

Town Board Minutes January 4, 2006

Present: Councilmen Brien M. Hopkins, Richard K. Hawkins, Cathleen M. Dobson, Dennis J. Mead, and Supervisor William A. Eagan.

Also Present: Highway Superintendent Telaak and Town Attorney Downey.

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

A motion was made by Councilman Mead and seconded by Councilman Hawkins on the recommendation of Recreation Director Vara, to appoint the following to the Friday Night Recreation Program, term effective 1/1/06 and to expire 4/30/06:

APPOINTMENT TITLE HOURLY SALARY

Jen Boswell	Recreation Attendant	\$7.00
Bill Eagan	Recreation Attendant	\$7.00
Debbie Reinecke	Recreation Attendant	\$9.00
Kristine Ehlers	Recreation Attendant	\$7.00
Brady McWhirter	Recreation Attendant	\$7.00
Jason Telaak	Recreation Attendant	\$7.00
Jennifer Trim	Friday Recreation Dir.	\$9.00
Samantha Vara	Recreation Attendant	\$7.00
Matthew StruckSub	Recreation Attendant	\$6.75

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to appoint Brian W. Downey as Town Attorney, term to expire 12/31/07 and Michael M. Metzger as Deputy Town Attorney/Prosecutor term to expire 12/31/06.

five (5) Ayes Carried

Town Clerk Shenk swore Town Attorney Downey into office.

A motion was made by Councilman Mead and seconded by Supervisor Eagan to adopt the minutes of the December 21, 2005 regular meeting.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Hawkins, upon review by the Town Board, that fund bills on the Abstract dated December 29, 2005 in the amount of \$128,783.28 be paid.

five (5) Ayes Carried

Received and filed a letter from Santo L. Tricarico, 8879 Pearl Street regarding Hickory Meadows Subdivision Street Lighting.

Referred to Town Attorney Downey a letter from Erie County Water Authority regarding Tariff Amendments.

Received and filed an Erie County Legislature Notice of a Public Hearing regarding Amendments to the Sanitary Code.

Referred to Town Attorney Downey a Notice of Petition for an Article 78 from Karen & Victor Liberatore Jr.

Referred to Town Attorney Downey and Town Insurance Consultant a Summons with Notice from Erie County Water Authority regarding fire hydrants in Woodlee Court Subdivision.

REQUESTS FROM FLOOR:

Pearl Emerling stated that the Town of Boston should be very proud of the Christmas decorations and the volunteers that put them up each year.

William Forness, 8678 Boston State Road, commented on the hard fill being brought and dumped in the Town by Mr. Webber.

Deputy Code Enforcement Officer Lisowski stated that he was not made aware of this dumping until the middle of November.

Supervisor Eagan stated that the Town Board was not aware of any dumping going on until they received a copy of Mr. Webber's application in November. Former Town Attorney Vacco suggested this application be tabled until more information is submitted. Supervisor Eagan noted that there would be a public hearing on this matter on January 18.

A motion was made by Councilman Mead and seconded by Councilman Hopkins to appoint the following:

APPOINTMENT TITLE TERM

Jennifer A. Mule? Deputy Town Clerk 12/31/07

Karen A. Ellis Deputy Town Clerk PT 12/31/07
David J. Shenk Registrar 12/31/07
Jennifer A. Mule? Deputy Registrar 12/31/07
Karen A. Ellis Sub-Registrar 12/31/07
Robert J. Telaak Park Superintendent, PT 12/31/07

Motion Cont?d:

Richard P. Waszak Dog Control Officer, PT 12/31/06
Donna Huson Dep. Dog Control Officer, PT 12/31/06
John Sibenik Court Officer, PT 12/31/06
Wendy S. Kummer Court Clerk 12/31/06
Eileen N. Hopkins Clerk, PT 12/31/06
Yvonne DeCarolis Clerk, PT 12/31/06
Elizabeth Weitzel Clerk, PT 12/31/06
Suzanna T. Fitzner Assessment Clerk, PT 12/31/06
Thelma Faulring Secretary to Boards/Committees 12/31/06
Nancy Stetter Bingo Inspector 12/31/06
Theresa Horschel Nutrition Prog. Director, PT 12/31/06
Heidi Monin Asst. Nutrition Director, PT 12/31/06
Leo Jensen Laborer PT 12/31/06
Joyce Carr Marriage Officer 12/31/06
Jacob Karb, III Liaison - Cobblehill Cemetery 12/31/06
Gary E. Vara Recreation Director, PT 12/31/06
Polly Shenk Town Hall Cleaner 12/31/06

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilwoman Dobson to appoint the following:

William Ferguson Code Enforcement Officer, PT 12/31/06

Frank H. Lisowski Jr. Deputy Code Enforcement Officer, PT 12/31/06

five (5) Ayes Carried

Supervisor Eagan made the following appointments:

Julie A. Costello Assistant to Supervisor 12/31/06

Kathleen K. Selby Bookkeeper 12/31/06

Constance Crossan Town Historian 12/31/06

Town Clerk Shenk swore in those who were appointed and present into office.

