

REGULAR BOARD MEETING
SEPTEMBER 17, 2014

TOWN HALL
7:30 P.M.

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

Absent: Supervisor Martin A. Ballowe.

Also Present: Town Attorney Kobiolka and Highway Superintendent Telaak.

A motion was made by Councilman Boardway and seconded by Councilman Murtha to adopt the minutes of the September 3, 2014 regular meeting.

four (4) Ayes Carried

A motion was made by Councilman Murtha and seconded by Councilman Vara upon review by the Town Board, that fund bills on the Abstract dated September 11, 2014 in the amount of \$80,693.60 be paid.

four (4) Ayes Carried

The following persons were heard:

Councilman Boardway opened the floor for discussion about any topic on the agenda.

Daniel Kurek, Chestnut Lane had several comments regarding the ongoing issue on Chestnut Lane.

Town Attorney Kobiolka stated this topic is not on tonight's agenda.

Mr. Kurek stated he is here tonight to try to solve this issue so he does not have to keep coming down here week after week.

Councilman Boardway stated that Supervisor Ballowe was clear at the last meeting that neighbor disputes must be settled between neighbors. The town is taking care of the business that affects us through legal channels and keeping up with the code. He informed Mr. Kurek that he can make an appointment to meet with the Supervisor at any time.

Bryant Burns, Chestnut Lane, expressed his concern about discussing topics not on the agenda and the allotted three-minute per person time limit. He asked what forum the residents have to voice their opinions.

Councilman Boardway stated that appointments can be made with the supervisor to discuss any topic needed.

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A motion was made by Councilman Murtha and was seconded by Councilman Vara to approve the Application for Use of Facility from the Town of Boston Historical Society for Tuesday, October 7, 2014 from 4pm to 9 pm for a potluck dinner.

four (4) Ayes

Carried

A motion was made by Councilman Genzel and was seconded by Councilman Murtha to schedule a public hearing for the annual CDBG grant application for October 15, 2014 at 7:40 p.m.

four (4) Ayes

Carried

A motion was made by Councilman Murtha and was seconded by Councilman Genzel upon the recommendation of the Planning Board to appoint James Liegl as a regular member term to expire February 1, 2019.

four (4) Ayes

Carried

A motion was made by Councilman Boardway and was seconded by Councilman Genzel and upon the recommendation of Town Engineer James Hannon to have the Town of Boston classify the Back Creek Cider Mill at Rice Road & 219 Expressway as an unlisted action under SEQR and that the Town Board has conducted a coordinated environmental review of the overall proposed project ("action") pursuant to SEQRA and none of the involved or interested agencies that participated in the coordinated environmental impacts and that the Town Board declare lead agency status.

four (4) Ayes

Carried

A motion was made by Councilman Boardway and was seconded by Councilman Genzel that as lead agency, the Town of Boston determines that after taking a hard look into Back Creek Cider Mil, that the proposed action will not have a significant impact on the environment and declare a Negative Declaration and that no further action be required per NYCRR part 617.

four (4) Ayes

Carried

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A motion was made by Councilman Boardway and was seconded by Councilman Genzel that as the agency in charge of the final site approval, the Boston Town Board approves the Final Site Plan submitted by the applicant and approved by the Planning Board, subject to the final permits for the water supply, sewage disposal and storm water management systems are completed in regulation of the County of Erie Health Department and the Town of Boston.

four (4) Ayes

Carried

Mr. Schenne, Engineer for this project stated that as part of the purchase agreement the owner had to wait until approval was received from the Town Board. They will now begin the necessary steps to move forward on this project. Construction will begin this fall and in the spring planting of the apple trees will begin.

Town Clerk Mulé reported on the following:

- Flu Shots will be held October 3 from 10am - 2pm in the Court Room.
- The next blood drive will be October 14 from 2:30 pm - 7pm in the Community Room.
- School tax bills have been mailed.

Highway Superintendent Telaak had no report this evening.

Councilman Murtha had no report this evening.

Councilman Genzel reported on the following:

- Met with the Fire Chief's and Presidents to discuss the future of the Penflex Program and how the fire companies are trying to adhere to the Fire Study.
- Met with Grant Writer Miner and Town Engineer Hannon to discuss the Boston Cross Road drainage and the CDBG grant.
- Annual letter for donations for Christmas Lighting will be sent out.
- Looking for quality members for all volunteer boards. Submit letter and resume to Town Clerk Mulé.
- Commented on the issues on Chestnut Lane/Hillside Drive.

Councilman Vara reported on the following:

- Members needed on the Conservation Advisory Council.

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

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Councilman Boardway reported on the following:

- Meeting scheduled with Insurance representatives.
- Stated that because of possible litigation, the Town Board has to step back and stay out of the issues on Chestnut Lane/Hillside Drive.

A motion was made by Councilman Boardway and seconded by Councilman Murtha to adjourn the meeting at 7:56 p.m.

four (4) Ayes

Carried

JENNIFER A. MULÉ, TOWN CLERK