

## Town Board Minutes January 5, 2000

REGULAR BOARD MEETING      TOWN HALL

JANUARY 5, 2000      7:30 P.M.

Present were Councilman Damian P. Wiktor, Councilman Stephen K. Tills, Councilman Karl J. Simmeth Jr., Councilman Dennis J. Mead, Supervisor Lisa M. Rood, and Town Attorney Perley.

Absent: Highway Superintendent Wayne C. Kreitzbender.

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

A motion was made by Councilman Mead and seconded by Councilman Simmeth to adopt the minutes of the December 29, 1999 meeting.

five (5) Ayes      Carried

A motion was made by Councilman Simmeth and seconded by Councilman Tills to accept the Town Clerk's Monthly Report for December 1999.

five (5) Ayes      Carried

A motion was made by Councilman Tills and seconded by Councilman Mead, upon review by the Town Board, that the General Fund and

Special District Bills on Abstract #1, dated January 5, 2000 in the amount of \$50,090.39 be paid.

five (5) Ayes      Carried

A motion was made by Councilman Wiktor and seconded by Councilman Simmeth, upon Town Board review, that Highway Bills on Abstract #1, dated January 5, 2000 in the amount of \$38,484.14 be paid.

five (5) Ayes Carried

Received and filed information for Planning a New Water District from the Erie County Water Authority.

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

APPOINTMENT TITLE TERM

Michael F. Perley Town Attorney 12/31/01

Joseph G. Terrizzi Dep. Town Attorney/Prosecutor 12/31/00

Damian P. Wiktor Deputy Supervisor 12/31/00

Thelma Hornberger Assistant to Supervisor 12/31/00

Karen A. Ellis Deputy Town Clerk 12/31/01

Dennis J. Kramer Code Enforcement Officer, PT 12/31/00

Frank H. Lisowski Jr. Dep. Code Enforcement Off, PT 12/31/00

Richard P. Waszak Dog Control Officer, PT 12/31/00

Donna Huson Dep. Dog Control Officer, PT 12/31/00

Marilyn B. Clesse Recreation Director, PT 12/31/00

John Politowski Court Officer, PT 12/31/00

Kenneth Keane Deputy Court Officer, PT 12/31/00

Joyce Thurber Court Clerk 12/31/00

Sondra Kadlubowski Bookkeeper 12/31/00

Julie Costello Assessment Clerk, PT 12/31/00

Thelma Faulring Secretary to Boards/Committees 12/31/00

Joyce Rote Clerk, PT 12/31/00

Mary Ann Jehle Town Historian 12/31/00

Margaret Edington Bingo Inspector 12/31/00

Donna Pfarner Nutrition Prog. Director, PT 12/31/00

Theresa Horschel Asst. Nutrition Director, PT 12/31/00

Leo Jensen Laborer PT 12/31/00

Kim Rados Cleaner PT 12/31/00

Joyce Carr Marriage Officer 12/31/00

Herbert Klein Liaison - Cobblehill Cemetery 12/31/00

Wayne C. Kreitzbender Parks Superintendent 12/31/01

David J. Shenk Registrar 12/31/01

Karen A. Ellis Deputy Registrar 12/31/01

five (5) Ayes Carried

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Town Clerk Shenk administered oath of office to Michael F. Perley.

Town Attorney Perley administered the oath of office to the new appointees.

Appointments of the Town Board Liaisons by Supervisor Rood for the year 2000 are as follows:

Councilman Wiktor Fire Companies, Emergency Squad,

Haz-Mat, Parks & Recreation, Fireman's Benefit Plan Advisory Comm.

Councilman Simmeth Conservation Advisory Council, Traffic Safety and Highway, Solid Waste, Street Lighting, Drainage

Councilman Tills Cable TV, Insurance, South Boston Park, Creative Playground, Christmas Lighting

Councilman Mead Planning Board, Senior Citizens, Nutrition Program, Chamber of Commerce

Supervisor Rood made the following Committee Appointments for 2000:

#### AUDIT COMMITTEE

Town Board Members

#### TRAFFIC SAFETY AND ROADWAYS COMMITTEE

Councilman Simmeth-Chairman Sgt. John McGee

Alan Carpenter

#### INSURANCE COMMITTEE

Town Clerk Shenk-Chairman Councilman Tills

Brian Baty Michael Perley

Supervisor Rood

#### CREATIVE PLAYGROUND COMMITTEE

Councilman Mead-Chairman    Leo Jensen

Eric Pearlstein    David Tomasello

Councilman Tills

#### SENIOR CITIZENS COUNCIL GROUP #1

Dolores Seufert-President        Caroline Burkard

Theresa Gresco Tony Collett

Dorothy Overhoff        Pearl Emerling

Jack Seufert    Harold Rockwood

Art May        John Snyder

#### SENIOR CITIZEN COUNCIL GROUP #2

Betty Cunningham-President    Ginnette Bellittiere V.P. Elizabeth Deaner-Secretary    Marion  
Woodworth, Treas.

