

## Town Board Minutes December 19, 2001

REGULAR BOARD MEETING      TOWN HALL

DECEMBER 19, 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 and Town Attorney Michael F. Perley.

Absent: Highway Superintendent Wayne C. Kreitzbender.

A motion was made by Councilman Simmeth and seconded by Councilman Tills to adopt the minutes of the December 5, 2001 regular Monthly Meeting.

five (5) Ayes      Carried

A motion was made by Councilman Mead and seconded by Councilman Wiktor, upon review by the Town Board, that the General Fund and Special District Bills on Abstract #12A, dated December 19, 2001 in the amount of \$46,073.98 be paid.

five (5) Ayes      Carried

A motion was made by Councilman Wiktor and seconded by Councilman Tills, upon review by the Town Board, that the Highway Bills on Abstract #12A, dated December 19, 2001 in the amount of \$20,694.05 be paid.

five (5) Ayes      Carried

Received and filed Erie County Sheriff Report for November 2001.

Referred to the Recreation Department and the Capital Improvement Committee a request from Mike Singleton, Tom Decker and James Hartnett for Town of Boston help in creating a skate park at the former Evans National Bank site.

Received a request from Highway Superintendent Kreitzbender to clear the walkway of a truck parked across the sidewalk at 9408 Boston State Road.

Deputy Code Enforcement Officer Lisowski noted that he informed Highway Superintendent Kreitzbender that he would speak to the owner of the truck December 20, 2001.

Code Enforcement Officer Kramer noted that this situation is unique in the fact that the sidewalk in question services three parcels, the Smith parcel, which is being referenced, the Historical building and the Cudek property. The sidewalk goes nowhere. When a car is pulled into the driveway and touches the garage door, half the sidewalk is blocked. People walking could walk on the apron of the driveway without going on the shoulder or street. Mr. Cudek prefers the car to park in the driveway so as not to block his view when he pulls out his driveway. There is a sidewalk on the eastside of the street. In researching the Zoning Book it is unclear what law Mr. Smith is in violation of.

Town Attorney Perley responded that he is working on legislation regarding zoning issues, which may be considered at some point in the future.

Supervisor Rood appointed the following to the Soccer Fields Advisory Committee:

Sean Green

Maryann Sullivan

Jon Gruchala

Karen Miller

Received and filed an Engineering Services Proposal from R&D Engineering Inc. regarding the Wildwood Drive Bank Stabilization.

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Supervisor Rood commented that R & D Engineering submitted a proposal to provide engineering services to resolve the slope stability problem on the northside of Wildwood Drive for a fee of \$9,800.00. The Grants writer will research programs available from FEMA to fund the remediation and the geo-technical survey.

Received a request from Ken Kloeber for re-appointment to the Assessment Board of Review.

A motion was made by Councilman Mead and seconded by Councilman Simmeth to re-appoint Ken Kloeber to the Assessment Board of Review, term to expire 9/30/06.

five (5) Ayes      Carried

RESOLUTION 2001-41      LOWER SPEED LIMIT ON PATCHIN ROAD

RESOLUTION 2001-42      LOWER SPEED LIMIT ON SHERO ROAD

At 7:45 p.m. a Public Hearing  
was held for the purpose of  
hearing public comments on  
the Town of Boston consideration  
for entering into separate Fire

Protection contracts with the  
North Boston Volunteer Association,  
Inc., the Patchin Fire Company and  
Community Association, Inc. and  
the Boston Fire Company Inc.  
for the furnishing of Fire Protection.

A motion was made by Councilman  
Wiktor and seconded by Councilman  
Simmeth to open the Public Hearing  
at 7:45 p.m.

five (5) Ayes Carried

Supervisor Rood read the legal notice.

Town Clerk Shenk commented that the  
legal notice was printed omitting  
the Patchin Fire Company and Community  
Association, Inc. A correction to the  
original Public Notice was published  
on December 6th and December 18th.  
Town Attorney Perley confirmed that  
all legal aspects of this Public  
Hearing are set to go forward this evening.

There were no public comments.

A motion was made by Councilman Mead and  
seconded by Councilman Wiktor to Close  
the Public Hearing at 7:47 p.m.

five (5) Ayes Carried

Councilman Wiktor thanked Town Attorney  
Perley and the representatives of the  
three fire companies for their time and  
effort in the preparation of the contracts.

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PUBLIC HEARING (CONT):

A motion was made by Councilman Wiktor and seconded by Councilman Mead to authorize the signing of the contracts for the North Boston Volunteer Association, Inc., the Patchin Fire Company and Community Association, Inc. and the Boston Fire Company Inc. for \$110,150 for the calendar year of 2002, \$114,560 for the calendar

year 2003 and \$119,140 or \$114,560 times the 2003 CPI plus ½ of one percent, whichever is greater for the calendar year 2004.

five (5) Ayes Carried

Received a recommendation of approval from the Boston Planning Board for a site plan application for the Three Girl's Café contingent on a formal site plan submitted including spot elevation with a copy to the Planning Board, approval of a drainage plan by the Town Engineer and that the parking lot consists of a dust free material.

