

Town Board Minutes May 21, 2003

REGULAR BOARD MEETING TOWN HALL

MAY 21, 2003 7:30 P.M.

Present were Councilman Damian P. Wiktor, Councilman Richard K. Hawkins, Councilman Karl J. Simmeth Jr., Councilman Dennis J. Mead, Supervisor William A. Eagan, Highway Superintendent Wayne C. Kreitzbender and Town Attorney Kelly A. Vacco.

PROCLAMATION LUISA FERNANDA YANAJARA HERNANDEZ

HONORARY CITIZEN OF THE TOWN OF BOSTON

A motion was made by Councilman Simmeth and seconded by Supervisor Eagan to adopt the minutes of the May 7, 2003 regular 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 fund bills on Abstract #5A, dated May 21, 2003, amount of \$127,688.22 be paid.

five (5) Ayes Carried

Received and filed Erie County Sheriff Report for April 2003.

Received a letter from John and Linda Carney, 7238 Abbott Road, regarding parking problems due to George's Hot Dog Stand.

Councilman Wiktor noted that he forwarded a letter to the Erie County Department of Public Works, Division of Highways, regarding the complaint of John and Linda Carney and requested "No Parking" signs be installed on Abbott Road, a County road.

Councilman Simmeth noted that the Boston Town Board requested that the NYS DOT install "No Parking" signs on Herman Hill Road.

Received a request from the Boston Hillfest to cancel the reservation for the Town Park facilities for August 20th through August 25, 2003 due to the cancellation of the event. The Hillfest Committee requests a reservation for the Town Park facilities for July 14th through July 19th, 2004 and a Town grant of \$2,500 for the fire works display.

A motion was made by Supervisor Eagan and seconded by Councilman Mead to table a request from the Boston Hillfest for reserving the Town Park facilities for 2004 and a grant for \$2,500.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Hawkins to accept the Town of Boston Debt Re-financing on May 22, 2003 with Evans National Bank.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilman Simmeth to schedule the annual Mobile Home Park inspections for Friday, June 13, 2003 at 5:00 p.m. for the Boston Hills Homes and Estates and 6:00 p.m. for the Sprague Mobile Home Park.

five (5) Ayes Carried

Received a request from Brian and Rochelle Wendling for the rezoning of 8350 Boston State Road, SBL# 241.08-1-11.1, from C-1 to R-2.

A motion was made by Councilman Mead and seconded by Councilman Wiktor to refer a request from Brian and Rochelle Wendling for the rezoning of 8350 Boston State Road, SBL# 241.08-1-11.1, from C-1 to R-2, to the Planning Board for review and recommendation.

five (5) Ayes Carried

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RESOLUTION 2003-17 AUTHORIZING THE COMMITMENT OF FUNDS IN SUPPORT OF AN APPLICATION FOR NON-AG NONPOINT SOURCE POLLUTION ABATEMENT AND CONTROL FUNDS

RESOLUTION 2003-18 DONALD AND WENDY O'BRYANT

2003 CITIZENS OF THE YEAR

RESOLUTION 2003-19 EMERLING CHEVROLET

2003 BUSINESS OF THE YEAR

RESOLUTION 2003-20 ACCEPTANCE OF DRAFT ALL-HAZARD MITIGATION PLAN THAT WILL BE SUBMITTED FOR APPROVAL TO THE NYS EMERGENCY MANAGEMENT OFFICE (SEMO) ON BEHALF OF THE TOWN OF BOSTON

Received an application for a Soil Removal Permit for south of Mill Street, SBL# 258.09-1-24. from Schreiber & Winkleman, Eden, NY. DEC permits are on file.

A motion was made by Supervisor Eagan and seconded by Councilman Mead to refer an application for a Soil Removal Permit, SBL# 258.09-1-24, from Schreiber & Winkleman, to Code Enforcement Officer Kramer.

five (5) Ayes Carried

Received a Planning Board recommendation of approval of the application of Ray Webber, for a permit to construct an office building at 7080 Boston State Road.

A motion was made by Councilman Mead and seconded by Supervisor Eagan, on the recommendation of the Planning Board, to approve the application of Ray Webber, for a permit to construct an office building at 7080 Boston State Road.

five (5) Ayes Carried

Received a Planning Board recommendation of approval of the request of Dana Darling to rezone vacant land, SBL# 226.02-2-31.1, on the west side of Boston State Road across from Omphalius Road, from R-a to R-2.

