

Town Board Minutes September 5, 2012

Present: Supervisor Martin A. Ballowe, Councilmen Jeffrey A. Genzel, Jay P. Boardway, Lawrence A. Murtha and Gary E. Vara.

Also Present: Town Attorney Kobiolka and Highway Superintendent Telaak.

Supervisor Ballowe instructed Town Clerk Mulé to advertise for the Assistant to the Supervisor position.

A motion was made by Councilman Boardway and seconded by Supervisor Ballowe to approve the minutes of the August 1, 2012 regular meeting.

five (5) Ayes Carried

A motion was made by Councilman Murtha and seconded by Supervisor Ballowe, upon review by the Town Board, that fund bills on the Abstract dated August 30, 2012 in the amount of \$559,716.53 be paid.

five (5) Ayes Carried

Received and filed Town of Cheektowaga resolution opposing proposed Blue Cross/Blue Shield Change in Coverage for Chiropractic Care.

A motion was made by Supervisor Ballowe and was seconded by Councilman Murtha to approve Assessor McSkimming's request to attend the NYS Assessor's Association Conference September 30, 2012 through October 3, 2012, with all expenses to be paid by the Town of Cheektowaga.

five (5) Ayes Carried

A motion was made by Councilman Murtha and was seconded by Supervisor Ballowe to table awarding the Mill Street Storm Drain Project pending a stronger commitment for the additional \$100,000 needed to finish the job.

five (5) Ayes Carried

Supervisor Ballowe noted that this project is in two phases. Phase 1 is the Mill Stree Storm Drain Project and Phase 2 would go underneath Boston State Road and up Boston Cross Road to Saint John the Baptist Church. We need to make sure we have the commitment from the Block Grant for the 2nd phase before we start the 1st phase.

Councilman Murtha noted that the Selective-Clearing walk through was done and four companies participated. One company did not bid, another was improperly received in the Town Clerk's office, and the other two were improperly formatted. The project needs to be rebid.

A motion was made by Councilman Murtha and was seconded by Supervisor Ballowe to table the Eighteen Mile Creek Selective Clearing project due to the bids being improper.

five (5) Ayes Carried

Town Attorney Kobiolka informed Councilman Murtha that the bids should be rejected and not tabled.

A motion was made by Councilman Murtha and was seconded by Councilman Genzel to reject the bids received for the Eighteen Mile Creek Selective Clearing project due to the bids being improper.

five (5) Ayes Carried

A motion was made by Councilman Boardway and was seconded by Councilman Murtha upon the recommendation of Code Enforcement Officer Ferguson to deny the Mobile Home Park License Renewal from Sprague due to extensive violations found during the inspection.

five (5) Ayes Carried

A motion was made by Councilman Genzel and seconded by Councilman Boardway, on the recommendation of Code Enforcement Officer Ferguson, to approve the Special Permit for a propane tank at 6752 Mill Street.

five (5) Ayes Carried

A motion was made by Councilman Genzel as Councilman Boardway upon the recommendation of the Planning Board to approve the Site Plan application for Hamburg Overhead Door, 5659 Herman Hill Road with the stipulation that the SWPPP is completed and approved by Town Engineer Hannon.

five (5) Ayes Carried

A motion was made by Supervisor Ballowe and was seconded by Councilman Boardway to appoint Beverly Kent to the Zoning Board of Appeals as an Alternate member, term to expire December 31, 2015.

five (5) Ayes Carried

Jim Martinez, Principal Boston Valley Elementary School introduced himself and offered his assistance as the liaison to this district. He noted that Boston Valley has new wiring; they cleaned out the entire inside of the school and rebuilt it from within.

Tom Steinagle inquired again about the speed limit signs on Keller Road and asked if there is a form needed to initiate getting them. He noted there was another road that needed it also, but could not think of what it was.

Supervisor Ballowe commented that the county was asked to do a study on Keller Road and they have not responded.

Councilman Murtha asked if it was a certain portion of Keller Road.

Tom Steinagle noted that there is no speed limit posted at all, so it is 55 mph.

Supervisor Ballowe commented that between Councilman Murtha and himself they will find out what is going on.

Rev. Doctor Bonnie Bates, Faith United Church of Christ noted that Saturday, October 6 from 9 am to 12 pm there will be a community wide children's clothing exchange at the church. Clothes can be brought and/or exchanged. In addition, the Boston Clergy Association is sponsoring a Community-wide communion Service on Sunday, October 7, at 10:45 am at Churchill United Methodist Church.

Kathy Praczkajlo, President of the Historical Society encouraged everyone to join the Historical Society and join her for the potluck dinner that will be held in the Town of Boston Community Room on Tuesday, October 2, 2012 at 6 pm.

Judy Rados suggested that there be a three-minute request from the floor to items specific to the agenda before the meeting and a three-minute at the end for questions regarding things that have been discussed during the meeting.

Received and filed monthly reports from the Supervisor, Town Clerk, Tax Collector, Code Enforcement Officer and Assessor.

Town Clerk Mulé noted that the blood drive brought in over twenty donors.

Town Clerk Mulé noted that on October 3, 2012 from 11am and 2pm there will be a Passport Outreach conducted by Erie County in the Court Room. Information will be published in the Hamburg Sun, Bulletin Boards, and the Town's Website.

