

**REGULAR BOARD MEETING
JULY 17, 2013**

**TOWN HALL
7:30 P.M.**

Present: Supervisor Martin A. Ballowe, Councilmen Jeffrey A. Genzel, Jay P. Boardway and Lawrence A. Murtha.

Absent: Councilman Gary E. Vara.

Also Present: Town Attorney Kobiolka and Highway Superintendent Telaak.

Rev. Doctor Bonnie Bates opened the meeting with a prayer.

A motion was made by Councilman Genzel and was seconded by Councilman Murtha to schedule a bid opening for the Sanitary Sewer Service for North Boston Park Restrooms for August 19, 2013 at 10 a.m.

four (4) Ayes Carried

A motion was made by Councilman Boardway and seconded by Supervisor Ballowe to adopt the minutes of the June 19, 2013 regular meeting.

four (4) Ayes Carried

A motion was made by Councilman Murtha and seconded by Supervisor Ballowe, upon review by the Town Board, that fund bills on the Abstract dated July 11, 2013 with the addition of Hannon Engineering Invoice #1021 for \$3,200 for a total of \$218,686.16 be paid.

four (4) Ayes Carried

Received and filed two Resolutions from the Town of Newstead regarding the Plowing and De-icing of Town and County Roads and Demanding an End to Federal Government Sugar Subsidies.

Received and filed Resolution from the Town of Lancaster regarding the Plowing and De-icing of Town and County Roads.

Janet Kurasz, Boston Cross Road/Powerline Road stated she wrote and later met with Legislator Mills to discuss the issues on Power line Road. She stated that she does not feel that the thirteen houses on that stretch of Powerline are being heard. With National Grid coming in and changing the towers, it has caused obstructions in the access to her house. There are no fire hydrants or streetlights on this road. She stated that with the changes, there are now problems with drainage and steep ravines.

Supervisor Ballowe inquired what the outcome was with Legislator Mills.

Janet Kurasz stated that he came out and they drove the power line road, and there were tandem vehicles, pay loaders and heavy equipment of every variety. There were ruts and pot holes left behind that has caused issues with her vehicle.

**REGULAR BOARD MEETING
JULY 17, 2013**

**TOWN HALL
7:30 P.M.**

Councilman Boardway stated that the Town Board is aware of this situation and her concerns and they have asked Town Attorney Kobiolka to investigate this issue and report back as to what the Town Board can do.

Councilman Boardway stated the Town Board acknowledges that she and the other residents on this road are taxpayers but do still live on a private road which makes this is a unique situation.

Janet Kurasz stated that the tall grass and weeds give a false sense of security with the four-foot ditch that is there.

Councilman Boardway stated he was not disputing her concerns, but Town Attorney Kobiolka has to advise the Town Board on the issue.

Janet Kurasz stated there has not been any communication with Legislator Mills since approximately February. She is asking that the Town Board to assist the residents in requesting that National Grid drop about six inches of stone, and add safe guardrails.

Supervisor Ballowe stated that Chief Wieckowski asked to have plaques put up as other towns do so the fire companies know where the houses are. Supervisor Ballowe stated pricing is being gathered for these plaques and as soon as he has something he will bring it back to the Town Board.

Janet Kurasz presented the Town Board with some photos of the road in question.

Bryant Burnes, Chestnut Lane presented a signed petition for a barrier request at the end of Chestnut Lane. He also inquired whether there was an investigation of the removal of trees, and if so, is there any type of criminal or civil violation that has occurred due to the removal of these trees. Mr. Burnes cited Chapter 14.6 of the Town Code and asked if there was anything going to be done about the removal of trees from this area and that the neighbors would like a permanent structure put up because someone is already dumping dirt there. He stated that the neighbors feel that it is ok to now dump stuff there.

Supervisor Ballowe stated that reflective signs were ordered this week to be installed in that area.

Bryant Burnes stated that the neighbors want a permanent structure not signs and the taxpayer would not have to pay for it if the trees were not removed in the first place.

Councilman Boardway asked Mr. Burnes if he was given the opportunity to buy this particular piece of property.

Bryant Burnes stated anyone has the opportunity to buy at an auction.

Supervisor Ballowe stated that this area was surveyed with the intent of putting a turnaround there. This project has been stopped at the request of the residents.

**REGULAR BOARD MEETING
JULY 17, 2013**

**TOWN HALL
7:30 P.M.**

Rev. Doctor Bonnie Bates, Pastor, Faith United Church of Christ noted that Sunday, July 21st. there will be a worship service at 9:30 a.m. outside for the blessing of dogs and cats. Please have dogs on leashes and cats either on a leash or in a carrier. On July 28th the community-wide service will be held at the town park Lion's Shelter at 10 a.m. Reverend Loren McGrail, currently serving as a missionary in Palestine will be the preacher. Communion will also be served.

