

Town Board Minutes January 19, 2000

REGULAR BOARD MEETING TOWN HALL

JANUARY 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, Highway Superintendent Wayne C. Kreitzbender and Town Attorney Michael F. Perley.

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

five (5) Ayes Carried

A motion was made by Supervisor Rood and seconded by Councilman Tills, upon review by the Town Board, that the General Fund and Special District Bills on Abstract #1A, dated January 19, 2000 in the amount of \$45,412.04 be paid.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Tills, upon review by the Town Board, that the Highway Bills on Abstract #1A, dated January 19, 2000, in the amount of \$34,760.65 be paid.

five (5) Ayes Carried

Supervisor Rood received a bill for a Change Order for Water District #2 from TVGA Engineering for \$2,048.80 to correct a ground water problem at the intersection of Keller and Zimmerman Roads which is creating a safety hazard.

Supervisor Rood received from TVGA Engineering, copies of Estimate No. 5 and a Final for Contract No. 4 in the amount of \$11,828.54 for release of retention on Water District No. 2, West Hill Project, Contract No. 4 ? Storage Tank.

A motion was made by Supervisor Rood and seconded by Councilman Mead, upon recommendation of TVGA Engineering, to approve payment of \$11,828.54 to Eastern Summit Development, Inc. for release of retention on Water District No. 2 West Hill Water Project and Contract No. 4 ? Storage Tank.

five (5) Ayes Carried

Supervisor Rood read a letter from David O. Stringfellow requesting re-appointment to the Planning Board.

A motion was made by Councilman Mead and seconded by Councilman Wiktor to re-appoint David O. Stringfellow to the Planning Board, term to expire on February 1, 2007.

five (5) Ayes Carried

Supervisor Rood read a letter from Computel Consultants noting that the Public Service Commission (PSC) issued a determination ordering NYSEG to refund approximately \$68,000 to the Town of Boston for errors made in street lighting reconciliation methodology. NYSEG has indicated they will appeal this determination and Computel requests the Town Board to pass a resolution urging that the action taken by the PSC be upheld and enforced.

RESOLUTION 2000-02 STREET LIGHT BILLING RECONCILIATION

Supervisor Rood read a NYSEG Street Lighting Proposal for the replacement of defective Mercury Vapor Lights to High Pressure Sodium.

RESOLUTION 2000-03 NYSEG STREET LIGHTING PROPOSAL

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A motion was made by Supervisor Rood and seconded by Councilman Simmeth to approve the Annual Audit conducted by the Town Board of all Town Officials controlling funds and to accept the Town Justices, Town Clerk, Tax Collector, and Dog Control Officer Annual Reports for 1999.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Simmeth to authorize the attendance of Councilman Tills, Town Justice Bender and Town Justice Maxwell at the NY City Association of Towns Annual Conference on February 21-23, 2000 and approve expense reimbursement for registration, plane fare, hotel (single rate), and \$150 food allowance.

five (5) Ayes Carried

A motion was made by Supervisor Rood and seconded by Councilman Simmeth to appoint Councilman Tills as the Delegate and Town Justice Bender as the Alternate Delegate for the Association of Towns Annual Conference.

five (5) Ayes Carried

A motion was made by Councilman Tills and seconded by Supervisor Rood to grant Faith United Church of Christ permission to use the Lions Shelter for a church picnic on Sunday, June 4, 2000.

five (5) Ayes Carried

A motion was made by Councilman Wiktor and seconded by Councilman Simmeth to grant Karen Ellis permission to use the Lions Shelter and Town Park for a family picnic on Sunday, July 2, 2000. A \$50.00 security deposit has been received and a certificate of insurance will be submitted.

five (5) Ayes Carried

A motion was made by Councilman Wiktor and seconded by Councilman Mead to grant the Boston Democratic Club permission to use the Lions Shelter, Town Park and Community Room for the 39th Annual Easter Egg Hunt on Saturday, April 22, 2000. A \$50.00 security deposit has been received.

five (5) Ayes Carried

A motion was made by Councilman Simmeth and seconded by Councilman Tills to grant the Boston Hillfest Committee permission to use the Community Room/Kitchen on March 19, 2000 for a fundraiser and use of the Town Park/Lion's Shelter from July 21-24th for the Annual Hillfest Celebration. A \$50.00 security deposit has been waived.

five (5) Ayes Carried

Supervisor Rood read a letter from Town Clerk Shenk notifying the Town Board that he concurs with the Erie County Finance Department that there was a clerical error in the number of units in Water District #2.

A motion was made by Councilman Simmeth and seconded by Councilman Tills, upon the recommendation of Town Clerk Shenk, to approve the following 2000 Budget corrections:

Water District #2 Appropriations \$105,435.00

Less Estimated Revenue

Less Unexpended Balance 57,149.00

Amount to be raised by taxes 48,286.00

five (5) Ayes Carried

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New Summary totals for the 2000 Boston Budget as follows:

Appropriations \$3,395,648.00

Less Estimated Revenue 1,062,400.00 Less Unexpended Balance 1,522,040.00 Amount to be raised by taxes 1,811,208.00

The following bids were received and opened on Monday, January 18, 2000 at 10:00 a.m. for One 2000 New & Unused One Ton Truck with Dual Wheels and Dump Body:

ONE NEW & UNUSED ONE TON TRUCK WITH DUAL WHEELS:

