

## **Town Board Minutes April 4, 2001**

REGULAR BOARD MEETING      TOWN HALL

APRIL 4, 2001    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, Highway Superintendent Wayne C. Kreitzbender and Town Attorney Perley.

A motion was made by Councilman Simmeth and seconded by Councilman Tills to adopt the minutes of the March 21, 2001 regular meeting.

five (5) Ayes    Carried

A motion was made by Councilman Tills and seconded by Councilman Simmeth, upon review by the Town Board, that the General Fund and

Special District Bills on Abstract #4, dated April 4, 2001 in the amount of \$101,728.84 be paid.

five (5) Ayes    Carried

A motion was made by Councilman Mead and seconded by Councilman Wiktor, upon Town Board review, that Highway Bills on Abstract #4, dated April 4, 2001 in the amount of \$17,996.63 be paid.

five (5) Ayes    Carried

A motion was made by Councilman Wiktor and seconded by Councilman Mead to adopt the Town Clerk's Monthly Report for March 2001.

five (5) Ayes Carried

Received and filed a letter of resignation from Sheri Pluta, Hillfest Chairman, citing dissatisfaction with Supervisor Rood.

Received and filed letter from Frank & Kathy Yandura withdrawing their offer to join the Hillfest Committee due to dissatisfaction with Supervisor Rood.

Received and filed letter from Dennis Hughey citing dissatisfaction with Supervisor Rood.

Received and filed letter from William Schwab, Patchin Fire Company President, to Supervisor Rood citing their dissatisfaction with her at the March 20, 2001 Hillfest Meeting.

Received and filed letter from William Schwab, Patchin Fire Company President, to the Town Board citing their dissatisfaction with Supervisor Rood at the March 20, 2001 Hillfest Meeting.

Supervisor Rood responded that at the meeting of March 20, 2001 she believed everyone expressed strong views and opinions and she is sorry if anyone felt she was offending them. This was not her intention nor was it her intent to insult anyone's integrity. Having the best interest of the Hillfest and the Committee at heart, Supervisor Rood offered her resignation to the Hillfest Committee on April 3, 2001 and the committee members rejected it.

Received and filed a letter from Assemblyman Richard Smith complementing the Boston Town Board for approving the NYS DEC Trout Stocking Proposal to move forward.

Received and filed NYS Board of Real Property Services Tentative Special Franchise Assessments for the 2001 Rolls.

REQUESTS FROM THE FLOOR

TJ Forness, 7281 Woodland Drive, representing the Student Council at Boston Valley Elementary School, is seeking \$4,500 to purchase a Weathernet System for the school. This would put the Town of Boston on the map, and not only benefit the town but can be used as a teaching aid for math and science. TJ requested the services of the Town Grants Writer.

REGULAR BOARD MEETING      TOWN HALL

APRIL 4, 2001    7:30 P.M.

REQUESTS FROM THE FLOOR (cont.)

Supervisor Rood responded that she spoke to Principal Pearlstein who is in favor of this project and will research sources of funding. Supervisor Rood contacted an Earth Science Teacher who received a grant from GLOBE which covered all costs of the Weathernet System and a PTA representative who noted that the PTA may be able to donate toward this project also. As a learning project the BVS students could put up a booth at Boston Earth Day, April 21st, and solicit donations.

Councilman Mead presented TJ Forness with a list generated from a website which describes available grants for developing and implementing Technology Education Programs, complete with website addresses with over a billion dollars in funds available.

Received a request from Donna Pfarner, Recreation Director (formally Nutrition Program Director PT), for a six month leave of absence.

A motion was made by Councilman Mead and seconded by Councilman Wiktor to grant Donna Pfarner, Recreation Director, a leave of absence for a period of six months beginning April 11, 2001 and returning on October 10, 2001.

five (5) Ayes      Carried

Received a request from Joyce Thurber to fill the position of Donna Pfarner, Recreation Attendant PT, during her leave of absence.

A motion was made by Councilman Simmeth and seconded by Councilman Tills to appoint Joyce Thurber to the position of Recreation Attendant PT, effective immediately and ending on October 10, 2001, salary \$6.85 per hour.

five (5) Ayes Carried

Received a request from Richard Lee for appointment to the Conservation Advisory Board.

