

Town Board Minutes August 13, 2008

Present: Supervisor William A. Eagan, Councilmen Richard K. Hawkins and James E. Pluta, Councilwomen Cathleen M. Dobson and Cathy A. Maghran.

Also Present: Highway Superintendent Telaak, Town Attorney Downey and Deputy Code Enforcement Officer Lisowski.

Minister Kay Woike, Faith United Church opened the meeting with a prayer.

A motion was made by Supervisor Eagan and was seconded by Councilman Hawkins to approve the minutes of the 7/9/08 meeting.

five (5) Ayes Carried

A motion was made by Councilman Pluta and seconded by Councilman Hawkins upon review by the Town Board that fund bills on the Abstract dated August 7, 2008 minus voucher #524 in the amount of \$3,000, plus \$20 added to Voucher #563 for a total of \$461,274.21 be paid.

five (5) Ayes Carried

Received and filed SPEDES General Permit for Storm Water Discharges Annual Report.

Received and filed Resolution from the Towns of Marilla and Cheektowaga in regards to New York Real Property Law 339-y Condominium Assessments.

Received and filed correspondence from Assemblyman Jack Quinn and Legislator Robert Reynolds in regards to amending Section 239-n of the General Municipal Law.

Received and filed correspondence from Assemblyman Jack Quinn in regards to amending Section 339-y of the Real Property Law.

A motion was made by Supervisor Eagan and was seconded by Councilwoman Dobson to refer correspondence from Niagara Region Planning Services Department in regards to the nomination of the International Joint Commission for a Stockholm Water Prize to Town Attorney Downey for review and recommendation.

five (5) Ayes Carried

Received and filed correspondence from Erie County Department of Environment & Planning in regards to Sanitary Sewer rehabilitation in Boston Districts Nos. 1, 3 & 4.

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to approve the Use of Facility Application for Jaclyn Campfield for August 23, 2008.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to approve the Use of Facility Application for Boston Patriots Football & Cheerleading for July 28, 2008 ? November 1, 2008.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilwoman Maghran to approve the Transfer of Appropriations as follows:

GENERAL FUND

FROM: ACCT.

Appropriation A 960 95,576.00

Records Mgt.-Contractual 1460.4 4,300.00

Contingency 1990.4 77,478.00

Interest-BAN Pmt. 9730.7 13,789.00

95,576.00 95,576.00

TO: ACCT.

Appropriation A 960 95,576.00

Town Board-Contractual 1010.4 1,000.00

Assessor-Contractual 1355.4 28,000.00

Attorney-Contractual 1420.4 6,000.00

Records Mgt-Equipment 1460.2 4,300.00

Demolition of Unsafe Bldgs 3650.4 13,215.00

Parks-Equipment 7110.2 36,676.00

Historical Property 7520.4 1,335.00

Community Beautification 8510.4 3,000.00

Conservation-Contractual 8710.4 350.00

Unemployment Insurance 9050.8 1,700.00

Total 95,576.00 95,576.00

HIGHWAY FUND

FROM: Acct.

Estimated Revenues D510 12,004.00

State Aid-Chips 3501 12,004.00

Total 12,004.00 12,004.00

Motion Cont?d:

TO: Acct.

Appropriation D960 12,004.00

Permanent Improv.-Equip 5112.2 12,004.00

Total 12004.00 12,004.00

five (5) Ayes Carried

Received a letter from Joseph Hynes requesting appointment to the Conservation Advisory Council.

A motion was made by Supervisor Eagan and was seconded by Councilman Pluta to refer the request for appointment from Joseph G. Hynes to the Conservation Advisory Council for review and recommendation.

five (5) Ayes Carried

Received correspondence from Highway Superintendent Telaak requesting to have Highway CHIPS monies increased from \$52,980 to \$64,984, and have account D5112-0200 reflect this change.

Supervisor Eagan stated that the request from Highway Superintendent Telaak was addressed and approved with the Transfer of Appropriations.

A letter was received from Attorney Donna Marie Hartnett in regards to Kids Country Child Care, LLC requesting permission to haul solid waste on a daily basis away from the facility at 7346 Boston State Road for disposal.

A motion was made by Councilman Pluta and was seconded by Councilwoman Maghran on the recommendation of Town Attorney Downey to approve Kids Country Child Care, LLC to haul solid waste on a daily basis away from the facility at 7346 Boston State Road for disposal with the contingency that the Code Enforcement Officer inspects and makes sure that the garbage receptacle and location meet health regulations.

five (5) Ayes Carried

Supervisor Eagan noted that a communication was received from TVGA Consultants requesting permission to advertise the CDBG project for Town Hall Access Improvements and Sidewalk Installation on the Town Park Property.

