

Town Board Minutes May 18, 2005

Present: Councilmen Richard K. Hawkins, Karl J. Simmeth Jr., Dennis J. Mead, and Supervisor William A. Eagan.

Also Present: Highway Superintendent Telaak, Town Attorney Vacco, and Deputy Code Enforcement Officer Lisowski.

Absent: Councilman Brien M. Hopkins

Rev. Joseph Kwietkowski, Good Shepherd Lutheran Church, opened the meeting with a prayer.

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins, upon recommendation of the Town Engineer, to classify the Hodgson Agency site plan review at 7336 Boston State Road as a Type II action under SEQR and therefore declare lead agency status and after taking a long hard look into the project finds that the proposed action will not have a significant impact on the environment and no further action is required per 6 NYCRR Part 617.

four (4) Ayes Carried

A motion was made by Councilman Simmeth and seconded by Councilman Hawkins to adopt the minutes of the May 4, 2005 regular meeting.

four (4) 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 May 12, 2005 minus voucher #352 in the amount of \$657.00 and adding the voucher for Dotzler Security in the amount of \$2,890, for a total of \$117,150.01 be paid.

four (4) Ayes Carried

Received and filed Certificate of Attendance for Board of Assessment Review training for Mark A. Kaminski, Frank H. Lisowski and Clayton G. Schunk.

Received and filed Intermunicipal Agreement for Town of Boston Sewer District Nos. 1, 3 and 4.

REQUESTS FROM THE FLOOR

Dr. Janet Schumer, 4107 Tossif Terrace, Hamburg, NY announced her candidacy for the 12th Legislative District in Erie County.

Mary Lou Kennedy, 57879 Eddy Road, Colden inquired as to when she would be receiving the results of the meetings with TSL, Co.

Town Clerk Shenk noted that the last informal hearings with TSL were held on Friday and they will now conduct on-site inspections and report to the Assessor. She expects those residents to receive their notice no later than June 1.

At 7:46 p.m. a Public Hearing was held to hear comments regarding Proposed Local Law No. 1 of the year 2005 to establish a Real Property Taxation Exemption based upon disability.

Town Clerk Shenk read the legal notice.

There were no public comments.

A motion was made by Councilman Hawkins and seconded by Councilman Simmeth to close the public hearing at 7:47 p.m.

four (4) Ayes Carried

At 7:48 p.m. a Public Hearing was held to hear comments regarding Proposed Local Law No. 2 of the year 2005 to amend the permitted uses and structures in a C-1 local retail business district to include small animal hospitals.

Town Clerk Shenk read the legal notice.

Town Attorney Vacco stated that there was a request from an individual to open a small animal hospital in an area that would need to be rezoned. The Planning Board was reluctant to rezone due to concerns after a change in ownership. It makes more sense to amend Town Code to allow small animal hospitals as a permitted use within that code.

A motion was made by Councilman Mead and seconded by Councilman Hawkins to close the public hearing at 7:52 p.m.

four (4) Ayes Carried

Mary Lou Kennedy asked if it were true that the Southtowns Citizen reported property values were increasing in the Town of Boston by 85%.

Supervisor Eagan responded that in some cases it is even higher depending on the land value and recent sales in the community.

Bert Feltz, 9339 Dunn Road, noted that two of his out-of-state siblings received their assessment notices late. On their behalf he attempted to make appointments with TSL, but unfortunately the only date that

was available was a day that he was also out of state and unable to make that appointment. He feels the timeframe that was involved did not meet his parameters.

Supervisor Eagan stated that state law says that the tentative roll must be filed by May 1. The town was given an extension and we have to respect this timeframe. The Assessment Board of Review submits their results to the Assessor and she submits an updated final roll by July 1. Once that is in place, it cannot be changed. He suggested that Mr. Feltz, on behalf of his family, should come in before June 7, file grievances for both of them, and schedule the hearings.

A motion was made by Councilman Hawkins and seconded by Councilman Simmeth to authorize the Supervisor to sign and execute the Arts Council of Buffalo and Erie County contracts.

four (4) Ayes Carried

A motion was made by Councilman Simmeth and seconded by Councilman Hopkins to approve the Use of Facilities applications from Shawn Day for June 12, 2005, Jennifer Cavarello for July 17, 2005, David J. Shenk, May 29, 2005 and Debbie Williams for June 25, 2005.

four (4) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilman Simmeth to appoint Susan Carr to the Boston Emergency Squad.

four (4) Ayes Carried

A motion was made by Councilman Hawkins and seconded by Councilman Simmeth to appoint Thomas Butera, Bob Coyne, Harry Keller, Diane Lagenor, Brett Landsman, Melinda Mcdougal, Keil Stuhr, Carl Surdyk and Salvatore Butura as Patchin Fire Police until such time as resignation, removal, or replacement.

four (4) Ayes Carried

A motion was made by Councilman Simmeth and seconded by Councilman Mead to approve the summer meeting schedule as follows:

July 20, 2005 - 5:30 p.m.	Agenda Review
July 20, 2005 - 7:30 p.m.	Regular Meeting
Aug. 15, 2005 - 5:30 p.m.	Agenda Review
Aug. 15, 2005 - 7:30 p.m.	Regular Meeting

four (4) Ayes Carried

A motion was made by Councilman Mead and seconded by Supervisor Eagan to approve a salary of \$2,700 for Summer Recreation Supervisor, Debbie Reinecke.

four (4) Ayes Carried

Supervisor Eagan presented Proposed Local Law No. 3 of the Year 2005, to Amend Section 123, Zoning through the enactment of a Local Law amending minimum lot area in an R-A Residential Agricultural District to be increased from three (3) acres to five (5) acres and to increase the lot width at the building line from seventy-five (75) feet to one hundred (100) feet for a single family dwelling.

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to schedule a public hearing to hear comments on proposed Local Law #3 of the Year 2005, to amend minimum lot size and frontage requirements for R-A zoning for June 15, 2005 at 7:40 p.m.

four (4) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilman Mead, on the recommendation of the Planning Board, to appoint Paul Speich, Robert Chelus, and Tim Kirst as alternate members to the Planning Board term, to expire December 31, 2008.

four (4) Ayes Carried

DEPARTMENT ANNOUNCEMENTS/ACTIONS

Received and filed monthly reports from the Supervisor, Tax Collector, Justice Court, Dog Control Officer's, Town Engineer and Recreation Director.

A motion was made by Councilman Mead and seconded by Councilman Simmeth to accept the Town Clerk's report for April 2005.

four (4) Ayes Carried

Highway Superintendent Telaak announced that the final brush pick up began 5/16/05.

He also announced that the Park and Ride fence has been repaired for \$3.50 compared to a submitted estimate of \$1,440.

Highway Superintendent Telaak stated that the North Boston baseball diamond backstop is scheduled for repair within the next week.

Councilman Mead announced there would be a dedication on Saturday, May 21 at 11:00 a.m. for the Boston Town clock and surrounding beautification project. New granite benches are now in place.

Councilman Hawkins commented on a letter received from Bob Wojcinski regarding the volume level of music after 10:00 p.m. during the Community Days celebration. He stated that the Community Days Chairman has been notified and they will take whatever steps they can to keep the noise down.

Councilman Hawkins stated that the new Lion Shelter stage has arrived and is being assembled by volunteer firefighters.

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to adjourn the meeting at 8:30 p.m.

four (4) Ayes Carried

DAVID J. SHENK, TOWN CLERK