

## **Town Board Minutes September 1, 2010**

Present: Supervisor Martin A. Ballowe, Councilmen James E. Pluta and Jeffrey A. Genzel and Jay P. Boardway and Councilwoman Cathy A. Maghran.

Also Present: Town Attorney Kobiolka and Highway Superintendent Telaak.

Rev. Bonnie Bates, Faith United Church of Christ, opened the meeting with a prayer.

A motion was made by Councilman Boardway and seconded by Councilwoman Maghran to approve the Use of Facilities Application for St. Martin's Lutheran Church for 10/24/10.

five (5) Ayes Carried

A motion was made by Councilman Boardway and seconded by Councilwoman Maghran to accept the minutes of the August 4, 2010 regular meeting.

five (5) Ayes Carried

A motion was made by Councilman Boardway and seconded by Councilman Pluta to table the minutes of the August 16, 2010 special meeting.

five (5) Ayes Carried

A motion was made by Councilman Pluta and seconded by Councilman Genzel, upon review by the Town Board, that fund bills on the Abstract dated August 26, 2010 in the amount of \$251,176.15 minus voucher #593 & #596 in the amount of \$694.50 be paid.

five (5) Ayes Carried

A motion was made by Councilwoman Maghran and was seconded by Councilman Boardway to accept the resignation of Joseph Hynes from the Conservation Advisory Council.

five (5) Ayes Carried

Received and filed Notice of Liquor License Renewal from Buffalo Bucks Smokehouse, 8038 Boston State Road.

A motion was made by Councilman Genzel and was seconded by Councilman Boardway to refer the request for appointment of Jennifer Lucachik to the Planning Board for review and recommendation.

five (5) Ayes Carried

#### RESOLUTION 2010?11 TOWN OF BOSTON SERVICE AWARD PROGRAM

The following bids were received on August 23, 2010 10 a.m. for one (1) new 2011 ¾ Ton 4WD Extended Cab Pickup Truck and trade in of one used 2003 ¾ Ton 4WD Chevy Pickup Truck:

Bid Amount	Trade In amount	Net Amount	
Emerling Chevrolet	\$31,406.51	\$7,500.00	\$23,906.51
Joe basil Chevrolet	\$31,258.00	\$6,500.00	\$24,758.00
West Herr Ford/Chevy	\$32,006.00	\$7,000.00	\$25,006.00

Councilman Pluta confirmed with Town Clerk Shenk that this bid was advertised in the town's official newspapers.

A motion was made by Councilman Boardway and was seconded by Councilwoman Maghran upon the recommendation of Highway Superintendent Telaak to award the bid for one (1) new 2011 ¾ Ton 4WD Extended Cab Pickup Truck in the amount of \$31,406.51 and trade in of one used 2003 ¾ Ton 4WD Chevy Pickup Truck in the amount of \$7,500.00 for a net amount \$23,906.51 to Emerling Chevrolet.

five (5) Ayes Carried

Received and filed a letter from John Scheme, PE regarding the Boston Hotel, 9378 Boston State Road, stating that he found the basement, first and second floors to be structurally sound and the roof framing was heavily damaged and needs replacement. He also stated that it's not in danger of collapse and has been boarded up, and locked.

Councilman Boardway stated the Boston Hotel, 9378 Boston State Road, had a catastrophic fire January 2009, a Public Hearing was held July 7, 2010 where the Town Board heard sworn testimony, owner Lisa Dellamore being served May 6, 2010 of the July 7, 2010 Public Hearing, an inspection report of Code Enforcement Officer Ferguson dated May 5, 2010. At the August 4, 2010 Town Board Meeting the Owners were requested to 1) Obtain an Engineer's Report to reconstruct the building, 2) To provide the Town Board with a start date for construction, and 3) Within the next 7 days, place a safety chain-link fence around the property and only one of these requirements has been met.

