

Town Board Minutes March 2, 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, Town Attorney Vacco and Code Enforcement Officer Kramer, Deputy Code Enforcement Officer Lisowski.

Sister Florence Wendling, St. John The Baptist Church opened the meeting with a prayer.

A motion was made by Councilman Simmeth and seconded by Councilman Hawkins to adopt the minutes of the February 16, 2005 regular meeting.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Simmeth, upon review by the Town Board, that the fund bills dated February 23, 2005 in the amount of \$35,560.37 minus voucher #57 in the amount of \$3,219.18 for a new total of \$32,341.19 be paid.

five (5) Ayes Carried

Received and filed a Erie County Resolution regarding Agricultural Farmland protection.

Received and filed a letter from Donna Watkins regarding an accident on Boston Cross Road involving two of her relatives and a snowmobiler.

REQUESTS FROM THE FLOOR

Rachel Shagott, 6352 Patchin Road: Mrs. Shagott is also the owner of Rachel's Attic Sales on Boston Cross Road. Mrs. Shagott has liability concerns if there are any accidents with snowmobiles in front of her store. She also asked if there could be any patrolling by the police in this area.

Councilman Mead mentioned that the Erie County Sheriff's will patrol the Parks and or designated snowmobile trails and commented that Boston Cross is not a designated Snowmobile trail.

Donna Watkins, 6924 Boston Cross Road: She noted that in doing her own research of area towns, most don't allow snowmobiles on sidewalks and presented a copy to Town Clerk Shenk. Mrs. Watkins requested that the Town Board adopt a law to address this issue. She has a copy of the New York State Snowmobile Law and confirmed with the Sheriff's Department that there is no riding on the sidewalks only on the outer banks.

Vivian Feltz, Rachel's Attic employee, expressed concern over the safety of residents on Boston Cross Road and the snowmobile's that use the sidewalks as trails.

Joe Lawrey, 6861 Boston Cross Road requested the Town of Boston adopt a local law on the use of sidewalks in the town.

Town Attorney Vacco commented that creating an ordinance or Local Law is something that the Town Board can do, but only after a public hearing.

MaryJo Becker, Hamburg Resident commented on the safety of her children when they visit relatives on Boston Cross Road.

Tara Pfarner, 6861 Boston Cross Road stated that she has brought this issue to the attention of the Town Board in the past and signs were put up. She felt that it was important that something be done before next winter.

Tom Smith, 6267 Hillcroft Drive submitted a petition requesting the Town Board consider the expansion of Water District No. 2 to include all of West Hillcroft Drive and Deer Run.

Jim Kleinsmith, 6269 Hillcroft Drive asked the Town Board for their support in the expansion of Water District No. 2. He stated that the Erie County Water Authority reviewed the situation and approved an extension of the waterline and in discussion with the Fire Department it was decided that the pond would suffice in the fire fighting efforts.

Councilman Hawkins stated that the reason a pond and dry hydrant was put on the top of the hill was because the contractor wanted to put more homes there. The Patchin Fire Company stated to the Erie County Water Authority that there could not be any more homes built there until there was some type of water put there.

Councilman Mead commented that a discussion would take place with the Capital Improvements Committee regarding the extension to Water District No. 2.

John Blatner, 6141 Hillcroft asked the Town Board to consider any options that may be available for extending the water in this area.

Supervisor Eagan commented that Tom Casey from the Health Department was the first person contacted regarding this. He met with the affected residents to discuss whether the pond would suffice for firefighting. He stated there are no estimates yet.

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to accept the resignation of Ken Kloeber from the Assessment Board of Review.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to table the request for appointment from Frank Lisowski to the Assessment Board of Review for further review.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to approve the Use of Facilities application from Boy Scout Troop 491 for June 14.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilman Mead to approve the Use of Facilities application from Bob McDonnell, 6454 Kevinton Place for August 13.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Hawkins on to appoint John Sibenik to the position of court officer term to expire 12/31/05.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Simmeth to Schedule the bid opening for Yellow Bus Transportation on March 24, 2005 at 10:00 a.m. in the Town Clerk's Office.

five (5) Ayes Carried

Town Attorney Vacco stated that there has been a revamping of the Fire District Service Award Program - Point System so that all of the fire companies are under the same umbrella, have the same point allocation, and there are no discrepancies between the municipal code and the actual award point systems. She stated that the NYS Comptroller has made some opinions to clarify this program since its inception to bring all fire companies into uniformity. She stated that she met with the president's of each of the fire companies and reviewed this program.

A motion was made by Supervisor Eagan and seconded by Councilman Hopkins to approve the new Town of Boston Fire District Service Award Program - Point System.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilman Simmeth to appoint Paul Speich and Patricia Thompson to the Conservation Advisory Council terms to expire March 1, 2008.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Simmeth on the recommendation of the Conservation Advisory Council to appoint Paul Speich to be a representative on the Erie County Environmental Management Council term to expire May 31, 2007.

five (5) Ayes Carried

DEPARTMENT ANNOUNCEMENTS/ACTIONS

Supervisor Eagan stated that the New York State Association of Towns Annual Training Conference was very informative and he would prefer it closer to home.

Town Clerk Shenk noted that the 2005 Town and County Tax bills are due March 15. The Town Clerk's office will be open March 5 and 12, 9am-3pm, March 11 & 14, 9am-8pm, and March 15 from 9am-9pm.

Highway Superintendent Telaak stated that all the surveys are complete for Butternut Road.

Councilman Mead asked Highway Superintendent Telaak about running a gas line to the snack shack.

Councilman Simmeth commented on the recent Erie County Budget Fiscal crisis and how it will affect the Sheriff's Patrol in the Town of Boston.

A motion was made by Councilman Mead and seconded by Councilman Hawkins to adjourn the meeting at 8:38 p.m.

five (5) Ayes Carried

DAVID J. SHENK, TOWN CLERK