman Tills to remove from the table a request from Thomas Williams, 5330 Keller Road, for a renewal of a Special Permit for a Ham Radio Antenna.

five (5) Ayes Carried

A motion was made by Supervisor Rood and seconded by Councilman Mead to grant Thomas Williams, 5330 Keller Road, renewal of a Special Permit for a Ham Radio Antenna to expire 12/31/03.

five (5) Ayes Carried

RESOLUTION 2001-05 REFUSE LICENCE BFI OF NORTH AMERICA, INC.

REFUSE LICENCE NATURAL ENVIRONMENTAL, INC.

REFUSE LICENCE WASTE MGT OF NY, LLC/CID

REFUSE SERVICE INC.

RESOLUTION 2001-06 STOP DWI GRANT PROGRAM

A motion was made by Supervisor Rood and seconded by Councilman Simmeth to grant the Boston Arts Council permission to use the Lions Shelter and the Community Room for the Eleventh Annual Summer Concert Series from 6:30 PM to 9:00 PM on all Tuesdays from June 26th through August 28th 2001.

five (5) Ayes Carried

A motion was made by Councilman Wiktor and seconded by Councilman Mead to grant Recreation Director Clesse permission to attend the NYS Recreation and Park Society meeting in Ellenville, NY from March 18th through March 21st, 2001, all appropriate expenses to be paid.

five (5) Ayes Carried

Received from Councilman Mead estimates for a computer system to be used by Code Enforcement Dept and the Secretary to the Boards:

PC Warehouse \$1,842.00

CompUSA 2,589.00

Circuit City 2,850.00

A motion was made by Supervisor Rood and seconded by Councilman Tills, on the recommendation of Councilman Mead, to approve the purchase of a computer system from PC Warehouse for \$1,842.00.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Wiktor, on the recommendation of the Capital Improvements Committee, to authorize Supervisor Rood to enter into an agreement with R & D Engineering, P.C. for engineering services for the Town Hall Park ? Multi Use Building at a cost of \$8,900.

five (5) Ayes Carried

REGULAR BOARD MEETING TOWN HALL

FEBRUARY 7, 2001 7:30 P.M.

Received/filed a proposal from the Conservation Advisory Council:

- (1) Reduce number of regular members from nine to seven to allow a quorum at more regular meetings
- (2) Site Plans to CAC for input to Planning Board before final review and recommendation
- (3) Planning Board minutes/agenda forwarded to CAC

A motion was made by Councilman Wiktor and seconded by Councilman Simmeth to authorize the Clerk to advertise and schedule a Public Presentation and Hearing by Peter J. Smith & Co. on March 15, 2001 at 7:00 PM and 7:45 PM for the Town of Boston Comprehensive Plan.

five (5) Ayes Carried

A motion was made by Councilman Wiktor and seconded by Councilman Simmeth to grant Karen Ellis, 7305 Hickory Drive, permission to use the Lions Shelter and Town Park facilities on July 1, 2001 for a family picnic. Alcoholic beverages will be served and a certificate of insurance and \$50.00 deposit will be submitted.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Simmeth to grant the Boston Welcome Wagon permission to use the property in front of the Boston Town Hall, the lavatory facilities and the Town Hall water spigot on May 19, 2001 from 6:00 AM to 3:00 PM. A \$50.00 deposit has been received.

five (5) Ayes Carried

Supervisor Rood commented that work has begun on Water District #3 and Rural Development is providing a loan to the Town of Boston.

A motion was made by Councilman Tills and seconded by Councilman Mead to authorize Supervisor Rood to authorize Rural Development to review, approve and authorize Water District #3 Contract #1 payment, subject to Town Board approval.

five (5) Ayes Carried

SUPERVISOR REPORT

Supervisor Rood reported that the target date for the Southtowns Meals on Wheels program is April 1st and advertisements for clients will begin soon. Letters will be sent to surrounding churches and hospitals about the program. Interested parties may call Supervisor Rood or Coordinator Michelle McMahon at 941-6416.

