

## Town Board Minutes October 5, 2011

Present: Supervisor Martin A. Ballowe, Councilwoman Maghran, Councilmen Jay P. Boardway, Jeffrey A. Genzel, and Eugene S. Wieckowski, Jr.

Also Present: Town Attorney Kobiolka and Highway Superintendent Telaak.

### RESOLUTION 2011-14      MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

A motion was made by Councilman Genzel and was seconded by Councilman Boardway to schedule a bid opening for October 25, 2011 at 10 a.m. for the Water District #3, ext. #1 construction.

five (5) Ayes    Carried

A motion was made by Councilwoman Maghran and was seconded by Supervisor Ballowe to have the Supervisor's Office request from Erie County that a speed limit traffic study be conducted for Feddick and Keller Roads in the Town of Boston.

five (5) Ayes    Carried

A motion was made by Councilman Boardway and seconded by Supervisor Ballowe to adopt the minutes of the September 7, 2011 regular meeting.

five (5) Ayes    Carried

A motion was made by Councilman Boardway and seconded by Councilwoman Maghran to adopt the minutes of the September 21, 2011 regular meeting.

five (5) Ayes Carried

A motion was made by Councilman Wieckowski and seconded by Councilman Boardway, upon review by the Town Board, that fund bills on the Abstract dated September 29, 2011 in the amount of \$87,702.61 be paid.

five (5) Ayes Carried

Tom Steinagle thanked the Town Board for requesting that a traffic study be conducted on Keller and Feddick Roads.

Kathy Praczkajlo asked if the tentative budget would be available on line for review and wondered if anyone had heard the loud booms on Saturday evening. She contacted the Troopers and they suggested that there may be some fracking within the town.

Supervisor Ballowe noted that the budget would be available online.

Councilman Wieckowski noted that there were no calls to the Fire Department. He noted that there has been some fracking on Ward and Cole Roads.

A motion was made by Councilman Boardway and seconded by Supervisor Ballowe to approve the Use of Facility Application for North Boston Vol. Fire Companies 2012 50th Grand Gala for July 5, - July 8, 2012 with the stipulation that the Use of Facilities Application and all appropriate fees are received before the event.

Supervisor Ballowe Aye Councilman Boardway Aye

Councilman Genzel Aye Councilwoman Maghran Aye

Councilman Wieckowski Abstain

Four (4) Ayes (1) One Abstain Carried

Councilman Wieckowski abstained due to the fact that he is a member of the North Boston Vol. Fire Company

RESOLUTION 2011-13      TOWN OF BOSTON AND HIGHWAY DEPARTMENT SURPLUS EQUIPMENT

A motion was made by Supervisor Ballowe and was seconded by Councilman Genzel to accept the resignation from Joseph A. Litwin from the Planning Board as a Regular member.

five (5) Ayes   Carried

A motion was made by Councilman Wieckowski and was seconded by Councilman Genzel to schedule a public hearing for the annual CDBG grant application for October 19, 2011 at 7:40 p.m.

five (5) Ayes   Carried

A motion was made by Councilman Genzel and was seconded by Councilman Wieckowski upon the recommendation of the Planning Board to approve the Site Plan Application for Bison Cycles Sales and Service at 8032 Boston State Road.

five (5) Ayes   Carried

Supervisor Ballowe read his 2011 Tentative Budget Summary:

The big issue with today's budgets facing towns and school districts is staying under the 2% property tax cap. This New York State Law requires officials to keep the total tax levy not more than 2 % from the prior year.

Supervisor Ballowe Cont'd: In the 2012 tentative budget, this board has worked together to not only stay below the 2% tax increase, but we have DECREASED the total tax levy, by 1.88%. We have managed this even with increasing contractual obligations and with rising pension costs from the state. We have realized tax dollar savings with our renewed contract with Waste Management, saving nearly \$50,000 in 2012. In another area, the residents in Water District #3 will see significant tax savings due to the "Build America Bonds", which allows for a 35% rebate on the interest. We are continuing to look for ways to save money for the taxpayers of this town. This 2012 tentative budget decreases the tax rates in both the General & Highway Funds. The Special District area tax rates remain relatively constant. Many cuts were made to department budgets, without sacrificing services to our residents. I would like to thank all the department heads for meeting with me during this budget process, and I will continue to review this budget with the Budget Director, Kathy Selby and the town board.

