

Town Board Minutes October 5, 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 Deputy Code Enforcement Officer Lisowski.

A motion was made by Councilman Mead and seconded by Councilman Simmeth to authorize Supervisor Eagan to sign the extension of the state police lease.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to authorize Foit-Albert to put the State Police Barrack project out to bid.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Hawkins to authorize Foit-Albert to do additional borings for the state police barracks.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilman Mead to approve the site plan for the placement of the State police barracks.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Hawkins to memorialize the purchase of the leaf vacuum equipment purchase by Highway Superintendent Telaak in the amount of \$16,500 off state contract as previously approved at an agenda review.

five (5) Ayes Carried

Supervisor Eagan confirmed to Highway Superintendent Telaak that the leaf blower was purchased with monies received from the sale of other equipment from the Highway Department.

A motion was made by Councilman Simmeth and seconded by Supervisor Eagan to adopt the minutes of the September 21, 2005 regular meeting.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Hawkins upon review by the Town Board that fund bills on the Abstract dated September 29, 2005 minus voucher # 708 in the amount of \$290.05 for a total of \$160,836.83 be paid.

five (5) Ayes Carried

A motion was made by Councilman Simmeth and seconded by Supervisor Eagan to adopt the minutes of the September 21, 2005 regular meeting.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Hawkins upon review by the Town Board that fund bills on the Abstract dated September 29, 2005 minus voucher # 708 in the amount of \$290.05 for a total of \$160,836.83 be paid.

five (5) Ayes Carried

REQUESTS FROM THE FLOOR

Carl Borowicz, 7108 Liebler Road: Asked if there was any further information regarding the construction work at 7118 Liebler Road.

Town Attorney Vacco stated Deputy Town Attorney Metzger is looking into it.

Deputy Code Enforcement Officer Lisowski stated that upon inspection of the site it did not meet the criteria of the Zoning Board of Appeals decision.

Mr. Borowicz asked Deputy Code Enforcement Officer Lisowski inspect the property again because additional construction was done with drainage and feels that this would cause a drainage problem on his property.

RESOLUTION 2005-21 IN SUPPORT OF COLLATERAL SOURCE BILL

A motion was made by Councilman Simmeth and seconded by Supervisor Eagan to schedule a public hearing for 7:45pm on November 16, 2005 to hear comments on proposed Local Law #4 of the year 2005, to amend section 123, Zoning Through the Enactment of a Local Law Amending Adult Uses in an M Industrial District.

five (5) Aye Carried

Supervisor Eagan read his 2006 Preliminary Budget summary: After several department head meetings, assessing department needs and making necessary adjustments, the Budget Director and I have worked

hard at preparing a tentative town budget. This budget incorporates the new town assessments. However, unlike many towns, the recent re-val was not used to create more tax revenue. The General Town tax revenue went from \$180,203 last year to \$180,644 in this year's budget. This is a 0% increase in tax revenue. The appropriations or expenses in the general fund have increased a slight 2.5%, which is below the rate of inflation. This increase will be offset with more anticipated state aid.

In the highway budget, we anticipate increasing costs in several areas. It is unavoidable that fuel, asphalt, salt, and sand costs are increasing. We also have mandated costs and labor contracts to adhere to. With sound fiscal management, our highway superintendent, Bob Telaak has kept the highway tax increase to a minimum. He has been working hard administrating the CHIPS Program to obtain reimbursements for highway roadwork. He has also sold off equipment no longer used, sold excess scrap, kept over-time to a minimum, and has managed to build up some surplus funds in the highway fund. Therefore, we can appropriate more fund balance to keep the highway fund to only a 4% tax revenue increase.

Special District budgets are within a very slight (1-3%) increase range. Some kind of increase is unavoidable due to utility and contractual obligations. Costs for workman's comp in our fire budget have jumped 100% since 9/11. Many of our long-term loans for water districts are locked in at favorable rates. As we move forward, expanding our water districts, we can spread out the costs over the increased users of the district.

As in past years, I have looked at different avenues to save taxpayers' money and hold the line on taxes. In fact, my first budget of 2003, I reduced the general town tax rate by over 7%. I have been working hard to keep taxes affordable in this community, while maintaining services and programs.

