

TOWN BOARD

MINUTES

____1981____

ABSTRACT

Correction Abstract 2 - General	125
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APPROPRIATIONS

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From General Fund to Boston Cross Road Drainage Project	202

AGRICULTURAL DISTRICT

Notice of district to be in southern portion of Boston	130, 139
Names added to the Concord Ag. District	155

AUTOMOBILES

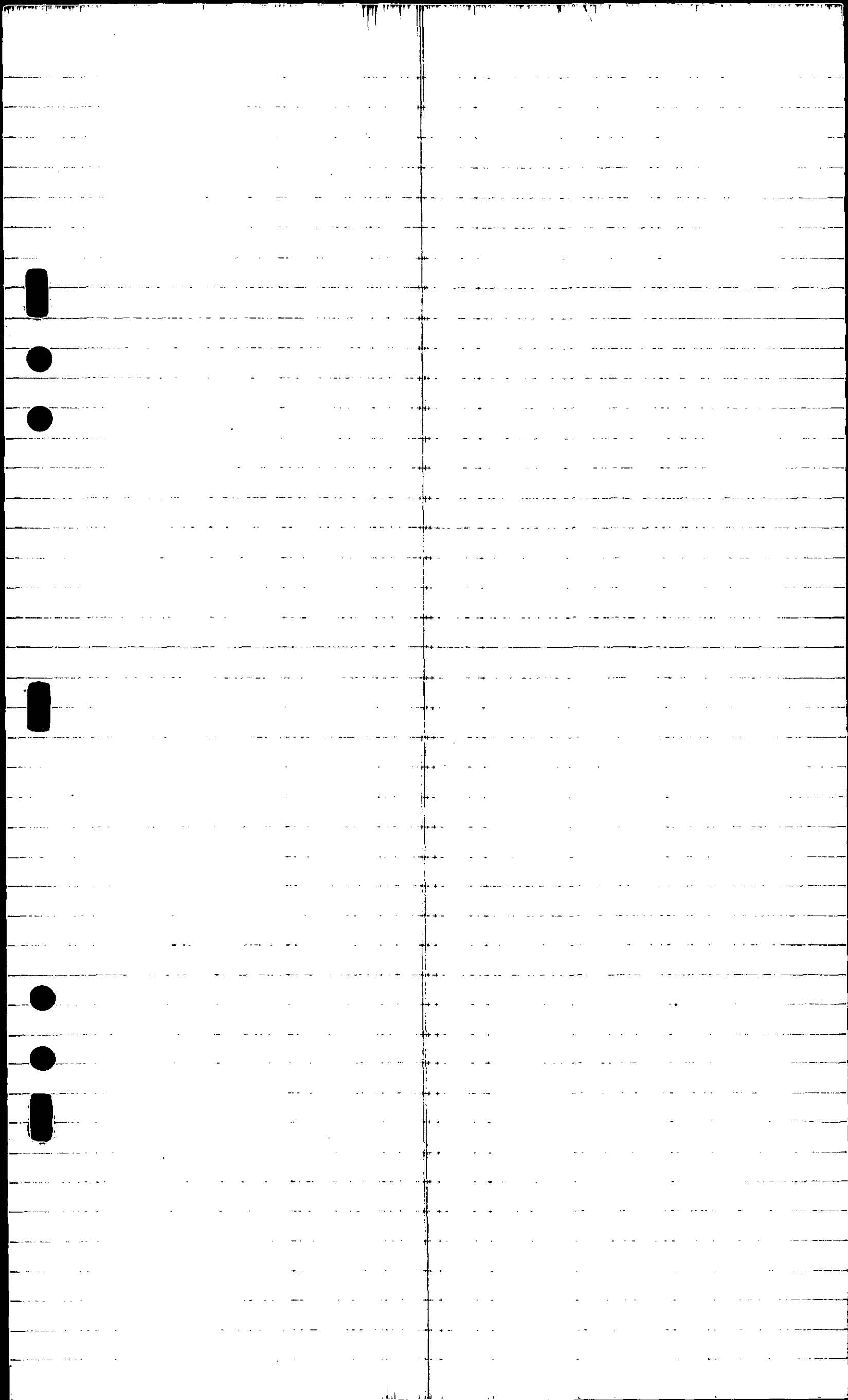
1976 Plymouth to be sold - sealed bids	196

~~ATTORNEY~~

~~\$300.00 petty cash fund set up~~	155

ABANDONMENT OF PUBLIC HIGHWAY

Certificate of Abandonment signed - Meadow Drive Subdivision	206



APPOINTMENTS

Appointments made as usual

109,110,111

ASSOCIATION OF TOWNS

Delegate and alternate selected

113

Approval given to those attending - Money advanced

119

ASSESSMENT CASES

New York Telephone and National Fuel vs St. Board of Equal. & Assess.

191

Rudolph Blesy vs the Town of Boston

205

ATTORNEY

Deputy Town Attorney Perley appointed Town Prosecutor

117

\$300.00 Petty Cash Fund Set up

155

BANK

Chase Manhattan designated as official bank

111

BUDGET

Budget amended for 1981

120

Preliminary Budget for 1982 presented -

184,185,186

Public Hearing date set

186

1982 Budget approved

197,198, 199

BOSTON CROSSROADS DRAINAGE PROJECT (PHASE I AND PHASE II)

Engineers Statement of Completion accepted (Phase I)

113

Change Order approved (Phase II)

113

Phase II Completed

167

BUILDING INSPECTOR

Board approves attendance to Building Code Seminar at Penfield, NY

128

Board approves attendance to seminar at Marriott Inn

145

Sends letter and copy of Certificates received at Seminars

196

Report made on house being moved to Elmtree and Northside

203

BIRTHDAYS

Louise Rucker wished Happy Birthday - 97th

155

Councilman Wittmeyer wished Happy Birthday

156

BOY SCOUTS

Scouts participate in Town Board Meeting

148

BOSTON ARTS ADVISORY COUNCIL

Council members named

134

BUILDING AND FIRE CODES

Meeting to be held on 11/17/81 re Fire Codes - Buffalo

196

CONSERVATION ADVISORY COUNCIL

Herbert Berlin resigns - Karen Klinczar and Paul Doyka appointed	114
William Haag requests he not be reappointed	118
Reed Garver appointed 12-15-83	118
John Hinkey resigns as member	128
Mary Alice Tocke appointed to Council	126
Paul Bolt resigns	132
Karen Klinczar granted permission to attend seminar	145, 159
A member of the Conservation Advisory County granted permiss to attend seminar	187
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Doing leg work on Park and Ride	202
Report on seminar received	203
Ditmar Bock reappointed	207

