

Town Board Minutes March 20, 2002

REGULAR BOARD MEETING TOWN HALL

MARCH 20, 2002 7:30 P.M.

Present were Councilman Damian P. Wiktor, Councilman Thomas A. Edington, Councilman Dennis J. Mead, Supervisor William A. Eagan, Highway Superintendent Wayne C. Kreitzbender and Town Attorney Michael F. Perley.

Absent: Councilman Karl J. Simmeth Jr.

Florence Wendling, St. John the Baptist Roman Catholic Church, opened the meeting with a prayer.

A motion was made by Councilman Wiktor and seconded by Councilman Mead to adopt the minutes of the March 6, 2002 regular meeting.

four (4) Ayes Carried

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

Special District Bills on Abstract #3A, dated March 20, 2002 in the amount of \$16,890.05 be paid.

four (4) Ayes Carried

A motion was made by Councilman Wiktor and seconded by Councilman Edington, upon Town Board review, that Highway Bills on Abstract #3A, dated March 20, 2002 in the amount of \$2,944.94 be paid.

four (4) Ayes Carried

Received and filed Erie County Legislature Resolution urging President Bush to declare Erie County a major disaster area in light of the snow emergency December 24-28, 2001, which will entitle Erie County and other municipalities FEMA reimbursement.

Received and filed notification from Gerald Hice that his term on the Zoning Board of Appeals expires 4/1/02 and he will not seek re-appointment.

A motion was made by Councilman Mead and seconded by Councilman Edington to accept the decision of Gerald Hice not to seek re-appointment to the Zoning Board of Appeals, term to expire 4/1/02 and to direct the Town Clerk to send a letter thanking him for his years of service.

four (4) Ayes Carried

Received and filed notification from Marie Edwards that her term on the Conservation Advisory Council expires 3/1/02 and she will not seek re-appointment.

A motion was made by Councilman Edington and seconded by Councilman Wiktor to accept the decision of Marie Edwards not to seek re-appointment to the Conservation Advisory Council, term to expire 3/1/02 and to direct the Town Clerk to send a letter thanking her for her years of service.

four (4) Ayes Carried

Received a request from Frederick Pike, Jr. for appointment to the Zoning Board of Appeals.

A motion was made by Councilman Mead and seconded by Councilman Wiktor to table the request of Frederick Pike Jr. for appointment to the Zoning Board of Appeals.

four (4) Ayes Carried

Received a recommendation from Assessor Hornberger to appoint Nina Wunsch, 7059 Boston Colden Road, to the position of Assessment Clerk, P.T.

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A motion was made by Supervisor Eagan and seconded by Councilman Mead to table the appointment of Assessment Clerk, PT.

four (4) Ayes Carried

Received and application for a Soil Removal Permit from Roy Emerling, 7957 Boston State Road.

A motion was made by Councilman Mead and seconded by Councilman Edington to table the request of Roy Emerling, 7957 Boston State Road for a Soil Removal Permit.

four (4) Ayes Carried

A motion was made by Councilman Wiktor and seconded by Councilman Mead to remove from the table a request from Gregory Gerwitz for a building permit extension at 5773 Herman Hill Road.

four (4) Ayes Carried

Received from Code Enforcement Officer Kramer an opinion dated March 12, 2002, that the dwelling at 5773 Herman Hill Road will be structurally sound and work may continue according to generally accepted standards upon completion of fourteen items that are not code compliant.

A motion was made by Councilman Wiktor and seconded by Councilman Edington to grant Gregory Gerwitz a building permit at 5773 Herman Hill Road to expire six months from issuance.

four (4) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Edington to remove from the table a request from FOP Holdings LLC for the construction of an additional multiple family dwelling at 7287 Boston State Road.

four (4) Ayes Carried

Received from FOP Holdings LLC an updated Site Plan for an additional multiple family dwelling at 7287 Boston State Road.

A motion was made by Councilman Mead and seconded by Councilman Edington, on the recommendation of the Planning Board to grant FOP Holdings LLC to construct an additional multiple family dwelling at 7287 Boston State Road, contingent upon Town Engineer final review of revised drawings.

four (4) Ayes Carried

SUPERVISOR REPORT

Supervisor Eagan reported that Richard May is seeking a title search, survey and deed for 8075 Feddick Road.

Town Attorney Perley noted that for two years he has attempted to get the title search, survey and deed from the Title Company.

Supervisor Eagan reported that he has received a number of inquires regarding Water District #3 Extension. The Town of Boston, ECWA and the Town of Orchard Park are working for approval, which is very close. Last week Supervisor Eagan met with the EC Highway Department to coordinate the installation of the water line on Omphalius with the road construction project.

