

## **Town Board Minutes January 19, 2011**

Present: Supervisor Martin A. Ballowe, Councilmen Jeffrey A. Genzel, Jay P. Boardway, and Councilwoman Cathy A. Maghran.

Also Present: Highway Superintendent Telaak, Town Attorney Kobiolka.

A motion was made by Councilman Boardway and was seconded by Councilman Genzel to authorize Supervisor Ballowe to sign Erie County form PO-17 for the addition of a new Court Officer Position.

four (4) Ayes Carried

A motion was made by Councilman Boardway and was seconded by Councilwoman Maghran to authorize payment of PERMA Workers' Compensation Liability Coverage Policy premium in the amount of \$90,637.00.

four (4) Ayes Carried

A motion was made by Councilman Boardway and seconded by Councilman Genzel to adopt the minutes of the December 28, 2010 special meeting.

four (4) Ayes Carried

Highway Superintendent Telaak noted that his report in the January 5, 2011 minutes stated three, 7-hour shifts. He noted that it is actually three, 8-hour shifts.

A motion was made by Councilman Boardway and seconded by Councilwoman Maghran to adopt the minutes of the January 5, 2011 regular meeting.

four (4) Ayes Carried

A motion was made by Councilman Genzel and seconded by Councilman Boardway, upon review by the Town Board, that fund bills on the Abstract dated January 13, 2011 in the amount of \$162,459.01 be paid.

four (4) Ayes Carried

James Carr: I am an active member of the North Boston Volunteer Fire Company. The town sent out a flyer describing the definition of a Volunteer and I would like to know where you found the definition. I have been a volunteer for 45 years in the Town of Boston. I was a volunteer on the Drainage Committee, Christmas Lighting Committee, and many other activities in the town. I was a 22-year Erie County Fire Advisory Board member. Several members of my family are volunteers also.

At 7:40 p.m. a Public Hearing was held to hear comments for the purpose of considering entering into Separate Fire Protection Contracts as follows:

North Boston Volunteer Fire Company will be paid \$150,940.75 for the year 2011, \$155,468.97 for the year 2012 and \$160,100.03 for the year 2013 for the furnishing of Fire Protection.

Patchin Volunteer Fire Company will be paid \$150,940.75 for the year 2011, \$155,468.97 for the year 2012 and \$160,100.03 for the year 2013 for the furnishing of Fire Protection.

Boston Volunteer Fire Company, Inc. will be paid \$150,940.75 for the year 2011, \$155,468.97 for the year 2012 and \$160,100.03 for the year 2013 for the furnishing of Fire Protection.

Supervisor Ballowe read the legal notice.

Jim Carr: Why do you need all of the fire companies accounts, bills and cancelled checks when you get a copy of our budget?

Supervisor Ballowe stated that the Article 6 is not requesting cancelled checks.

Jim Carr: I do not know what contract you are on and I do not know how old this one is.

Supervisor Ballowe: I have the newest one.

Jim Carr: We have not received a new contract yet.

Town Attorney Kobiolka: Those contracts were sent to your attorney two weeks ago.

Jim Carr: I wonder why you need all these receipts.

Supervisor Ballowe: Because we were audited by the State Controller. Any time the town contracts or sends money out with any company, whether it is the fire company or whom we buy salt from they want to know how that money was spent.

Jim Carr: Do you have receipts from the contractor that built the Trooper's Barracks?

Supervisor Ballowe: I was not here when they built that but I can look into that.

Jim Carr: Do you check all the bills that come into the Town Clerk's office and Highway Department? How do you know you are getting the amount of salt and sand that is purchased?

Highway Superintendent Telaak noted that every truck is weighed.

Jim Carr: For years the Highway Department has plowed snow for us and patched holes. There was never any problem with a payback on that.

Supervisor Ballowe: I am sure the Chief's and Presidents can explain this to you. We just cannot send out highway equipment to do work, it has to be approved by the Town Board. The only time that I can see that it was ever paid back was when it was not for snow plowing or emergencies, it was when a parking lot was stoned and all they paid for was the material. Approval has to be given by the Town Board to instruct highway employees to do the work. If it is an emergency, we will still help, but the approval from the town board makes the town responsible for the equipment that is on your property.

Jim Carr: Who owns the fire hydrants in town? The town does. Who cleans them, the volunteers? For now on you can clean your own fire hydrants.

A motion was made by Councilman Boardway and was seconded by Councilman Genzel to close the public hearing at 7:47 p.m.

four (4) Ayes Carried

A motion was made by Supervisor Ballowe and was seconded by Councilman Boardway to approve all three-fire contracts as follows:

North Boston Volunteer Fire Company will be paid \$150,940.75 for the year 2011, \$155,468.97 for the year 2012 and \$160,100.03 for the year 2013 for the furnishing of Fire Protection.