Town Clerk Mulé noted that Flu and pneumonia shots will be given Friday, October 5th, from 10 am to 2 pm.

Town Clerk Mulé noted there will be a Citizen's Forum part of the 2013-14 Consolidated Plan process, which intends to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low- and moderate-income persons, the elderly, and handicapped in Erie County.

Town Clerk Mulé made a statement clarifying comments made at the August 1st town board meeting regarding the accuracy of the minutes of July 18, 2012.

Highway Superintendent Telaak noted that fall brush pick up continues through October. Wood Chips and dirt fill are available. The Highway Department will be looking for places to dump leaves.

The Holiday Drive drainage project has been completed. The street will be paved once that part of the road settles. The pipe that was removed was rotted, but a resident in town has requested to purchase it for \$25 to use as a snowmobile crossing in his back yard.

Town Attorney Kobiolka stated that he would look into the legalities of selling this piping.

Highway Superintendent Telaak noted that a trench was dug from the Highway Department to the Lion's Shelter to run an electric line.

Highway Superintendent Telaak noted that a large branch came down on May Drive. The residents are asking to have some of the large trees cut down that are in the right of way. He noted that he would have to contact the power company to see if they can help us out. He stated the town may have to look for a contractor to do the work because of the dangers of the trees entangled in the power lines and hanging over houses.

Highway Superintendent Telaak noted that he met with Union Concrete in the town park for the Eighteen Mile Creek Stabilization project. The town is responsible for hauling the rock in. He was shown where to dump the rock. Once complete, he hopes to continue with the walking path and have it paved before fall.

Councilman Murtha noted his ongoing protest of the request from the floor should be before new and old business so we can get response and input from the people before decisions are made.

Councilman Murtha invited everyone to help at the fall clean up at the Historical Society on October 27th and 28th.

Councilman Murtha noted he contacted the power company about a leaning pole on Back Creek Road.

Councilman Murtha noted there is a pile of trees about a third of a mile south of the Hillcroft Bridge that needs to be cleaned up. There are a lot of concerned people in the area. The estimates will be coming in the next three days and that job will get done quickly.

Councilman Murtha noted he did not have anything more to say about the minutes and would like to put it to rest. He stated it was a misunderstanding.

Councilman Genzel as Engineering Liaison received a proposal from Town Engineer Hannon for the Keller Road water line crossing that comes from Eden into Boston. The stabilizer bars have rotted. The Town of Eden had received a price quote from their engineer of approximately \$30,000. We have submitted an estimate from our Town Engineer that was much less. We are waiting to see if they will go with our estimate.

Councilman Genzel noted that the Planning Board approved the site plan for Hamburg Overhead door. The next Planning Board meeting is September 11, 2012 at 7:30 pm. The next Zoning Board of Appeals meeting is September 16, 2012 at 7:15 pm.

A discussion between Councilman Genzel, Councilman Murtha, and Town Clerk Mulé ensued regarding the issue with the July 18, 2012 minutes. Councilman Murtha believes that Councilman Genzel failed to mention Patchin Fire Company and used the words "both of our" to describe the fire companies which to Councilman Murtha is a slap in the face to Patchin Fire Company. Councilman Genzel stated it was not true and noted that Supervisor Ballowe thanked Patchin Fire Company for providing fire protection service at the July 4th fireworks.

Councilman Genzel questioned resident Barbara Moore regarding the amount of FOIL's she has been requesting.

Councilman Boardway noted that report from Hamburg Dispatch for the month of August showed Boston Fire Company answered 7 fire calls, North Boston 8 calls, Patchin responded 12 times, 6 were EMS. Councilman Boardway thanked the fire companies and EMS personnel for their quick response to the building collapse on Boston State Road.

Councilman Boardway noted that the Summer Concert series has now concluded for the year. He noted that these concerts were covered completely by donations with no cost to the taxpayer.

Councilman Boardway noted that he attended the fundraiser to benefit the Boston Free Library organized by Erie County Legislator Mills.

Councilman Boardway discussed the Service Award program and the cost to residents if the program were to be 100 percent funded by the Town of Boston.

Councilman Vara noted that the Scenic By-way is in its final stages. He is waiting for the plaque to be returned.

Councilman Vara noted that a computer will be donated to the Senior Center by waste management so those seniors without computers at home have access to the Recycle Bank website.

Councilman Vara is working on getting estimates for the tennis court resurfacing. He is also in contact with Grant Writer Miner regarding grants.

Supervisor Ballowe noted that the Soccer Fields on Meadow Drive are now being used five days a week.

Supervisor Ballowe noted that electricity has been run to the Lion's Club Storage Shed.

Supervisor Ballowe noted that the roofing project has been completed.

Supervisor Ballowe noted the Football fields will now have the Patriots Logo that will be placed in the center of the field.

Supervisor Ballowe stated he has started working on the Town's Budget.

Supervisor Ballowe noted the Concert Series and Summer Recreation have ended. Both were great successes this year. He thanked JP Fitzgerald's for the Gift Certificate Donations.

A motion was made by Supervisor Ballowe and seconded by Councilman Boardway to adjourn the meeting at 8:19 p.m.

five (5) Ayes Carried

JENNIFER A. MULÉ, TOWN CLERK