

Town Board Minutes January 2, 2008

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

Also Present: Highway Superintendent Telaak, Town Attorney Downey, Deputy Supervisor McGirr and Code Enforcement Officer Ferguson.

Supervisor Eagan stated that he wanted to clarify comments made at the last meeting in regards to topsoil and backfill being brought to his and Councilwoman Dobson's properties. He noted that at that time and according to the Code Enforcement Office, the Town Board did not require residents to apply for a permit. There was no violation of the code at that time because there was not a code in place to define the necessity for a permit for fill.

Supervisor Eagan also stated that comments made by Deputy Code Enforcement Officer Lisowski also need to be clarified by Code Enforcement Officer Ferguson.

Supervisor Eagan asked Code Enforcement Officer Ferguson to clarify the events of the day when Robert Telaak came in and requested information on a Special Permit for Dumping of Material.

Code Enforcement Officer Ferguson stated that Robert Telaak came in October and wanted to know about a dumping permit. He was given the form, but he did not return because he said he wasn't going to do it. He returned in December and initially was given the wrong form, but then was given the right one. He filled out the form and submitted it.

Supervisor Eagan asked if that all happened on the same day.

Code Enforcement Officer Ferguson said yes.

Supervisor Eagan noted that it really didn't happen the way Deputy Code Enforcement Officer Lisowski said other than Robert Telaak came in to see you.

Code Enforcement Officer Ferguson said yes.

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to adopt the minutes of the December 19, 2007 regular meeting.

five (5) Ayes Carried

A motion was made by Councilman Pluta and seconded by Councilman Hawkins, upon review by the Town Board, that fund bills on the Abstract dated December 27, 2007 in the amount of \$47,026.66 be paid.

five (5) Ayes Carried

Highway Superintendent Telaak inquired as to why his Deputy Highway Superintendent had not received a raise this year.

Supervisor Eagan stated that it was explained to him during the budget process. Larry Rogers came on board late summer and has not been employed long enough to qualify the Town Board to grant him a raise.

Highway Superintendent Telaak stated that there was a brand new person starting in the Court Clerk's office that receives a raise and has no experience. How can the Town Board come up with this decision to give one man nothing and another a 3 percent raise?

Supervisor Eagan stated that he doesn't know where his information is coming from, but will try to answer his question. He stated that it was never the Town Board's intention to do what you are implying. I can tell you that the new court person is starting at \$12.45 per hour, which is the old rate.

The Deputy Town Clerk position, previously held by Karen Ellis, was reduced by \$4,000. So too, was the other PT Clerk, which was reduced to \$12.45 per hour.

Highway Superintendent Telaak stated that his information came from the sheets he held in his hand.

Supervisor Eagan stated that the sheets Highway Superintendent Telaak has had been updated and the Town Board had agreed to reduce those salaries.

Highway Superintendent Telaak questioned why the Assistant to the Supervisor was receiving more than a 3 percent raise.

Supervisor Eagan stated that in the past this position either received a very small increase or no increase at all. A survey was completed to include as many towns as possible within Erie County and outside to compare the rate of pay for this position. Her salary was never adjusted to where it should be, so we gradually adjusted it and put it where we felt it should be. It was agreed unanimously by the Town Board of 2007.

Highway Superintendent Telaak noted that the problem was not with the receiving of the raise itself, but with the fact that it was more than 3 percent.

Supervisor Eagan stated that she never received a full raise in the previous years and the Town Board is now making up for it. A one-time make up.

Highway Superintendent Telaak stated that he was told no when he requested more than a 3 percent raise.

Supervisor Eagan asked Highway Superintendent Telaak how much he was asking for.

Highway Superintendent Telaak asked to be brought up to what the other towns in this area were making.

Supervisor Eagan stated that this was all explained to him last year. The numbers that Highway Superintendent Telaak brought in were from 2003. Councilwoman Dobson and Town Clerk Shenk worked together to canvass towns to obtain recent information which resulted in showing that your salary is in line. He was not entitled to a 10 percent raise as Highway Superintendent and 16 percent raise as Parks Superintendent.