2012 Tentative Budget:

Appropriated

Appropriations Est. Revenues Fund Balance Raised by Taxation

General	1,689,671	1,253,250	250,000	186,421
Highway	1,168,338	442,204	0.00	726,134
Fire	770,000	0	50,000	720,000
Light	20,000	0	20,000	
Ambulance	102,000	0	12,000	90,000
Refuse/Garbage	552,000	0	5,880	546,120
Water #1	79,909	0	79,909	
Water #2	55,400	0	55,400	
Water #1, Ext. 1	6,422	0	0	6,422
Water #2, Ext. 2	36,800	0	0	36,800
Water #3	266,400	0	0	266,400
Water #3, Ext. 1	11,000	0	5,942	5,058
Totals	\$4,757,940	\$1,695,454	\$323,822	\$2,738,664

A motion was made by Supervisor Ballowe and seconded by Councilwoman Maghran to schedule a public hearing on November 2, 2011 at 7:40 P.M. to hear public comments regarding the 2012 tentative budget.

five (5) Ayes Carried

A motion was made by Supervisor Ballowe and seconded by Councilman Boardway to approve the following 2012 schedule of proposed salaries for the elected Town Officials:

A motion was made by Supervisor Ballowe and was seconded by Councilman Boardway to approve the following 2012 schedule of proposed salaries for the elected Town Officials:

Supervisor \$22,640  
(4) Councilman \$ 7,770  
Town Clerk \$43,515  
(2) Town Justices \$15,200  
Superintendent of Highways \$52,450

five (5) Ayes Carried

Councilman Boardway noted that the tentative budget will now become the Preliminary Budget which will be the subject of the Public Hearing. After that Public Hearing the proposed budget will become the adopted budget.

The following bids were received for the Valley View Lane Stream Bank Erosion Project:

Eastwood Industries \$14,444  
Site Specialties, LLC \$25,400

Highland Acres Landscaping \$44,840

Donald Braasch Construction \$19,952

A motion was made by Supervisor Ballowe and was seconded by Councilman Wieckowski to accept the bids with contingency that the Town of Boston is seeking funding from Erie County Soil and Water and the Homeowner.

five (5) Ayes Carried

Supervisor Ballowe noted that the homeowner is always partially responsible for this type of project. The town does contribute money toward this project also, but Erie County Soil and Water usually comes in with funding that was set aside by State and Federal Government. We are waiting to hear from Mark Gaston from Erie County Soil and Water before we award this bid. Eastwood Industries was the lowest bidder.

Town Attorney Kobiolka noted that he was advised that the Boston Fire Company is involved in a lawsuit with an adjacent property owner about an easement, and asked the Town Board to table the Special Permit request until he speaks with the attorneys both parties.

A motion was made by Supervisor Ballowe and was seconded by Councilwoman Maghran to table the request for a Special Permit from Boston Fire Company until the October 19, 2011 meeting.

five (5) Ayes Carried

Received and filed monthly reports from the Assessor.

Supervisor Ballowe noted the Star savings has definitely been impacted by the 2% cap. The following are the 2011/2012 tax rates and the increase:

Hamburg 17.72/18.79 (+1.07)

Orchard Park 16.75/17.58 (+.83)

Eden 18.12/19.13 (+1.01)

Springville 16.17/16.62 (+.42)

Supervisor Ballowe noted that the Town of Boston acquired part of the old turf from the Buffalo Bills which will be used on the bocce ball court and behind the recreation center.

Supervisor Ballowe noted that he met with our local librarian and representatives from the Erie County Library and discussed the potential change of funding structure and the creation of a countywide special legislative district. The libraries are looking to become their own district so that their funding cannot be taken away. If they need additional funding, they will have to come to the voters for that help.

Supervisor Ballowe noted that he was attended a 911 ceremony at Springville Griffith Institute where they unveiled a sculpture created from beams obtained from the World Trade Center. The sculpture was designed by one of the students at the school. It is a very impressive piece of art and everyone should really try to go and view it.