COMPANY	BID	BID W/TRADE	NC
Emerling Chevrolet	\$24,080.32	\$16,080.32	X
Joe Basil Chevrolet	\$24,079.00	\$16,579.00	X
Gillogly Chevrolet	\$29,667.00	\$25,000.00	X

DUMP BODY FOR A ONE TON TRUCK:

Valley Fab. & Equip. Inc. 5,702.00 X

General Welding	6,766.00	
Kaminski Refrig/Trucking	7,380.00	X

A motion was made by Councilman Mead and seconded by Supervisor Rood, on the recommendation of Highway Superintendent Kreitzbender, to award Emerling Chevrolet the bid for One 2000 New & Unused One Ton Truck with Dual Wheels with a trade-in at a cost of \$16,080.32.

five (5) Ayes Carried

A motion was made by Councilman Wiktor and seconded by Councilman Simmeth, on the recommendation of Highway Superintendent Kreitzbender, to award Valley Fab & Equipment the bid for a Dump Body for a One Ton Truck at a cost of \$5,702.00

five (5) Ayes Carried

A motion was made by Supervisor Rood and seconded by Councilman Simmeth to approve the following corrections to the 12/29/99 Transfer of Appropriations:

Approp Sewer SS2 960 \$9,029.00

From: Excess Rev From Fund Balance Sewer SS2 909 \$9,029.00

To :Contractual Sewer SS28130.4 \$9,029.00

five (5) Ayes Carried

A motion was made by Councilman Wiktor and seconded by Councilman Simmeth to approve the following corrections to the 12/29/99 Transfer of Appropriations:

Approp Refuse SR 960 \$ 606.32

From: Refuse Trans & Dist SR 8160.4 \$ 606.32

To :Refuse Judge/Claims SR 1930.4 \$ 606.32

Approp SR 960 \$1,448.18

From:Excess Rev From Refuse Fund Balance SR 909 \$1,448.18

To :Refuse Judge/Claims SR 1930.4 \$1,448.18

five (5) Ayes Carried

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A motion was made by Councilman Tills and seconded by Councilman Mead to approve the following corrections to the 12/29/99 Transfer of Appropriations:

GENERAL FUND

Approp A 960 \$ 10.00

From: Justice Equipment A1110.2 \$ 10.00

To :Justice Contract A1110.4 \$ 10.00

five (5) Ayes Carried

HIGHWAY SUPERINTENDENT REPORT

Highway Superintendent Kreitzbender reported that on January 8, 2000 he, Councilman Simmeth, and Code Enforcement Officer Kramer inspected the water problem complaint from a resident on Back Creek Road. Highway Superintendent Kreitzbender also met with Erie County Highway Engineer Kane regarding this complaint and it has been determined that there is a cross over pipe that has been filled in through the years and the Underground Locating Department will dig as soon as weather permits.

A motion was made by Supervisor Rood and seconded by Councilman Mead to grant Highway Superintendent Kreitzbender permission to attend an Erie County Highway Association Conference in Albany on February 15, 2000 at no cost to the town.

five (5) Ayes Carried

Highway Superintendent Kreitzbender commented that Gernatt Asphalt is covering his expenses for the Erie County Highway Association Conference so that they may ensure that Governor Pataki does not rescind the \$34,000 CHIPS funds.

Highway Superintendent Kreitzbender reported that on January 24, 2000 the Patchin Fire Company will be having an evening drill in the Highway Department building.

TOWN ATTORNEY REPORT

Town Attorney Perley reported that he has received a call from the NYS Comptroller's office and the Town of Boston's application for Water District #3 is under review and moving forward.

Town Attorney Perley reported that on January 20, 2000 he will be the guest speaker at a Boston Chamber of Commerce breakfast meeting and will be discussing Business Improvement Districts and the Development of Business in Boston.

COUNCILMAN REPORT

Councilman Mead noted that as Liaison to the Boston Chamber of Commerce he will also attend the Boston Chamber breakfast meeting on January 20, 2000.

Councilman Mead reported that at the January 11, 2000 Planning Board meeting there were three (3) firms interviewed for updating the Town of Boston Master Plan. The firms interviewed were P.J. Smith, Wendel and TVGA Engineering. A recommendation is expected from Erie County before the Planning Board forwards a decision to the Town board.

Councilman Wiktor reported that a few residents asked if they could drop off Christmas trees at the Highway Department and he wanted to be sure that was acceptable with the Highway Superintendent.

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COUNCILMAN REPORT (cont.)

Highway Superintendent Kreitzbender responded that he has no objections to residents adding their christmas trees to the pile of Christmas trees already piled behind the Highway garage.

Councilman Wiktor announced that an indoor soccer league has been formed through the Town of Boston Recreation Department for children ages five (5) to nine (9). Registrations were in November and Councilman Wiktor thanked the Hamburg School District for providing the Boston Valley School gymnasium. The soccer program is well received and runs on Tuesday and Thursday nights.

Councilman Tills reported that applications for the Adelpia Cable Senior Citizen Discount are being processed through the Assessor's office.

CODE ENFORCEMENT OFFICERS REPORT

A) Code Enforcement Officer's Annual for 1999 was received and is on file in the Clerk's Office.

Supervisor Rood commented that nineteen (19) permits were issued for single family dwellings in 1999.

A motion was made by Councilman Wiktor and seconded by Councilman Simmeth to adjourn the meeting at 7:58 p.m.

DAVID J. SHENK, TOWN CLERK