

Town Board Minutes November 17, 2004

Present were Councilman Brien M. Hopkins, Councilman Karl J. Simmeth Jr., Councilman Dennis J. Mead, Councilman Richard K. Hawkins, Highway Superintendent Richard A. Poore and Town Attorney Kelly A. Vacco.

Excused: Supervisor William A. Eagan

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 November 3, 2004 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 fund bills on the Abstract dated November 10, 2004 in the amount of \$130,102.61 be paid.

four (4) Ayes Carried

Received and filed letter from Senator Rath regarding the distribution of traffic fines that were contained in Budget Bill S.6056.

REQUESTS FROM THE FLOOR

Deputy Code Enforcement Officer Lisowski made the Board aware that he cited Richard Hayden of Couzins for violating the stipulations of his live entertainment permit and for operating without a permit because he was not sure if the permit was granted by the Town Board and paid for by Mr. Hayden.

Town Attorney Vacco stated that it is a valid permit but with conditions and asked Town Clerk Shenk if the fee had been paid.

Town Clerk Shenk noted that the fee was paid in July.

Deputy Code Enforcement Officer Lisowski noted that he did get three complaints from neighbors.

Councilman Hopkins asked Deputy Code Enforcement Officer Lisowski if Richard Hayden was cited for playing the music past the 11 pm deadline.

Deputy Code Enforcement Officer Lisowski responded yes.

Councilman Simmeth asked if Mr. Hayden plays music past the 11 pm deadline, would he be cited every time.

Deputy Code Enforcement Officer Lisowski responded yes.

Councilman Mead made Deputy Code Enforcement Officer Lisowski aware that Mr. Hayden did attend the Agenda Review Meeting and the Town Board recommended that he visit the neighbors that made the complaints and discuss with them what he has done to remedy the problem and prove that it is working.

Deputy Code Enforcement Officer Lisowski stated that he met Karl Henry, an Engineer from Pennsylvania who was retained by the prior owners of this building to come up with an answer for this noise problem. Mr. Henry indicated that solid, heavy concrete walls would be the best blocker.

Councilman Mead asked Deputy Code Enforcement Officer Lisowski if he discussed this with Mr. Hayden.

Deputy Code Enforcement Officer Lisowski stated that he did not and was not going to make any recommendations based solely on a conversation with Mr. Henry.

Councilman Mead read a letter from Wayne Kreitzbender requesting payment of his unused sick time.

A motion was made by Councilman Mead and seconded by Councilman Simmeth to forward the letter from Wayne Kreitzbender to Town Attorney Vacco for review and recommendation.

four (4) Ayes Carried

A motion was made by Councilman Hopkins and seconded by Councilman Simmeth to schedule public hearings on December 15, 2004 at 7:45 p.m., 7:50 p.m. and 7:55 p.m. to consider the renewal of the Fire Protection, Ambulance Service and Preservation of Historical Places and Objects Contracts respectively.

four (4) Ayes Carried

A motion was made by Councilman Simmeth and seconded by Councilman Hawkins to schedule the year-end meeting for Wednesday, December 29, 2004 at 4:00 p.m.

four (4) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Hawkins on the recommendation of Highway Superintendent Poore to grant National Fuel the 2005 Annual Blanket Highway work permit.

four (4) Ayes Carried

RESOLUTION 2004-31 STOP DWI GRANT PROGRAM

A motion was made by Councilman Hopkins and seconded by Councilman Hawkins to appoint Susan Caldwell to the Boston Emergency Squad.

four (4) Ayes Carried

Received and filed notice of approval from the Planning Board of the Preliminary Plat for the Darling Subdivision

SUPERVISOR REPORT

· Supervisor's report for October 2004 was received and is on file in the Town Clerk's office.

TOWN CLERK REPORT

A motion was made by Councilman Hawkins and seconded by Councilman Simmeth to accept the Town Clerk's report for October 2004.

four (4) Ayes Carried

Town Clerk Shenk announced that flu shots would be on Friday, November 19, 2004. All appointments have been filled.

TOWN ATTORNEY REPORT

A motion was made by Councilman Hawkins and seconded by Councilman Simmeth to authorize Supervisor Eagan to sign a letter of commitment in regards to the WNY Storm Water Coalition.

four (4) Ayes Carried

COUNCILMAN REPORTS

Councilman Mead announced that the Christmas Lighting Committee is looking for volunteers to hand out brochures on Saturday, November 18th.

Councilman Simmeth stated that he was involved with a grass roots campaign through Legislator Chase's office regarding the Medicaid issue. Copies of the letter will be available at the Town Hall. All letters submitted to the Town Clerk's office would be forwarded to Senator Volker and Assemblyman Quinn's offices.

Councilman Hawkins stated that the Snowmobile Club was granted permission to build a bridge at the Patchin Fire Hall. The bridge was started on Saturday and was completed by Sunday afternoon.

Councilman Hawkins stated that a letter was received by Pat Lamont from the Scenic By-Way Committee requesting a letter showing support for the Scenic By-Way be sent to Robert Lennartz, 51 Timberlake Drive, Orchard Park.

ASSESSORS REPORT

· Assessor's report for October 2004 was received and is on file in the Town Clerk's office.

TOWN JUSTICE REPORT

- Town Justice report for October 2004 was received and is on file in the Town Clerk's office.

CODE ENFORCEMENT REPORT

- Deputy Code Enforcement Officer report for October 2004 was received and is on file in the Town Clerk's office.

DOG CONTROL OFFICER REPORT

- Dog Control Officer's reports for October 2004 were received and are on file in the Town Clerk's Office.

TOWN ENGINEER REPORT

- Town Engineer report for October 2004 was received and is on file in the Town Clerk's Office.

A motion was made by Councilman Hawkins and seconded by Councilman Simmeth to adjourn the meeting at 7:51 p.m.

five (5) Ayes Carried

DAVID J. SHENK, TOWN CLERK