

## Town Board Minutes June 3, 2009

Present: Supervisor William A. Eagan, Councilmen James E. Pluta and Richard K. Hawkins and Councilwomen Cathleen M. Dobson and Cathy A. Maghran.

Also Present: Town Attorney Downey and Code Enforcement Officers Ferguson, Lisowski and Juda.

Town Clerk Shenk requested Town Board authorization for Deputy Clerk Schwanz to attend the NYALGRO Conference June 7-10, 2009. All expenses will be reimbursed with records grant funds and there will be no cost to the town.

A motion was made by Supervisor Eagan and was seconded by Councilman Hawkins to authorize Deputy Clerk Schwanz to attend the NYALGRO Conference from June 7-10, 2009; all expenses will be reimbursed with grant funds with no cost to the town.

five (5) Ayes    Carried

A motion was made by Councilman Pluta and seconded by Councilwoman Maghran to approve the minutes of 05/20/09.

five (5) Ayes    Carried

A motion was made by Councilman Pluta and seconded by Supervisor Eagan, upon review by the Town Board, that fund bills on the Abstract dated May 28, 2009 in the amount of \$141,821.14 be paid.

five (5) Ayes    Carried

Received and filed a Resolution from the Town of Alden opposing the creation of an Erie County Planning Board.

Sharon Thompson, 6616 Liebler Road suggested that the town install a maintenance free, white, non chain link privacy fence between the new State Police Barracks and the properties adjacent to the north border. Sharon Thompson also noted that she has concerns with her pool and the pipes that run to it. She feels that the use of heavy machinery is causing the ground to shake. She wants the town to be aware that this may become an issue in the near future.

A motion was made by Supervisor Egan and was seconded by Councilman Hawkins to appoint Daniel Rychlik as Boston Fire Police and will continue until such time as resignation, removal or replacement.

five (5) Ayes    Carried

Councilman Hawkins noted that in the past there have been issues with trying to obtain a bucket truck to use for the installation and removal of the Christmas decorations. He noted that he found a 1997 bucket truck with 44,000 miles on it. This truck will also be used for the lighting maintenance in the town parks.

Councilman Pluta asked if more than one bid was received.

Supervisor Egan stated yes.

A motion was made by Supervisor Egan and was seconded by Councilman Hawkins to authorize the purchase of a 1997 super duty white bucket truck in the amount of \$7,940 contingent upon receiving the documentation and warranty for the truck.

five (5) Ayes    Carried

Supervisor Eagan noted the sale of the 1994 ambulance should offset this purchase.

Supervisor Eagan noted the Addendum to the Map, Plan and Report for Extension No. 2 of Water District No. 2 was received by Nussbaumer and Clarke, Inc. Engineers. This area includes portions of Shero, Rockwood, and Feddick Roads. Erie County Water Authority once approved the pumping station and tank for this district and deemed it adequate to furnish water for the entire district. Now they are saying the pumping station must be improved with new pumps and the tank must be increased in size and elevation.

Supervisor Eagan commented that once complete we will have to update our application with NYS Comptroller's office for this project. They will determine if this project is feasible and that we meet the financial thresholds. The cost increase is estimated to be an additional \$700,000. We have applied for stimulus money and we have been told that Urban Development is most likely to grant it, so there shouldn't be any additional financial burden to the people of this district.

A motion was made by Supervisor Eagan and was seconded by Councilman Pluta to approve the Map, Plan and Report for Extension No. 2 of Water District No. 2 as prepared by Nussbaumer and Clarke, Inc. Engineers.

five (5) Ayes    Carried

RESOLUTION 2009-10    ADOPTING AN ORDER CALLING FOR A PUBLIC HEARING ON JUNE 17, 2009 IN THE MATTER OF THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE WATER DISTRICT NO. 2, IN THE TOWN OF BOSTON, ERIE COUNTY, NEW YORK, PURSUANT TO SECTION 202-B OF THE TOWN LAW.

Received and filed from Erie County Emergency Services an email regarding the Richard Laing request to use the Boston tower located at Patchin Fire Station #2, 8123 Cole Road, stating that they have no ownership of the tower and that they see no interference issues that would arise to the Public Safety entities currently using the tower.

Councilman Pluta noted that Richard Laing has not yet approached Patchin Fire Company to request permission to install the repeater inside the building. He requested that this request remain tabled until Richard Laing obtains approval from Patchin Fire Company.

Supervisor Eagan directed Town Clerk Shenk to notify Richard Laing to contact the Patchin Fire Company and request permission to install his repeater in its station.

A motion was made by Supervisor Eagan and was seconded by Councilman Hawkins to direct TVGA Engineers to determine ideas and pricing to have fencing installed between the new NYS Troopers Barracks and the residential housing on Liebler Road.

five (5) Ayes    Carried

Supervisor Eagan noted that there has been some who feel it necessary to question the wisdom of this Town Board in hiring a Project Inspector/Construction Clerk of the Works for the new NYS Police Barracks and also the idea that we hired TVGA to oversee the contractual/design of the project. This practice is advisable with any construction project even if you're building a house. This project is over \$1.5 million and there isn't anyone in town government that has the expertise to watch what the contractors and ensure we are getting the product we are paying for. It is in the best interest of this community. It's nothing unusual, and it's certainly isn't a waste of taxpayers dollars.

Town Clerk Shenk noted that the next blood drive is June 16th from 2:30 pm to 6:30 pm.

Highway Superintendent Telaak noted that spring brush pick is completed. He noted that if residents have a tree blow over in a storm, they should call him, but he can't accommodate tree removal.

Highway Superintendent Telaak noted that Hickory Meadows Subdivision residents have inquired to the status of the right-of-way acceptance. They want the Highway Department to do some shoulder and ditch work.

Town Attorney Downey noted that he has been working to set a date with the Emerlings' attorney for next week.

Councilman Pluta wanted to clarify his comment made at the last Town Board meeting when he said that he wasn't comfortable when Parks Superintendent Fellows presented a name for appointment. He stated that it wasn't because he had anything against the person; it was just that the Town Board didn't have any prior knowledge of the request, paperwork on the applicant, or knew who he was.

Councilman Hawkins noted that he spoke with Legislator Reynolds in regards to a drainage issue on Boston State Road. He also spoke with a few concerned residents in regards to downed trees in Eighteen Mile Creek. He noted that the town will be receiving some stimulus monies and are surveying and mapping the areas that need attention. These projects should be moving forward soon.

Legislator Reynolds requested that Councilman Hawkins contact his office to discuss the Eighteen Mile Creek issue.

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to adjourn the meeting at 7:45 p.m.

five (5) Ayes Carried

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DAVID J. SHENK, TOWN CLERK