

Town Board Minutes October 1, 2008

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

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

Reverend Laun, Churchill Memorial United Methodist Church, opened the meeting with a prayer.

A motion was made by Supervisor Eagan and was seconded by Councilman Hawkins to remove from the table the pending appointment of David Janicki to the Boston Emergency Squad.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to appoint David Janicki to the Boston Emergency Squad and will continue until such time as resignation, removal, or replacement.

five (5) Ayes Carried

A motion was made by Councilman Pluta and was seconded by Councilman Hawkins to approve the minutes of the 9/17/08 meeting.

five (5) Ayes Carried

A motion was made by Councilman Pluta and seconded by Supervisor Eagan upon review by the Town Board that fund bills on the Abstract dated September 25, 2008 in the amount of \$127,829.89 be paid.

five (5) Ayes Carried

Received and filed Resolutions from the Towns of Lancaster and Cheektowaga in regards to the Opposition to the Proposed Changes to Public Health Law Regarding Vital Statistics.

Town Clerk Shenk noted that the Supervisor's Tentative Budget was received 9/30/08, which is timely.

Supervisor Eagan read his 2009 Tentative Budget Summary:

In preparing the 2009 year budget, it would have been impossible for me to ignore the government financial crisis going on all around us. Erie County, New York State and our Federal Government all are experiencing major financial problems. Every day the financial crisis is the main topic in the media and at home.

2009 Tentative Budget Summary Cont'd:

As we all continue to experience the rising costs of food, gas and utilities, we see the value of our dollar decaying. Throughout the country people are trying to find ways by which they can tighten their belts. With the escalating cost of just about everything we touch, coupled with job losses, it has become a game of survival. Once again we, the taxpayers, are forced to make difficult adjustments to get by.

There are those claiming that it is local government to blame for high taxes. Yet, it is not our local governments who impose income taxes and fees on what seems to be everything we touch. Local governments are held more accountable to the taxpayer than any other level of government. The Town of Boston has no debt in the General Fund. But we end up paying the price for failures of higher levels of government.

The answer is for government management to be pro-active and use foresight. As Supervisor, I have always believed that I have put forth my best effort in preparing our tentative budget.

The budget I present to the community and Town Board tonight reflects responsibility and sound fiscal management with out any loss of services, in spite of the fact that we have suffered a 35.2% loss (\$71,000) in mortgage tax revenue. We must consider the fact that if our economy continues to slow down there will be additional losses in mortgage tax, sales tax and state aid.

Before I give you a summary of my 2009 budget, it is important to explain that this process begins with requests from each of our departments. They all prepare a budget relative to their respective departments. From there, the Budget Director and I review their request and in some cases we review them with the respected department heads. I need to know if what they are requesting is a need or a want. Wants I tend to throw out.

Just to show you what the budget would have looked like without any changes here is what taxpayers would have been faced with:

- ? General Fund increase in property taxes of 10%
- ? Highway Fund increase in property taxes by 6.5%
- ? Over all spending would have been up considerably.

2009 Summary of Budget as Submitted:

- ? The General Fund will have no increase in the amount of tax dollars raised.
- ? The General fund tax rate has been reduced by 5%.
- ? The Highway Fund will have a reduction in the tax rate from \$1.42 to \$1.37 or 3% per thousand of Assessment - although the amount raised by taxes is up about 2%.

2009 Tentative Budget Summary Cont?d:

? Total appropriations are up less than 1%. This can be attributed to the increase rate in Garbage collection of nearly \$40,000.

? No Town Board member, including the Supervisor received, nor requested a raise.

? Healthcare Costs were stabilized for town hall employees in spite of a 30% increase. Also, all town employees qualified for health care insurance will now contribute 10% of the cost. However, this change did not affect Highway Employees. We did reduce health costs in the highway department through successful contract negotiation. All new employees will contribute 10% towards healthcare coverage and there is now a cap on the existing employees.

? With few exceptions raises will be 2.5% for town hall employees. In the highway department union members will receive a 3% increase.

Had it not been for proven sound fiscal management our appropriations would have been much higher. Government, just like any taxpayer, must tighten the belt on spending. The failure to do so is not in the best interest of the taxpayer. The fact that our spending (appropriations) was less than 1% over last year was accomplished by considering the needs and throwing out the wants.

2009 Tentative Budget:

Appropriated

Appropriations Est. Revenues Fund Balance Raised by Taxation

General	1,660,150	1,004,800	470,000	185,350
Highway	1,232,381	403,984	120,000	708,397
Fire	736,000	0	16,000	720,000
Light	20,000	0	0	20,000
Ambulance	90,000	0	25,000	65,000
Refuse/Garbage	588,000	0	19,140	568,860
Water #1	79,909	0	0	79,909
Water #2	57,000	0	0	57,000
Water #1, Ext.1	6,422	0	0	6,422

Water #2, Ext.	238,305	0	0	38,305
Water #3	198,000	0	0	198,000
Totals	\$4,706,167	\$1,408,784	\$650,140	\$2,647,243

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to schedule a public hearing on November 5, 2008 at 7:40 P.M. to hear public comments regarding the 2009 tentative budget.

five (5) Ayes Carried

At 7:46 p.m. a Public Hearing was held to hear comments regarding Proposed Local Law No. 4 of the Year 2008 entitled, "A Local Law to Amend Town Code Chapter 111, Taxation through the Enactment of a Local Law Establishing a Real Property Taxation Exemption for Cold War Veterans."

