

Town Board Minutes September 20, 2000

REGULAR BOARD MEETING TOWN HALL

SEPTEMBER 20, 2000 7:30 P.M.

Present were Councilman Damian P. Wiktor, Councilman Stephen K. Tills, Councilman Karl J. Simmeth Jr., Councilman Dennis J. Mead, Supervisor Lisa M. Rood, Highway Superintendent Wayne C. Kreitzbender and Town Attorney Michael F. Perley.

Rev. Gary Burdick, Faith United Church of Christ, opened the meeting with a prayer.

A motion was made by Councilman Simmeth and seconded by Councilman Tills to adopt the minutes of the September 6, 2000 regular monthly meeting.

five (5) Carried Carried

A motion was made by Councilman Wiktor and seconded by Councilman Mead, upon review by the Town Board, that the General Fund and Special District Bills on Abstract #9A, dated September 20, 2000, in the amount of \$199,294.61 be paid.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Simmeth, upon review by the Town Board, that the Highway Bills on Abstract #9A, dated September 20, 2000, in the amount of \$32,118.19 be paid.

five (5) Ayes Carried

Received and filed notification from the Erie County Department of Public Works, Division of Highways, of the closure of Eckhardt Road between Taylor and Heinrich Roads on October 2nd for approximately one week for culvert replacement.

Received and filed the Erie County Sheriff's Report for August 2000.

REQUESTS FROM THE FLOOR

Margaret Edington, 5664 Meadow Drive: When are you going to put lights at the Town Hall front steps? It is dangerous.

Supervisor Rood: In two (2) weeks electrician David Dix will install telephoto eyes on the telephone poles behind the Town Hall for lights on the field, a separate circuit for the tennis courts, a new service line to the State Police Barracks and lights for the Town Hall front steps.

Richard Chambers, resident of Sprague's Mobile Home Park, represented a group of park tenants complaining about owner Mr. Boyd's rudeness, time taken to make repairs, lack of rent receipts, no emergency contact number, no posting of park rules, poor sewer system causing sewage to back up in trailers, absence of a Park Manager on premises and plans to bring in another trailer on Monday.

Town Attorney Perley: There are a limited number of areas we can address such as the sewer system, posting of park rules, an onsite Park Manager and the providing of an emergency number. The placing of an additional trailer in the park is subject to the Mobile Home Court Rules. We will look into the matters brought to our attention.

Supervisor Rood: The Town Board has pushed Mr. Boyd in the past three years to make changes in the park. He has paved the roads, eliminated some of the junk cars, took out some garbage, installed a fence around the ravine, removed the bridge that was unsafe and removed the wooden structure. Our pressure is helping but there is a long way to go.

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REQUESTS FROM THE FLOOR (cont.)

Town Attorney Perley: We are increasing the expense of Mr. Boyd's operation and ultimately those increases pass to the residents. Our goal is to establish a park that meets our design and safety criteria because in the long run we feel that is in the best interests of the tenants and the town. I will meet with the Code Enforcement Officer and review the items that can be inspected and will immediately contact Mr. Boyd's attorney with regard to the apparent new unit.

Richard Chambers: Is there anything we can do about abandoned cars that Joseph Keller has? One vehicle is full of bees.

Code Enforcement Officer Kramer: We did an inspection in June and a letter was to be sent giving him a week to remove the cars. We looked into it since and the vehicles haven't been removed.

Town Attorney Perley: We can cite him. I will talk to Mr. Boyd's attorney because he said he would remove the vehicles.

RESOLUTION 2000-37 RESOLUTION ASSOCIATION OF ERIE COUNTY GOVERNMENTS TOBACCO SETTLEMENT

At 7:50 p.m. a Public Hearing
was held for the purpose of
hearing public comments on
Proposed Local Law No. 2 of
the Year 2000 to Amend Various

Chapters of the Boston Town
Code with the Purpose of
Incorporating a Schedule of Fees.

Supervisor Rood read the legal
notice.

A motion was made by Councilman
Wiktor and seconded by Councilman
Simmeth to open the Public Hearing
at 7:50 p.m.

five (5) Ayes Carried

Town Attorney Perley: Local Law No. 2 is drafted to take the various fees that we charge for obtaining permits such as Building, Special Use etc., from the various chapters in our code book and move them into one central area contained in Local Law No. 3, the Unified Schedule of Fees. This allows the Town Board to set these fees by resolution.

There were no public comments.

A motion was made by Supervisor Rood
and seconded by Councilman Mead to
close the Public Hearing at 7:53 p.m.

five (5) Ayes Carried

At 7:53 p.m. a Public Hearing
was held for the purpose of
hearing public comments on
Proposed Local Law No. 3 of the Year
2000 to Establish a Unified Schedule
of Fees for the Town of Boston.

Supervisor Rood read the legal notice.

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PUBLIC HEARING (CONT.)