A motion was made by Councilman Boardway and was seconded by Councilman Genzel to approve the Application for Use of Facility for Boston Youth Baseball for July 26, 2013 from 4 pm to 9 pm.

four (4) Ayes Carried

A motion was made by Councilman Boardway and was seconded by Councilman Murtha to approve the Application for Use of Facility for Boston Patriots Little League Football and Cheerleading for July 31, 2013 through November 15, 2013 from 6 pm to 8 pm and 9 am to 7 pm on Saturday's.

four (4) Ayes Carried

A motion was made by Councilman Boardway and was seconded by Councilman Genzel to approve the Application for Use of Facility for Boston Youth Soccer for the August 12, 2013 through October 21, 2013 season.

four (4) Ayes Carried

A motion was made by Supervisor Ballowe and was seconded by Councilman Boardway to appoint Dolores Valentine (Lori) as a Substitute Assistant Nutrition Program Director, PT at a rate of \$10.15 per hour.

four (4) Ayes Carried

A motion was made by Supervisor Ballowe and was seconded by Councilman Genzel to schedule a public hearing to hear comments on the Renewal of the Fire Protection Contracts for Boston, Patchin and North Boston Fire Companies for August 21, 2013 at 7:40 p.m.

four (4) Ayes Carried

A motion was made by Councilman Murtha and was seconded by Supervisor Ballowe to approve the Application for Use of Facility for Boston Youth Soccer for the August 4, 2013 from 1 pm to 4 pm.

four (4) Ayes Carried

**REGULAR BOARD MEETING
JULY 17, 2013**

**TOWN HALL
7:30 P.M.**

A motion was made by Councilman Genzel and was seconded by Councilman Boardway upon the recommendation of Code Enforcement Officer Ferguson to approve the license for Boston Hills Homes and Estates Mobile Home Park. The license will be effective July 1, 2013 through June 30, 2014.

four (4) Ayes

Carried

The following sealed bids for the Selective Clearing of the 18 Mile Creek Streambed were received and opened on Tuesday, July 2, 2013 at 10 am:

Clover Greens Lawn Services, Inc.	\$ 26,800	Eastwood Industries, Inc.	\$48,800
All America	\$138,200		

A motion was made by Councilman Murtha and was seconded by Supervisor Ballowe to award the bid for the Selective Clearing of the 18 Mile Creek Streambed to Clover Green Lawn Services, Inc. at a cost of \$26,800.

four (4) Ayes

Carried

Received and filed monthly reports from the Supervisor, Town Clerk, Code Enforcement Officer and Dog Control Officer.

Highway Superintendent Telaak noted there will be guardrails installed on Keller Road. Brush Pick up will resume September 1, 2013.

Highway Superintendent Telaak reported that they will begin oil and stoning roads tomorrow, and then will repave Mill Street and the top of Boston Cross Road.

Highway Superintendent Telaak reported that Highway employees worked on drainage issues by the lower pond where it was very wet.

Councilman Murtha reported that with the help of Highway Superintendent Telaak the Keller Road speed limit signs have been installed.

Councilman Murtha also reported that the poles in front of the Great American Tool Company on Boston State Road have been removed and read a thank you letter from Owner, John Anthone.

Councilman Murtha reported the Historical Society is having their Scavenger Hunt, Sunday, July 21, 2013 starting at 1 pm at the Lion's Shelter. They will also be holding a Schwanz Truck Sale Fundraiser during this time. Knitting night is on Tuesday's between 7 and 9 pm at the Historical Museum. The Historical Society will have a display at the Erie Co. Fair in the Historical Building. As a reminder the Museum is open the 2nd and 4th Sunday of each month through October.

**REGULAR BOARD MEETING
JULY 17, 2013**

**TOWN HALL
7:30 P.M.**

Councilman Murtha noted that the Boston Historical Society is on Facebook and encouraged everyone to "Like" them.

Councilman Genzel as Engineering Liaison met with the Erie County Water Authority and Town Engineer Hannon regarding the loop of Feddick and Zimmerman Roads. They feel this is a viable project and we are currently looking into funding for this project.

Councilman Genzel noted that plans have been finished and sent to Erie County for approval for the water and sewer lines for the North Boston Park. A bid opening has been scheduled for August 19th.

Councilman Genzel as Planning Board Liaison reported they met on the July 9th to discuss the John Moon Subdivision. The Planning Board will have a public hearing on August 13th. The Planning Board also received the request for recommendation for the rezoning near Tim Horton's.

Councilman Genzel reported the next Planning Board meeting will be August 13th at 7:30 pm.

