

## Town Board Minutes July 9, 2008

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

Also Present: Highway Superintendent Telaak, Town Attorney Downey and Code Enforcement Officers Ferguson and Lisowski.

A motion was made by Supervisor Eagan and was seconded by Councilman Pluta to authorize Supervisor Eagan to sign the service contract from TVGA for the Community Development Block Grant for Town Hall access improvements and sidewalk installation on the town park property in the amount of \$14,750.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and was seconded by Councilman Hawkins to approve the minutes of the 6/18/08 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 June 12, 2008 minus voucher # 400 in the amount of \$.84, voucher # 410 in the amount of \$.61, plus \$27,612 for the Municipal Recreation Equipment, \$1,500 to Denzak Recreational Design and \$6,314 to The Fibar Group for a total of \$397,021.32 be paid.

five (5) Ayes Carried

Received and filed a resolution from the Town of Tonawanda in regards to fair and equitable assessment practices for condominiums

A motion was made by Supervisor Eagan and seconded by Councilwoman Maghran to appoint Vincent Mangino, Justin Smolinski and Lyndsay Trosterud to the Boston Emergency Squad term will continue until such time as resignation, removal or replacement.

five (5) Ayes    Carried

A motion was made by Supervisor Eagan and was seconded by Councilman Hawkins to approve the Use of Facility Application for Jennifer Cavarello for September 7, 2008 with the understanding that the bathroom facilities and tennis and basketball courts are open to the public and can not be assigned exclusively to her for this date.

five (5) Ayes    Carried

A motion was made by Supervisor Eagan and was seconded by Councilwoman Maghran to approve the Use of Facility Application for Emerson Home Bureau for July 23, 2008.

five (5) Ayes    Carried

Supervisor Eagan noted a request for appointment to the Zoning Board from Mary Francis Kraft. Supervisor Eagan stated that after speaking with Zoning Board Chairman Gibson, all vacancies have been filled. Supervisor Eagan stated that he informed Ms. Kraft of this and she expressed interest in the Planning Board.

A motion was made by Supervisor Eagan and was seconded by Councilwoman Maghran to refer the request for appointment from Mary Francis Kraft to the Planning Board for review and recommendation.

five (5) Ayes Carried

Supervisor Eagan stated he received a request from Recreation Director Vara requesting to adjust the position titles and rates of pay for Jonathan May and Michelle Noack.

A motion was made by Supervisor Eagan and was seconded by Councilwoman Dobson to adjust the position titles and rate of pay for Jonathan May to Head Lifeguard Director, \$9.00 per hour and Michelle Noack to Regular Counselor, \$7.25 per hour.

five (5) Ayes Carried

Supervisor Eagan noted that Assessor McSkimming requested that the Town Board consider adopting a Cold War Veterans Exemption.

A motion was made by Supervisor Eagan and was seconded by Councilman Hawkins to request that Assessor McSkimming attend the August 13th agenda review at 6 p.m. to further explain the pros and cons of this exemption.

five (5) Ayes Carried

Supervisor Eagan noted that a response from Philip Smolinski was received in regards to the request from Lisa Dellamore to change Smolinski Drive to Douglas Drive. Philip Smolinski stated that he sympathizes with their wishes but Smolinski Drive is a part of his life and would like to preserve it for his children and grandchildren. Philip Smolinski respectfully requested that the Town Board deny this request.

A motion was made by Supervisor Eagan and was seconded by Councilman Hawkins to deny the request of Lisa Dellamore to change the name of Smolinski Drive to Douglas Drive.

five (5) Ayes Carried

Supervisor Eagan asked Code Enforcement Ferguson if the Boston Hills Homes & Estates Mobile Home Park had corrected the violations reported to them.

Code Enforcement Officer Ferguson stated that the inspection was scheduled for the following day.

A motion was made by Councilman Hawkins and was seconded by Supervisor Eagan upon the recommendation of Code Enforcement Officer Ferguson to approve the license for Boston Hills Homes and Estates Mobile Home Park, contingent upon compliance with the June 6, 2008 inspection report. The license will be effective July 1, 2008 through June 30, 2009.

five (5) Ayes    Carried

Supervisor Eagan asked Code Enforcement Officer Ferguson what the status is on the Sprague Mobile Home Park.

Code Enforcement Officer Ferguson stated that the violations since the last inspection have not been fixed.