Supervisor Eagan requested written notification from the Hillfest Committee regarding the timeframe for closing Boston State Road, traffic safety control, fire protection regarding the fireworks display and clean-up.

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Supervisor Eagan reported that he received from the Erie County Commissioner of Public Works, regarding the February Public Hearing on the Boston Colden/Boston State Road intersection, assurance that a traffic study is in process. Supervisor Eagan noted that both the Boston Town Board and Erie County are staying on top of this issue.

Supervisor Eagan appointed Joan Metzger to the Recreation Committee and Richard Hawkins to the Traffic and Safety Committee.

Received a request from Highway Superintendent Kreitzbender for appointment to the Capital Improvement Committee.

A motion was made by Councilman Mead and seconded by Supervisor Eagan to appoint Highway Superintendent Kreitzbender to the Capital Improvement Committee.

four (4) Ayes Carried

Supervisor Eagan reported that Erie County will address the drainage problem on LuDon Drive in conjunction with the reconstruction project on Omphalius Road.

Supervisor Eagan welcomed the students in attendance from Hamburg and Orchard Park schools.

TOWN CLERK REPORT

A motion was made by Councilman Wiktor and seconded by Councilman Edington to amend the request of Ron Fluker granted at the March 6, 2002 Town Board meeting, for use of the Lions Shelter and Community Room on July 20, 2002 to also include use of the kitchen facilities.

four (4) Ayes Carried

Town Clerk Shenk reported that updates to the Town Code Book have been distributed to Town Board members and will be distributed to the various Code Book holders. Amendments will be distributed shortly to holders of the Town Zoning Books.

HIGHWAY SUPERINTENDENT REPORT

Highway Superintendent Kreitzbender reported that a check was received from FEMA for the July 2000 flood. On March 21, 2002 Highway Superintendent Kreitzbender will meet with FEMA representatives, Erie County Deputy Commissioner of Highways and the Town Grants Writer to incorporate the Wildwood Drive situation into the FEMA project for funds to alleviate the problem.

Highway Superintendent Kreitzbender reported that the brush pick-up is still in progress from the recent ice and windstorm.

Highway Superintendent Kreitzbender reported that he will enter into a contract with NYS for a salt bid for 2002-2003. Last year the NYS bid was \$3.00 a ton less than the Erie County Bid.

Highway Superintendent reported that NYSEG has done considerable routine brush trimming and leaving it for pick-up by the Highway Department.

A motion was made by Councilman Wiktor and seconded by Councilman Edington to direct the Town Attorney to send a letter to NYSEG noting that disposal of brush generated from their routine tree trimming projects is the responsibility of NYSEG.

four (4) Ayes Carried

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HIGHWAY SUPERINTENDENT REPORT (CONT.)

Highway Superintendent Kreitzbender announced that the Highway Department designed and installed a new three sign holder on Town property near the EMS building.

Highway Superintendent Kreitzbender reported that three quotes were received for a new backstop for the North Boston Stadium:

Seneca Fence \$4,200

Armor Fence \$5,730

City Fence \$5,776

A motion was made by Councilman Wiktor and seconded by Supervisor Eagan, on the recommendation of Highway Superintendent Kreitzbender, to award Seneca Fencing the contract for a backstop for the North Boston Stadium at a cost of \$4,200.

four (4) Ayes Carried

COUNCILMAN REPORT

Councilman Wiktor reported that he attended the Patchin Fire Company Installation of Officers. This year four new members joined the Patchin Fire Company. Joseph Keller was honored as the Firefighter of the Year, Dennis Hughey was awarded the Outstanding Service Award and Clarence Kreitzbender for his forty-five years of service. The Patchin Fire Company Ladies Auxiliary donated funds for the purchase of a portable Jaws of Life machine.

Councilman Wiktor reported that regarding the Boston State/West Tillen Road intersection, members of two fire companies have suggested reducing the speed limit to 35 mph on the Boston Colden Road from the parallel to Hunn Road and installing an external plug on the traffic light to allow a generator to power the light in the event of a power outage.

Councilman Edington reported that he attended the Erie County Fire Chiefs Mutual Aid Organization Dinner meeting on March 19, 2002. Robin Mead was honored for twelve years of service, for serving as Vice President and is active in the North Boston Fire Company Ladies Auxiliary. James Carr was honored for his thirty-six years of service and has been Treasurer, First and Second Assistant Chief, Chief, Director, Assistant Radio Coordinator and is currently the Radio Coordinator of the Boston/Colden/East Eden Fire Council.

Councilman Edington reported that again this year the Eighteen-Mile Creek will be stocked with 750 Brown Trout for the April inland opening on March 26, 2002.

A motion was made by Councilman Wiktor and seconded by Councilman Edington to adjourn the meeting at 7:57 p.m.

DAVID J. SHENK, TOWN CLERK