Jean Kleis, Membership Eugene Kut, Refreshments

Betty Sneath, Sunshine Jim Cunningham, Chaplain

Margaret Abbott, Director        Audry McGuire, Director

#### INVESTMENT ADVISORY COMMITTEE

Councilman Wiktor-Chairman    Michael Perley Mark Flaherty    Supervisor Rood

Designated Reps of Boston, N. Boston and Patchin Fire Cos.    Town Board Members

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SOLID WASTE AND REFUSE COMMITTEE

Councilman Simmeth-Chairman Michael Perley Supervisor Rood Town Clerk Shenk

CAPITAL IMPROVEMENTS

Supervisor Rood-Chairman Michael Perley

Jean O'Connell Kelly Soltis

Councilman Mead Richard Kennedy

Councilman Simmeth Michael Pohl Richard Hawkins

INSPECTION COMMITTEE

Code Enforcement Officer Kramer Town Board Members

Dep. Code Enforcement Off. Lisowski

CABLE TV COMMITTEE

Councilman Tills-Chairman Supervisor Rood

Michael Perley Councilman Wiktor

Councilman Simmeth

DRAINAGE COMMITTEE

Councilman Simmeth-Chairman Hwy. Supt. Kreitzbender

Burt Fletz

#### ZONING REVIEW COMMITTEE

Town Board    Town Planner

Town Attorney   Code Enforcement Officer Designated Reps. - Planning Board and Zoning Board of Appeals

#### SAFETY COMMITTEE

Town Clerk Shenk-Chairman    Supervisor Rood

Hwy. Supt. Kreitzbender    Marilyn Clesse   Raymond Werth    Dennis Kramer

James Pluta    Frank Yandura

Louise Manista   Kenneth Manista    Sean and Jenny Crotty Peter Archbold

#### RECORDS COMMITTEE

Town Clerk Shenk-Chairman    Supervisor Rood

Karen Ellis    Leo Jensen

#### DEFERRED COMPENSATION

Karen Ellis, Chairman    Councilman Wiktor

Richard Kennedy    Brian Baty

Supervisor Rood

#### HILLFEST CELEBRATION

Sherri Pluta, Chairman Margaret Edington

Karen Ellis Lucille Genzel

Lisa Rood Sondra Kadlubowski

Dennis Mead Stephen Tills

Barbara DuMain Audrey Frank

Michael Kazinski Doris Pilato

Richard Poore Cindy Jerge-Poore

Polly Shenk Wayne Kreitzbender

Nick Butera Jack Racinowski

Peggy Stringfellow Jennifer Warnes

Jeffery Wright

REGULAR BOARD MEETING TOWN HALL

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CHRISTMAS LIGHTING

John Ast Carole Bieler

James Carr Edward Cary

Margaret Edington Tom Edington

Karen Ellis Ronald Fluker

Edwin Gwynne Vern and Judy Heiler

Diane Helmbrecht Becky Henry

James and Maryann Jehle Bob Kamanski

Evelyn and Michael Kazinski Richard Kennedy

Herbert Klein Dick Lee  
Robert Marean Frank Mazurowski  
Doug and Karen Miller Doris Pilato  
Richard Poisson Mr. & Mrs. Roy Ranic  
Frank and Mina Saeli Joe Santonocito  
Fred Shear Larry Steward  
Stephen Tills Florence Weiss  
Benjamin White

A motion was made by Councilman Wiktor and seconded by Councilman Simmeth to establish the following Salary Schedule for 2000:

Position	Salary
Deputy Supervisor, PT	500/Yr.
Assistant to the Supervisor	19,500/Yr.
Bookkeeper	18,600/Yr.
Clerk-Typist, PT	9.95/Hr.
Clerk to Justices	15,000/Yr.
Assessment Clerk, PT	9,065/Yr.
Clerk, PT	9.30/Hr.
Town Attorney	23,100/Yr.
Dep. Attorney/Prosecutor	10,550/Yr.
Court Officer, PT	3,580/Yr.
Deputy Town Clerk	21,300/Yr.
Secretary to Boards	9.30/Hr.
Recreation Director, PT	7,200/Yr.

