

Town Board Minutes September 26, 2001

REGULAR BOARD MEETING TOWN HALL

SEPTEMBER 26, 2001 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 and Town Attorney Michael F. Perley.

Absent: Highway Superintendent Wayne C. Kreitzbender.

A motion was made by Councilman Simmeth and seconded by Councilman Tills to adopt the minutes of the September 4, 2001 monthly meeting with the following corrections:

From Page (2): Highway Superintendent Kreitzbender responded that soil previously removed from 6385 Willow Drive was on ten wheelers, weighing 32 ton loaded and 12 ton empty. Town roads are posted for a ton.

To Page (2): Highway Superintendent Kreitzbender responded that soil previously removed from 6385 Willow Drive was on ten wheelers, weighing 32 ton loaded and 12 ton empty. Town roads are posted for four tons.

From Page (3): Supervisor Rood reported that Nancy Marean, Coordinator for the Meals on Wheels Program, is looking for more volunteers.

To Page (3): Supervisor Rood reported that Nancy Marron, Coordinator for the Meals on Wheels Program, is looking for more volunteers.

five (5) Ayes Carried

A motion was made by Councilman Tills and seconded by Councilman Simmeth, upon review by the Town Board, that the General Fund and Special District Bills on Abstract #9A, dated September 26, 2001 in the amount of \$73,887.73 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 26, 2001 in the amount of \$11,602.16 be paid.

five (5) Ayes Carried

Received and filed notification of a two-year liquor license renewal application for the Boston Grille (DBA) Koestler's & Kelly Inc., 7115 Boston State Road.

REQUESTS FROM FLOOR

Dorothy Becony, 9766 Trevett Road voiced complaints on three dogs running loose in the neighborhood, the property of Richard Emerling, site of Valley-Fab, 9776 Trevett Road, containing unsightly debris, junk and vehicles. Mrs. Beckony also complained of paint fumes in her home from Valley-Fab and questioned if there was a law against contamination from fumes.

Town Attorney Perley responded that he believes that painting must be done in an enclosed building with proper ventilation including a filtration system for poisonous fumes. He will investigate and concur with the Code Enforcement Officer.

Supervisor Rood noted that the Deputy Code Enforcement Officer and the Dog Control Officer will investigate her complaints.

REGULAR BOARD MEETING TOWN HALL

SEPTEMBER 26, 2001 7:30 P.M.

A motion was made by Supervisor Rood and seconded by Councilman Simmeth to approve the correction of Highway Abstract #9 for September 5, 2001, as follows:

V #224 American Rock Salt D5142.4 From \$ 669.37 to \$ 699.37

Total Abstract From \$30,004.55 to \$30,064.55

five (5) Ayes Carried

Received notification from Deputy Code Enforcement Officer Lisowski, that inspection of 7126 Boston Cross Road (Powerline Road) resulted in the issuance of a Cease and Desist Order to owner Alexis MacKinnon and a determination that said building is dangerous and unsafe to the public.

Code Enforcement Officer Kramer noted that the owner is out of state and there have been several complaints from neighbors.

Town Attorney Perley responded that it appears that the property at 7126 Boston Cross Road falls within the category where a demolition order is issued. The Town Board can adopt a resolution declaring the building to be unsafe, order a demolition and schedule a Public Hearing.

A motion was made by Supervisor Rood and seconded by Councilman Mead to table action on the unsafe building, 7126 Boston Cross Rd.

five (5) Ayes Carried

Received notification from Deputy Code Enforcement Officer Lisowski, that inspection of 5569 Southside Drive resulted in the issuance of a Cease and Desist Order to owner Daniel Kaminski and a determination that said building and swimming pool area is dangerous and unsafe to the public.

Code Enforcement Officer Kramer reported that Mrs. Kaminski indicated that they bought the house, discovered many problems and just walked away from it. A lending agency now owns the property and is not cooperating with code enforcement. There have been many complaints from neighbors.

Town Attorney Perley responded that the Town Board can adopt a resolution declaring the building to be unsafe, order a demolition or correction of the unsafe building and schedule a Public Hearing for the property at 5569 Southside Drive. Town Attorney will put interested parties on notice of proceedings.

A motion was made by Councilman Mead and seconded by Councilman Simmeth to schedule a Public Hearing for November 21, 2001 at 6:15 p.m. on 5569 Southside Drive.

five (5) Ayes Carried

A motion was made by Supervisor Rood and seconded by Councilman Simmeth to schedule a bid opening for Sodium Chloride for the Highway Department on October 16, 2001 at 10:00 a.m.

five (5) Ayes Carried

Received a request from Jeanne Mead, Cheerleader Coordinator, for use of the Community Room, TV and VCR unit for a sleep over for the Boston Patriot Cheerleaders on October 12, 2001 at 7:00 p.m. to October 13, 2001 at 12:00 noon. Approximately twenty girls and three chaperones will be present.

