

Town Board Minutes September 17, 2003

REGULAR BOARD MEETING TOWN HALL

SEPTEMBER 17, 2003 7:30 P.M.

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

Rev. Ronald Sprehe, St. Martin's Lutheran Church, opened the meeting with a prayer.

A motion was made by Supervisor Eagan and seconded by Councilman Mead to schedule a Public Hearing for the Community Development Block Grant Funds (CDBG) on October 15, 2003 at 7:45 P.M.

five (5) Carried

A motion was made by Councilman Simmeth and seconded by Councilman Wiktor to adopt the minutes of the September 3, 2003 regular meeting.

five (5) 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 #9A dated September 17, 2003, in the amount of \$33,623.00 be paid.

five (5) Ayes Carried

Received and filed notification from Adelphia Cable of package and programming changes effective October 2003.

Received a resignation from Town Hall Cleaner Christine Hankey effective August 9, 2003.

A motion was made by Councilman Wiktor and seconded by Councilman Hawkins to accept a resignation from Town Hall Cleaner Christine Hankey, effective August 9, 2003.

five (5) Ayes Carried

Received a request for appointment to the Town Hall Cleaner Position from Jeanette Hoppy, 7641 Wohlhueter Road.

A motion was made by Supervisor Eagan and seconded by Councilman Mead to appoint Jeanette Hoppy to the position of Town Hall Cleaner at the current salary, term to expire 12/31/03.

five (5) Ayes Carried

RESOLUTION 2003-27 NON-AGRICULTURAL NON-POINT SOURCE PROJECT/
HIGHWAY DEPARTMENT SALT BARN

RESOLUTION 2003-28 RESOLUTION IN SUPPORT OF
CONTINUATION OF 201 STEEL TARIFFS

Received a request from Marcia Baeumler to rezone 0.67 acres at 5785 Herman Hill Road from R-C to C-2.

Received a Planning Board determination that the Baeumler application for rezoning 5785 Herman Hill Road is complete and recommended that the Town Board act upon the request based upon the recommendations of Town Attorney Vacco and Town Planner Brox.

A motion was made by Supervisor Eagan and seconded by Councilman Wiktor, on the recommendation to Town Attorney Vacco, to deny the request from Marcia Baeumler to rezone 0.67 acres at 5785 Herman Hill Road from R-C to C-2.

five (5) Ayes Carried

REGULAR BOARD MEETING TOWN HALL

SEPTEMBER 17, 2003 7:30 P.M.

Received a Zoning Board of Appeals recommendation to appoint Eugene Wallace to the Zoning Board of Appeals and Jennifer Warnes as an Alternate Member.

A motion was made by Councilman Wiktor and seconded by Councilman Simmeth, upon the recommendation of the Zoning Board of Appeals, to appoint Eugene Wallace to the Zoning Board of Appeals, term to expire 4/1/04 and Jennifer Warnes as an Alternate Member.

five (5) Ayes Carried

SUPERVISOR REPORT

A) Supervisor Financial Reports for August 2003 were received and are on file in the Town Clerk's office.

Supervisor Eagan thanked the David J. Shenk Foundation for a grant of \$150 for the Boston Meals on Wheels Program. Supervisor Eagan extended his gratitude to the volunteers of the Meals on Wheels Program.

Supervisor Eagan reported that the NYS Department of Audit and Control granted the Town of Boston permission to increase the maximum amount to be expended for Water District No. 3. This is good news and there is one more step with Rural Development in the next week to ten days before entering the construction phase.

Supervisor Eagan reported that his office along with the Assessor and Town Clerk offices have been inundated with calls from Boston residents regarding school taxes. Residents are of the opinion that the Town Board establishes the tax rates for the individual school districts. This is not true. For the record, the only tax rate that the Town of Boston sets is the tax rate for our town government which reflects our budget process. The schools handle their own tax rates.

HIGHWAY SUPERINTENDENT REPORT

Highway Superintendent Kreitzbender reported that notification was received from Erie County Highway that Boston State/Boston Springville Road will be reconstructed between Boston Colden Road and Sharp Street beginning approximately September 18, 2003 to October 31, 2003. The County will be reminded to mill the high spot south of the intersection of Boston State and West Tillen as referred in the study.

Received a letter from Beryl and Hilary Bradford, 7526 Hunn Road regarding a hazardous situation at the intersection of Hunn and Boston-Colden Roads. A new entrance has been constructed leaving a deep ditch.

Highway Superintendent Kreitzbender responded that Hunn Road was a dirt road twelve feet wide that was made into two paved ten feet lanes. Hunn Road was brought into Boston-Colden Road so that traffic was visible from both ways. The county agreed to the installation of sixty feet of culvert to make a sixty-foot wide entrance and exit. The county requested to leave the remaining area as is which is the same depth as before.

TOWN ATTORNEY REPORT

Town Attorney Vacco reported that she is establishing office hours at the Town Hall Tuesdays and Thursdays 10:00 A.M. to 12:00 P.M.

beginning the first week in October.

REGULAR BOARD MEETING TOWN HALL

SEPTEMBER 17, 2003 7:30 P.M.

COUNCILMEN REPORT

Councilman Wiktor reported that a recommendation was made at a recent Christmas Lighting Committee meeting to incorporate either a Douglas or Frazier fir tree approximately ten feet high in the Town Hall Landscaping project to alleviate the problem of cutting and installing a temporary tree for the holiday decorations.

Supervisor Eagan noted that both ends of the landscape plan call for Christmas trees.

Councilman Wiktor noted that it was also discussed that outside the Town Hall doorway there is an Austrian Pine tree growing next to a Maple tree. Are there plans to move it or cut it down?

Supervisor Eagan responded that the Town Board can talk to the landscapers and follow their recommendations.

Councilman Simmeth thanked Legislator Chase for holding a meeting September 3, 2003 for the residents on Omphalius Road. County Officials were in attendance and hopefully this meeting will clear up any misunderstanding concerning the Omphalius Road reconstruction project.

Councilman Simmeth reported that regarding the Eckhardt Road bridge project, there was a personnel problem that held up the work approximately two hours. The project was halted for a day or two due to inclement weather. NYS DEC amended the permit to allow the contractor to work in the creek until October 14, 2003. The contractor expects the project to be complete by the contract deadline of December 5, 2003.

Councilman Simmeth noted that he read an article in the Citizen newsletter last week regarding the Route 219 Scenic By-way and would go on record stating that the Boston Town Board supports Orchard Park's effort in their legal fight to bar advertising and billboards on the 219 expressway. Councilman Wiktor is currently working on a resolution of support from the Boston Town Board.

Councilman Hawkins reported that North Boston Fire Company received a FEMA grant of \$114,000. This is the third year in a row that North Boston has received this grant and the other two fire companies are waiting patiently to receive FEMA money. It is good to see that our fire companies are taking advantage of the funds that can help add to equipment etc. for the safety of the community.

CODE ENFORCEMENT OFFICERS REPORT

Received an inspection report from Deputy Code Enforcement Officer Lisowski regarding the Sprague (Boyd) Mobile Home Park.

DOG CONTROL OFFICERS REPORT

A) Dog Control Officers Monthly Report for August 2003 was received and are on file in the Town Clerk's office.

A motion was made by Councilman Wiktor and seconded by Councilman Simmeth to adjourn the meeting at 7:58 p.m.

KAREN A. ELLIS, DEPUTY TOWN CLERK