A motion was made by Councilman Mead and seconded by Supervisor Eagan to establish the following Salary Schedule for 2006:

Motion Cont?d:

Position	Salary
Assistant to the Supervisor	27,000/Yr.
Bookkeeper	27,880/Yr.
Clerk, PT (2)	12.10 /Hr.
Court Clerk	27,350/Yr
Assessment Clerk, PT	11,795/Yr.
Deputy Highway Superintendent	40,000/Yr.
Hwy Clerk, PT	12.10/Hr.
Town Attorney	25,235/Yr.
Dep. Attorney/Prosecutor	12,360/Yr.
Court Officer, PT	4,430/Yr.
Court Officer, Sub	77.25 night
Deputy Town Clerk	24,500/Yr.
Deputy Town Clerk, PT	16,900/Yr.
Secretary to Boards	12.10/Hr.
Recreation Director, PT	14,000/Yr.
Summer Recreation Supervisor, PT	5,000/Yr.
Code Enforcement Officer, PT	13,310/Yr.
Dep. Code Enforcement Officer, PT	6,500/Yr.
Dog Control Officer, PT	9,115/Yr.
Dep. Dog Control Officer, Enumerator PT	3,895/Yr+\$1 per dog
Nutrition Program Director	8.25/Hr.
Asst. Nutrition Program Director	8.25/Hr.
Laborer, PT - Town Hall	10.25/Hr.

Bingo Inspector 45/Per Insp.

Assessor, PT 27,565/Yr.

Cobblehill Cemetery Liaison 300/Yr.

Records Management Officer No Salary

Registrar of Vital Statistics 1/Yr.

Dep. Registrar of Vital Statistics 1/Yr.

Sub-Registrar of Vital Statistics 1/Yr.

Marriage Officer No Salary

Town Historian 2,400/Yr.

Town Planner 2,100/Yr.

Cleaner, PT Town Hall 3,010/Yr.

Budget Director 2,000/Yr.

Parks Superintendent 5,000/Yr.

Election Inspectors - Per Day

Primary Day \$135 Chairman \$18 Election Day \$135 School \$40

Motion Cont?d:

Highway Department

Per Collective Bargaining Agreement

five (5) Ayes Carried

A motion was made by Councilman and seconded by Councilman to approve the following:

Set Payment of Salaries:

Bi-weekly to the Town Clerk, Deputy Town Clerks, Supervisor, Assistant to Supervisor, Highway Superintendent, Deputy Highway Superintendent, Bookkeeper, Court Clerk, Clerk PT, Assessor, Assessment Clerk, Secretary to Boards/Committees and M.E.O.'s and Laborers P/T, all others are paid on a monthly basis.

Designate Official Bank:

North Boston Branch of the Evans National Bank for Supervisor, Town Clerk, Town Justices, Tax Collector, and Dog Control Officer.

Schedule Dates and Times for Regular Monthly Meetings and Agenda Review:

Town Board Meeting: First and third Wednesday of the month at 7:30 P.M. except July and August when one meeting will be scheduled.

Agenda Review: Monday before the Town Board Meeting at 6:00 P.M., if this is a holiday the Agenda Review will be held the same day of the Town Board Meeting at 6:00 P.M.

Designate Official Newspaper:

The Springville Journal and the Hamburg Sun of H&K Publications.

Appointment to NEST Solid Waste Management Board:

Councilman Hopkins

Alt. Lynn Zachman

Motion Cont?d:

Authorization of Surplus Monies:

Authorize the Supervisor and the Tax Collector to invest surplus monies.

Investment policy:

Investment policy previously adopted by the Town Board where idle town monies may be invested, subject to any further regulation from the State Comptroller pursuant to section 39 of the General Municipal Law as follows:

1. Obligations of Federal Government - Treasury Notes, Treasury Bills, etc.
2. Obligations of Federal Agencies Guaranteed by the Government.
3. Obligations of the State of New York

4. Certificates of Deposit in Commercial Banks, which are FDIC insured.

5. Regular Savings Accounts, Money Market Accounts in Commercial Banks if proper securities are provided for all monies invested in excess of the amount secured by FDIC.

6. Tax Anticipation Note and Revenue Anticipation Notes of another municipality, district, corporation or school district, any other investments not listed will require prior approval by the Town Board and be in conformance of all state statutes.

The Town Supervisor will keep a record of all such investments and provide a report to all Town Board Members monthly.