Supervisor Eagan read the legal notice.

Norman Hertz, Herman Hill Road, Walter Zelasko, Colonial Drive, Joseph Aldridge, Boston State Road, Frederick and Marion Igel, Zimmerman Road and Angelo Bellittiere, Zimmerman Road voiced support for proposed Local Law No. 4 of the Year 2008.

A motion was made by Supervisor Eagan and seconded by Councilwoman Dobson to close the public hearing at 7:47 p.m.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded Councilman Hawkins to adopt Local Law No. 4 of the Year 2008 (Proposed Local Law #4) ?A Local Law to Amend Town Code Chapter 111, Taxation Through the Enactment of a Local Law Establishing a Real Property Taxation Exemption for Cold War Veterans.?

five (5) Ayes Carried

A motion was made by Supervisor Eagan and was seconded by Councilwoman Dobson, on the recommendation of Recreation Director Vara, to appoint Jillian Fitzner to the Friday Night Recreation Program as an Arts/Crafts Counselor, effective December 1, 2008 and expires April 10, 2009.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilwoman Dobson to table the Emerling Chevrolet, Special Permit for Dumping of Material, 9000 Boston State Road, until such time as Deputy Code Enforcement Officer Lisowski and TVGA Engineers get together with the Emerlings and bring back additional information to the Town Board.

five (5) Ayes Carried

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

Supervisor Eagan personally thanked his staff, Julie Costello and Budget Director Kathy Selby, in helping to prepare the budget and all department heads for working so diligently to get their budgets in on time.

Town Clerk Shenk noted that the Town Clerk's Office will be open late for taxes on October 14th until 8 p.m. and October 15th until 9 p.m.

Highway Superintendent Telaak stated that the last brush pick up for this year is underway.

Highway Superintendent Telaak stated that he will be putting a sale ad in the newspaper for bids for approximately 5-10 cords of firewood and logs at the Highway Department.

Councilman Pluta noted that Erie County Department of Senior Services has donated a Wii gaming console to the Boston Senior citizens. The gaming system will have tennis and bowling so that the seniors can be active throughout the winter months.

Councilman Pluta noted that he would be meeting with Boston Common's area residents at the Boston Fire Hall October 9th at 7 p.m. to go over the Community Block Grant Application process.

Supervisor Eagan noted that the Community Block Grant that was received to replace the sidewalks and update the back entrance has been changed. He stated that there may be some inconveniences with the back doors. Councilman Pluta stated a glass entrance will be constructed in front of the current entrance, which will eliminate one set of existing doors.

Councilwoman Maghran noted that the Holiday Lighting Committee will meet on Tuesday, October 14th at 7 p.m. in the Community Room.

Councilwoman Dobson stated that she had asked the webmaster to set up E-mail accounts for the offices that didn't have it, and she still doesn't see it set up.

Town Clerk Shenk noted that Highway Superintendent Telaak requested having internet installed in the Highway Garage. But at the same time Erie County was threatening to remove the T-1 line from the town hall. He stated he wanted to settle that issue with the county before he moved forward, this way he would know what the need would be if he had to approach a new vendor. The county did allow us to keep the T-1 line at no cost. Town Clerk Shenk noted that he still has a pending request from the Emergency Squad to have internet access as well. He stated that is why at the last Town Board meeting he asked Councilman Pluta to invite him to the meeting with Time Warner. This way as a combined effort, he could hopefully obtain free internet access for the highway garage and squad building.

Councilwoman Dobson has noticed that the soccer league has begun to use the town fields for its practices and games. She noted that per Town Clerk Shenk it has not yet submitted their Application for Use of Facilities. Councilwoman Dobson requested that Parks Superintendent Telaak contact the outdoor soccer league and inform it that it needs to submit an application with a certificate of insurance.

Councilman Hawkins noted that he will be setting up a meeting with all the home owners along 18-mile creek, along with Mark Gaston from Erie County Soil and Water, to explain to the residents what can be done to correct the erosion problems.

Councilman Hawkins asked Highway Superintendent Telaak when he expects to have the gate at South Boston Park installed.

Highway Superintendent Telaak noted that he is not comfortable having people back out of that driveway due to the limited visibility.

Councilman Hawkins noted that the sign can be taken down which will eliminate the obstructed view.

Highway Superintendent Telaak requested that Councilman Hawkins show him exactly where it should be placed and he will put a chain across with a sign.

Councilman Hawkins noted that he wants a swinging gate, not a chain. He stated that he will stake out the area and put a sign to show where to put the gate.

Councilman Pluta stated that he is waiting for Time Warner Cable representatives to call him back and as soon as he has a meeting set up, he will let Town Clerk Shenk know.

Councilman Pluta asked Code Enforcement Ferguson if he have followed up in regards to local business handicap parking.

Code Enforcement Officer Ferguson stated that his survey is almost complete and will submit his report to the Town Board shortly.

Supervisor Eagan noted that there have not been any updates to the Verizon FIOS matter. He will communicate those updates as they arise.

A motion was made by Councilman Hawkins and seconded by Supervisor Eagan to adjourn the meeting at 8:02 p.m.

five (5) Ayes Carried

DAVID J. SHENK, TOWN CLERK