Councilman Genzel reported the next Zoning Board of Appeals meeting will be August 1st at 7:15 p.m.

Councilman Genzel as Boston Community Foundation Liaison reported the July 4 celebration was a huge success. Thank you to the Boston Town Band for their performance, Patchin Fire Company for providing emergency stand by and Boston and North Boston Fire Companies for providing traffic control after the event.

Councilman Genzel reported the Town Board is waiting to hear from Mark Adamchick on the status of resurrecting the Boston Community Foundation for potential grant monies.

Councilman Genzel reported the Lion's Shelter rehabilitation has been completed except for the painting of the beams which will be completed by our Parks Department personnel in the coming weeks.

Councilman Genzel reported that Legislator Mills presented the Boston Free Library with a check for \$1,017 from the fundraiser held in June. The Town of Boston is the only town that reached over \$1,000 in donations.

Councilman Genzel attended the first day of Summer Recreation and welcomed a record number of children this year.

Councilman Genzel: Usually I don't comment on editorials, but at this point in time, I'd like to. If the clerk can make sure this comment is put in the minutes exactly the way I say it because I'd like Mr. Metcalf to read it since he's not present.

**REGULAR BOARD MEETING
JULY 17, 2013**

**TOWN HALL
7:30 P.M.**

Councilman Genzel Cont'd: I would like to address the editorial from Mr. Metcalf on July 4th. Metcalf states; The elimination of Patchin Fire Company seems to be the focus of several individuals on the town board and within the fire service. I can assure you folks, I have no intention of closing the Patchin Fire Company, or any other fire company for that matter. My father's been a fireman for 45 years, much longer than Mr. Metcalf has lived in town. With this statement, I believe Russ Metcalf has a personal political agenda and I would question whether he can negotiate in good faith on behalf of the Boston Fire Company. Writing false and mis-leading statements is only hindering the negotiation process and jeopardizing our fire protection. He has chosen not to take the recommendations of the study based on his editorial. I believe Mr. Metcalf can work in a positive forward direction instead of dwelling on the past the town citizens will continue to have superior fire protection for years to come.

Councilman Boardway reported that the three fire companies in town have in fact been presented a new contract last week. We have a follow up meeting scheduled with them and have scheduled a public hearing to approve those contracts for next month.

Councilman Boardway reported he attended the Boston Fire Company 50 Grand Gala, which was very successful.

Councilman Boardway reported that the Dollar General received a couple complaints about the high grass issue. He stopped into the store and obtained contact information in order to call their headquarters. We found out it is the people that own the building that are responsible for the maintenance of the grass and they have found a local business to keep the grass maintained.

Councilman Boardway reported that the three fire companies entertained the Summer Day Camp children with fire hoses and water.

Supervisor Ballowe reported that he attended the Gala and thanked all the fire companies for coming and the Emergency Squad for showing up although they were called out.

Supervisor Ballowe reported the fireworks were great. He thanked the Patchin Fire Company, Boston Fire Company and North Boston Fire Company for their assistance with fire protection and traffic control. He noted that the Boston Town Band was fantastic. He also thanked everyone who donated and helped in the preparation of this event.

Supervisor Ballowe thanked the following companies/individuals for their donations to the 4th of July Fireworks celebration:

Gold Sponsors of \$500: Councilman Boardway and family, Councilman Genzel and family, Town Attorney Kobiolka and family, Emerling Chevrolet and Supervisor Ballowe and family.

Silver Sponsors of \$200 to \$400: Pat White Construction, Inc., B&W Concrete, Boston Republican Committee.

**REGULAR BOARD MEETING
JULY 17, 2013**

**TOWN HALL
7:30 P.M.**

Bronze Sponsors of \$100: Beverly and Raymond Kent, Patchin Fire Company, Hamburg Overhead Door, North Boston Fire Company, Boston Fire Company, North Boston Garage, Town Clerk Jennifer Mulé, Keith Kaszubik, Valley Fab and Equipment, Rucker Lumber, JNA, Boston LLC, Rockworks Masonry, Robert Telaak and Family.

Sponsors of \$25 to \$50: Tri-R Mechanical, Joyce Carr, Councilman Gary Vara and Family, Councilman Larry Murtha and Family and 1 anonymous donation.

Supervisor Ballowe reported that there are bank erosion projects going on that will be completed this summer.

Supervisor Ballowe read a letter from the Town of Boston Bocce group expressing their thanks for the upgraded Bocce court.

A motion was made by Supervisor Ballowe and seconded by Councilman Murtha to adjourn the meeting at 8:13 p.m.

four (4) Ayes

Carried

JENNIFER A. MULÉ, BOSTON TOWN CLERK