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	151
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Peter and Angela Zerbrowski re North Boston Garage	137, 138
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John Parkhurst, Pinehurst re drainage problem	157
Edward Schramm, Back Creek Road drainage problem from Expressway	157, 158
Mrs. Frederick Meyer, Boston State Road drainage in back yard	158
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Tim Donohue, Park Drive complains re juveniles and mailbox damage	160
Granville Rucker - towing business on Watkins property - Back Creek Road	164
Complaints on noise at Murphy's	164
Saunders North Boston Road complaint re assessment	191

CERTIFICATE OF DEPOSIT

Town Clerk authorized to sign	117

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Meeting to be held Feb. 12	122
Meeting to be held in March	127, 131
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<u>Councilman/Workmaster/and/Deputy/All/Perley/to/look/into/land.</u>	
Capital Improvements Committee to interview architects for Police Bldg.	196,
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Meeting set	117
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Final Report accepted	145
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Resolution passed re 1981 Community Development Funds	172

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Requests funding for maintenance for Boston Cross Road	187

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Bids to be opened for new four wheel drive pickup truck	126
Bids opened and tabled	139, 140
Bid Awarded to Emerling Chevrolet	146
Letter of back up services received from SPCA	205

DOG ORDINANCE

Date set for Public Hearing to amend and consider Local Law of 1981	133
Public Hearing held - Local Law #2 - 1981 adopted	143
Acknowledgement received from State	151

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142

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Resolution passed

167

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157, 160

EMPLOYEES

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EMERGENCY ASSISTANCE

Meeting set for 1-15 114

EMERGENCY SQUAD

Names of officers received 116
Questions responsibility to intoxicated person 168
Letter and Annual Report received 170
Nancy Kutz resigns as Dispatcher 174
Florence Coyle appointed Dispatcher 181
Public Hearing set to consider contract 200
Contract approved for 1982. 205

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Board favors Districts 123
County passes resolution 157

EQUALIZATION RATE

Notice received 8.84% 130
Town Attorney advises of Complaint 140
Equalization rate set at 8.90 160

ERIE COUNTY CONSORTIUM

Agreement signed for Summer Youth workers

144

ELECTIONS

1981 Polling Places set

144

ERIE COUNTY DEPT. ENVIRONMENT AND PLANNING

Police Guidelines Study fact sheet received

200

FLOOD PLAIN ORDINANCE

Amendments received	114
Public Hearing set	117
Public Hearing Held and Local Law Number 1 of 1981 adopted	125
State receives and files Local Law	129
State Comptroller receives and filed Local Law	133
Letter received from Fed. Emer. Manag. Ag. re Local Law	191

FIREMEN

Firemen authorized to attend funerals for deceased members	126
Contract for Fire Dispatching received from Hamburg	130, 135
Wittmeyer to meet with fireman re contracts	135
Executed contracts from Hamburg received	142
Letter sent to Erie County opposing fees for firematic training and courses	195
Public hearing set to consider contracts	200
Contracts approved for 1982, 1983 and 1984	206

FINANCIAL REPORT

County advises of money paid by Commissioner to Towns Cities and Villages

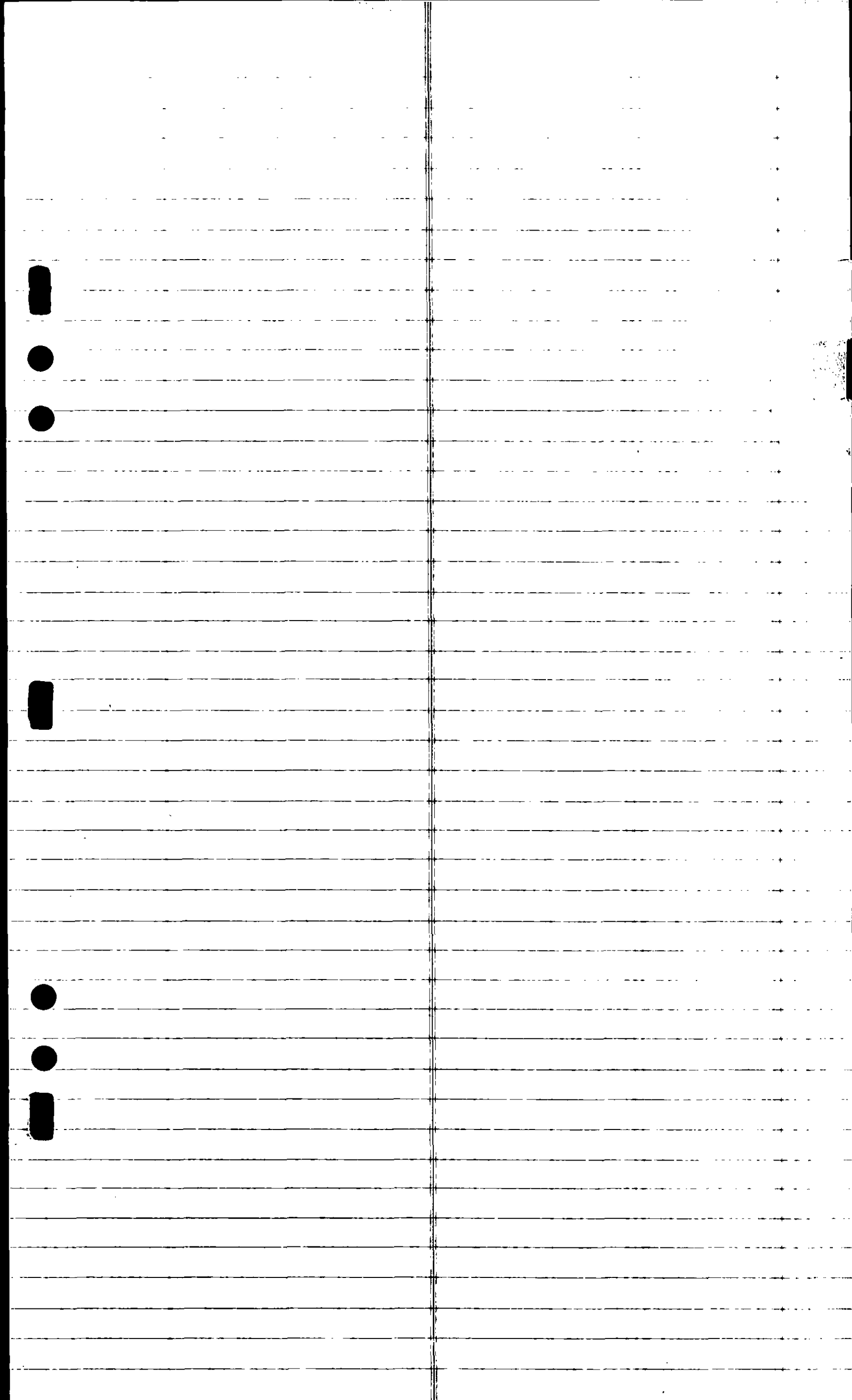
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GAMES OF CHANCE

