

Town Board Minutes May 19, 2010

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

Also Present: Town Attorney Kobiolka.

RESOLUTION 2010-06 OUT OF DISTRICT WATER CUSTOMER

A motion was made by Councilwoman Maghran and seconded by Councilman Pluta to approve the Use of Facility Application for Girl Scout Troop #1937 for May 23, 2010.

five (5) Ayes Carried

A motion was made by Councilwoman Maghran and seconded by Councilman Boardway to approve the Use of Facility Application for Boston Youth Baseball League from May 15, 2010 through July 30, 2010.

five (5) Ayes Carried

A motion was made by Councilwoman Maghran and seconded by Councilman Genzel to approve the Use of Facility Application for Boston Youth Softball League until June 2nd after which a new insurance certificate is required.

five (5) Ayes Carried

A motion was made by Supervisor Ballowe and was seconded by Councilman Boardway to allow Sgt. Donald Gardon of the NYS Troopers to use the field behind the old trooper barracks for training during business hours on June 11, 2010.

five (5) Ayes Carried

A motion was made by Councilman Boardway and seconded by Councilwoman Maghran to table the adoption of the minutes of the May 5, 2010 regular meeting.

five (5) Ayes Carried

A motion was made by Councilman Pluta and seconded by Councilwoman Maghran, upon review by the Town Board, that fund bills on the Abstract dated May 13, 2010 in the amount of \$95,666.27 that includes correction of voucher #351 in the amount of \$6.00 be paid.

five (5) Ayes Carried

Clinton DeKay, 8271 Boston State Road questioned an electrical fence being installed by June Goehler, 8285 Boston State Road around her garden. The matter was referred to Town Attorney Kobiolka for further investigation.

A motion was made by Councilman Genzel and was seconded by Councilwoman Maghran to approve the Site Plan Review for Diane Corto for a salon at 7186 Boston State Road.

five (5) Ayes Carried

A motion was made by Councilman Boardway and seconded by Councilwoman Maghran to approve the Use of Facility Application for Cub Scout Pack #583 for a picnic on June 13, 2010.

five (5) Ayes Carried

A motion was made by Councilman Boardway and seconded by Councilwoman Cathy Maghran, on the recommendation of Code Enforcement Officer Ferguson, to approve an Additional Accessory Building for Jeff McCaffrey, 6704 Rollin Drive.

five (5) Ayes Carried

A motion was made by Councilman Boardway and seconded by Councilman Genzel to appoint Nicole Pawelski to the Boston Emergency Squad and will continue until such time as resignation, removal, or replacement.

five (5) Ayes Carried

Mike Sendor, President of Nussbaumer and Clarke Engineers read a letter clarifying remarks made during the May 5, 2010 Town Board Meeting concerning Water District #2, and Water District #2, Ext. #2. He stated that when Water District #2, Ext #2 was formed and the improvements were made over 10 years ago the Town was under contract with another engineering firm, not Nussbaumer & Clarke, Inc. Nussbaumer was hired by the Town of Boston to design additional waterlines on the West Hill, just like they were on the East Hill for Water District No. 3. During their submittals to the Erie County Water Authority and the Erie County Health Department, they were informed that they did not have an Engineer's Report, nor a Water Supply Permit for the existing facilities of District #2, Ext. #2. In order to expedite the project, they prepared the reports without compensation from the town. Upon submittal to these agencies, they were notified that the existing facilities were at capacity and District #2 could not be expanded beyond its existing limits. This was the first time the Town and Nussbaumer and Clarke, Inc. were aware of this situation. As soon as this was discovered, they notified the existing Town Board and the newly elected officials in November of 2009. Included in their efforts was the securing of additional funding to keep the project feasible. The project currently remains on hold at the direction of the Town Board until certain administrative details are resolved.

Supervisor Ballowe reported that a replacement sewer project will be starting on Valley Circle Lane. Bids are due at the end of June.

Town Clerk Shenk reported that the Town of Boston Memorial Day Service will be Monday, May 31, 2010. Parade will begin at 1:45 p.m. and the main program at 2 p.m.

Councilman Boardway noted that Highway Superintendent Telaak was excused from tonight's meeting due to his attendance at the Highway Association Installation of Officers. He noted that spring brush pickup is completed and next brush pickup will begin in the fall.

Councilman Pluta reported the Fishing Derby on May 8, 2010 was a success.

Councilman Pluta announced that the Household Hazardous Waste drop off at Erie Community College South will be Saturday, June 19, 2010 from 9 a.m. to 2 p.m. and that there will be a free residential computer/electronic recycling program on Saturday, June 26, 2010, from 11 a.m. to 3 p.m. at the Hamburg High School.

Councilman Pluta noted that the Conservation Advisory Council received trees and planted them near the town garage and hopefully in the future, be able to replant them around town.

A motion was made by Councilman Pluta and seconded by Supervisor Ballowe to allow Nick Czoka to earn his Eagle Scout Badge by volunteering to work on the trail behind the Town Hall.

five (5) Ayes Carried

Councilman Pluta noted that the 2000 John Deere Comm. Walk Behind Mower 48? cut and the 2001 Douglas Walko Pull behind Mower 90 ?cut are no longer needed by the Parks Department and will be sold via sealed bid, with the stipulation that no town employee may bid on equipment and the Town Board reserves the right to reject all bids.

RESOLUTION 2010-07 SURPLUS EQUIPMENT

A motion was made by Councilman Pluta and was seconded by Councilman Boardway to schedule the bid opening for the 2000 John Deere Comm. Walk Behind Mower 48? cut and the 2001 Douglas Walko Pull behind Mower 90 ?cut for June 16, 2010 at 6 p.m.

five (5) Ayes Carried

Councilman Pluta announced a benefit for David Skinner Jr. who has become ill and unable to work will be held at the VFW Post #898 at 2909 South Park Avenue, Lackawanna on Saturday, June 19, 2010, from 2 p.m. to 6 p.m. Cost is \$20/person.

Councilman Genzel reported the Planning Board approved the Site Plan for a new salon in town. Town Engineer Jim Hannon looked into an extension of the water line for Sean and Kim Bingman on Boston Cross Road where they are building a new house.

Councilman Genzel met with Ed Cary regarding the drainage problem now running off Power Line Drive with the input of a temporary culvert which is eroding the cornfield. When the temporary culvert is removed, the problem should correct itself.

Councilman Genzel apologized to Michael Sendor of Nussbaumer and Clarke Engineers if he felt that his company was being ethically questioned and thanked him for his company's service.

Councilman Boardway reported that the insurance issues with the various sports teams have been resolved. Councilman Boardway attended a meeting regarding the Deferred Compensation Plan for Town Employees and noted a survey will be given to participating employees.

Councilman Boardway noted the Boston BBQ Fest will be held June 25, 26 and 27th at the Town Park.

Councilwoman Maghran reported Summer Recreation is still taking applications for campers. She and Supervisor Ballowe have been working with Grant Writer Connie Miner for soccer field improvements. They are still accepting volunteers for the Youth Recreation Center Committee.

Councilwoman Maghran reported Boston Valley School is celebrating its 50th Birthday and there will be an open Portfolio Fair/Birthday celebration during the evening on Wednesday, May 26, 2010

Supervisor Ballowe appointed Bonnie Bates from Faith United Church of Christ and Good Shepherd Lutheran Churches to the Ethics Committee.

A motion was made by Supervisor Ballowe and seconded by Councilman Boardway to adjourn the meeting at 8:02 p.m.

five (5) Ayes Carried

DAVID J. SHENK, TOWN CLERK