A motion was made by Councilman Boardway and was seconded by Councilman Genzel has determined that 9378 Boston State Road (258.09-1-14) is an unsafe and dangerous building and hereby adopts an order directing Lisa Dellamore owner of same to demolish and remove all buildings, structures, and any related debris from said property in accordance with Chapter 47 of the Boston Town Code on or before September 15, 2010 and that any failure to comply with this order, the Town of Boston may, without further notice, cause the said structure to be demolished and removed in accordance with Chapter 47 of the Boston town Code and assess the costs thereof, including the costs of these proceeding on the tax roll and direct Town Attorney Kobiolka to notify the owner.

five (5) Ayes Carried

Received and filed monthly reports from the Supervisor and Code Enforcement Officer.

Supervisor Ballowe stated that he met with County Legislator Dixon in regards to getting some drainage work done on Boston State, Zimmerman, and Feddick Roads and some road improvements to Omphalius and Wohlhueter Roads.

Town Clerk Shenk announced that the next Blood Drive is Tuesday, September 7, 2010 2:30 p.m. - 6:30 p.m. and NYSDEC Conservation License's went on sale August 16, 2010 and the Deer Management Permit Deadline is October 1, 2010.

Highway Superintendant Telaak reported brush pickup begins next week. Chips, leaves, and fill are available.

Parks Superintendent Telaak reported hydro seeding is complete at the NYS Police Barracks, Town Park ponds and ditch at North Boston Park have been cleaned.

A motion was made by Councilwoman Maghran and seconded by Councilman Boardway on the recommendation of Parks Superintendent Telaak to purchase off NYS Bid a 2010 John Deere X740 Tractor 2WD with bagger in the amount of \$10,562.09, trade in of a 2003 John DEERE X595 Tractor 4WD in the amount \$5,000 of for a net due of \$5,562.09.

five (5) Ayes Carried

Parks Superintendent Telaak commented the 2010 budget included a new parks truck, which was repaired by the Highway Department and has money available for the tractor.

Councilman Pluta announced that he will attend a NEST Meeting September 9, 2010.

Councilman Genzel stated that Water District #3 construction is almost complete. The following Drainage projects will begin and/or finish in September: May Drive, Lewis property, Anthony Gulf behind the Patchin Fire Company, Colonial Drive, the ?horse shoe? on Back Creek Road, Duengfelder, and Back Creek Rd South of Patchin Road. The Christmas Lighting Committee is meeting this month to assess the poles and decorations to determined needed repairs. The committee is always looking for volunteers. The Capital Improvement Committee?s next meeting is September 9, 2010. He attended the control burn by Boston Fire Company, which he found to be a great learning experience.

Councilman Boardway: 2009 Emergency Call totals are as follows: Boston Fire Company 96 calls (9 EMS), North Boston Fire Company 126 (25 EMS), Patchin Fire Company 131 (67 EMS), and Boston Emergency Squad 349. Fire contract negotiations are continuing very well. Thanks to those emergency services personnel who responded to the Linstrom Fire, which was handled very quickly. He responded to a question that was asked at the August 16, 2010 Special Meeting regarding to the Boston Fire Company not answering a call due to the contract situation. This is not true, Boston Fire Company was responding to a car fire on Allen Drive. He has a meeting with the Boston Emergency Squad to discuss contract negotiations.

The Town Board offered condolences to the Schmitz Family.

Councilwoman Maghran thanked Parks Superintendent Telaak for his help with the Summer Recreation Program. She stated that the Summer Concert Series has concluded and thanked the 2010 sponsors. She asked that any suggestions for the 2011 concert series, 20th year, be sent to her. She, Councilman Genzel, and Highway Superintendent Telaak attend the unveiling of the improvements to former Marine Stanz's home. School starts tomorrow; please be aware of additional school traffic. The soccer grant is still pending.

A motion was made by Supervisor Ballowe and seconded by Councilman Pluta to adjourn the meeting at 8:01 p.m.

five (5) Ayes Carried

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DAVID J. SHENK, TOWN CLERK