Check Writer and Signature Stamp for the Supervisor:

Authorize the use of.

Rate Per Mile:

32 cents per mile.

Motion Cont?d:

Schedule the Annual Audit Meeting:

January 18, 2006 6pm

Lending Funds:

Authorize the Supervisor to lend funds from one account to another.

Form and Sufficiency of the Bonds.

To approve.

Refuse Collectors Annual Licenses:

Direct Town Clerk to send letters to refuse collectors that annual licenses are due.

Workdays & Retirement Reporting (Part Time):

Assign the following to be reported by New York State Retirement purposes for elected and appointed Town Personnel with six (6) hours being designated as a workday:

Town Justices Councilman

Supervisor Deputy Supervisor

Code Enforcement Officer Deputy Code Enforcement Officer

Town Attorney Dep. Town Attorney/Prosecutor

Recreation Director Summer Recreation Supervisor

Assessment Clerk Town Hall Cleaner

Dep. Town Clerk (pt) Assessor

Dog Control Officer Dep. Dog Control Officer

Court Officer

Work Days & Retirement Reporting (Full Time):

Assign the following work days to be reported by New York State Retirement purposes for elected and appointed Town Personnel as full time based on a seven (7) hour workday for New York State Retirement purposes:

Motion Cont?d:

Town Clerk Deputy Town Clerk

Superintendent of Highways Deputy Highway Superintendent

Bookkeeper Assistant to Town Supervisor

Court Clerk

Public Improvement Specifications:

Approve if Highway Superintendent and Town Engineer agree.

Petty Cash Funds:

Town Clerk \$300 Town Justice \$200

five (5) Ayes Carried

RESOLUTION 2006 - 01 PROCUREMENT POLICY

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to set the following 2006 Holidays for the Town of Boston:

Jan. 2, Mon.-New Year's Day, Jan. 16, Mon.-Martin Luther King, Feb. 20, Mon.-President's Day, April 14, Fri.-Good Fri., May 29, Mon.-Memorial Day, July 4, Tues.- Independence Day, Sept. 4, Mon.-Labor Day, Oct. 9, Mon. - Columbus Day, Nov. 7 Tues.-Election Day, Nov. 10, Fri.-Veteran's Day, Nov. 23, Thurs.- Thanksgiving Day, Nov. 24, Fri.-Day after Thanksgiving, Dec. 22, Fri.-1/2 Day Christmas Eve, Dec. 25, Mon. Christmas, Dec. 29, Fri.-1/2 Day New Year's Eve.

This holiday schedule does not apply to Highway employees. Refer to Collective Bargaining Agreement.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins, upon the recommendation of the Planning Board, to appoint Richard Brox as Town Planner, term to expire December 31, 2006.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Hopkins to approve the Boston Free Library Depository Lease Agreement for the year 2006 and authorize Supervisor Eagan to sign.

five (5) Ayes Carried

RESOLUTION 2006 - 02 ADOPT SCHEDULE OF FEES

Received and filed a year-end Status Report from Connie Miner, Grant Consultant.

A motion was made by Supervisor Eagan and seconded by Councilman Mead to authorize Supervisor Eagan to enter into a contract with Connie D. Miner & Co., Grant Consultants for a fee of \$13,404, term to expire 12/31/06.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilman Mead to authorize attendance at the Association of Towns Annual Training Conference, February 18th - February 22nd, and approve expense reimbursement for registration, plane fare, hotel single rate, and \$200 expense allowance for the following:

Supervisor Eagan Assessor Hornberger Town Attorney Downey

Deputy Town Clerk Ellis Town Justice Tills Councilman Hopkins

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Hawkins to appoint Supervisor Eagan as Delegate and Councilman Hopkins as Alternate Delegate at the Association of Towns Annual Training Conference.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to authorize the attendance of Assessor Hornberger at the Annual Albany Legislation trip January 23-24, all appropriate expenses to be paid.

five (5) Ayes Carried

The following property and liability insurance proposals were received:

Arrowhead Ins. NYMIR Slone

Floss Agency	Humphrey & Vandervoort	Melhuish Agency
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\$64,998	\$69,610.33*	\$73,253
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*Includes one-time capitalization fee of \$15,677.64.

A motion was made by Councilman Mead and seconded by Councilwoman Dobson to authorize the Supervisor to enter into a contract with NYMIR for property and liability insurance effective 1/1/06 at a fee of \$69,610.33.

five (5) Ayes Carried

The following Workers Compensation Insurance proposals were received:

PERMA NYS Compensation Alliance

\$93,480 \$83,904

A motion was made by Supervisor Eagan and seconded by Councilwoman Dobson to contract with NYS Compensation Alliance for Worker's Compensation coverage at a fee of \$83,904.

five (5) Ayes Carried

RESOLUTION 2006 - 03 WORKER'S COMPENSATION ? SELF INSURANCE

RESOLUTION 2006 - 04 NYS MUNICIPAL WORKER'S COMPENSATION

ALLIANCE PLAN DOCUMENT

DEPARTMENT ANNOUNCEMENTS / ACTIONS

Received and filed Monthly Reports from the Code Enforcement Officers.

