

DRAFT

REGULAR BOARD MEETING
MAY 4, 2016

TOWN HALL
7:30 P.M.

Present: Supervisor Martin A. Ballowe, Councilmen Jeffrey A. Genzel, Jay P. Boardway, Jason A. Keding.

Absent: Councilman Zachary A. W. Munger.

Also Present: Town Attorney Kobiolka and Highway Superintendent Telaak.

A motion was made by Councilman Boardway and seconded by Supervisor Ballowe to table the minutes of the April 20, 2016 regular meeting.

Supervisor Ballowe	Yes	Councilman Genzel	Yes
Councilman Boardway	Yes	Councilman Keding	Yes

four (4) Yes Carried

A motion was made by Councilman Keding and seconded by Supervisor Ballowe, upon review by the Town Board, that fund bills on the Abstract dated May 4, 2016 in the amount of \$161,085.85 be paid.

Supervisor Ballowe	Yes	Councilman Genzel	Yes
Councilman Boardway	Yes	Councilman Keding	Yes

four (4) Yes Carried

Received and filed correspondence from the Planning Board and the Zoning Board of Appeals.

Received and filed correspondence from the Department of Public Service, regarding Clean Energy Standard.

A motion was made by Supervisor Ballowe and was seconded by Councilman Boardway to open the floor for comments.

Supervisor Ballowe	Yes	Councilman Genzel	Yes
Councilman Boardway	Yes	Councilman Keding	Yes

four (4) Yes Carried

There were no comments from the public.

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A motion was made by Supervisor Ballowe and was seconded by Councilman Boardway to close the floor.

Supervisor Ballowe	Yes	Councilman Genzel	Yes
Councilman Boardway	Yes	Councilman Keding	Yes

four (4) Yes Carried

A motion was made by Supervisor Ballowe and was seconded by Councilman Boardway to approve the Use of Facility Application from Recreation Director Zeniuk for the Summer Concert Series.

Supervisor Ballowe	Yes	Councilman Genzel	Yes
Councilman Boardway	Yes	Councilman Keding	Yes

four (4) Yes Carried

A motion was made by Councilman Boardway and was seconded by Councilman Genzel to approve the Application for Use of Facility from the Hamburg Junior Baseball League beginning April 25, 2016 through August 12, 2016, 6 p.m. to 9 p.m. week nights and 10 a.m. to 4 p.m. weekends.

Supervisor Ballowe	Yes	Councilman Genzel	Yes
Councilman Boardway	Yes	Councilman Keding	Yes

four (4) Yes Carried

A motion was made by Supervisor Ballowe and was seconded by Councilman Keding to approve the Application for Use of Facility from Southtown's Knight's Baseball for use of the North Boston Stadium Park.

Supervisor Ballowe	Yes	Councilman Genzel	Yes
Councilman Boardway	Yes	Councilman Keding	Yes

four (4) Yes Carried

A motion was made by Councilman Keding and was seconded by Councilman Boardway to approve the Application for Use of Facility from Boy Scout Troop #491 for the June 14, 2016, Flag Day celebration.

Supervisor Ballowe	Yes	Councilman Genzel	Yes
Councilman Boardway	Yes	Councilman Keding	Yes

four (4) Yes Carried

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TOWN HALL
7:30 P.M.

**LEGAL NOTICE
TOWN OF BOSTON
NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN that the Boston Town Board invites sealed bids for **Miscellaneous Town Roadway Repairs** consisting of approximately 5,284 square feet of asphalt pavement repairs at 95 separate locations on town roadways within the Town of Boston. Each repair will include saw cutting, excavating and disposing of damaged pavement, re-compacting existing subbase and replacing the affected areas with 2.5" of Type 3 Binder Course and 1.5" of Type 7F Top Course. In addition to the required materials, the successful bidder shall provide all the necessary labor, equipment and supervision necessary to properly and safely complete the project. The successful bidder shall supply GPS coordinates for each of the repair locations. Bids will be opened in the lower level conference room at Boston Town Hall, 8500 Boston State Road on June 03, 2016 at 11 a.m. local time. The bids shall be in accordance with Drawings, Specifications and any Addenda prepared by Hannon Engineering, P.C., 20 Wildwood Avenue, Salamanca, NY 14779.