Town Attorney Perley suggested the Town Board table the request for a Cheerleader sleep over on October 12th and 13th due to the issues of supervision and the availability of communications etc.

REGULAR BOARD MEETING TOWN HALL

SEPTEMBER 26, 2001 7:30 P.M.

A motion was made by Councilman Wiktor and seconded by Councilman Simmeth to table the Cheerleader sleep over request until receipt of further information.

five (5) Ayes Carried

SUPERVISOR REPORT

Supervisor Rood reported that Univera Health Care has agreed to change the open enrollment from January 2002 to October 2001 as the highway union negotiations are complete.

Supervisor Rood reported that today she met with a SEMO (State Emergency Management Organization) representative in response to the flooding which occurred some time ago causing creek bank erosion behind the Town Hall. After a second look at the problem, SEMO is allotting \$15,560 for the Town of Boston engineer to develop a plan and estimate for work to be done on the creek banks. FEMA will provide 75%, SEMO and the town will each provide 12 ½% of the needed funds, with the town

allowed an additional 3 to 4% of administration fees. SEMO estimates the cost to be at either \$192,000 or \$257,000.

TOWN CLERK REPORT

Town Clerk Shenk reported that the Town Clerk's Office will be open on Saturdays, October 6th and 13th from 9:00 a.m. to 3:00 p.m. for the collection of Hamburg School taxes.

TOWN ATTORNEY REPORT

Town Attorney Perley reported that the Zoning Review Committee will meet on October 10, 2001 at 7:30 p.m. regarding proposals for amendments to the Zoning Law. One amendment proposal will be the Local Law on noise and hours of operation.

Town Attorney Perley received and discussed with the Highway Superintendent complaints regarding the condition of Enser Road.

The Highway Superintendent has reported that Enser Road is in his long-range plans for rehabilitation.

Town Attorney Perley reported that a request has been received to install a covered drainpipe in an area of a new subdivision that is currently drained by an open ditch system. Data from the developer's engineer on the subdivision design has been referred to the town engineer for review and evaluation.

COUNCILMAN REPORT

Councilman Mead thanked Deputy Town Clerk Ellis for helping to work on the Community Newsletter project that is moving forward.

Councilman Wiktor announced that the Boston Town Board and the citizens of Boston are very proud of the Boston EMS members, Sean Crotty, Jennifer Crotty, Chris Zemrac, Barb Cudeck, Wendy O'Bryant

and Joe O'Bryant, who went to New York City to help with the Trade Center crisis. The medical squad members were asked to be here this evening but were attending a previously scheduled training session. Pictures were taken at ground zero and placed in a scrapbook which audience members may view this evening.

Councilman Wiktor reported that the Kenmore Fire Department, 16 Nash Road, Kenmore (875-3274) is selling FDNY T-shirts with America's Heroes printed on back for \$15.00. Proceeds will benefit the NYC Widows and Children Fund c/o of Uniform Firefighters Association.

REGULAR BOARD MEETING TOWN HALL

SEPTEMBER 26, 2001 7:30 P.M.

COUNCILMAN REPORT (CONT.)

Councilman Wiktor reported that Recreation Director Clesse gave a presentation to the Hamburg School Board highlighting the cooperation between the Boston Summer Recreation Program and the Summer Reading Program at Boston Valley School. Area schools have contacted Director Clesse regarding the program.

Councilman Simmeth thanked the Town Board for rescheduling the Town Board meeting last week so Town Board members could attend the WNY Baseball Hall of Fame dinner on September 19, 2001. Tickets were purchased by the Board Members who celebrated with and showed support for our town teams.

Councilman Tills congratulated Councilman Simmeth for organizing the Town Board participation in the WNY Baseball Hall of Fame event and for his special tribute to the Boston Town team.

Councilman Tills announced that the Adult Soccer Program season will be extended into October.

Councilman Tills noted that he received notification of a rate increase from Adelphia Cable dated September 21st. After review he will advise at the next Town Board meeting.

A motion was made by Supervisor Rood and seconded by Councilman Wiktor to adjourn the meeting at 8:09 p.m. with a moment of silence in memory of all those who have been affected by our national tragedy on September 11, 2001.

DAVID J. SHENK, BOSTON TOWN CLERK

This Website made possible by money rece