

Town Board Minutes December 20, 2006

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

Also Present: Highway Superintendent Telaak, Town Attorney Downey, Deputy Town Attorney Metzger, Deputy Supervisor Pluta, Code Enforcement Officer Ferguson and Deputy Code Enforcement Officers Lisowski and Juda.

Florence Wendling, St. John the Baptist Church, opened the meeting with a prayer.

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins, on the recommendation of Highway Superintendent Telaak, to approve the National Fuel 2007 Annual Blanket Highway Work Permit.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilwoman Dobson to adopt the minutes of the December 6, 2006 regular meeting with the following correction:

FROM: A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to schedule a Public Hearing for January 17, 2007 at 7:40 P.M. on Proposed Local Law No. 6 of the Year 2006 entitled, ?A Local Law, For A Moratorium On Applications For The Approvals Of Subdivisions, Planned Unit Developments, Cluster Developments And Multiple Dwellings Over Two Units?.

TO: A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to schedule a Public Hearing for January 17, 2007 at 7:40 P.M. on Proposed Local Law No. 5 of the Year 2006 entitled, ?A Local Law, For A Moratorium On Applications For The Approvals Of Subdivisions, Planned Unit Developments, Cluster Developments And Multiple Dwellings Over Two Units?.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Hopkins, upon review by the Town Board, that fund bills on the Abstract dated December 14, 2006 in the amount of \$60,783.40 be paid.

five (5) Ayes Carried

REQUESTS FROM FLOOR

James Reichert, 6706 Hillcroft Drive, asked Highway Superintendent Telaak if the culverts that cross the driveways are complete because according to town code, A127-8, Drainage Ditches and Driveway Culverts, paragraph B, the minimum length of a driveway culvert shall be thirty feet and his is eighteen feet. He requests that his culvert be extended to James Reichert Cont'd: thirty feet. Mr. Reichert read a letter that he wrote to Supervisor Eagan regarding solutions to flooding problems in the Hillcroft area.

Mary Hoerner, 6714 Hillcroft Drive, voiced displeasure with town officials on their handling of the Hillcroft Drive drainage problems.

A motion was made by Supervisor Eagan and seconded by Councilman Hopkins to refer a request for an additional accessory building from Frank Antonucci, 7289 Lower East Hill Road to Code Enforcement Officer Ferguson for review and recommendation.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Hopkins to approve the Use Of Facility Application for the Boston Recreation Concert Series, Tuesdays, June 12 ? August 14, 2007.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilman Mead to refer the Right to Farm Act to Town Attorney Downey to draft a Local Law.

five (5) Ayes Carried

At 7:45 p.m. a Public Hearing was held to hear comments regarding Proposed Local Law No. 4 of the Year 2006, entitled "Sex Offender Residency Restrictions?"

Town Clerk Shenk read the legal notice.

Frank Rosiek, 6900 Boston Cross Road, inquired if this (Local Law) includes schools and playgrounds.

Councilwoman Dobson responded that it does include schools, parks, swimming pools, daycare centers, playgrounds, family childcare providers, group family providers, teen community centers, teen clubs, churches, dance halls, and skating rinks.

Supervisor Eagan added that also included are any other structure or open space where minors congregate under the age of eighteen for sponsored program activities.

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to close the Public Hearing at 7:48 p.m.

five (5) Ayes Carried

A motion was made by Councilwoman Dobson and seconded by Councilman Hawkins to adopt Local Law No. 4 of the Year 2006 entitled "Sex Offender Residency Restrictions?".

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Supervisor Eagan to award the contract for the Town Hall Window Replacement Project to Design Home Improvement for \$25,800.00 on the basis of a superior product and installment payment proposal.

five (5) Ayes Carried

A motion was made by Councilman Hawkins and seconded by Councilman Hopkins, on the recommendation of the Planning Board, to re-appoint David Stringfellow to the Planning Board, term to expire 2/1/14.

five (5) Ayes Carried Carried

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

Town Clerk Shenk reported receipt of request from the Alabama Town Clerk to make a petition, in support of a NYS Veterans? Cemetery on property known as the John White Memorial State Game Farm in the Town of Alabama, available to Boston residents.

A motion was made by Councilman Mead and seconded by Supervisor Eagan to accept a Foit Albert proposal dated November 1, 2006 to monitor a controlled demolition at 6588 Hillside Drive at a rate of \$50 per hr. for a Sampling Technician, \$56 per hr. for an Asbestos Inspector, \$60 per hr. for a Project Monitor, \$95 per hr. for a Project Designer and a PCM Error Sample Analysis at \$7.50 per sample.

five (5) Ayes Carried Carried

Town Attorney Downey confirmed that an asbestos survey would not be required for the demolition project at 6588 Hillside Drive and noted that indemnification from the contractor would be included with the bid process.

PROCLAMATION ? STEPHEN K. TILLS ? RETIRING TOWN JUSTICE

Councilwoman Dobson reported that she attended a Fire Council meeting where there was discussion regarding the difficulty for firefighters and Emergency Squad Members attempting to service homes in the community that are not identified. She encouraged residents to mark their mailboxes, houses etc. with their house number.

The following Workers Compensation Quotes for 2007 were received:

NYS Compensation Alliance \$ 84,832

PERMA \$ 87,510*

State Insurance Fund \$109,281

*PERMA offers a two Year Option with a first year rate of \$83,687 (including a one time administration fee) and a second year based on loss ratio:

\$79,499 if loss ratio is under 10% \$80,773 if loss ratio is 10%-20%

\$81,410 if loss ratio is 20%-30% \$83,322 if loss ratio is 30%-40%

\$84,878 if loss ratio is over 40%

A motion was made by Supervisor Eagan and seconded by Councilman Mead to direct Town Clerk Shenk to request from Insurance Consultant Brian Baty in writing that the PERMA one time administration fee of \$2,549 is included in the \$83,687 quote.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Hawkins to award the Worker's Compensation insurance to PERMA for \$83,687 for 2007 and the 2008 rate based on the loss ratio as proposed.

five (5) Ayes Carried Carried

RESOLUTION 2006-31 WORKER'S COMPENSATION -
MUNICIPAL GROUP SELF INSURANCE

A motion was made by Councilman Mead and seconded by Supervisor Eagan to approve a Resolution changing the Town of Boston Compensation Carrier to PERMA.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilman Hopkins authorizing the 2007 Agreement to spend Town Highway Funds.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to adjourn the meeting at 8:00 p.m.

five (5) Ayes Carried

DAVID J. SHENK, TOWN CLERK