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

APPOINTMENT	TITLE	TERM
Brian W. Downey	Town Attorney, PT	12/31/09
Anna M. Kobialka	Deputy Town Attorney/Prosecutor, PT	12/31/08
William G. Ferguson	Code Enforcement Officer, PT	12/31/08
David J. Juda	Dep. Code Enforcement Officer, PT	12/31/08
Frank H. Lisowski, Jr.	Dep. Code Enforcement Officer, PT	12/31/08
Richard P. Waszak	Dog Control Officer, PT	12/31/08
Donna Huson	Dep. Dog Control Officer, PT	12/31/08
Gary E. Vara	Recreation Director, PT	12/31/08
Wendy S. Kummer	Court Clerk	12/31/08
John Sibenik	Court Officer, PT	12/31/08
Margaret M. Kreuder	Clerk, PT	12/31/08
Elizabeth Weitzel	Clerk, PT	12/31/08
Paula Litwin	Clerk, PT	12/31/08
Suzanna Fitzner	Assessment Clerk, PT	12/31/08
Thelma Faulring	Secretary to Boards/Committees, PT	12/31/08

Nancy Stetter Bingo Inspector 12/31/06

Theresa Horschel Nutrition Prog. Director, PT 12/31/08

Heidi J. Monin Asst. Nutrition Director, PT 12/31/08

Leo Jensen Town Hall Laborer, PT 12/31/08

Joyce Carr Marriage Officer 12/31/08

Jacob Karb, III Liaison - Cobblehill Cemetery 12/31/08

William Sodja Town Hall Cleaner, PT 12/31/08

David J. Shenk Registrar of Vital Statistics 12/31/09

Jennifer A. Mulé Deputy Registrar of Vital Statistics 12/31/09

Elizabeth A. Martin Sub Registrar of Vital Statistics 12/31/09

Heidi J. Monin Sub Registrar of Vital Statistics 12/31/09

five (5) Ayes Carried

Councilman Pluta stated for the record that he did have issues with one of the appointments, but to move ahead he voted yes.

Supervisor Eagan made the following appointments:

William McGirr Deputy Town Supervisor 12/31/08

Julie A. Costello Assistant to Supervisor 12/31/08

Kathleen K. Selby Bookkeeper 12/31/08

Sherrie M. Pluta Town Historian 12/31/08

Town Clerk Shenk made the following appointments:

Jennifer A. Mulé Deputy Town Clerk 12/31/09

Elizabeth A. Martin Deputy Town Clerk, PT 12/31/09

Heidi J. Monin Deputy Town Clerk, PT 12/31/09

Highway Superintendent Telaak made the following appointment:

Larry Rodgers Deputy Highway Superintendent 12/31/08

Town Clerk Shenk administered the Oath of Office to the appointees in attendance.

A motion was made by Supervisor Eagan and seconded by Councilwoman Maghran to appoint Robert J. Telaak as the Parks Superintendent, term to expire 12/31/2008.

Councilman Pluta Voting Aye

Councilman Hawkins Voting Aye

Councilman Maghran Voting Aye

Councilwoman Dobson Voting Nay

Supervisor Eagan Voting Aye

four (4) Ayes one (1) nay Carried

A motion was made by Supervisor Eagan and seconded by Councilman Pluta to establish the following Salary Schedule for 2008:

Position	Salary
Assistant to the Supervisor	29,020/Yr.
Bookkeeper	31,650/Yr.
Clerk, PT (2)	12.45 /Hr.
Court Clerk	29,020/Yr
Assessment Clerk, PT	13,400/Yr.
Deputy Highway Superintendent	41,200/Yr.
Hwy Clerk, PT	12.85/Hr.
Town Attorney, PT	26,520/Yr.
Dep. Attorney/Prosecutor, PT	12,980/Yr.
Court Officer, PT	4,700/Yr.
Court Officer, Sub	80.00 night
Deputy Town Clerk	29,020/Yr.
Deputy Town Clerk, PT	13,400/Yr.
Deputy Town Clerk, PT	7,800/Yr
Secretary to Boards, PT	12.85/Hr.
Recreation Director, PT	14,420Yr.
Code Enforcement Officer, PT	15,500/Yr.
Dep. Code Enforcement Officer, PT (2)	8,240/Yr.
Dog Control Officer, PT	9,115/Yr.
Dep. Dog Control Officer, Enumerator PT	4,020/Yr+\$1 per dog
Nutrition Program Director, PT	9.00/Hr.
Asst. Nutrition Program Director, PT	9.00/Hr.
Laborer, PT - Town Hall	12.00/Hr.

