

**REGULAR BOARD MEETING
AUGUST 21, 2013**

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

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

Absent: Councilman Gary E. Vara.

Also Present: Town Attorney Kobiolka and Highway Superintendent Telaak.

The following bids were received for the Sanitary Sewer Service for North Boston Park Restrooms:

New Frontier Excavating & Paving, Inc.	\$41,268.00
NOVA Site Company, LLC	\$88,791.00
Hydro Lawn of Buffalo	\$26,601.10
Highland Acres	\$23,980.20

A motion was made by Councilman Genzel and was seconded by Councilman Boardway upon the recommendation of Town Engineer Jim Hannon to award the bid for the Sanitary Sewer Service for North Boston Park Restrooms to Highland Acres in the amount of \$23,980.20.

four (4) Ayes Carried

A motion was made by Councilman Boardway and seconded by Councilman Murtha to adopt the minutes of the July 17, 2013 regular meeting.

four (4) Ayes Carried

A motion was made by Councilman Murtha and seconded by Councilman Boardway, upon review by the Town Board, that fund bills on the Abstract dated August 15, 2013 in the amount of \$428,963.96 be paid.

four (4) Ayes Carried

Received and filed Erie County Water Authority Tariff Amendments.

Received and filed Resolutions regarding the Plowing and De-icing of Town and County Roads from the Towns of West Seneca, Collins, Amherst, Sardinia, Orchard Park, Alden, Concord, Marilla and Colden.

Keith Kaszubik, Town Historian clarified the fact that the Office of Historian is a town department with its own budget and reported that he has reduced that budget by 50 percent for 2014.

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Jim Martinez, Principal, Boston Valley Elementary School commented that because of the support from the community at large, parents and staff members, Boston Valley Elementary School now has a community garden. He also commented that Boston Valley was ranked number one in the Hamburg School District for 4th grade math and ELA, and for 5th grade math, out of three counties, those teachers, parents and students were number two. He commended the community of good Samaritans that helped save a young man's life on Back Creek Road.

A motion was made by Councilman Boardway and was seconded by Councilman Genzel to appoint Nicholas Larson to the Emergency Squad and will continue until such time as resignation, removal or replacement.

four (4) Ayes Carried

A motion was made by Supervisor Ballowe and was seconded by Councilman Murtha to open the public hearing at 7:40 p.m. to hear comments for the purpose of considering entering into Separate Fire Protection Contracts as follows:

four (4) Ayes Carried

North Boston Volunteer Fire Company will be paid \$160,100.03 for the year 2014, \$160,100.03 for the year 2015 for the furnishing of Fire Protection.

Patchin Volunteer Fire Company will be paid \$160,100.03 for the year 2014, \$160,100.03 for the year 2015 for the furnishing of Fire Protection.

Boston Volunteer Fire Company, Inc. will be paid \$160,100.03 for the year 2014, \$160,100.03 for the year 2015 for the furnishing of Fire Protection.

Supervisor Ballowe read the legal notice.

There were no public comments.

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WHEREAS, any issues that have arisen during snow and ice control in previous years have been resolved by all parties involved, and

WHEREAS, a new contract between the Towns and Erie County is currently being negotiated, and

WHEREAS, on March 20, 2013, there was a tentative agreement between the towns and Erie County which included a 3-year term with an annual increase of 5.0% as was past practice, and

WHEREAS, this agreement was considered fair and within the budgeting confines of Erie County, and

WHEREAS, ON April 16, 2013, Erie County made a counter proposal to increase the contract from 3 years to 5 years and to reduce the monetary increase to 0.5% and

WHEREAS, the county proposed rate is one the towns cannot afford, and

WHEREAS, the budgetary planning for 2014 is going to be starting in many municipalities, and

WHEREAS, the deadline for towns to order road salt de-icer is now past,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Boston calls on the Erie County Executive and the Erie County Legislature to help resolve the issue between the Erie County Department of Public Works and the 25 towns within the County of Erie with regards to snow removal and de-icing of county roads within the towns that is fair and equitable to all parties, and

BE IT FURTHER RESOLVED that the Town Clerk of the Town of Boston is to transmit copies of this resolution to Erie County Executive Mark Poloncarz, Erie County Legislator John Mills, Erie County Legislature Chairwoman Betty Jean Grant, and Erie County Department of Public Works Commissioner John Loffredo, and the other towns within Erie County.