A motion was made by Supervisor Eagan and was seconded by Councilman Hawkins to schedule a bid opening for September 10, 2008 at 10:00 a.m. for Town Hall Access Improvements and Sidewalk Installation on the Town Park Property.

five (5) Ayes Carried

RESOLUTION 2008-10 NYS UNIFIED COURT SYSTEM JUSTICE COURT ASSISTANCE PROGRAM

RESOLUTION 2008-11 PROVIDING FOR AN ALLOWANCE OF UNUSED SICK LEAVE CREDITS UNDER SECTION 41(j)

A letter was received from town residents Gary Vara and Marianne Zukic requesting that the Town Board rectify a drainage issue on Kevinton Place.

Supervisor Eagan stated that this situation has been previously discussed with Highway Superintendent Telaak.

A motion was made by Supervisor Eagan and was seconded by Councilman Hawkins to direct Highway Superintendent Telaak to rectify the drainage issues on Kevinton Place.

five (5) Ayes Carried

A letter was received from Planning Board Chairman Hacker requesting that Planning Board members be compensated.

A motion was made by Supervisor Eagan and was seconded by Councilwoman Maghran to table the request of the Planning Board to be compensated for attending their regularly scheduled monthly meetings.

Councilman Hawkins Voting Aye

Councilman Pluta Voting Nay

Councilwoman Maghran Voting Aye

Councilwoman Dobson Voting Aye

Supervisor Eagan Voting Aye

four (4) Ayes one (1) Nay Carried

RESOLUTION 2008-12 IN SUPPORT OF AMENDING THE BOSTON EMERGENCY SQUAD DEFINED CONTRIBUTION SERVICE AWARD PROGRAM

Supervisor Eagan stated that Highway Department Collective Bargaining Agreement has not been received back from the union yet.

A motion was made by Supervisor Eagan and was seconded by Councilman Hawkins to table the approval of the Highway Department Collective Bargaining Agreement until the next meeting.

five (5) Ayes Carried

Supervisor Eagan read a letter from Assessor McSkimming requesting that the Town Board consider adopting the Cold War Veterans Exemption.

A motion was made by Supervisor Eagan and was seconded by Councilman Hawkins to refer the Cold War Veterans Exemption to Town Attorney Downey so that he may draft a local law.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilwoman Dobson to schedule the Public Hearing for September 3, 2008 at 7:40 P.M. on Proposed Local Law No. 3 of the Year 2008 entitled, "A Local Law, For An Additional Extension of a Moratorium On Applications For The Approvals Of Subdivisions, Planned Unit Developments, Cluster Developments And Multiple Dwellings Over Two Units.

five (5) Ayes Carried

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

Supervisor Eagan noted that he met with representatives from the Seneca Nations to discuss the possibility of burial grounds at the new Trooper Barracks site. Supervisor Eagan stated that there has not been any new evidence of such. The Seneca Nation representatives feel nothing will be found. Supervisor Eagan stated that NYS may still require the town to clear the area where the building and parking lot will be.

Town Clerk Shenk noted that NYS Conservation Licenses will go on sale on Monday, August 18, 2008.

Councilman Pluta stated that the senior exercise program day has changed from Wednesday to Monday 11:15 am to 11:45 am. Erie County will also provide extra services to the seniors, but will require a television for use in the community room.

A motion was made by Councilman Pluta and was seconded by Supervisor Eagan to purchase a television for use in the community room not to exceed a cost of \$1,200.

five (5) Ayes Carried

Councilman Pluta stated that he voted no on tabling the Planning Board's request to be paid because he feels volunteer boards should not be paid.

Councilwoman Maghran noted that as part of an Eagle Scout project, Edward Carey has begun working with some boy scouts on repairing the Holiday Lights. A meeting of the Holiday Lightning Committee is being planned for the near future and anyone interested in volunteering should attend.

Councilwoman Dobson noted that the North Boston Fire Company has received an "Excellence through Teamwork" award for their part in Kid's Escaping Drugs program and they were also recognized for their involvement in the Lake Effect Firefighters Ski Race. The date for the next Lake Effect Firefighters Ski race will be January 4, 2009.

Councilwoman Dobson noted that she will be meeting with playground equipment representatives to look at other Boston playgrounds to discuss new equipment.

Councilwoman Dobson noted that the Boston Emergency Squad is preparing bid specification for its new ambulance and will inform the Town Board when it receives finalized figures.

Councilman Hawkins stated that he and Councilman Pluta met with Erie County Legislator Reynolds to discuss potholes and high grass at the intersection of Trevett and Brown Hill Roads.

Councilman Hawkins noted that he met with representatives from National Grid in regards to drainage issues and will be meet again before the next meeting.

Councilman Pluta noted that Boston Fire Company is having its 100th year anniversary dinner in two weeks. He asked the Town Board to draft a resolution thanking the Boston Fire Company for its service to be presented at the banquet.

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to adjourn the meeting at 7:54 p.m.

five (5) Ayes Carried

DAVID J. SHENK, TOWN CLERK