The Bidding Requirements, Contract Forms, General Conditions, Specifications, and Plans may be examined and obtained at the Town Supervisor's Office, 8500 Boston State Road (Lower Level), Boston, New York, 14025.

Each bid must be accompanied by a Non-Collusive Bidding Certification. Each bid must be accompanied by a bid bond, made payable to the Owner in an amount not less than 5% of the amount of the Bid. Bid bonds shall be executed by a surety company licensed to do business in New York State. The bid security of all but the three lowest formal Bidders will be returned within five days after the day the Bids are opened. Performance and Payment bonds will be required of the successful Bidder in the full amount of the contract sum.

This contract will be funded wholly or partially with federal funds, and as such, is subject to all federal rules and regulations pertinent thereto, including, but not limited to, federal General Wage Decision Number NY160008 04/01/2016 NY8. The Federal Wage Rates are included in the Project Manual.

Bidders are instructed to quote the Work using the bid form provided and submit in a sealed opaque envelope marked "**Bid for: Miscellaneous Town Roadway Repairs**".

Dated: May 04, 2016 By Order of the Town Board
Published: May 12, 2016 Martin A. Ballowe, Town Supervisor

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**REGULAR BOARD MEETING
MAY 4, 2016**

**TOWN HALL
7:30 P.M.**

A motion was made by Councilman Genzel and was seconded by Councilman Boardway to schedule a bid opening for Miscellaneous Town Roadway Repairs for Friday, June 3, 2016 at 11:00 a.m.

Supervisor Ballowe	Yes	Councilman Genzel	Yes
Councilman Boardway	Yes	Councilman Keding	Yes

four (4) Yes

Carried

**LEGAL NOTICE
TOWN OF BOSTON
NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN that the Boston Town Board invites sealed bids for **Town Hall Parking Lot Improvements** consisting of approximately 1,524 linear feet of NYSDOT Type M100G Mountable Curb, 49,450 square feet of Asphalt Pavement, 4 CY of Concrete Sidewalk Transitions and all related labor, materials, equipment and supervision necessary to properly and safely complete the Work. The location of the Work and the bid opening is at the Boston Town Hall building, 8500 Boston State Road in the Town of Boston, NY. Bids will be opened in the lower level conference room on June 03, 2016 at 11 a.m. local time. The bids shall be in accordance with Drawings, Specifications and any Addenda prepared by Hannon Engineering, P.C., 20 Wildwood Avenue, Salamanca, NY 14779.

The Bidding Requirements, Contract Forms, General Conditions, Specifications, and Plans may be examined and obtained at the Town Supervisor's Office, 8500 Boston State Road, Boston, New York, 14025.

Each bid must be accompanied by a Non-Collusive Bidding Certification. Each bid must be accompanied by a bid bond, made payable to the Owner in an amount not less than 5% of the amount of the Bid. Bid bonds shall be executed by a surety company licensed to do business in New York State. The bid security of all but the three lowest formal Bidders will be returned within five days after the day the Bids are opened. Performance and Payment bonds are required in the full amount of the contract sum.

This contract will be funded wholly or partially with federal funds, and as such, is subject to all federal rules and regulations pertinent thereto, including, but not limited to, federal General Wage Decision Number NY160008 04/01/2016 NY8. The Federal Wage Rates are included in the Project Manual.

Bidders are instructed to quote the Work using the bid form provided in the Project Manual and submit in a sealed opaque envelope marked "**Bid for: Town Hall Parking Lot Improvements**".