Public Hearing to be held to amend Local Law #1 of 1979
Public Hearing held - decision tabled
Local Law #3 Games of Chance adopted
Acknowledgement received from State

127
135, 136
141
146
151



HIGHWAY

Authorization to spend #1 monies	113 , 120,123
School Bus stop ahead sign to be placed on Boston Colden Road	114
Authorization made for snow contract 1980-81	116
Complaint received re site distance on Rt. 277 and S. Abbott	117
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Complaint received re condition of Route 219 in storms - Letter to be sent	119, 122
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Councilman Samulski sends letter re crosswalks at Town Park	127
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Superintendent granted permission to attend seminar	144
Superintendent advises cannot run dead limbs through chipper	145
Councilman Samulski sends letter re stripping of 219 at Town Park	145, 150
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Citizen requests Rice Road be paved	152
Citizen questions condition of Zimmerman Road	152
Crosswalk requested for both driveways in front of town hall	155
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Letter received re restricted highways - Feddick & Zimmerman (portions)	157
Building Inspector requests Shero Road be fixed	158
Pinecrest residents request use of street for party	161
County to be asked to clean pipe on Boston Cross Road	164
County to be asked to cut grass at intersections	164
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Salt bids opened and tabled	170, 171, 178
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Highway Superintendent granted permission to attend seminar	178
Request for holes to be fixed in Zimmerman Road	180
Speed zone set for an area of hamlet of Boston	187, 195
County requests takeover by town of roads cut with expressway	206

HISTORICAL SOCIETY

Request for use of Town Hall for Country Market 9-11,12,13, 1981

129

Public hearing set 6-3-81 to consider new contract

144

Contract approved

151;152

Financial Statement received

180

Thank you with help on Save the Steeple

191

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IRS

Letters re IRS Procedure 80-55

123, 129, 142

IN HOME SUPPORT SERVICES

Letter received giving information on services

129

INSURANCE

Town Clerk to attend Seminar in Albany 6-3
Town Clerk and C. Wittmeyer to attend seminar 6-10
Lee Pfarner to have Blue Cross and Blue Shield
Insurance Consultant hired

154
154, 159
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159

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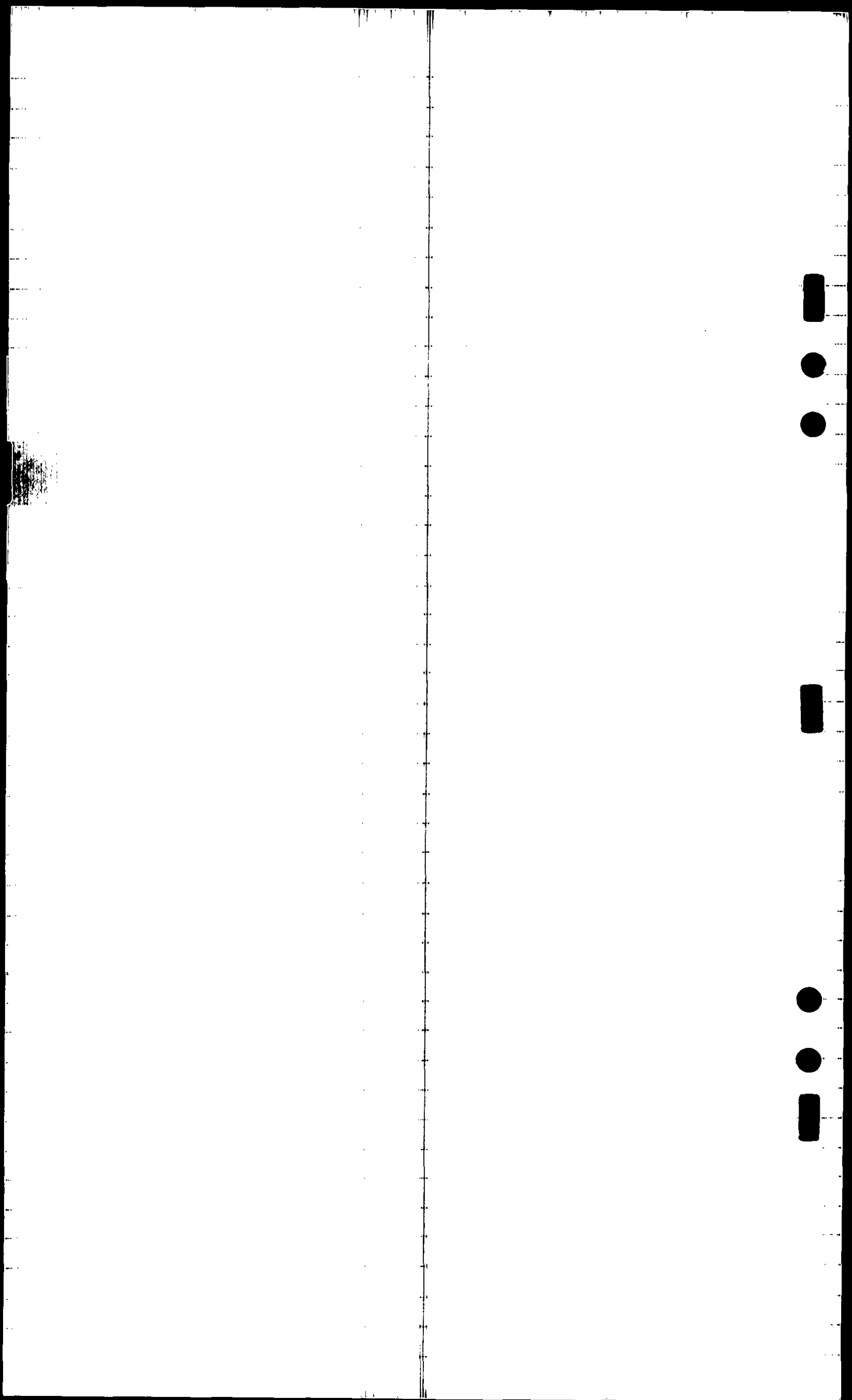
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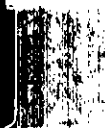
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LION'S CLUB SHELTER