A motion was made by Supervisor Rood and seconded by Councilman Simmeth to open the Public Hearing at 7:53 p.m.

five (5) Ayes Carried

Town Attorney Perley: Local Law No. 3 establishes a single schedule and allows the Town Board to adopt the schedule by resolution.

There were no public comments.

A motion was made by Supervisor Rood and seconded by Councilman Tills to close the Public Hearing at 7:54 p.m.

five (5) Ayes Carried

RESOLUTION 2000-36 RESOLUTION OF THE ASSOCIATION OF ERIE COUNTY GOVERNMENTS
BUDGETARY SUPPORT IMPLEMENTATION OF MASTER PLANS

Received a request to renew a building permit at 5773 Herman Hill Road from Gregory R. Gerwitz.

Received from Code Enforcement Officer Kramer a recommendation to reissue the building permit of Gregory Gerwitz, 5773 Herman Hill Road, and stipulate a completion date.

Town Attorney Perley commented that the ultimate enforcement at 5773 Herman Hill Road is to determine that the building has not complied with the building permit, is no longer a permitted building and require that it be taken down.

A motion was made by Supervisor Rood and seconded by Councilman Wiktor, upon the recommendation of Code Enforcement Officer Kramer, to extend the building permit for Gregory R. Gerwitz, 5773 Herman Hill Road stipulating that the structure be completely enclosed (all doors, garage door, windows and roof), sided and the property rough graded by November 15, 2000.

five (5) Ayes Carried

A motion was made by Councilman Simmeth and seconded by Councilman Tills to schedule a Public Hearing for the Community Development Block Grant (CDBG) on October 18, 2000 at 7:35 p.m.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Simmeth to refer to the Planning Board a Site Plan Review for Connecticut Street Housing Corp. (People Inc.) on Mill Street.

five (5) Ayes Carried

SUPERVISOR REPORT

A) Supervisor Monthly Financial Reports for August 2000 received and on file in the Town Clerk's Office.

Supervisor Rood reported the Eiss Hill waterline is completed.

Supervisor Rood met with FEMA (Federal Emergency Management Agency) and SEMO (State Emergency Management Office) representatives regarding damage resulting from the inordinate amount of rain this year. Money is available to rectify the damage. The Town Park nature trail Town Hall has been damaged and

since this is the second time problems have occurred, mitigation work will be done and the creek banks will be rip-rapped.

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SUPERVISOR REPORT (CONT.)

Supervisor Rood reported that she attended a meeting on the "Meals on Wheels" program that will be offered in the Town of Boston in conjunction with the Towns of Concord, Colden and Holland. The Town of Boston will work with the existing Springville "Meals on Wheels" program and a meeting is scheduled for next week.

HIGHWAY SUPERINTENDENT REPORT

Highway Superintendent Kreitzbender reported that the September 11th Brush Pick-up is still in process due to a machine breakdown.

Highway Superintendent Kreitzbender reported that roadwork is still going on and will continue for a while.

Highway Superintendent Kreitzbender noted that due to weather conditions in the last few months, Liebler Road has been an oiled and stoned road. It has not been blacktopped. Two (2) companies have recommended grinding one (1) inch off the road because an excess amount of surface oil has caused slippery conditions. Su-Coat Oil Company has been hired and began today to grind an inch off the road. This has to be done for safety reasons.

TOWN ATTORNEY REPORT

Town Attorney Perley reported that regarding a pending case, Seil vs. the Town of Boston, the current Town insurance company has concluded that this claim did not arise during their policy period. After investigating which carrier was in effect during the appropriate policy period, a report will be given at the next Town Board meeting.

COUNCILMAN REPORT

Councilman Wiktor congratulated the Recreation Department for their cooperative effort with the Boston Valley School. Children who were in both the summer recreation program and the school summer reading program, worked together so that they were reading and also having fun as was noted in a Hamburg Sun article.

Councilman Wiktor requested that residents who own ponds adjacent to roadways give permission to have signs installed designating the ponds as a water supply to fight fires. Residents may contact Councilman Wiktor or the fire companies to give permission.

Councilman Simmeth reported that he and Highway Superintendent Kreitzbender are working on drainage problems in town.

Councilman Simmeth reported he has had complaints of speeding cars on Meadow Drive. The Sheriff's Department and State Police will address this complaint.

Councilman Simmeth noted that residents are concerned with the striping of Boston State Rd. Erie County Highway Representative Gary Kane confirmed that the road will be striped in early fall.

Councilman Tills reported that the Comprehensive Plan Steering Committee met on September 19, 2000 and will meet again in six (6) weeks. A survey will be mailed to residents regarding their concerns over future development.

A motion was made by Councilman Tills and seconded by Councilman Simmeth to adjourn the meeting at 8:10 p.m.

DAVID J. SHENK, BOSTON TOWN CLERK