Bingo Inspector 48/Per Insp.
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 (2) 1/Yr.
Marriage Officer No Salary
Town Historian 2,400/Yr.
Town Planner 2,100/Yr.
Cleaner, PT Town Hall 3,200/Yr.
Budget Director 2,000/Yr.
Parks Superintendent 5,300/Yr.

Highway Department

Per Collective Bargaining Agreement.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilman Mead 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, truck Drivers, and Laborers, 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 first Wednesday of the month 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. and the third Wednesday at 6:00 P.M.

Designate Official Newspaper:

The Springville Journal and the Hamburg Sun.

Appointment to NEST Solid Waste Management Board:

Councilwoman Maghran

Alt. Patricia Thompson

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:

35 cents per mile.

Schedule the Annual Audit Meeting:

January 16, 2008 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:

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 2008-01 PROCUREMENT POLICY

A motion was made by Supervisor Eagan and seconded by Councilman Pluta to direct Town Clerk Shenk to send a copy of Resolution 2008-01 to every town department head and have them acknowledge receipt of said resolution by signature.

five (5) Ayes Carried

A motion was made by Councilman Pluta and seconded by Councilman Hawkins to set the following 2008 Holidays for the Town of Boston:

Jan. 1, Tues.-New Year's Day, Jan. 21, Mon.-Martin Luther King, Feb. 18, Mon.-President's Day, March 21, Fri.-Good Fri., May 26, Mon.-Memorial Day, July 4, Fri.- Independence Day, Sept. 1, Mon.-Labor Day, Oct.13, Mon. - Columbus Day, Nov. 4 Tues.-Election Day, Nov. 11, Tues.-Veteran's Day, Nov. 27, Thurs.- Thanksgiving Day, Nov. 28, Fri.-Day after Thanksgiving, Dec. 24, Wed.-1/2 Day Christmas Eve, Dec. 25, Thurs. Christmas, Dec. 31, Wed.-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 Councilwoman Dobson and seconded by Councilwoman Maghran to approve the 2008 Boston Free Library Depository Lease Agreement in the amount of \$1,000 and authorize Supervisor Eagan to execute the same.

five (5) Ayes Carried

RESOLUTION 2008 - 02 ADOPT SCHEDULE OF FEES

A motion was made by Councilman Hawkins and seconded by Councilwoman Dobson to approve the following as Friday Night Recreation staff starting January 1, 2008 with terms to expire on April 1, 2008.

Amy Samuelson	Counselor	\$8.00 per hr.
Ken Selby	Counselor	\$8.00 per hr.
Mathew Struck	Counselor	\$8.00 per hr.
Jennifer Trim	Friday Night Supervisor	\$10.00 per hr.
Samantha Vara	Counselor	\$8.00 per hr.
Mathew Wendling	Counselor	\$8.00 per hr.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilwoman Dobson to authorize attendance at the Association of Towns Annual Training Conference, February 16th - February 20th, and approve expense reimbursement for registration, plane fare, hotel single rate, transportation between airport & hotel and \$200 expense allowance for the following:

Supervisor Eagan Councilwoman Dobson Councilman Pluta
CAC Member Hertz ZBA Member Prackajlo Town Attorney Downey
Councilwoman Maghran

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilwoman Dobson to appoint Town Attorney Downey as Delegate and Supervisor Eagan as Alternate Delegate at the Association of Towns Annual Training Conference.

five (5) Ayes Carried

Supervisor Eagan made the following Town Board Liaison appointments:

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

Councilwoman Dobson - Parks & Recreation, Fire Companies, Emergency Squad, Fireman's Benefit Program, Investment Advisory Committee, Nutrition Program.

Councilwoman Maghran- Lighting, Planning Board, Solid Waste, Traffic Safety & Highways, Christmas Lighting.

Councilman Pluta - Cable TV, Chamber of Commerce, Conservation Advisory Council, Senior Citizens.

Supervisor Eagan noted that he received a letter from Thomas J. Dearing from the Erie County Department of Environment & Planning stating that the Town of Boston was not recommended for a Community Development Block Grant to help support the purchase of playground equipment for the Town Park. The application will be reviewed again in 2008.