Code Enforcement Officer, PT 10,600/Yr.

Dep. Code Enforcement Officer, PT 5,150/Yr.

Dog Control Officer, PT 7,520/Yr.

Dep. Dog Control Officer, Enumerator PT 3,400/Yr+\$1 per dog

Nutrition Program Director 6.65/Hr.

Asst. Nutrition Program Director 6.65/Hr.

Cleaner, PT - Town Hall 2,750/Yr.

Laborer, PT - Town Hall 8.67/Hr.

Bingo Inspector 34.00/Per Insp.

Assessor, PT 25,700/Yr.

Cobblehill Cemetery Liaison 275/Yr.

Records Management Officer No Salary

Registrar of Vital Statistics 1/Yr.

Dep. Registrar of Vital Statistics 1/Yr.

Marriage Officer No Salary

Town Historian 2,100/Yr.

Parks Superintendent 3,200/Yr.

Election Inspectors - Per Day

Primary Day 113.00

Chairman 15.00

Election Day 113.00

School 25.00

Highway Department

Working Crew Chief 16.05/Hr.

M.E.O'S 15.05/Hr.

Truck Drivers 11.75/Hr.

M.E.O. Trainee 9.78-14.42/Hr.

Laborers 5.76- 8.50/Hr.

five (5) Ayes Carried

REGULAR BOARD MEETING TOWN HALL

JANUARY 5, 2000 7:30 P.M.

A motion was made by Supervisor Rood and seconded by Councilman Mead to designate the North Boston Branch of the Evans National Bank as the official bank for the Supervisor, Town Clerk, Town Justice's, and Tax Collector and the Fleet Bank for the Refuse and Garbage Investment Account.

five (5) Ayes Carried

A motion was made by Supervisor Rood and seconded by Councilman Simmeth to schedule the dates and times for the Regular Monthly Meetings and Agenda Review as follows:

Town Board Meeting - First and third Wednesday

of each month at 7:30 p.m.

Agenda Review - Monday prior to the first

Wednesday of each month at

7:00 p.m. and if this is a  
is a holiday, the sessions  
will be held on the  
following day at 7:00 p.m.  
and on the third Wednesday  
at 6:15 p.m.

five (5) Ayes Carried

Supervisor Rood read a letter from the Southtowns Citizen requesting to be designated as the official Town of Boston newspaper.

Supervisor Rood commented that it is the consensus of the Town Board that H & K publications has a greater circulation.

Town Clerk Shenk commented that the rates for H & K Publications will remain the same for 2000.

A motion was made by Supervisor Rood and seconded by Councilman Simmeth to designate the Springville Journal and the Hamburg Sun of H & K Publications as the Official Town Co-Newspapers.

five (5) Ayes Carried

A motion was made by Supervisor Rood and seconded by Councilman Tills to set the payment of salaries for 2000 as follows:

Bi-weekly checks to the Town Clerk, Deputy Town Clerk, Supervisor, Assistant to the Supervisor, Highway Superintendent, Highway Crew Chief, Bookkeeper, Clerk Typist, Assessor, Assessment Clerk, M.E.O.'s and Laborers P/T, all others are paid on a monthly basis.

five (5) Ayes Carried

A motion was made by Supervisor Rood and seconded by Councilman Mead to appoint Councilman Simmeth as a Representative on the NEST (Northeast-Southtowns) Solid Waste Management Board, term to expire December 31, 2000.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Simmeth to authorize the Supervisor and the Tax Collector to invest surplus monies.

five (5) Ayes Carried

REGULAR BOARD MEETING TOWN HALL

JANUARY 5, 2000 7:30 P.M.