Seconded by **Councilman Boardway** and put to a vote which resulted as follows:

Ayes: 4

Noes: 0

Absent: 1

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A motion was made by Councilman Murtha and seconded by Supervisor Ballowe, on the recommendation of Code Enforcement Officer Ferguson, to approve an Additional Accessory Building for Kevin Barrett, 7970 Lower East Hill Road.

four (4) Ayes Carried

A motion was made by Councilman Genzel and seconded by Supervisor Ballowe, on the recommendation of Code Enforcement Officer Ferguson, to approve an Additional Accessory Building for Gary Haag, 4514 Haag Road.

four (4) Ayes Carried

A motion was made by Councilman Boardway and was seconded by Councilman Genzel to approve the Application for Use of Facility from the Conservation Advisory Council for September 21, 2013.

four (4) Ayes Carried

A motion was made by Supervisor Ballowe and was seconded by Councilman Boardway to approve the request from Joseph Wells to apply for 6 months of health insurance coverage.

four (4) Ayes Carried

A motion was made by Councilman Murtha and was seconded by Supervisor Ballowe to approve the Application for Use of Facility from the Boston Historical Society for October 8, 2013.

four (4) Ayes Carried

A motion was made by Councilman Boardway and was seconded by Supervisor Ballowe to the request from Highway Superintendent Telaak to attend the New York State Association of Town Superintendents of Highways Conference from September 17th through September 19th with all appropriate expenses to be paid.

four (4) Ayes Carried

A motion was made by Councilman Genzel and was seconded by Councilman Genzel to advertise the Assessor position in the Town of Boston official newspaper.

four (4) Ayes Carried

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A motion was made by Supervisor Ballowe and was seconded by Councilman Boardway to schedule a public hearing for September 18, 2013 at 7:40 p.m. for the annual CDBG Grant application.

four (4) Ayes

Carried

The following bids were received to extend the tennis courts to the fences with paving:

Gauthier Black Top	\$45,347.50
Ballou Ent. Paving and Sealing	\$15,000.00
Capozzi Paving and Concrete	\$12,500.00

A motion was made by Councilman Murtha and was seconded by Supervisor Ballowe to award the bid for the extension of the tennis courts to Capozzi Paving and Concrete in the amount of \$12,500.

Supervisor Ballowe	Aye	Councilman Boardway	Aye
Councilman Genzel	Nay	Councilman Murtha	Aye

three (3) Ayes

(1) One Nay

Carried

Received and filed monthly reports from the Supervisor, Town Clerk, Code Enforcement Officer and Dog Control Officer.

Highway Superintendent Telaak reported on the following:

- Brush pick up begins September 1st with a final pick up beginning October 1st.
- Over 12 miles of roads have been oiled and stoned.
- Paving on various roads and work on ditches.
- Maintenance on Highway Vehicles
- Erie County Snow Plow Contract and condition of several county roads within town need repair.

Councilman Murtha reported on the following:

- Boston Historical Society potluck dinner.
- 18 Mile Creek Clearing
- Back Creek Road property erosion

Councilman Genzel reported on the following:

- Shero Road Waterline Project
- Attended the North Boston Park Sewer project bid opening
- Planning Board Liaison
 - Moon Subdivision public hearing
 - Rezoning request for luxury apartment tabled
 - Final Plans for the Dana Darling project received
- Boston Community Foundation
 - Status received - can move forward in requesting grant monies

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Councilman Genzel Cont'd:

- Historical Society - Display at the Erie County Fair
- Kids Day/Recreation success
- Looking for quality members for all of the boards
- Remind seniors to apply for Enhanced STAR exemptions

Councilman Boardway reported on the following:

- Thanked all those who attended the fire contract meetings
- Service Award Program
- Lions Shelter Renovation/Summer Concert Series
- Liability and Worker's Compensation negotiations

Supervisor Ballowe reported on the following:

- Thanked all those who attended the fire contract meetings
- Kids Day success
- Waste Management/Recycle Bank
- Pond Drainage
- Fallen tree on Back Creek Road

A motion was made by Supervisor Ballowe and seconded by Councilman Boardway to adjourn the meeting at 8:22 p.m.

four (4) Ayes

Carried

ELIZABETH A. MARTIN, DEPUTY TOWN CLERK