Highway Superintendent Telaak noted that brush pick up will continue until the leaves begin to fall then the leaf box will be put on the truck.

Highway Superintendent Telaak noted that the Liebler Road drainage project has slowed down due to a shortage of workers.

Highway Superintendent Telaak received the following bids for the Oak tree removal on the towns right-of-way on Liebler Road:

Modern Tree Service \$2,100 Tree Care of WNY \$2,150

A motion was made by Supervisor Ballowe and was seconded by Councilman Boardway to accept the bid from Modern Tree Service for the oak tree removal at a cost of \$2,100.

five (5) Ayes Carried

Highway Superintendent Telaak noted that when the first bunches of trees were cut down, the owner wanted the wood which should include the entire tree including the stump, but he was instructed by the Town Board to remove the stumps from the property.

The following quotes were received to remove the stumps from the property 6762 Liebler Road.

Modern Tree Service \$2,200 Tree Care of WNY \$1,995

A motion was made by Supervisor Ballowe and was seconded by Councilman Genzel to accept the bid from Tree Care of WNY at a cost of \$1,995 to remove the stumps from the property on Liebler Road.

Supervisor Ballowe Aye Councilman Wieckowski Aye  
Councilman Genzel Aye Councilwoman Maghran Aye  
Councilman Boardway Nay

Four (4) Ayes (1) Nay Carried

The following quotes were received to remove branches from Liebler Road.

Modern Tree Service \$220 Tree Care of WNY \$285

A motion was made by Supervisor Ballowe and was seconded by Councilman Genzel to accept the bid from Modern Tree Service to remove branches from Liebler Road at a cost of \$220.

five (5) Ayes Carried

Highway Superintendent Telaak noted that he would like to begin removing trees on the other side of Liebler Road. He noted that the larger these trees get the more costly it is to have them removed. This is a preventative measure.

Councilman Wieckowski noted he is working on the 2012 contract with the Boston Emergency Squad. He also attended the Boston Historical Society presentation.

Councilman Genzel as Planning Board Liaison noted that the Planning Board recommended approval of the Bison Cycles and Sales. He also noted that volunteers are needed for the Planning Board.

Councilman Genzel noted that he referred the inquiry from the Planning Board about the dumping of dirt at the corner of Boston State and Eckhart Roads and the cutting of trees and ATV?s on town property to Code Enforcement.

Councilman Genzel as Engineering Liaison reported that the plans for Cole Road, Water 3, Ext. 1 were submitted to the Erie County Water Authority and are awaiting comments from the Department of Health and the DEC.

Councilman Genzel as Drainage Liaison noted he was contacted by Charles Dunham, Boston Hills, and Estates regarding bank stabilization. We will have to seek funding for that project.

Councilman Genzel noted that there is some danger behind the soccer fields in park behind the town hall. Please be aware of the yellow caution tape.

Councilman Genzel noted that he received a request from John Anthone from Gatco Knife Company in North Boston requesting that the Town Board contact Erie County to request that a trash rack be installed near his property.

A motion was made by Councilman Genzel and was seconded by Councilman Wieckowski to authorize Supervisor Ballowe to send a request to Erie County to install a trash rack near the property owners on Boston State road who have endured flooding due to plugged culverts and so that future flooding does not become a problem.

five (5) Ayes Carried

Councilman Boardway noted that a representative from Perma met with them to discuss the Worker's Compensation Coverage. We are trying to aggressively pursue cost-cutting measures.

Councilman Boardway attended the Boston Historical Society presentation and noted that he was overly impressed with it.

Councilman Boardway noted that the Conservation Advisory Council lost another member and is now looking for volunteers.

Councilwoman Maghran noted that the Blood Drive on October 18th, from 2 pm to 7 pm.

Councilwoman Maghran also requested that all residents report any street light outages to the town clerk's office.

Councilwoman Maghran noted that she is setting up another mobile net safety unit session for the first of the year.

A motion was made by Supervisor Ballowe and seconded by Councilwoman Maghran to adjourn the meeting at 8:17 p.m.

five (5) Ayes Carried

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JENNIFER A. MULE', DEPUTY TOWN CLERK