

Town Board Minutes October 17, 2007

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

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

Supervisor Eagan noted The Southtowns Citizen Newspaper printed inaccurate information regarding the Town of Boston 2008 tentative budget in spite of the fact that they were given a copy of the budget press release along with discussions by phone. Supervisor Eagan read a letter he sent to the editor of The Southtowns Citizen requesting this letter and his press release be printed in their entirety.

A motion was made by Councilman Mead and seconded by Councilman Hawkins to adopt the minutes of the October 3, 2007 regular meeting.

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 October 11, 2007 in the amount of \$77,026.73 be paid.

five (5) Ayes Carried

Received and filed a letter from Senator Volker acknowledging receipt of Town of Boston resolution opposing the renewal of Article X of the Public Service Law.

Received and filed a letter from Legislator Reynolds acknowledging receipt of the Town of Boston resolution regarding Erie County Road Maintenance Program.

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to approve a Use of Facility Application for the Boston Republican Party on October 27, 2007.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilman Hopkins to accept the resignation of Santo Tricarico as an alternate member of the Boston Planning Board.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilwoman Dobson to accept the appointment of Lorinda Koczur and Bryan Thomas to the Boston Emergency Squad.

five (5) Ayes Carried

A Public Hearing was held at 7:40 p.m. to hear comments regarding the Annual CDBG Grant Application.

Supervisor Eagan read the legal notice.

There were no public comments.

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to close the Public Hearing at 7:41 p.m.

five (5) Ayes Carried

RESOLUTION 2007 ? 28 ERIE COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT REQUESTS

A Public Hearing was held at 7:45 p.m. to consider the renewal of the Ambulance Service Contract.

Supervisor Eagan read the legal notice.

There were no public comments.

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to close the Public Hearing at 7:46 p.m.

five (5) Ayes Carried

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to approve the renewal of the Ambulance Service Contract with the Boston Emergency Squad in the amount of \$27,360 for each of the calendar years 2008, 2009, and 2010.

five (5) Ayes Carried

Town Attorney Downey commented that he and Mr. Hopkins, the attorney for the sponsor of 7074 Boston State Road, the Boston Valley Complex, will conference call with the NYSDEC tomorrow. He recommends that the issue of the Site Plan Review remain tabled.

A motion was made by Councilman Mead and seconded by Councilwoman Dobson to approve the following 2008 schedule of proposed salaries for the elected Town Officials:

Supervisor \$28,300

(4) Councilman \$ 7,770

Town Clerk \$42,450

(2) Town Justices \$14,100

five (5) Ayes Carried

The 2008 proposed salary for the Superintendent of Highways is \$48,700.

Councilman Mead commented that Highway Superintendent Telaak presented information regarding his salary and requested a salary of \$52,700 that is in keeping with other towns of equal size and population. He believes this is fair.

Councilwoman Dobson noted that she received this information tonight and is not comfortable raising the Superintendent of Highways salary to \$52,700 without further review.

Councilman Mead asked if she wanted the issue tabled.

Supervisor Eagan noted that under law the salaries must be publicized within a certain time.

Councilwoman Dobson commented that she is okay with approving the salary at \$48,700 if they are allowed to review everything and either raise it or keep it the same.

Town Clerk Shenk noted that once an Elected Official's salary is published it can be lowered, but it can't be raised. Four years ago the Board published his salary and then lowered it.

Town Attorney Downey commented that it his understanding that you can lower a salary, but not raise it once it is published.

Councilwoman Dobson commented that she thought there was a reason why you couldn't lower a salary because it jeopardizes a candidate who's running.

Supervisor Eagan noted that this was his understanding also. If the salary of the proposed Highway Superintendent cannot be raised after approval, the position of Parks Superintendent can be adjusted after he has an opportunity to further state his case.

Highway Superintendent Telaak commented that next week you might decide to appoint someone else Parks Superintendent.

Supervisor Eagan commented that he is attempting to accommodate the Town Board and give them enough time to review the information they just received tonight.

Highway Superintendent Telaak noted that he thought Councilman Mead's option of approving \$52,700 and then lowering it is better.

Councilman Mead commented that he doesn't understand why they don't do that.

Councilwoman Dobson responded that it is not clear that you can do that.

A motion was made by Supervisor Eagan and seconded by Councilwoman Dobson to approve the 2008 proposed salary for the Superintendent of Highways at \$48,700.

Councilman Mead Voting Nay

Councilman Hopkins Voting Nay

Councilman Dobson Voting Aye

Councilman Hawkins Voting Aye

Supervisor Eagan Voting Aye

three (3) Ayes two (2) Nays Carried

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

Supervisor Eagan thanked Senator Volker and Assemblyman Quinn for attending a meeting with NYS Office of Historic Preservation, which has determined we need to do an Archeological Study, which has delayed the building of the NYS Police Barracks and the construction of the soccer fields. The study discovered that the area could be a log cabin built by Indians years ago and until they explore the area we will be at a standstill for quite some time.

Highway Superintendent Telaak reported brush pick-up will conclude this week.

Highway Superintendent Telaak reported leaf pick-up began today.

Councilman Mead: The Conservation Advisory Council along with the NYSDEC is analyzing the trees on town and county roads. They will contact the county regarding the removal of the worst ones or obtaining money and have the town do it. He requested that Town Clerk Shenk give a copy of the letter from Legislator Reynolds to the CAC.

Councilman Hopkins requested that the press advertise that the Christmas Lighting Committee is looking for volunteers who may call him at 941-2165. He also requested Town Clerk Shenk post this on the town web page.

Councilman Hawkins reported that Legislator Reynolds stated Erie County Soil and Water is planning to remove more trees from Eighteen Mile Creek.

Councilman Hawkins reported that NYSEG contractors are removing trees and treetops on North Greenbriar Terr. and Meadowbrook Dr. that interfere with electric wires. He requested Town Attorney Downey notify NYSEG that it's their responsibility to remove the debris. Legislator Reynolds will also send a letter to NYSEG regarding the same issue.

A motion was made by Supervisor Eagan and seconded by Councilman Hawkins to adjourn the meeting at 8:04 p.m.

five (5) Ayes Carried

DAVID J. SHENK, TOWN CLERK