

## Town Board Minutes November 4, 2009

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

Also Present: Town Attorney Downey and Code Enforcement Officer Ferguson, Deputy Code Enforcement Officers Lisowski and Juda.

Rev. Bonnie Bates, Faith United Church of Christ opened the meeting with a prayer.

Supervisor Hawkins stated that as he was preparing for tonight's meeting, he noticed that there was an error in the Notice for the Preliminary Budget Hearing. He stated that although he noticed tonight's meeting to be for the review of the "Preliminary Budget" the Town Board also inadvertently called the same budget the "Tentative Budget". He stated that once the "Tentative Budget" is handed out to the Town Board for review, it then becomes the "Preliminary Budget".

A motion was made by Supervisor Hawkins and was seconded by Councilman Pluta to clarify and accept the budget which is subject of the public notice which has inadvertently in some instances also been called the "Tentative Budget", as the Town's "Preliminary Budget".

five (5) Ayes    Carried

Councilwoman Maghran clarified the truth in regards to the leaf pick up situation. She stated a letter was received on Friday, October 23rd from Highway Superintendent Telaak informing the Town Board that his leaf funding had been depleted and was requesting additional money to be able to continue that service. The Town Board sent Highway Superintendent Telaak a response on October 27th requesting a cost breakdown and instructed him to continue leaf pick up until November 4th. On October 30th Highway Superintendent Telaak sent a letter requesting an additional \$10,800 per week for four workers and \$800 a day for the use of two town owned trucks. She stated that at the November 2nd Agenda Review Meeting the Town Board informed Highway Superintendent Telaak that the Town Board could not vote on his request for additional funds without an open board meeting to the public

and the opportunity to review funds. She stated that before the conversation was finished he left the meeting threatening to distribute a flyer to the residents.

Councilwoman Maghran on behalf of the Town Board apologized for any confusion or upset to the residents that have called regarding their loss of public services. She noted that the Town Board would like Highway Superintendent Telaak to review his policy on leaf and brush pick up so it's more cost effective to the taxpayers.

A motion was made by Councilwoman Maghran and was seconded by Councilman Ruzzine to fund Highway Superintendent Telaak and the Highway Department for an additional three to four weeks of leaf pick up service as needed with the stipulation that he document dates, workers by name, along with the location and specific beginning and ending hours of each worker along with mileage and gasoline usage by date of each vehicle utilized during the leaf pick up.

five (5) Ayes Carried

A motion was made by Councilman Pluta and seconded by Supervisor Hawkins to approve the minutes of 10/21/09 and 10/23/09.

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 October 29, 2009 in the amount of \$367,267.51 be paid.

five (5) Ayes Carried

RESOLUTION 2009-23 UNPAID BILLS

A Public Hearing was held at 7:40 p.m. to hear public comments regarding the 2010 Town of Boston Preliminary Budget.

Supervisor Hawkins read the legal notice.

There were no public comments.

A motion was made by Supervisor Hawkins and seconded by Councilwoman Maghran to close the Public Hearing at 7:42 p.m.

five (5) Ayes Carried

Supervisor Hawkins congratulated the newly elected Town Board members. He also thanked the current Town Board members and the residents of the Town of Boston for allowing him the opportunity to serve as Supervisor after the resignation of former Supervisor Eagan.

Supervisor Hawkins Cont'd: He stated that he has worked on the water projects, Eighteen Mile Creek restoration and with FEMA. He hopes that the new members of the Town Board will continue working on these projects because they are very important issues to the residents that need to be resolved.

Highway Superintendent Telaak noted that he was the one that initiated the leaf pick-up program back in 2005 and believes that it is one of the most vital services that is supplied to every resident in this town, especially the sub-divisions. He noted that all he asks for is the funding to be able to continue this program.

Supervisor Hawkins stated that the Town Board told Highway Superintendent Telaak that they had to verify that spending money from the General Fund for a service has to benefit the whole town and not just subdivisions.

Highway Superintendent Telaak stated that if the Town Board would have told him he would get more money for the leaf pick-up there would have been no need for the flyer. He stated that he agrees the residents on the hills should also receive leaf pick-up service but he would need two additional leaf

machines and another truck and more manpower. He stated that if the Town Board wants the entire town serviced for leaf pick-up, there is no way that two trucks can cover every road in this town.

Supervisor Hawkins stated that will be an issue for the new Town Board in January.

A motion was made by Supervisor Hawkins and was seconded by Councilwoman Maghran to approve Highway Superintendent Telaak to do off-road drainage work on Heinrich Road with the stipulation that he obtain Erie County Highway approval and easements from all residents involved. He is also authorized to rent an excavator for one day.

five (5) Ayes Carried

Councilman Pluta congratulated those who won in yesterday's election.

Councilwoman Maghran noted that the new burning regulations for NYS became effective on October 15th are now available on the Town of Boston website under Happening Now.

Councilwoman Maghran noted that there will be a free health presentation by Clinical Instructor Sharon Lawrence from the University of Buffalo on Thursday, November 12th from 7 p.m. to 9 p.m. at the North Boston Fire Hall.

Councilwoman Maghran noted the WNY Snowmobile Club of Boston will be holding its annual safety class on Saturday, November 7th at the Town Hall from 9 a.m. to 5 p.m. for snowmobilers age 10 -17 years.

Councilwoman Maghran noted that volunteers are needed for the Christmas Lighting Committee.

Councilwoman Maghran noted that on Sunday, November 8th at 9:15 p.m., Faith United Church will be holding a worship service and luncheon to honor our local fire fighters, rescue workers and veterans.

Councilwoman Maghran thanked Supervisor Hawkins, Councilwoman Dobson and Councilman Ruzzine for all of their hard work and dedication during their tenure as elected officials in the Town of Boston.

Councilman Ruzzine commented on the tabled drainage issue of John and Barbara Moore, 6693 Liebler Road. He noted he spoke with the Moore?s in regards to their ditch pipe and they agreed to pay for a new pipe and any concrete work that needs to be done. Their only request was that it be installed by the town. Councilman Ruzzine noted that Highway Superintendent Telaak stated that because there was no benefit to the town he refuses to complete the installation of the new drainage pipe for the Moore?s.

A motion was made by Supervisor Hawkins and seconded by Councilman Ruzzine to adjourn the meeting at 7:56 p.m.

five (5) Ayes Carried

---

DAVID J. SHENK, TOWN CLERK