Dated: May 4, 2016 By Order of the Town Board
Published: May 12, 2016 Martin A. Ballowe, Town Supervisor

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TOWN HALL
7:30 P.M.

A motion was made by Councilman Genzel and was seconded by Councilman Boardway to schedule a bid opening for Miscellaneous Town Roadway Repairs for Friday, June 3, 2016 at 11:00 a.m.

Supervisor Ballowe	Yes	Councilman Genzel	Yes
Councilman Boardway	Yes	Councilman Keding	Yes

four (4) Yes

Carried

RESOLUTION 2016-07

APRIL 6, 2016 ADJOURNMENT

Councilman Boardway presented the following resolution and moved its adoption:

WHEREAS, the regularly meeting of the Boston Town Board set for April 6, 2016 was adjourned for a lack of quorum of the Town Board members, and

WHEREAS, the Supervisor made all reasonable attempts to notify the Town Board and the public of the adjournment, and

NOW THEREFORE, be it Resolved:

That the Boston Town Board ratifies the cancellation of the April 6, 2016 meeting NUNC PRO TUNC.

Seconded by Councilman Genzel and put to a vote as follows:

Supervisor Ballowe	Yes	Councilman Genzel	Yes
Councilman Boardway	Yes	Councilman Keding	No

three (3) Yes

one (1) Noes

Carried

A motion was made by Councilman Boardway and was seconded by Councilman Genzel to accept the Planning Board's recommendation to adopt the October 5, 1988 as their policy in the sub-division of land process until the Town of Boston amends the Code.

Supervisor Ballowe	Yes	Councilman Genzel	Yes
Councilman Boardway	Yes	Councilman Keding	Yes

four (4) Yes

Carried

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**REGULAR BOARD MEETING
MAY 4, 2016**

**TOWN HALL
7:30 P.M.**

A motion was made by Supervisor Ballowe as Councilman Keding to appoint Brian Kauschinger as a regular member of the Board of Assessment Review.

Supervisor Ballowe	Yes	Councilman Genzel	Yes
Councilman Boardway	Yes	Councilman Keding	Yes

four (4) Yes Carried

A motion was made by Supervisor Ballowe and was seconded by Councilman Boardway upon the recommendation of the Planning Board to approve the Brown Hill Road duplex.

Supervisor Ballowe	Yes	Councilman Genzel	Recuse
Councilman Boardway	Yes	Councilman Keding	Yes

Three (3) Yes (1) Recusal Carried

A motion was made by Councilman Keding and was seconded by Councilman Boardway to approve the request from the Boston Young at Heart Seniors to hold their annual picnic on town property and to allow them to have alcohol on the premises.

Supervisor Ballowe	Yes	Councilman Genzel	Yes
Councilman Boardway	Yes	Councilman Keding	Yes

four (4) Yes Carried

A motion was made by Councilman Boardway and was seconded by Supervisor Ballowe to decline the previously tabled 2016 franchise request from Donald Rachwal to maintain vacant land at 8555 Boston State Road. There have been other individuals interested in utilizing the property for farming purposes. Per the consultation of the town attorney, now that more than one person has expressed interest in utilizing that property, there is an obligation to open it up for a bidding process. Because we are the stewards of the town's money and that we have to ensure that the town's taxpayer's get the best value for their dollar. This request will not be granted to anyone. That property will be maintained by our Parks department. There are drainage issues at the base of the hill, which the highway department also needs to attend to by not having crops planted on that property this year. This will allow Mr. Telaak and his crew to get in there a lot easier and do the work that is required to take care of that.

Supervisor Ballowe	Yes	Councilman Genzel	Yes
Councilman Boardway	Yes	Councilman Keding	Yes

four (4) Yes Carried

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TOWN HALL
7:30 P.M.

A motion was made by Supervisor Ballowe and was seconded by Councilman Boardway to adjourn the meeting at 8:35 p.m.

JENNIFER A. MULÉ, TOWN CLERK