A motion was made by Councilman Simmeth and seconded by Councilman Mead to appoint Richard Lee to the Conservation Advisory Board, term to expire 3/1/04.

five (5) Ayes Carried

A motion was made by Councilman Wiktor and seconded by Councilman Mead, on the recommendation of Recreation Director Clesse, to reappoint the following to the 2001 Summer Recreation Day Camp:

Andrew P. Smith	Supervisor	\$ 7.60
Kevin Steffan	Supervisor	7.60
Doris Pilato	Craft Supervisor	7.00
Alexandria Hess	Craft Supervisor	6.10
Amy Gastle	Substitute	5.25
Nicole Hornberger	Counselor/lifeguard	5.25/7.00
Rachael Mleczo	Counselor/lifeguard	5.25/7.00
Scott Bihl	Counselor	5.45
Melissa Dzikowski	Counselor	5.55
Jennifer Ehlers	Counselor	5.25

Julie Ehlers	Counselor	5.65
Cathleen Klein	Counselor	5.45
Jennifer Klein	Counselor	5.45
Katie Martin	Counselor	5.25
Sean McCormack	Counselor	5.35
Drew McNichol	Counselor	5.25
Andy Mead	Counselor	5.35
Tina Musselman	Counselor	5.25
REGULAR BOARD MEETING	TOWN HALL	
APRIL 4, 2001	7:30 P.M.	

2001 Summer Recreation Day Camp Appointments (cont.):

Andrea Odden	Counselor	5.25
Kristen Partridge	Counselor	5.35
Katie Pawlik	Counselor	5.25
Robert Rooney	Counselor	5.45
Amanda Vara	Counselor	5.55
Nathan Wright	Counselor	5.25

five (5) Ayes Carried

A motion was made by Supervisor Rood and seconded by Councilman Simmeth to schedule the Yellow Bus Service bid opening for April 30, 2001 at 10:00 a.m.

five (5) Ayes Carried

The following bids were received, opened and read aloud on March 30, 2001 at 10:00 a.m. for the Town of Boston Multi-Use Facility:

Cloverbank Construction            91,400.00

Vinwell Construction    \$ 98,189.00

The Hadala Corp.            106,250.00

Ferraina Construction, Inc.        108,390.00

Kirst Construction            114,250.00

Supervisor Rood commented that the Town Board and the Capital Improvements Committee are in agreement that the bids submitted are too high and should be rejected.

A motion was made by Supervisor Rood and seconded by Councilman Tills to reject all bids submitted for the Town of Boston Multi-Use Facility on March 30, 2001.

five (5) Ayes    Carried

Received and filed a request from the North Boston Volunteer Fire Company to appoint Christopher Muraco as a North Boston Fire Police.

A motion was made by Councilman Wiktor and seconded by Councilman Simmeth to appoint Christopher Muraco as a North Boston Fire Police, term to expire upon resignation, removal or replacement.

five (5) Ayes    Carried

Received and filed a recommendation of approval for the Evans National Bank Final Site Plan, 7205 Boston State Road, dated April 2, 2001 from Robert Harris , Project Manager, R & D Engineering.

Town Attorney Perley noted that the Town Board has concerns regarding the four allocated parking spaces in front of the proposed Evans Bank building on Boston State Road. Upon review of the calculations there appears to be more than the required number of parking spaces and the Town Board is suggesting that the parking spaces be replaced with green space. Should additional parking spaces be required at a later date, an application can be made to add more.

Timothy Jachlewski, Evans National Bank District Manager: With a large office building there will be more employees beginning immediately and there is a concern about growth. The building is also available for community meetings. Adding parking spaces later will be far costlier.

Supervisor Rood noted that the Conservation Advisory Council has stressed that parking be kept behind or to the side of the building if possible. Supervisor Rood inquired that if with new technology, the people physically visiting banks has decreased.

REGULAR BOARD MEETING      TOWN HALL

APRIL 4, 2001    7:30 P.M.

Timothy Jachlewski responded that Evans Bank is a community bank with one on one personal service.

Councilman Mead inquired if the landscaping would hide the parking spaces on Boston State Road.

Jerry Ruhl, Architect: There is enough for a nice landscape screen but we don't want to obscure the building.

Town Attorney requested that Mr. Ruhl describe the building materials for the façade.

Jerry Ruhl: The brick is a colonial pink blend, the roof is a brown architectural shingle and the shutters will be a dark color.

Councilman Simmeth inquired if the drainage plans referred to in the Planning Board letter of March 19, 2001 will be adhered to.

Jerry Ruhl replied in the affirmative.

Town Attorney Perley noted that Evans Bank and the Carr's (property owner adjacent to bank site) should be commended for their efforts in solving their mutual concerns.

Received and filed a Planning Board recommendation of approval for the Evans National Bank Final Site Plan, 7205 Boston State Road, dated March 30, 2001 on condition that the drainage plan be amended to comply with the Town Engineer memorandum, along with review and approval of the final site plan, length of fence and style of plantings in agreement with developer, neighbors and fence height to town code.