Shelter to be dedicated on May 25th

145

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MEETINGS

Meeting times and dates set

111

Audit meeting date set - Meeting held

113, 115

February 18th regular meeting cancelled

117

Summer meeting dates set

158

MILEAGE

November 2nd meeting set for 7:30

187

Special Meeting set 12-30-81 - 9:00 AM

202

Mileage rate set at \$.20

113

MEMORIAL DAY COMMITTEE

Schedule of events received and Committee approved

132

Schedule of events received

144

Thank you and report received

151

MARCH OF DIMES

Will hold Bike-a-thon

180

MARRIAGE CERTIFICATE

Town Clerk authorized to charge \$5.00

155

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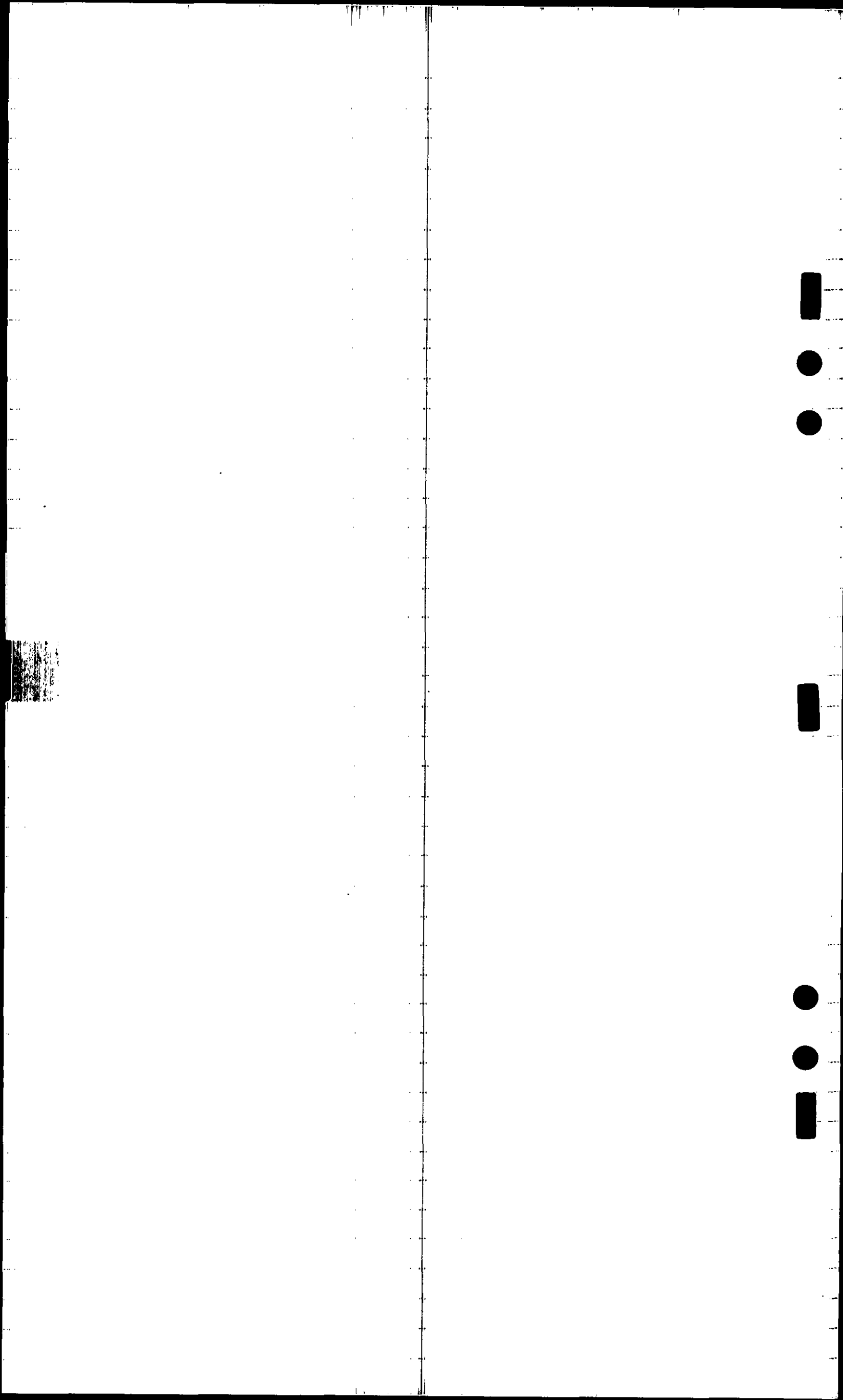
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NEWSPAPER

Orchard Park Suburban Press and Hamburg Sun designated as official newspapers

112

NOISE ORDINANCE

Notice from State received and filed

119, 123

Notice from State Comptroller received and filed

133

Permit granted to Lion's Club for extension of noise at Oktoberfest

165

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OSHA

Town Clerk to attend seminar 6-17

155



PETTY CASH

Amounts set

113

PLANNING BOARD

Harold Dodge appointed - term expires 2-1-86	114
Leo Constantine reappointed - term expires 2-1-88	122
Benjamin Randle resigns as member	128
Paul Doyka requests appointment to Planning Board	131
Tom Finger Appointed to Planning Board expires 2-1-82	131
Members granted permission to attend Seminar	132
Meeting to be held with Town Board re Master Plan	132
PB submits proposed Grading & Draining Ordinance	135
Summer meeting dates set	159
Decker and McGee granted permission to attend seminar	179
Letter re meeting date	179
Meeting time changed to 7:30 P. M.	207