A motion was made by Councilman Mead and seconded by Supervisor Eagan to schedule a Public Hearing for June 18, 2003 at 7:45 p.m. for the request of Dana Darling to rezone vacant land, SBL# 226.02-2-31.1.

five (5) Ayes Carried

SUPERVISOR REPORT

A) Supervisor's financial report for April 2003 was received and is on file in the Clerk's Office.

Supervisor Eagan reported that KISS 98.5 had a remote location in Boston at the home of Mr. & Mrs. Castricone, 6030 Old Pfarner Road, on May 20, 2003. The Town Historian, Mary Anne Jehle, did a great

job on the history of Boston. Supervisor Eagan presented a proclamation, "Spring Fever in Boston." The radio station promoted Boston Memorial Day Services and the Community Days Event.

PROCLAMATION ? SPRING FEVER IN BOSTON

Supervisor Eagan reported that the Boston Memorial Day Program on May 26, 2003 will begin at 2:15 p.m.

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SUPERVISOR REPORT (CONT.):

Received notification from Erie County Department of Public Works, Division of Highways that Boston State Road from Boston Colden Road to the Concord Town Line, an estimated distance of aprox. 2 miles is on the 2003 program for ?Mill and Fill?.

Supervisor Eagan reported that Colden officially joined Boston in the Water District #3 project. The financing for this project is being restructured due to costs exceeding the initial estimate.

HIGHWAY SUPERINTENDENT REPORT

Highway Superintendent Kreitzbender reported that he met with representatives from Erie County Sewer Authority on May 8, 2003 regarding the restoration project in the Creekside Subdivision. ECSA will pay a percentage to repair the road. Concerns of residents were addressed.

Highway Superintendent Kreitzbender noted the final Spring brush pick-up is in progress.

TOWN ATTORNEY REPORT

Town Attorney Vacco reported that she has contacted neighboring towns regarding fence ordinances and consistency in signage for consideration in structuring Boston ordinances.

Supervisor Eagan requested that the fence and signage ordinances be offered in conjunction with the other codes to be updated in the codebook.

Town Attorney Vacco reported that she attended a Hodgson and Russ seminar for town attorneys regarding municipal law and received valuable information.

COUNCILMEN REPORT

Councilman Mead reported that he has received inquiries on the progress of plans for Town Hall landscaping project and noted that the plans are being sent to the Conservation Advisory Council.

Supervisor Eagan noted that three plans for the Town Hall project have been received. Deputy Town Clerk Ellis will schedule a meeting with the Boston Chamber of Commerce and the Lions Club to coordinate a fund raising effort for the clock to be installed in front of the Town Hall.

Councilman Wiktor reported that a number of calls were received regarding a mobile home on Patchin Fire Company property. The mobile home is there for firemen training purposes.

Councilman Wiktor reported that regarding the home of Ann Burkhardt, 9356 State Road, the Town Attorney will review demolition procedures.

Received a request from Bruce Chamberlain for re-appointment to the Conservation Advisory Council.

A motion was made by Councilman Simmeth and seconded by Supervisor Eagan to re-appoint Bruce Chamberlain to the Conservation Advisory Council, term to expire 3/1/05.

five (5) Ayes Carried

Councilman Simmeth noted that regarding concerns of Mrs. Becony, 9766 Trevett Road, he and Deputy Code Enforcement Officer Lisowski met with her and will schedule a meeting with Richard Emerling, 9794 Trevett Road, to address the problems.

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COUNCILMEN REPORT (CONT.):

Councilman Simmeth reported that the Town Board discussed drainage problems in the Creekside Subdivision and Highway Superintendent Kreitzbender and Foit-Albert Engineering firm will provide the Town Board with a cost estimate to develop a drainage district.

Councilman Simmeth reported that he attended a fundraiser on May 17, 2003 at the North Boston Fire Hall for a deceased longtime friend and lifelong resident of the Town of Boston, Frank Kruszynski. The event was attended by three hundred people and Councilman Simmeth noted that it is nice to be part of a community that pulls together in a time of need. He thanked Mark and Marianne Maytas, Larry and Kathy Phillipps, Barb and Bob Wagner, Dick and Sue Delotto, Karen and Ron Yormick, Bob and Kathy Kirst, Adam and Roberta Wieninski, Robert Chelus, the Kruszynski family and the local businesses that donated prizes.

Councilman Hawkins reported that the mobile home was placed two weeks ago on the Patchin Fire Company property for training purposes and will be there until the end of August.

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

Jennifer A. Mule?, DEPUTY TOWN CLERK