A motion was made by Supervisor Rood and seconded by Councilman Mead to accept the 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 amt. 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.

five (5) Ayes Carried

A motion was made by Councilman Tills and seconded by Councilman Simmeth to authorize the use of a signature stamp and a check writer machine by the Supervisor as required by the State Comptroller.

five (5) Ayes Carried

A motion was made by Councilman Wiktor and seconded by Councilman Mead to set the town mileage rate at \$.30 per mile.

five (5) Ayes Carried

A motion was made by Councilman Tills and seconded by Councilman Simmeth to schedule the Annual Audit Meeting for January 19, 2000 and direct the Town Clerk to notify all personnel who handle monies to attend.

five (5) Ayes Carried

A motion was made by Councilman Tills and seconded by Councilman Simmeth to authorize lending funds from one account to another.

five (5) Ayes Carried

A motion was made by Councilman Wiktor and seconded by Councilman Mead to approve form and sufficiency of the bonds.

five (5) Ayes Carried

A motion was made by Councilman Mead and seconded by Councilman Simmeth to direct the Town Clerk to send letters to refuse collectors for annual payment of fees.

five (5) Ayes Carried

REGULAR BOARD MEETING TOWN HALL

JANUARY 5, 2000 7:30 P.M.

A motion was made by Councilman Mead and seconded by Councilman Wiktor to assign the following work days to be reported to NYS Retirement for elected and appointed Town Personnel with six (6) hours being designated as a work day for NYS Retirement purposes:

Town Justices 8 Days / month  
Supervisor 20  
Dep. Town Attorney/Pros. 12  
Councilman 8  
Deputy Supervisor 2  
Code Enforcement 15  
Deputy Code Enforcement 7  
Assessor 20  
Town Attorney 18  
Court Officer 5  
Recreation Director 15  
Assessment Clerk 13  
Nutrition Director 13  
Asst. Nutrition Director 13

five (5) Ayes Carried

A motion was made by Councilman Tills and seconded by Councilman Mead to assign the following work days to be reported to NY State Retirement for elected and appointed Town Personnel as full time based on a seven (7) hour work day for NYS Retirement purposes:

Town Clerk  
Superintendent of Highways  
Deputy Town Clerk

Bookkeeper

Assistant to Town Supervisor

Clerk to the Justices

five (5) Ayes    Carried

A motion was made by Councilman Wiktor and seconded by Councilman Mead to approve the Public Improvement Specifications agreed upon by the Highway Superintendent and the Town Engineer.

five (5) Ayes    Carried

A motion was made by Councilman Mead and seconded by Councilman Tills to set Petty Cash Funds as follows:

Supervisor        \$ 25.00

Town Clerk        300.00

Town Justices    100.00

Highway Superintendent        25.00

Recreation Director    300.00

five (5) Ayes    Carried

#### RESOLUTION 2000 - 1 PROCUREMENT POLICY

A motion was made by Councilman Wiktor and seconded by Councilman Tills to set the following 2000 Holidays for the Town of Boston:

Jan. 1, Fri.-New Year's Day (celebrated 12/31/99), Jan. 17, Mon.-Martin Luther King, Jr., Feb. 21, Mon.-President's Day, April 21, Fri.-Good Fri., May 29, Mon.-Memorial Day, July 4, Tues.- Independence Day, Sept. 4, Mon.-Labor Day, Oct. 9, Mon. - Columbus Day, Nov. 07, Tues.-Election Day, Nov. 10, Fri.-Veteran's Day, Nov. 23, Thurs.-Thanksgiving Day, \*Dec. 22, Fri.-1/2 Christmas Eve, Dec. 25, Mon.-Christ. Day, \*Dec. 29, Fri.-1/2 New Year's Eve.

\*Half day applies only to Town Hall employees. These half days are not observed by Town Highway Department employees; instead they receive one more Personal Day than Town Hall employees do.

five (5) Ayes Carried

REGULAR BOARD MEETING TOWN HALL

JANUARY 5, 2000 7:30 P.M.

A motion was made by Supervisor Rood and seconded by Councilman Simmeth to appoint R & D Engineering, P.C. as the Town Engineering Firm at the same annual fee as stipulated in both 1998 and 1999, term to expire December 31, 2000 and to authorize Supervisor Rood to sign contracts.

five (5) Ayes Carried

A motion was made by Supervisor Rood and seconded by Councilman Tills, on the recommendation of the Planning Board, to re-appoint Richard Brox as Town Planner, at the same fee as 1999, term to expire December 31, 2000.

five (5) Ayes Carried

A motion was made by Councilman Wiktor and seconded by Councilman Mead, on the recommendation of Recreation Director Clesse, to appoint the following to the Friday Night Recreation staff, term effective immediately and to expire on May 31, 2000:

Marilyn Bigelow Site Supervisor \$7.50 per hr.

Jennifer Elhers Rec. Attendant \$6.25 per hr.

Alexandria Hess Rec. Attendant \$6.25 per hr.