POLICE

Joseph Antos resigns	114
Reinstatement of Leo Stromecki tabled	117, 118
James Clementson resigns	118
Leo Stromecki appointed Constable	128
Albert Schieber appointed Administrative Constable	141
Leo Stromecki and Robert Lorek promoted to Lt. and Sgt.	141
Request for Workmen's Compensation Coverage for Constables	144
1981 Dodge St. Regis purchased for Police Dept. from Mid City Dodge	159
Resolution passed for Town to Construct Building for State Police	172, 178, 182
Resolutions passed to Special Legislation in the Assembly and Senate for Police Building	194
Resolutions received in favor of State Police Building	195
Letter of intent requested for New York State Police	196
Nussbaumer and Clarke chosen to do engineering on Police Building	206

PUBLIC SERVICE COMMISSION

Town Clerk to send letter objecting to rate changes - Telephone	187, 202
Resolution received from Hamburg	196
Notice from Colden - meeting set up - telephone	205

PETITION - NOTICE OF

Trailways Edwards, Inc.	170
New York State Electric and Gas	195

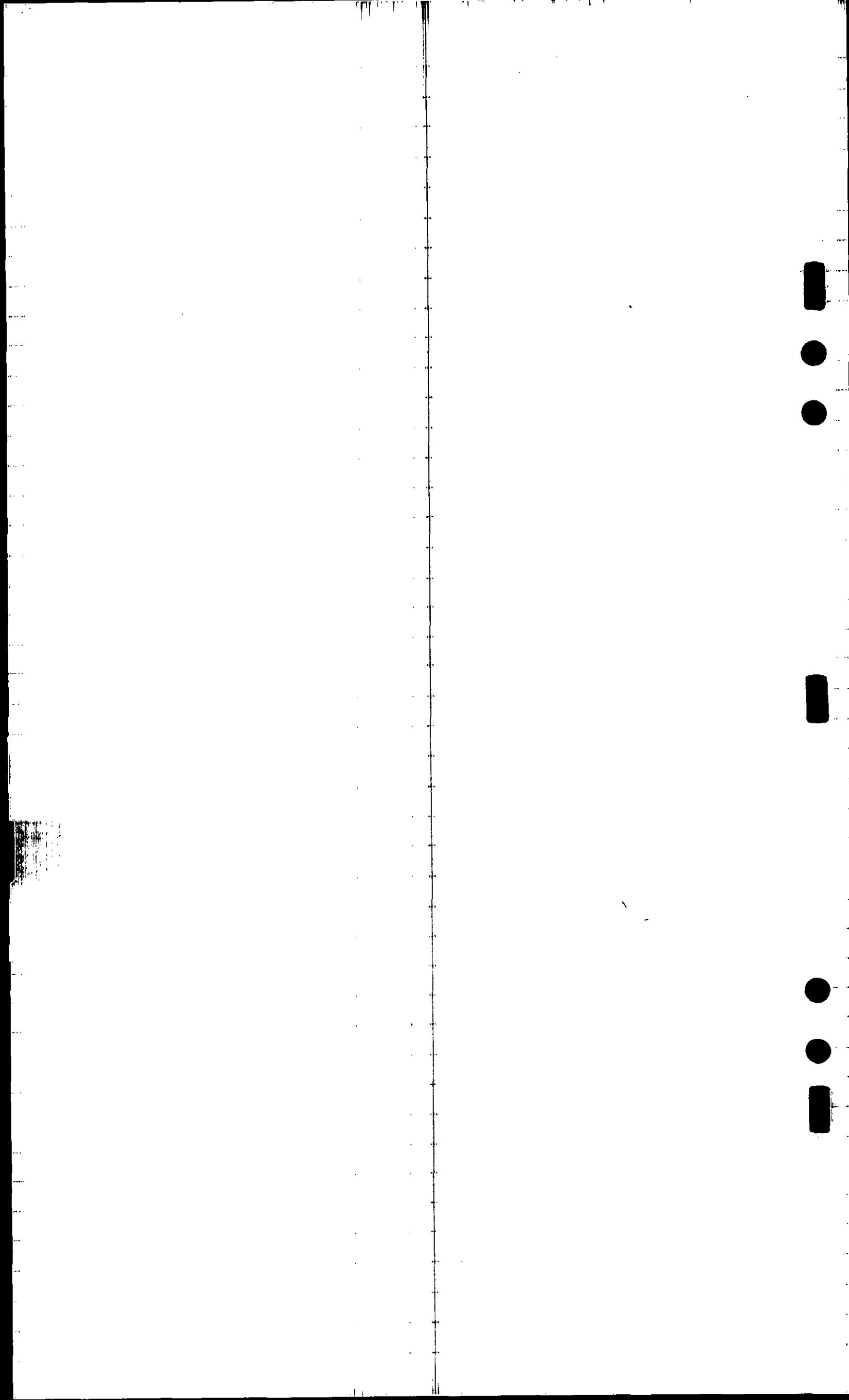
PERSONNEL RULES

Rules set

203

PERMITS

Permit okayed for Valley Truck and Equipment Company	118
Calspan Trailer permit renewed	124
Flying Knights aircraft permit renewed	130
Martin Logel request Soil Removal Permit - Tabled	142
Anna Gernold requests Soil Removal Permit - Returned to Mrs. Gernold	143
Logel permit granted	149
Gernold premit granted	149
Ray Miller permit for 7182 Boston State Road approved	149
Harold Kreitzbender granted permit for Soil Removal	158
Special Use Permit public hearing set - Clive and Marilyn Rucker	158
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Steve Townsend requests Special Use Permit for Mobile Home - Withdrawn	161 - 168
Hearing held on Rucker request - Special Use Permit denied	161, 162, 163
Hearing held to consider Bolt request for SUP - Granted	163, 164
EAF forms received on Fittry and Webber rezoning request	168
Permit request for milk machine at 7898 State Road - Charlap	175, 181
Plans received for Bolt Sewage Disposal System	180, 195
Airfield permit for Roger Felt renewed	192
Herbert Warren Special Use Permit renewed - 11/31/84	195
Permit granted for addition at 8425 State Road	205
Frederick Sherbarth Special Use Permit renewed	205
Gregory Grzeskowiak Special Use Permit renewed	205