A motion was made by Supervisor Eagan and was seconded by Councilman Pluta upon the recommendation of Code Enforcement Officer Ferguson to deny the application from Richard Boyd for a license for the Sprague Mobile Home Park.

five (5) Ayes    Carried

A motion was made by Supervisor Eagan and was seconded by Councilwoman Dobson to appoint Richard Skinner as a Regular Member of the Planning Board term to expire 02/01/2012.

five (5) Ayes    Carried

A motion was made by Supervisor Eagan and was seconded by Councilwoman Maghran to appoint David Ruzzine as an Alternate member of the Planning Board term to expire 12/31/2010.

five (5) Ayes Carried

RESOLUTION 2008-08 REVISION OF NY GENERAL MUNICIPAL LAW

§239-n

RESOLUTION 2008-09 IN SUPPORT OF DRAFT LEGISLATION OF NYS SENATOR STACHOWSKI CHANGING SECTION 339-y OF THE REAL PROPERTY LAW

Supervisor Eagan stated that the Town of Boston along with Colden, Collins, Concord and Eden has received an Intermunicipal Grant to purchase much needed highway equipment. The original grant was for \$225,000, but unfortunately before it went to contract it was reduced by \$8,000. Bids have been received, but can't be awarded before we receive a contract from NYS and an Inter-Municipal Agreement is signed by the involved towns which will dictate the use of the equipment, maintenance, Insurance, storage, etc. and the responsibility respectively for all the towns. The Town Clerk has been in contact with the bidders on this and they will hold their bids.

Supervisor Eagan requested the town board authorize him to sign the IMA, contingent upon Town Attorney Downey's approval.

Town Attorney Downey clarified that the IMA was for a street sweeper and hydro-seeder.

A motion was made by Councilman Pluta and was seconded by Councilman Hawkins to authorize Supervisor Eagan to enter into an Inter-Municipal Agreement with the Towns of Colden, Collins, Concord and Eden as to the use and maintenance of the street sweeper and hydro-seeder.

five (5) Ayes Carried

Received and filed monthly reports from the Supervisor, Town Clerk, Town Justice, Assessor and Dog Control Officer.

Supervisor Eagan announced that Governor Patterson signed a bill officially designating the 219 Expressway as a scenic by-way. This will be an ongoing effort from the Towns of Boston, Concord and Orchard Park. This will allow us to highlight our communities and historical sites. It will also be a deterrent to the random construction of billboards. He noted that a committee will be formed within our town, as well as the others, to continue monitoring the scenic by-way to make sure we get the full benefit from it.

Supervisor Eagan stated that on Fridays, July 18 & 25 there will be a Wind Energy forum for municipal officers and landowners. It will be held at the Regional Environmental Southern Tier Western Regional Planning and Development Board in Salamanca.

Councilman Pluta stated that Erie County will be offering a Senior Exercise Program beginning Wednesday, July 16th at 1:00 p.m. and will be held every Wednesday at 1:00 p.m. in the Community Room. This program is open to all seniors who want to attend.

Councilman Pluta commented that he realizes that not being able to do the fireworks during Community Days was a disappointment to all.

Councilman Pluta stated that due to the severe thunderstorm warnings, it was a joint decision between the committee and the fireworks company to cancel them for the safety of their employees and spectators. There will not be a rain date set, so the funds will be used to make the show bigger next year.

Councilman Pluta noted that there will be a benefit on Friday, July 18th beginning at 4:30 p.m. for Boston resident and member of the Boston Emergency Squad, Donna Odoj.

Councilwoman Maghran noted that Friday, July 11th at 10:00 a.m. will be the ground breaking ceremony for the new North Boston Fire Hall.

Councilwoman Dobson noted that the new canvas on the Lions Shelter will be installed on Friday, July 11th. She noted that she is working on purchasing playground equipment for other Town of Boston Parks from the grant that was received from Senator Volker's office.

Councilman Hawkins stated that the Boston Chamber of Commerce Concert Ice Cream Social will be held on Tuesday, July 29th at 7:00 p.m.

Supervisor Eagan noted that on July 19th at 1:00 p.m. at the Boston Town Park there will be a field dedication in honor of Trooper David Brinkerhoff who was a resident of the Town of Boston.

A motion was made by Supervisor Eagan and was seconded by Councilman Hawkins upon the recommendation of Deputy Code Enforcement Officer Lisowski to grant the request for a second accessory building for James LaPare at 7668 Lower East Hill Road.

five (5) Ayes Carried

Deputy Code Enforcement Officer Lisowski stated that the vacant lot at 6892 Boston Cross Road could use more fill.

Highway Superintendent Telaak stated that it would be taken care of by Friday.

A motion was made by Supervisor Eagan and seconded by Councilwoman Dobson to adjourn the meeting at 8:06 p.m.

five (5) Ayes Carried

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DAVID J. SHENK, TOWN CLERK