Received a recommendation of approval of the paving material and drainage situation from R & D Engineering for Three Girl's Café.

A motion was made by Councilman Mead and seconded by Councilman Simmeth to approve the Site Plan Application for Three Girl's Café contingent upon filing of a site plan with site elevations with the Code Enforcement Officer and a copy to the Planning Board.

five (5) Ayes Carried

At 7:50 p.m. a Public Hearing was held for the purpose of hearing public comments on the consideration of entering into a contract with the Boston Emergency Squad, Inc. for the purpose of furnishing Ambulance Service.

A motion was made by Supervisor Rood and seconded by Councilman Simmeth to open the Public Hearing at 7:50 p.m.

five (5) Ayes Carried

Supervisor Rood read the legal notice.

There were no public comments.

A motion was made by Councilman Wiktor and seconded by Councilman Simmeth to close the Public Hearing at 7:52 p.m.

five (5) Ayes Carried

A motion was made by Councilman Wiktor and seconded by Supervisor Rood to authorize the signing of a contract with the Boston Emergency Squad in the amount \$17,300 for the calendar year of 2002, \$17,800 for the calendar year 2003, and \$18,300 for the calendar year 2004.

five (5) Ayes Carried

#### SUPERVISOR REPORT

Supervisor Rood commented that in the 2001 budget, \$2,000 was budgeted for an outside firm to review the budget and make recommendations to the Town Board. The firm made no changes and charged a fee of \$180. The remainder, \$1,820, was to be a stipend to the Supervisor for writing and administrating the budget. Supervisor Rood declined the stipend because the stipend became a political football.

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At 7:55 p.m. a Public Hearing was held for the purpose of hearing public comments on contracts for the Historical Society.

A motion was made by Supervisor Rood and seconded by Councilman Simmeth to open the Public Hearing at 7:55 p.m.

five (5) Ayes      Carried

Supervisor Rood read the legal notice.

There were no public comments.

A motion was made by Supervisor Rood and seconded by Councilman Tills to close the Public Hearing at 7:57 p.m.

five (5) Ayes      Carried

A motion was made by Councilman Mead and seconded by Councilman Simmeth to authorize the signing of a contract with the Boston Historical Society in the amount \$5,100 for the calendar year of 2002, \$5,200 for the calendar year 2003, and \$5,300 for the calendar year 2004.

five (5) Ayes      Carried

## TOWN CLERK REPORT

Town Clerk Shenk reported that work has begun this week on networking the Town Hall computers with the main photocopier.

## TOWN ATTORNEY REPORT

Town Attorney Perley thanked Councilman Wiktor for opening and maintaining the lines of communication with the fire companies.

Town Attorney Perley noted that this is the last meeting of Supervisor Rood's term and thanked her for affording him the opportunity to participate in this government. Supervisor Rood has done an excellent job and has dedicated a substantial amount of her time to projects to the benefit of this community, far beyond the scope of what is required under the town law. Those qualities as well as her leadership will be missed in this town.

## COUNCILMAN REPORT

Councilman Mead thanked Karen Ellis for helping the Chamber of Commerce sponsor the "Sharing Tree."

Karen Ellis reported that there were thirty-four children's names on the tree and each child received two or more gifts. We received a substantial cash donation and working in conjunction with the Lions Club our children in the community will have a wonderful Christmas. On behalf of the Boston Chamber a thank you to everyone who made this possible.

Councilman Mead reported that regarding the Town Hall networking of computers to the copier, the networking will also provide for Internet accessibility.

Councilman Mead commented that it has been a pleasure working with Supervisor Rood.

Councilman Wiktor wished everyone a joyous season.

Councilman Wiktor complimented the Boston Town Band and the Orchard Park Corale for a wonderful Christmas Concert.

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COUNCILMAN REPORT (CONT.):

Councilman Wiktor reminded residents that on Tuesdays, January 15th, February 12th, and March 12th the Town of Boston will sponsor free winter concerts at Boston Valley School starting at 7:00 p.m.

Councilman Wiktor announced that members of the Patchin Volunteer Fire Company will escort Santa Claus around town on December 22, 2001 beginning at 2:00 p.m.

Councilman Wiktor thanked the Patchin Fire Company for use of their Quint at Saint John the Baptist Church to help replace outdoor lighting.

Councilman Wiktor noted that he has worked with Supervisor Rood for the past six years, two as a councilman and four as supervisor and has always remained good friends and will continue to do so.

Councilman Simmeth wished everyone a safe and Merry Christmas. He noted it has been a pleasure working with Supervisor Rood and suggested everyone read her article in the local newspapers and see what she is all about.

Councilman Tills commented that anyone wishing to join the Town Band is welcome.

Councilman Tills commented that regarding Supervisor Rood, during her four years he can't think of a better defender of the town's interest. She has been an excellent Supervisor and it has been a pleasure serving with her.

Town Clerk Shenk commented that being part of the daily team, Supervisor Rood worked hand in hand with him and although they may not have always agreed they have always had good communication and for that he thanks her.

A motion was made by Councilman Wiktor and seconded by Councilman Simmeth to adjourn the meeting at 8:06 p.m.

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DAVID J. SHENK, BOSTON TOWN CLERK