RUSTIC SUBDIVISION

Acknowledgement from Comptroller for Drainage District received
Letter re tap-in for Snyder received
Approval of Completed Works received re Water supply
North Boston Fire Company questions why hydrant is not on Herman Hill Road
Work to be done on Woodlee before accepted by Town
Work to be completed before permits will be granted
Letter re hydrant charges

116
125, 129
140, 141
142, 152,
150, 167
167, 172
205

RECREATION ADVISORY COUNCIL

Mary Alice Tocke resigns

121

RECREATION

Letter of thanks received from Football Assoc.
Thomas Finger appointed to Recreation Advisory Council
State Aid Funds approved
Six youths requested for Summer Recreation Program
Karen Klinczar requests Recreation Program Study
Summer Staff named and salaries set
Tennis teachers and salary named
Supervisor authorized to apply for state aid

116
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REVENUE SHARING

Public Hearing dates set
Public Hearing held
Use of Revenue Funds recommended
Public Hearing to be held
Public Hearing held
Public Hearing to be held
Public Hearing held

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Reapportionment	154
Lothrop Willis	
Assessment Litigation	189, 200

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SOUTHERN EXPRESSWAY

Complaint received re plowing	109
Cul-de-sac at Heinrich Road water line critized by Moncreiff	140, 145
Letter sent re on ramp	141, 150 172
Question raised re Expressway signs	149
Letters sent and discussion held re runoff from Expressway onto Back Creek Rd.	161, 164,
	165
Letters sent and received re Rice Road Interchange	166
Mr. Minnick, Back Creek Road complains of runoff from Expressway	171
Chamber of Commerce questions NYDOT on Signal and signing of Expressway	174
Notice of Order received re stop sign control	174
Letters received re signal and signing	180
Resolution passed relative to Rice Road Interchange	196
Letter received re Rice Road	202
Letters received from Senators and Congressional Delegation re Rice Road	205

SALARIES

Amount set and mode of payment set	112
Laborer's salary set from \$3.35 to \$6.00	144

SOUTHTOWNS PLANNING

Resolution - solid waste to energy feasibility study	113
Solid Waste Management Board agreement authorized - Final Report	127, 137, 146
Resolution passed to assist SPCA in looking for shelter Southtowns	144
Tabled passing resolution for acceptance of Solid Waste Plan	168
Karen Klinczar attends Downtown revitalization Meeting	168, 180
Resolution passed on Solid Waste Action Plan	171

SENIOR CITIZENS

Board to check possibility of Boston taking over van	155
Letter from county re Senior Services	157
Senior Citizen Van to resume	180

STREET LIGHTING

Installed Homestead and Endress	117
Notice received possible rate hike	119
Possible Street light to be placed at Zimmerman near Hywood	122
Street Lights installed Route 391	123
Street light installed on Zimmerman near Hywood	127
Street light removed on Route 219 near expressway	127
Street light removed Route 219 - Installed Homestead	148
Street light installed on Zimmerman Road	160
Street light requested for Kevinton	161

SUPERVISOR

Authorization made to invest surplus monies	113
Authorization made to use signature stamp	113
Authorization given to attend seminar	114
Authorization given to attend conference	155
Authorization for Supervisor or designated person to attend seminar	167
Authorization for Supervisor Elect to attend seminar	200

SUBDIVISION REGULATIONS

Public Hearing to be held to consider amendment - Hearing cancelled	164, 168
Planning Board recommends revision - tabled	179

SALES TAX

Resolution received from County Legislature re distribution	133
Board passes resolution requesting 1980 Census figures be used for distribution	144, 148, 160

SNOWMOBILING

Public Notice received from Colden re opening roads	119

SEWER DISTRICT #3

Motion requesting advisement re Town Highways after construction	134
Public Hearing to be held re Turbine Generators	137
Environmental Review performed by USEPA	170
Resolution passed for extension of lines - contracts letting be requested	196, 205

SEWER DISTRICTS (TOWN)

Suggestions as to use for Districts when no longer in use	145, 183
Notice of Inspection received	170
Reed Garver commends Lee Pfarner on work	180
O & M Maintenance Grant received on Sewer #1	195

SOUTHTOWNS PRIMARY CARE CENTER

Invitation re open house for Boston Emergency & Town Board	142, 148

SEQR

Town Clerk and Building Inspector to attend seminar	149
Town Clerk and Town Attorney authorized to attend forum	170

TOWN PARK

Boston Lion's request permission to use Park for Flag Day. - Cancelled	109, 117
Memorial Day Committee request Town Park for May 25th - Lions also	116, 117
Democratic Club requests use for Easter Egg Hunt	116
Lion's Club requests park for July 27th week	117
North Boston Fire Company to use park June 28, 1981	119, 120
Youth Baseball Annual Picnic 8-8-81	143
Amvets Post 219 to use Town Park 8-2-81	143
Permit applied for to get gravel from Eighteen Mile Creek	145
Town Board invited to attend dedication of Lions Club Shelter	150
Drainage on Wendling property to be turned over to Drainage Committee	150
Good Shepherd Lutheran Church granted permission to use park 7-12-81	158
Nussbaumer and Clerk to prepare drainage plans for Town Park	164
Permission granted to use parking lot for paper drive	192

TRAILER COURTS

Notice to be sent for 1981 Trailer Court Fees	113
No response second notice to be sent	121, 122
License issued to Spragues	124 123
Letter to be sent to Falkides to pay fee	130
Falkides to pay by April 10th.	134
License issued to Boston Hills Mobile Home Park	139
Letter sent to Falkides to clean up front of park	167

TAX COLLECTOR

Authorization made to invest funds	117
Annual Report of Tax collections received	134
Permission granted to Collector to collect School Tax at Town Hall	172