Rob Kobiolka Rec. Attendant \$6.25 per hr.

Drew McNichol Rec. Attendant \$6.25 per hr.

Sarah Myers Rec. Attendant \$6.25 per hr.

Tina Musselman Rec. Attendant \$6.25 per hr.

Debra Smolinski Sub Attendant \$6.25 per hr.

Kristen Partridge Sub Attendant \$6.25 per hr.

five (5) Ayes Carried

#### SUPERVISOR REPORT

Supervisor Rood announced that the West Hill Water District #2 and Extension #2 fire hydrants are now in service and there is fire protection on the West Hill. The water tank was filled approximately three (3) weeks ago and the chlorination controls, which will be a necessity in the warm weather, will be installed in the near future.

Supervisor Rood noted she received a letter from Kent Clulow, the spokesman on behalf of town residents against the Blue Cross/Blue Shield Pharmacy Network Changes. Mr. Clulow requests that residents respond to Senator Volker's 2000 Legislative Questionnaire addressing whether Health Insurance companies should be allowed to limit pharmacy choices for their members. Mr. Clulow has begun a sign campaign and requests that all Supervisors from rural towns support this issue along with his letter writing Campaign Supervisor Rood applauds his efforts.

A motion was made by Supervisor Rood and seconded by Councilman Simmeth to authorize the Highway Dept. to pick up Christmas trees.

five (5) Ayes Carried

#### TOWN ATTORNEY REPORT

Town Attorney Perley commented that for the past number of years the Town of Boston Library has entered into a Lease Depository Agreement with the Town Board wherein the library serves as an additional depository for documents that are on file with the town in the event of rezoning etc. The library keeps evening hours and offers a community room available during evening hours in the event the Town Hall community rooms are full.

#### REGULAR BOARD MEETING TOWN HALL

JANUARY 5, 2000 7:30 P.M.

#### TOWN ATTORNEY REPORT (CONT.)

A motion was made by Councilman Tills and seconded by Councilman Wiktor to authorize the Supervisor to sign the Lease Depository Agreement with the Town of Boston Library for the amount of \$1,000.

five (5) Ayes Carried

Town Attorney Perley welcomed the students in attendance and noted that tonight they can see the way that a democracy works, where elections and appointments are uneventful. In Russia they virtually have a conniption and here we do it as a matter of course.

#### COUNCILMAN REPORT

Councilman Mead congratulated the new appointees and wished everyone a happy New Year.

Councilman Wiktor congratulated the Christmas Lighting Committee noting that there were many very nice comments regarding the Christmas decorations and manager in town.

Councilman Simmeth reported that there are drainage problems on Zimmerman Road, Route 391, Ripple Drive and Back Creek Road. Councilman Simmeth, Highway Superintendent Kreitzbender and Code Enforcement Officer Kramer will investigate the problems. Regarding the drainage problems in town we have town, county roads, private property, protected streams, culverts, ditches, and receivers. Councilman Simmeth noted that the problems can get involved but if residents have problems they can call him and the problems will be addressed.

#### CODE ENFORCEMENT OFFICERS REPORT

A) Code Enforcement Officer monthly report for December 1999 was received and is on file in the Clerk's Office.

B) Deputy Code Enforcement Officer monthly report for December 1999 was received and is on file in the Clerk's Office.

#### DOG CONTROL OFFICER MONTHLY REPORT

A) Dog Control Officers monthly report for December 1999 was received and is on file in the Clerk's Office.

#### TOWN ENGINEER REPORT

A) Town Engineer's 1999 Annual Report was received and is on file in the Clerk's Office.

## PLANNING BOARD REPORT

Received and filed notification from the Planning Board of the Officers for 2000 as follows:

Chairman      Paul Jusko

Vice Chairman   Patricia Hacker

Secretary      Zintars Z. Zadins

A motion was made by Councilman Mead and seconded by Councilman Wiktor to appoint Paul Jusko as Chairman of the Planning Board and approve the appointment of Vice Chairman and Secretary, for a term of one (1) year.

five (5) Ayes    Carried

REGULAR BOARD MEETING      TOWN HALL

JANUARY 5, 2000      7:30 P.M.

A) The Planning Board 1999 Annual Report was received and is on file in the Clerk's Office.

A motion was made by Councilman Simmeth and seconded by Councilman Tills to adjourn the meeting at 8:08 p.m.

DAVID J. SHENK, TOWN CLERK