Supervisor Eagan made the following Town Board Liaison appointments:

Councilman Hopkins - Lighting, Planning Board, Solid Waste, Traffic Safety & Highways, Christmas Lighting.

Councilman Dobson - Fire Companies, Emergency Squad, Fireman's Benefit Program, Senior Citizens, Nutrition Program.

Councilman Mead - Investment Advisory Committee, Cable TV, Chamber of Commerce, Conservation Advisory Council

Councilman Hawkins - Parks & Recreation, Drainage, Insurance, Boston Community Foundation, Haz-Mat

Supervisor Eagan made the following Committee Appointments:

AUDIT

Town Board Members

TRAFFIC SAFETY AND ROADWAYS

Chairman - Councilman Hopkins, Sgt. Joseph Wilkinson, Hwy. Supt. Telaak

INSURANCE

Chairman - Councilman Hawkins, Brian Baty, Town Attorney Downey, Supervisor Eagan

INVESTMENT ADVISORY

Chairman - Councilwoman Dobson, Town Attorney Downey, Mark Flaherty, Town Board Members, Designated Reps of Boston, N. Boston and Patchin Fire Co.

SOLID WASTE AND REFUSE

Chairman - Councilman Hopkins, Town Attorney Downey, Supervisor Eagan, Town Clerk Shenk

INSPECTION

Code Enforcement Officer Ferguson, Deputy Code Enforcement Officer Lisowski, Town Board Members

CABLE TV

Chairman - Councilman Mead, Supervisor Eagan, Councilman Hawkins, Town Attorney Downey, Mark Flowers

DRAINAGE

Chairman - Councilman Hawkins, Kevin Maxwell, Joseph Redman, Mike Amodori, Hwy. Supt. Telaak

ZONING REVIEW

Town Planner Brox, Town Attorney Downey, Code Enforcement Officer Ferguson, Deputy Code Enforcement Officer Lisowski, Councilman Hopkins, Ralph Gibson, Patricia Hacker

SAFETY

Chairman - Town Clerk Shenk, Supervisor Eagan, Hwy. Supt. Telaak, Raymond Worth, Frank Yandura, James Pluta, Kenneth Manista, Sean Crotty, Jenny Crotty, Recreation Director Vara

RECREATION

Councilman Hawkins, Hwy. Supt. Telaak, Kevin Maxwell, Dave Bartkowiak, Recreation Director Vara, Lorinda Koczur, Deanna Newberry, Connie Miner

RECORDS

Chairman - Town Clerk Shenk, Supervisor Eagan, Jennifer Mulé, Leo Jensen

DEFERRED COMPENSATION

Chairman - Karen Ellis, Councilman Mead, Brian Baty, Supervisor Eagan

A motion was made by Councilman Mead and seconded by Councilman Hopkins to appoint the following to the Capital Improvement Committee with two additional members to be chosen later:

Supervisor Eagan, Connie Miner, Councilman Hawkins, Councilwoman Dobson, Kevin Maxwell, Richard Proy, Town Attorney Downey, Hwy. Supt. Telaak

five (5) Ayes Carried

A motion was made by Councilman Hawkins and seconded by Councilman Mead to approve Highway Superintendent Telaak's request to purchase a 2005, John Deer Lawn Tractor, Model # x495 to include a trade in amount for previous tractor in the amount of \$3,795.26 for a total expenditure of \$5,600.00.

five (5) Ayes Carried

Highway Superintendent Telaak reported on various projects being worked on.

Highway Superintendent Telaak noted that overtime has decreased substantially from past years.

Highway Superintendent Telaak announced that the Highway Department has begun the Christmas tree pick up.

Town Attorney Downey thanked the Town Board for the opportunity to serve the Town of Boston.

Councilman Hopkins stated that there are some issues regarding physical exams for our EMS and Fire Companies.

A motion was made by Councilman Hopkins and seconded by Supervisor Eagan to purchase 150 Fire Hydrant Markers at a cost \$3,500

five (5) Ayes Carried

Those present welcomed all the incoming officials and thanked all out going officials for their service to the Town of Boston.

A motion was made by Councilman and seconded by Councilman to adjourn the meeting at 8:19 p.m.

five (5) Ayes Carried

DAVID J. SHENK, TOWN CLERK