TRASH PICKUP

Bids to be let for Spring and Fall Pickup

121

Bids opened - Awarding of bid tabled

127

Bid for Spring Pickup awarded to CID

132

No fall pickup - dumpster

178

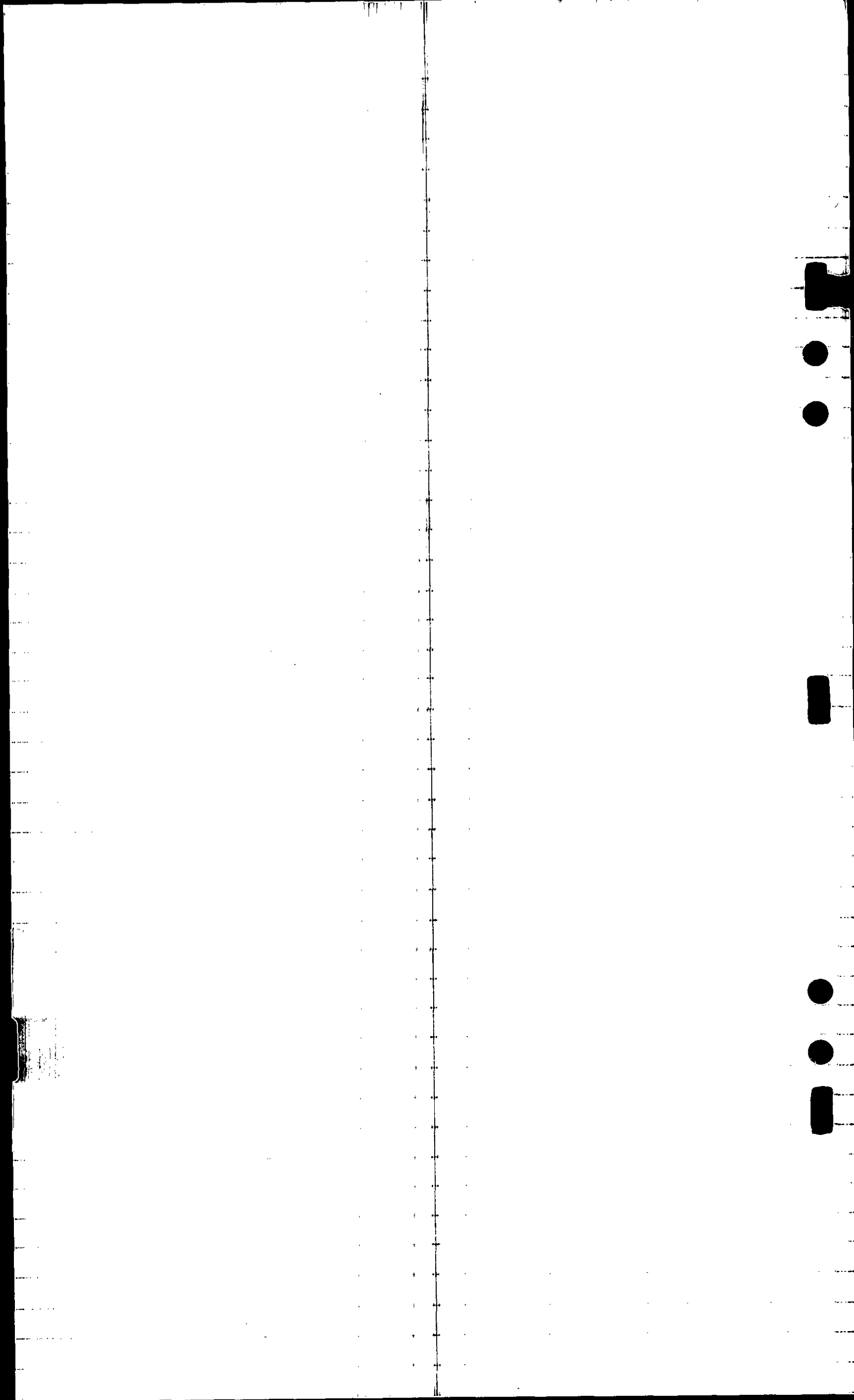
TOWN BOARD

Permission granted to attend Surplus Property Awareness Program

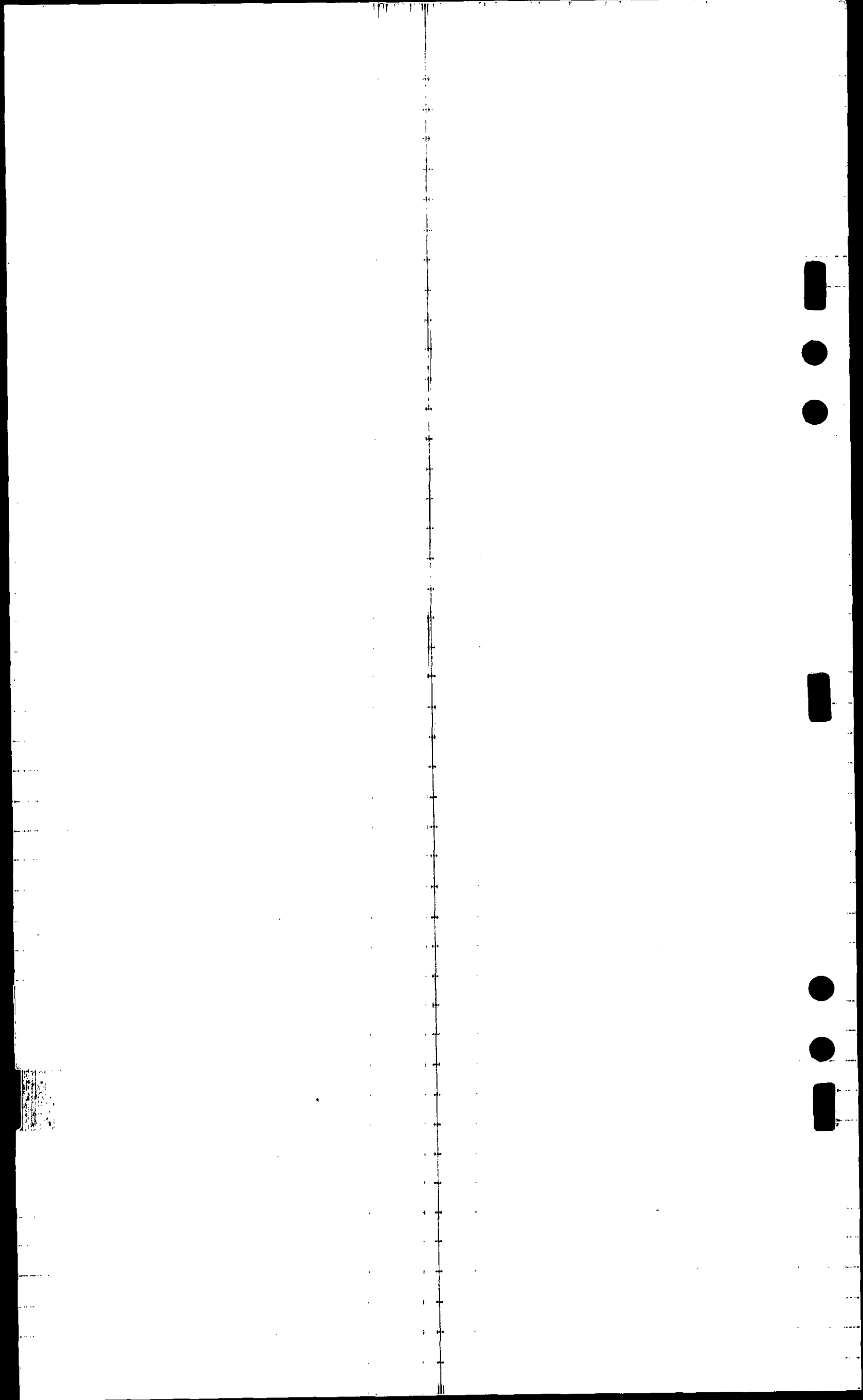
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Presented with a poem from Sean O'Leary

