

Town Board Minutes April 19, 2000

REGULAR BOARD MEETING TOWN HALL

April 19, 2000 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.

Rev. James VanHaneghan, Good Shepherd Lutheran Church, opened the meeting with a prayer.

A motion was made by Councilman Simmeth and seconded by Councilman Tills to adopt the minutes of the April 5, 2000 monthly meeting.

five (5) Ayes Carried

A motion was made by Councilman Tills and seconded by Councilman Mead, upon review by the Town Board, that the General Fund and Special District Bills on Abstract #4A, dated April 19, 2000, in the amount of \$35,758.35 be paid.

five (5) Ayes Carried

A motion was made by Councilman Wiktor and seconded by Councilman Simmeth, upon review by the Town Board, that the Highway Bills on Abstract #4A, dated April 19, 2000, in the amount of \$5,007.23 be paid.

five (5) Ayes Carried

Received and filed Erie County Sheriff Report for March 2000.

Received and filed NYS DOT Designation of Restricted Highway: a portion of NY Route 219 from NY Route 391 to Duerr Road including the Armor Duells Road Interchange in the Towns of Orchard Park, Boston and Hamburg in Erie County.

A motion was made by Councilman Simmeth and seconded by Councilman Wiktor to approve the Soil Removal Applications of Roy L. Emerling, 7957 Boston State Road and Joseph and Carl Simmeth, 8010 Boston State Road, contingent upon the staking of areas where topsoil will be removed.

five (5) Ayes Carried

RESOLUTION 2000?14 REFUSE LICENCE BFI OF NORTH AMERICA, INC.

REFUSE LICENCE NATURAL ENVIRONMENTAL, INC.

REFUSE LICENCE WASTE MANAGEMENT OF NY, INC.

A motion was made by Councilman Wiktor and seconded by Councilman Simmeth to grant Paul and Gale Speich permission to use the Lions Shelter on Saturday, May 13, 2000, 1:00 p.m. to 4:00 p.m. for a birthday party.

five (5) Ayes Carried

PROCLAMATION MUNICIPAL CLERK'S WEEK APRIL 30 - MAY 6, 2000

Supervisor Rood thanked Town Clerk Shenk and Deputy Town Clerk Ellis for their dedicated hard work.

A motion was made by Supervisor Rood and seconded by Councilman Simmeth to re-schedule the bid opening for the Multipurpose Dump Box, Plow, Wing for two (2) five (5) ton trucks to May 15, 2000, 10:00 a.m.

five (5) Ayes Carried

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The following bids were received and read aloud on April 10, 2000 at 10:05 a.m. for the Assembly and Installation of the Recreation Equipment:

Company	PRICE	NC
N. Boston Construction	\$ 9,198	X
Titan Development	\$12,500	X
Celtic Builders	\$20,990	X

Town Attorney Perley read a recommendation from Highway Superintendent Kreitzbender to reject all bids received for the Assembly and Installation of the Recreation Equipment.

A motion was made by Supervisor Rood and seconded by Councilman Tills, on the recommendation of Highway Superintendent Kreitzbender, to reject all bids received for the Assembly and Installation of the Recreation Equipment.

five (5) Ayes Carried

Supervisor Rood noted that upon consulting with the recreation equipment company she was informed that the cost of the assembly and installation of the recreation equipment should not cost more than forty to fifty percent of the cost of the equipment. The cost of the equipment was approximately \$10,000. More research needs to be done before awarding this project.

The following bids were received and read aloud on April 10, 2000 at 10:00 a.m. for the 2000 Yellow Bus Transportation:

Company	NC	RT1	RT2	RT3	RT4	SKI
Laidlaw Transit	X	\$106	\$106	\$106	\$106	\$120
Fisher Bus Service		X	\$157	\$157	\$157	\$165
						\$175

A motion was made by Councilman Wiktor and seconded by Councilman Simmeth, on the recommendation of Recreation Director Cleese, to award the bid for the 2000 Yellow Bus Transportation to Laidlaw Transit for the summer program, at a cost of \$106 for RT1-RT4 and \$120 for the Ski Program.

five (5) Ayes Carried

Received proposals from Connie D. Miner, Procurement Specialist, and J. O'Connell & Associates to provide the Town of Boston with grants development services.

Supervisor Rood commented that the Town of Boston has contracted with J. O'Connell & Associates, Grants Consultants, for many years and the rates have increased from \$16,000 to \$18,000 for the May 1, 2000 - April 30, 2001 contract. Connie D. Miner, Procurement Specialist and former associate of J. O'Connell has submitted a similar proposal for a fee of \$10,000 for the contract year. Supervisor Rood has been pleased with the work done by Connie Miner for the Town of Boston.

A motion was made by Supervisor Rood and seconded by Councilman Mead to authorize Supervisor Rood to sign a contract with Connie D. Miner, Procurement Specialist, term May 1, 2000 to April 30, 2000, for a fee of \$10,000, subject to Town Attorney contract approval.

Councilman Wiktor Voting Nay

Councilman Mead Voting Aye

Councilman Simmeth Voting Aye

Councilman Till Voting Aye

Supervisor Rood Voting Aye

four (5) Ayes one (1) Nay Carried

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Received and filed a Planning Board recommendation of approval for the co-location application of Cellular One, 6405 Ward Road, subject to the applicant demonstrating the need of the antenna by appropriate Radio Frequency Propagation Studies.