Supervisor Rood reported that a developer interested in providing senior housing in the Town of Boston will conduct a meeting on February 22, 2001 in the Town Hall Community Room to receive suggestions and input from potential senior residents.

Supervisor Rood reported that she attended a DARE program at Colden Elementary School on January 25, 2001.

Supervisor Rood gave an update on Water District #3 noting the lines are in on Serpentine and Hillcrest Drives and work is currently being done on Chestnut Lane. Packets of information will be sent out on February 8, 2001 to residents who will be receiving water service in Water District #3.

Supervisor Rood announced that the Annual Boston Hillfest will be held July 14th and 15th, 2001.

Supervisor Rood reported that the Ganey Agency will submit an appraisal for the recent Town of Boston purchase of 17.4 acres of land across the street from the Town Hall Complex.

REGULAR BOARD MEETING TOWN HALL

FEBRUARY 7, 2001 7:30 P.M.

SUPERVISOR REPORT (CONT.)

Supervisor Rood appointed Councilman Mead as chairman, and Councilman Tills and Town Clerk Shenk as members of the Technology Committee.

Supervisor Rood reported that on January 31, 2001 she hosted a meeting regarding opening up horse trails in county parks. There were approximately 150 people in attendance along with Legislators McCarville and Chase and Erie County Parks Commissioner Jasinski. Chestnut Ridge Park has existing bridle paths and may be the first park to reopen horse trails.

Robert Vaughn questioned whether there will be public hearings regarding the use of the vacant land recently purchased by the Town of Boston and also questioned the safety of children crossing the road.

Town Attorney Perley responded that the Town of Boston currently has no definite plans for the land and although there is no legal requirement for a public hearing, it has been the tradition of the Town of Boston to seek public input and to fully evaluate all the safety factors involved in the development of town property.

Town Attorney Perley, in response to Mr. Vaughn's inquiry regarding Highway contract negotiations, noted that there is a gag order in effect on the Town Board and all participants involved.

TOWN CLERK REPORT

A motion was made by Councilman Simmeth and seconded by Councilman Tills to authorize Town Clerk Shenk to insert Town of Boston informational flyers and a BFI program flyer in the tax bill envelopes.

five (5) Ayes Carried

Town Clerk Shenk announced Erie County tax bills will be mailed next week.

TOWN ATTORNEY REPORT

Town Attorney Perley thanked the Town Board for allowing him to attend a Municipal Law Seminar on issues that pertained to zoning, special use permits and employment issues.

COUNCILMAN REPORT

Councilman Wiktor thanked Erie County Legislators and ECC College for making tuition programs available to all members of Emergency Services at no expense.

Councilman Wiktor reported that the Patchin Fire Company has acquired public access to a defibrillator and will work in conjunction with the Boston Emergency Squad to provide the defibrillators on call to the Patchin Fire Company District and hopefully expand service throughout the town.

Councilman Wiktor reported that Town of Boston resident Cory Hacker, presently on the US Team at Hollimont, competing in the World Cup Circuit, has finished 8th in the Deer Valley World Cup tournaments, placing 2nd among the US athletes. Cory has been invited to compete at the Freestyle World Championships at Whistler, British Colombia. He is seeking to become a member of the US Ski Team.

Councilman Simmeth reported he is working on highway and drainage issues.

REGULAR BOARD MEETING TOWN HALL

FEBRUARY 7, 2001 7:30 P.M.

COUNCILMAN REPORT (CONT.)

Councilman Tills reported that he requested and received an updated map from Adelphia Cable of their coverage area in the Town of Boston.

CODE ENFORCEMENT OFFICERS REPORT

A) Code Enforcement Officers monthly report for January 2001 was received and is on file in the Clerk's Office.

DOG CONTROL OFFICERS MONTHLY REPORT

A) Dog Control Officers monthly report for January 2001 was received and is on file in the Clerk's Office.

TOWN ENGINEER REPORT

A) Town Engineer's monthly report for January 2001 was received and is on file in the Clerk's Office.

A motion was made by Councilman Wiktor and seconded by Councilman Simmeth to adjourn the meeting at 8:16 p.m.

DAVID J. SHENK, TOWN CLERK