A motion was made by Councilman Mead and seconded by Councilman Wiktor, on the recommendation of the Planning Board dated March 30, 2001 and Town Engineer dated April 2, 2001, to approve the Evans National Bank Final Site Plan, 7205 Boston State Road.

five (5) Ayes    Carried

Received a Soil Removal Application for a Permit for Hickory Meadows Subdivision, adjacent to 8975 Boston State Road.

Received a Soil Removal Application for a Permit from Joseph and Carl Simmeth, 8010 Boston State Road.

Received a Soil Removal Application for a Permit from Roy Emerling, 7957 Boston State Road.

Town Clerk Shenk noted that Code Enforcement Officer Kramer questioned how the Town Board wishes to handle the fact that more than 600 cubic yards are being removed in the Hickory Meadows Subdivision, although this is not virgin soil.

Town Attorney Perley responded that in his opinion this is not mining and the amount to be removed is approximately 6,000 yards. The concern is that there remain on site sufficient topsoil to complete the development of the subdivision.

A motion was made by Councilman Wiktor and seconded by Councilman Mead, on the recommendation of Code Enforcement Officer Kramer, to approve the Soil Permit Applications for Hickory Meadows Subdivision (with amendment to be filed), Joseph and Carl Simmeth and Roy Emerling.

five (5) Ayes    Carried

REGULAR BOARD MEETING    TOWN HALL

APRIL 4, 2001    7:30 P.M.

A motion was made by Councilman Tills and seconded by Councilman Simmeth to grant Jack Quinn use of the Town Hall for the Outreach Program, June 29th and August 24th, 2001 from 1:00 to 4:00 p.m.

five (5) Ayes    Carried

RESOLUTION 2001-16    ISSUANCE OF A SERIAL BOND TO FINANCE THE ACQUISITION OF APROXIMATELY 17 ACRES OF LAND FOR THE TOWN OF BOSTON

RESOLUTION 2001-17 A RESOLUTION ORDERING THE DEMOLATION OF  
9238 ZIMMERMAN ROAD

SUPERVISOR REPORT

Supervisor Rood announced that the Meals on Wheel Program began on April 2, 2001. Anyone interested in joining the program or becoming a driver can call her office at 941-6518 or Volunteer Coordinator, Michelle McMahon at 941-6416.

TOWN CLERK REPORT

A motion was made by Councilman Wiktor and seconded by Councilman Simmeth to grant Town Clerk Shenk and Deputy Town Clerk Ellis permission to attend the NYS Town Clerk's Conference in Buffalo April 23-25, 2001, appropriate expenses to be paid.

five (5) Ayes Carried

HIGHWAY SUPERINTENDENT REPORT

Highway Superintendent Kreitzbender requested the press announce that brush pick up will begin April 9th, 2001. Due to the heavy snow this past winter there is a lot of road repair and work has begun in the Parks.

Highway Superintendent Kreitzbender reported that next week drainage work will begin and Liebler and Pin Oak Roads will be repaved as part of the CHIPS program.

Highway Superintendent Kreitzbender announced that the driveway for the Parks Project where the new building will be constructed has begun and will be completed by Spring.

## TOWN ATTORNEY REPORT

Town Attorney Perley reported that an agreement has been reached regarding the motor vehicle accident a few years ago involving the Highway Superintendent to compromise at \$601.30 on the issue of liability. From an economic point of view this is a favorable settlement. It would cost more to defend than to pay.

A motion was made by Councilman Mead and seconded by Councilman Simmeth to authorize the settlement of Hanover Insurance Company vs. the Town of Boston in the amount of \$601.30.

five (5) Ayes    Carried

## COUNCILMAN REPORT

Councilman Simmeth reported that Eighteenmile Creek has been stocked with approximately 750 Brown Trout on March 28, 2001.

## CODE ENFORCEMENT OFFICERS REPORT

A) Code Enforcement Officers monthly report for March 2001 was received and is on file in the Clerk's Office.

REGULAR BOARD MEETING    TOWN HALL

APRIL 4, 2001    7:30 P.M.

## DOG CONTROL OFFICERS MONTHLY REPORT

A) Dog Control Officers monthly report for March 2001 was received and is on file in the Clerk's Office.

TOWN ENGINEER REPORT

A) Town Engineer's monthly report for March 2001 was received and is on file in the Clerk's Office.

A motion was made by Councilman Wiktor and seconded by Councilman Mead to adjourn the meeting at 8:12 p.m.

DAVID J. SHENK, TOWN CLERK