In summary, we can be proud to live in Boston, where a 2003 Buffalo News article best summed it up regarding the budget in Boston as "the envy of the Southtowns." Three years later, this statement still rings true.

Supervisor Eagan commented that this is a tentative budget and from this point forward will be worked on with all the town board members. Supervisor Eagan commended all Department heads for being conservative in their budget approach.

A motion was made Councilman Hawkins and seconded by Councilman Mead that the 2006 Tentative Budget be approved as follows:

Appropriated Raised by

Appropriations	Est. Revenues	Fund Balance	Taxation
General	1,528,942	-864,798	483,500 180,644
Highway	1,187,059	-423,300	80,000 683,759
Fire	680,000	0.00	10,000 670,000
Light	20,000	0.00 0.00	20,000
Ambulance	75,012	0.00	10,000 65,012
Refuse & Garbage	375,000	0.00	18,534 356,466
Water #1	74,909	0.00	10,000 64,909
Water #2	53,673	0.00	10,000 43,673
Water #1, ext.	16,423	0.00	0.00 6,423
Water #2, ext 2	32,315	0.00 0.00	32,315
Water #3	183,391	0.00	0.00 183,391

five (5) Ayes Carried

The 2006 Tentative budgets grand totals are as follows Appropriations \$4,216,724, Estimated Revenue \$-1,288,098, Appropriated Fund Balance \$622,034, Raised by Taxes \$2,306,592.

A motion was made by Councilman Simmeth and seconded by Councilman Mead that the 2006 schedule of proposed salaries for the elected Town Officials be approved as follows:

- Supervisor 27,470
- Councilman (4) 7,545
- Town Clerk 40,000

Town Justice (2) 13,287

Superintendent of Highways 45,938

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Simmeth to schedule a public hearing on November 2, 2005 at 7:45 p.m. to hear public comments regarding the 2006 tentative budget.

five (5) Ayes Carried

DEPARTMENT ANNOUNCEMENTS/ACTIONS

Received and filed a monthly report from the Town Engineer.

Supervisor Eagan stated that he met with the New York State Police, Town Attorney Vacco, and representatives from Foit-Albert to discuss and finalize the site plan for the new State police barracks and make sure there were no drastic changes to the layout. Foit-Albert and the State Police are satisfied and have given us the green light to proceed. Foit-Albert will begin soil testing for both the road leading to the future soccer fields and the site of the State police barracks.

Supervisor Eagan stated that Erie County Soil and Water did a stabilization study concerning the erosion of 18 Mile Creek and determined there were 27 priority sites in Boston. Those sites are now a higher priority. We expect them to start the activity along 18-mile creek to remove the logjam behind the Creekside apartments, Back Creek Road and Colonial Drive. He and Hamburg Supervisor Hoak are attempting to get more attention from the Army Corp. of Engineers. Congressman Higgins' office is aggressively helping us. We are looking at additional funding sources. He will make a recommendation to the Capital Improvements Committee that the Town Escrow \$150,000 to show New York State and Erie County that were serious about erosion and

Supervisor Eagan Cont: loss of property to homeowners along 18-mile creek. This will compliment the work our highway department has been doing with drainage. Boston has had the equivalent of three 100-year storms, 5 inches of rain in a short period, during the last eight years.

Supervisor Eagan stated that he will ask that the Capital Improvement Committee recommend to the Town Board that we appropriate funds in our budget and ask our grant writer to find funds to create a side walk from the vicinity of our new snack shack to the Finger Memorial Flag Pole. This memorial is inaccessible to residents with handicaps.

A motion was made by Councilman Simmeth and seconded by Supervisor Eagan to accept the Tax Collector's annual report for 2005.

five (5) Ayes Carried

Town Clerk Shenk stated that school taxes are due on Monday, October 17 and the office will be open Thursday, October 13 and Friday, October 14 until 8 p.m., Saturday, October 15 from 9 a.m. to 3 p.m. and Monday, October 17 until 9 p.m.

Highway Superintendent Telaak reported on various projects being worked on throughout town.

Councilman Mead stated that at an agenda meeting the Town Board discussed putting money into the budget for more drainage issues or challenges. One of the biggest issues is proposed sub-divisions and that there are no Local Laws regarding issues of drainage. He stated that it was discussed that there be drainage districts for new subdivisions so that not all residents would pay for a select issue. He stated that he would like a recommendation from the Planning Board regarding this issue.