Patchin Volunteer Fire Company will be paid \$150,940.75 for the year 2011, \$155,468.97 for the year 2012 and \$160,100.03 for the year 2013 for the furnishing of Fire Protection.

Boston Volunteer Fire Company, Inc. will be paid \$150,940.75 for the year 2011, \$155,468.97 for the year 2012 and \$160,100.03 for the year 2013 for the furnishing of Fire Protection.

four (4) Ayes Carried

Town Attorney Kobiolka asked that each of the Town Board members sign the contract and that each of the fire company presidents remain here until after the meeting to sign the contracts.

A motion was made by Councilman Boardway and was seconded by Councilman Genzel to table the request to re-appoint Patricia Hacker to the Planning Board until further discussion with Planning Board President David Stringfellow.

four (4) Ayes Carried

Received and filed Planning Board Officer appointments.

A motion was made by Councilman Boardway and was seconded by Councilwoman Maghran to appoint Patrick Penrod as a Regular Member of the Zoning Board of Appeals term to expire 4/1/12.

four (4) Ayes Carried

A motion was made by Councilman Genzel and was seconded by Supervisor Ballowe upon the recommendation of the Planning Board to approve the site plan for Star Service, 7041 Boston Colden Road contingent upon adherence to the stipulations placed on the variance by the Zoning Board of Appeals.

four (4) Ayes Carried

A motion was made by Supervisor Ballowe and seconded by Councilman Boardway to approve the Annual Audit for the Town Clerk, Tax Collector, Town Justice, Bookkeeper, and Dog Control.

four (4) Ayes Carried

A motion was made by Councilman Boardway and seconded by Councilman Genzel to accept the 2010 Annual Report for the Town Clerk and Town Justice.

four (4) Ayes Carried

Received and filed monthly reports from the Town Clerk and Code Enforcement Officer and Assessor.

Deputy Town Clerk Mule' noted that the transition to the new dog licensing system is moving along smoothly. Any new or renewal dogs licenses will be issued a new dog tag.

Highway Superintendent Telaak noted that there has been a lot of ice buildup on Liebler Road due to the new water lines that were installed.

There is a lot of water coming down and freezing in the gutter. This spring we are going to have to do some work on the hill as far as putting in culverts under the driveway. All plows are now working after a major breakdown on the Oshkosh. Highway Superintendent Telaak thanked Bill Forness and Mark Chiddy for their hard work on fixing that vehicle.

Town Attorney Kobiolka noted that Boston Boy Scout Troop 491 is having their annual Pancake Breakfast, Sunday February 6 at the Boston Fire Hall from 8 am to 12 pm.

Councilman Genzel as Engineering Liaison will be attending the DEC Storm Water Pollution training with Town Engineer Hannon on Thursday and both will be meeting with the DEC on Heinrich Road to review a small drainage project.

Councilman Genzel as Planning Liaison reported that the Planning Board approved the addition for STAR Services and a variance was granted by the Zoning Board of Appeals. The Planning Board is always looking for volunteers.

Councilman Genzel as Capital Improvement Liaison would like to get some recommendations from the Town Board for the committee to look into uses for the Trooper's Barracks and Historical Museum.

Councilman Boardway attended the Boston Emergency Squad Banquet on Saturday. He noted that the issues with Penflex is ongoing and expect to receive the information to certify the next year's participation in the program and last year's member qualifications in the next few weeks. The Presidents of the fire companies will be receiving correspondence in regards to this. There will be a slightly different approach this year with respect to what the town wants to see in regards to call logs, etc. Once we have to certify to Penflex all the members that are qualified for service credits this year. We continue to watch them closely. It is a process trying to balance the funds that have to go in that program to ensure that the benefits that the firefighters have accumulated are going to be there to pay out in the future. We will be asking for one representative from each fire company is appointed and we will meet quarterly and then meet with the representatives at Penflex to stay on top of this.

Councilwoman Maghran thanked the Conservation Advisory Council for their support and participation in the Boston Valley Elementary 4th grade field trip.

Councilwoman Maghran noted there will be a blood drive on Tuesday, March 8, from 2 pm to 7 pm. There will also be a double red cell donation, which is frequently used by Cancer patients. The battle between the Fire Companies and the Emergency Squad and any other groups or organizations that want to participate please contact Barbara Moore.

Councilwoman Maghran noted that she has been working closely with the Mobile Safety Net team which is a basic human needs initiative supported by the John R. Oishei Foundation. It deals with Health & Wellness information to HEAP outreach. There will be a community resource event on Thursday, February 3 from 4pm ? 7 pm and Friday, February 4th from 11 am ? 2 pm.

Councilwoman Maghran noted Friday Night Recreation is going well. Registrations are accepted weekly at the door and are free to all Boston residents.

A motion was made by Supervisor Ballowe and seconded by Councilman Boardway to adjourn the meeting at 8:05 p.m.

four (4) Ayes Carried

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JENNIFER A. MULE', DEPUTY TOWN CLERK