A motion was made by Supervisor Rood and seconded by Councilman Simmeth to schedule a Public Hearing on May 17, at 7:45 p.m. for the co-location request of Cellular One for an antenna on the existing tower at 6405 Ward Road.

five (5) Ayes Carried

A motion was made by Councilman Simmeth and seconded by Councilman Tills, on the recommendation of Recreation Director Cleese, to appoint the following to the Summer Recreation Day Camps 2000, term effective immediately and to expire on August 31, 2000:

Alexandra Hess Counselor \$5.15 per hr.

Sean McCormack Counselor \$5.25 per hr.

Amanda McQuillan Counselor \$5.15 per hr.

Andrea Odden Counselor \$5.15 per hr.

Nicole Becker Counselor \$5.15 per hr.

Madeline Galac Counselor/Lifeguard \$5.15/7.00 per hr.

Brian Bihl Sub Counselor \$5.15 per hr.

Brenda Fox Sub Counselor \$5.15 per hr.

Amy Gastle Sub Counselor \$5.15 per hr.

Jessica Jurewcuz Sub Counselor \$5.15 per hr.

Katie Martin Sub Counselor \$5.15 per hr.

Brianne McCormack Sub Counselor \$5.15 per hr.

Rebecca Rueger Sub Counselor \$5.15 per hr.

Nathan Wright Sub Counselor \$5.15 per hr.

Nicole Hornberger Sub Counselor/Lifeguard \$5.15/7.00 per hr.

Rachael Mleczo Sub Counselor/Lifeguard \$5.15/7.00 per hr.

five (5) Ayes Carried

Received and filed a recommendation from Recreation Director Cleese to raise the fee per child for the Summer Recreation Day Camp Program 2000 from \$75 to \$80 due to an increase in bus rates and other areas of inflation.

Councilman Wiktor noted it was determined that this slight increase is necessary because of fixed costs continually rising. To keep the program economically feasible for our town and still maintain the level of service, this increase is required. Surrounding towns offer programs that cost more and do not provide bus service.

Councilman Tills voiced concerns about raising the program fee because the fee was raised in 1998 from \$60 to \$75, a fairly substantial increase, and now two years later it is being raised \$5.00. In his opinion

there should be a better fiscal reason for raising this fee and a precedent should not be set to increase this fee every year when traditionally it has been a very low fee. Councilman Tills noted that the Recreation Director stated that this is a very important and well regarded program in the town and he feels that the fact that it is so inexpensive is a blessing for the residents. The cost of the program should not be looked at as what is wrong with the program because the program was traditionally designed for very low-income families who may find it difficult to raise \$70 or \$75 per child. He

personally would wait until there was a more substantial reason to increase the fee.

Supervisor Rood commented that the costs of supplies for the program, the bus rates and the minimum wage have increased. When the budget was written in October 1999 it was not known that gasoline prices would increase bus rates.

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Councilman Mead commented that he has four children in the program. His wife runs a day care center and for low-income people, the Boston Summer program is the best value.

A motion was made by Supervisor Rood and seconded by Councilman Wiktor, on the recommendation of Recreation Director Cleese, to raise the 2000 Summer Camp Recreation fees to \$80.00 per participant.

Councilman Wiktor	Voting Aye	Councilman Mead	Voting Aye
Councilman Simmeth	Voting Aye		
Councilman Tills	Voting Nay		
Supervisor Rood	Voting Aye		

four (5) Ayes one (1) Nay Carried

SUPERVISOR REPORT

A) Supervisor Monthly Financial Reports for February 2000 received and on file in the Town Clerk's Office.

Supervisor Rood reported that Niagara Mohawk is requesting area Supervisors to inform the public that the right-of-ways owned by Niagara Mohawk are private property and trespassers, especially ATV and snowmobile operators, will be prosecuted to the fullest extent of the law.

TOWN CLERK REPORT

A motion was made by Supervisor Rood and seconded by Councilman Wiktor to accept the Tax Collector Monthly Report for March 2000.

five (5) Ayes Carried

A motion was made by Councilman Wiktor and seconded by Councilman Simmeth to grant Town Clerk Shenk permission to attend the PERMA Conference, May 10-12, 2000, at Lake George, NY, all appropriate expenses to be paid.

five (5) Ayes Carried

TOWN ATTORNEY REPORT

Town Attorney Perley reported that per his request, Cellular One has provided four (4) color copies of the RF Propagation Studies which will be forwarded to a consultant to render an independent opinion to the Town Board regarding the need for co-location on the tower at 6405 Ward Road.

Town Attorney Perley reported that he and Bruce Shearer, Nussbaumer and Clarke Engineer, met with property owner Harold Franz to consider his property for the Water District #3 tank site. There will be future meetings regarding the pump station site and to determine whether there will be one (1) access road for construction and one (1) for service.

COUNCILMAN REPORT

Councilman Wiktor reported that a Buffalo News article stated that five (5) cities in New York State are going to receive seventy million dollars in increased aid. The rest of the cities, towns and villages will share eleven million dollars. This is very discouraging as tax money comes from these areas also and most towns and villages are fiscally conservative.

Supervisor Rood noted that she and other town supervisors lobbied in Albany for increased state aid.

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COUNCILMAN REPORT (CONT.)

Councilman Tills reported that he sent a letter to Thomas Haywood, Adelphia Cable President, regarding the questions and concerns expressed by residents in the recent Adelphia questionnaire.

Councilman Tills noted that he is continuing to receive interest from town residents regarding the proposed soccer program. A May meeting has been confirmed with the Recreation Director for the soccer program.

A motion was made by Councilman Simmeth and seconded by Councilman Mead to adjourn the meeting at 8:08 p.m.

DAVID J. SHENK, TOWN CLERK