Councilman Hopkins stated that the Planning Board is working on a check off list for subdivisions and Richard Brox has reviewed and concurred with it, they just need to follow it.

Town Attorney Vacco stated that the Planning Board has had several work sessions and streamlined the process for subdivision applications. All the changes that Foit-Albert recommended to the Planning Board have been done.

Councilman Mead stated Planning Board Chairman Hacker felt that recommendations to change town codes were not up to the Planning Board. The Planning Board has full jurisdiction over subdivisions. Chairman Hacker told Councilman Mead the Planning Board would review the code to identify improvements.

Supervisor Eagan stated that he was concerned about drainage issues. We've talked about open ditches versus gutter curbs and it's easier on the Planning Board if it is regulated in the code.

Councilman Hopkins stated the Planning Board decides what the best drainage would be for that area, subject to the Highway Superintendent's approval.

Councilman Mead asked Town Clerk Shenk to send a letter to the Boston Hills Mobile Home Park regarding the trees that were supposed to be planted.

Councilman Simmeth, Supervisor Eagan, and Highway Superintendent Telaak met with the Town Engineer last week to discuss drainage problems in the Creekside Sub-division, Hickory Meadows Sub-division, and Pin Oak Drive.

Councilman Simmeth noted there would be a computer/electronics and textile drop off at Erie Community College on Saturday, October 15, 2005, from 9 am to 2 pm.

Councilman Simmeth noted that Erie County Sewer District #3 will be conducting dye testing and letters to all residents have been mailed.

Councilman Simmeth met with Charlie Ziegler, Chief Engineer for Erie County, and asked him to give the Town a report of the Hillcroft Bridge. Mr. Ziegler will also bring the issues of Omphalius Road to the attention of the County Highway Department.

Councilman Simmeth stated the he met with Town Clerk Shenk and Jim Latello from New York State Electric and Gas and looked at the placement of street lights in Hickory Meadows Subdivision.

Chris Zemrac, Director of Operations for the Boston Emergency Squad: Regarding standby for Boston Patriot Football games. We do not and have not done standby with an ambulance at organized football games or any other sporting event in town. In 2005, we have responded to 303 calls and 99% of them were covered. The one that was not covered was because we were already on a call and no members were available to take it. If we provide one standby, then we would be expected to provide for all. This is an impossible request and should not be expected. We are available for 911 calls and we will respond. We also offer CPR and first aid training to anyone including coaches. There is nothing that I as a paramedic am going to do differently for a simple football injury that a basic first-aider cannot do prior to an ambulance arrival.

Supervisor Eagan stated that he was aware that the Boston Emergency Squad has asked for schedules of the sporting events. He stated that there was an incident recently where it was the decision of the parents to transport their own child and not call the squad. He stated that it is a matter of comfort to the parents if there were an emergency vehicle parked down at the fields.

Wendy O'Bryant: I personally have been to three cheerleading calls and have not been to one football call. I would suggest when recreation organizes for the year, that it is mandatory that coach's meet with the emergency squad and recreation liaison to identify what the county and state as far as EMS coverage mandate. But, for me to spend five hours down here, just in case, when my neighbor is having a heart attack does not do him any good.

Supervisor Eagan stated that there are people out there defending the squad's activities and the services it renders to this community. The important issue here is that communication is always important to resolve problems.

Chris Zemrac: I ask that if anyone hears someone else ask "where is the squad?", please say that we are just a 911 phone call away. That is our purpose and if there is a concern, I ask that I be called, as Director of Operations.

Dave Bartkowiak, Boston Patriots: I have spoken with Chris and he has explained to me how the system works, and I was satisfied with his explanation. We do have a number of coaches that have first aid training.

Councilman Hawkins noted that there were some concerns with speeding in the Creekside Subdivision.

Councilman Hawkins noted that during the recent flood the Hillcroft Bridge is one of the bridges that was hit the hardest. He asked the inspector from Erie County Highway if this bridge could be moved up on their repair schedule.

A motion was made by Supervisor Eagan and seconded by Councilman Simmeth to adjourn the meeting at 8:34 pm.

five (5) Ayes Carried

DAVID J. SHENK, TOWN CLERK