A motion was made by Supervisor Eagan and seconded by Councilwoman Dobson to accept the following committee list for 2008.

AUDIT COMMITTEE Town Board Members

TRAFFIC SAFETY & ROADWAYS Chairman - Councilwoman Maghran, Sgt. Joseph Wilkinson, Chief Scott Patronik, Hwy Supt. Telaak

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

INVESTMENT ADVISORY Chairman - Councilwoman Dobson, Town Attorney Downey, Town Board, Mark Flaherty, Designated Representatives of Boston, N. Boston & Patchin Fire Companies

SOLID WASTE & REFUSE Chairman - Councilwoman Maghran, Town Attorney Downey, Supervisor Eagan, Town Clerk Shenk

INSPECTION Code Enforcement Officer Ferguson, Deputy Code Enforcement Officers Lisowski & Juda, Town Board

CABLE TV Chairman - Councilman Pluta, Councilman Hawkins, Supervisor Eagan, Town Attorney Downey, Mark Flowers

DRAINAGE Chairman - Councilman Hawkins, Hwy Supt. Telaak, Mike Amodori, Philip Lakso

ZONING REVIEW Town Planner Brox, Town Attorney Downey, Councilwoman Maghran, Code Enforcement Officer Ferguson, Deputy Code Enforcement Officers Lisowski & Juda, Patricia Hacker, Ralph Gibson, Deputy Supervisor McGirr

SAFETY Town Clerk Shenk, Hwy Supt. Telaak, Councilwoman Maghran, Sean Crotty, Mark Flowers, Raymond Worth, Frank Yandura, Supervisor Eagan

RECREATION Chairman - Councilman Hawkins, Hwy Supt. Telaak, Recreation Director Vara, Debbie Reinecke, Ron Carr, Jim Roistracher, Lorinda Koczur, Deanna Newberry, Connie Miner

RECORDS Chairman - Town Clerk Shenk, Supervisor Eagan, Deputy Town Clerk Mulé, Leo Jensen

DEFERRED COMPENSATION Chairman - Deputy Town Clerk Mulé, Councilwoman Dobson, Supervisor Eagan, Bookkeeper Selby

CAPITAL IMPROVEMENT Supervisor Eagan, Councilwoman Dobson, Connie Miner, Councilman Hawkins, Ralph Gibson, Dr. Norman Hertz, Town Attorney Downey

BOSTON SENIORS - GROUP #1 President - Lois Lizak, Theresa Gresco, Philomena Saeli, Pearl Emerling, Art May, Gloria Collett, Greg Hahn, Erma Kern, Florence Weiss Rosa

YOUNG AT HEART - GROUP #2 President - Joyce Carr, Vice Pres.- Ginnette Billittere, Secretary - Betty Cunningham, Treasurer - Larry Steward, Membership - Mary Lou Woodhouse, Sunshine - Jean Ruchalski, Bocce - Val Bezilla

five (5) Ayes Carried

Town Clerk Shenk noted that Special Permit for Dumping of Material applicants Robert & June Telaak have stopped payment on their check.

Highway Superintendent Telaak noted the lawnmower/tractor for the Parks Department is in and will be delivered sometime next week.

Town Attorney Downey acknowledged that he received the Town of Boston's Procurement Policy.

Councilwoman Maghran noted that the Parks Department will begin taking down the Christmas Lighting.

Councilwoman Dobson noted that she will have to start looking for more playground equipment. Everything she quoted last year under state bid is no longer available.

Councilwoman Dobson noted that the alarm system for the Emergency Squad will be installed next week.

Supervisor Eagan noted that the reason for the delay on the playground equipment is because it's part of the grant for the construction of the State Police Barracks, which is being held up by the Office of NYS Parks and Recreation because of the artifacts being found on the property. We can not move forward on any of these projects until they have completed their study.

Supervisor Eagan noted that a memo was received from Town Justice Metzger recommending Wendy Kummer for reappointment as Court Clerk.

A motion was made by Councilman Hawkins and seconded by Councilwoman Dobson to adjourn the meeting at 8:10 p.m.

five (5) Ayes Carried

DAVID J. SHENK, TOWN CLERK