195







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WATER DISTRICT #2

Letter sent re extension Feddick Road	117
Supervisor given authorization to advertise for bids	121
Letter of Intent from Department of Health	123
Notice received no money available from FHA for Feddick Road extension	126
Supervisor authorized to bid for extension	126
Bids opened awarded to Robert Caldwell	141
Bon Anticipation Note Resolution - Extension of Waterline Feddick Rd.	143
Motion passed to create Water District #2 Extension Project	144
Change Order approved on Extension - Feddick Road	149
Witkowski, Feddick Road requests water service	151 , 196
Approval of Completed Works received for Feddick Road Extension	166
Lease Management Agreement signed	200

WEST SENECA DEVELOPMENTAL CENTER

Tentative home for the retarded to be located at 6610 Rice Road	120, 121

WATER DISTRICT #1

Supervisor to get cost estimates for a portion of Omphalius Road	148
Delinquent bills to be collected	182
Resolution passed for Water line on Woodlee Court - Snyder	196
Lease Management Agreement Signed	200
New Hydrants listed	200

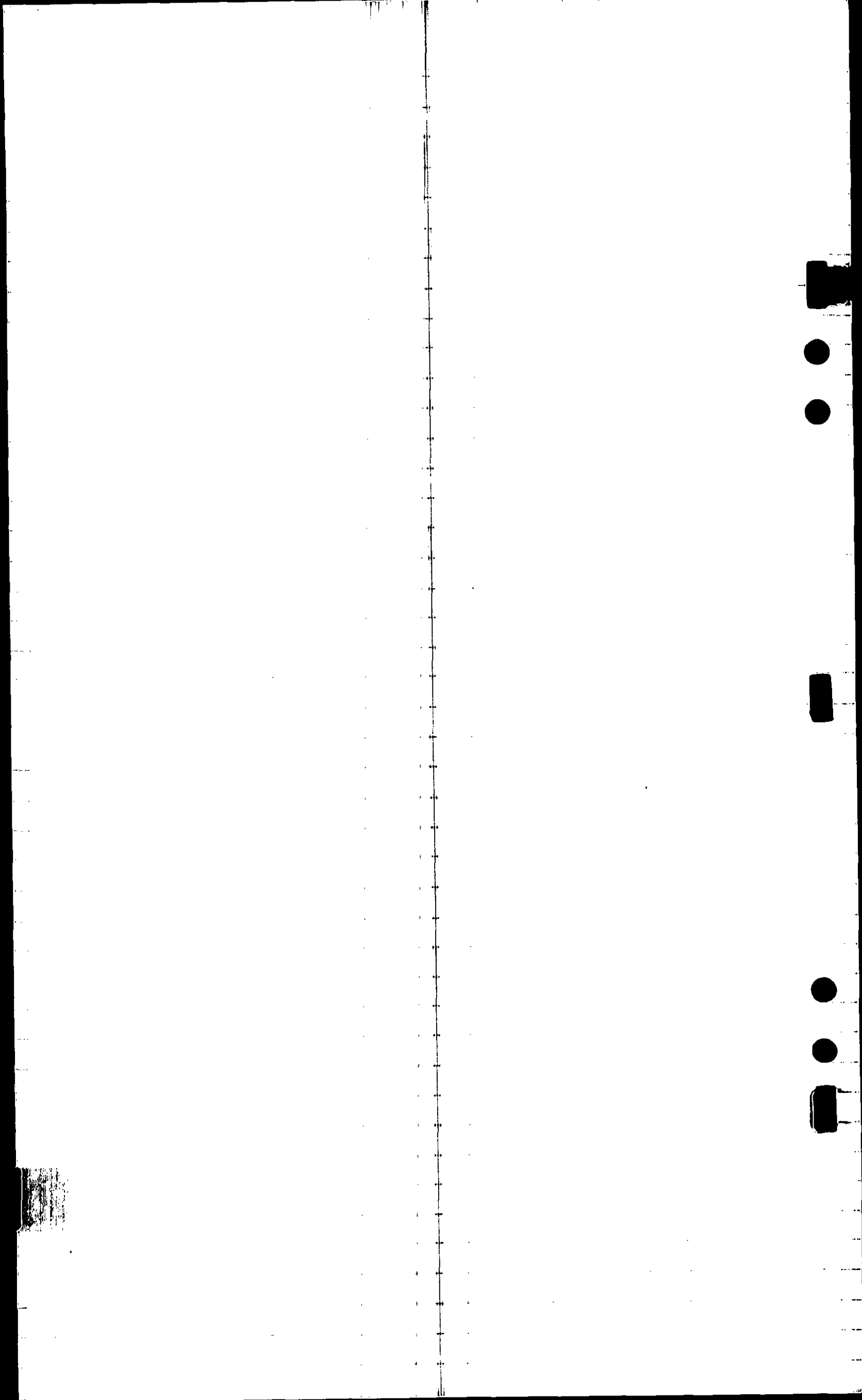
WATER SERVICE (OUT OF DISTRICT)

Gordon Higgins, Ward Road requests water service	172
Fee set for out of District Water Users	
Resolution passed to add water bills to County Tax bill (Orchard Park)	202

WELL DRILLING - GAS

Resolution passed to require well drillers get permit	168, 191

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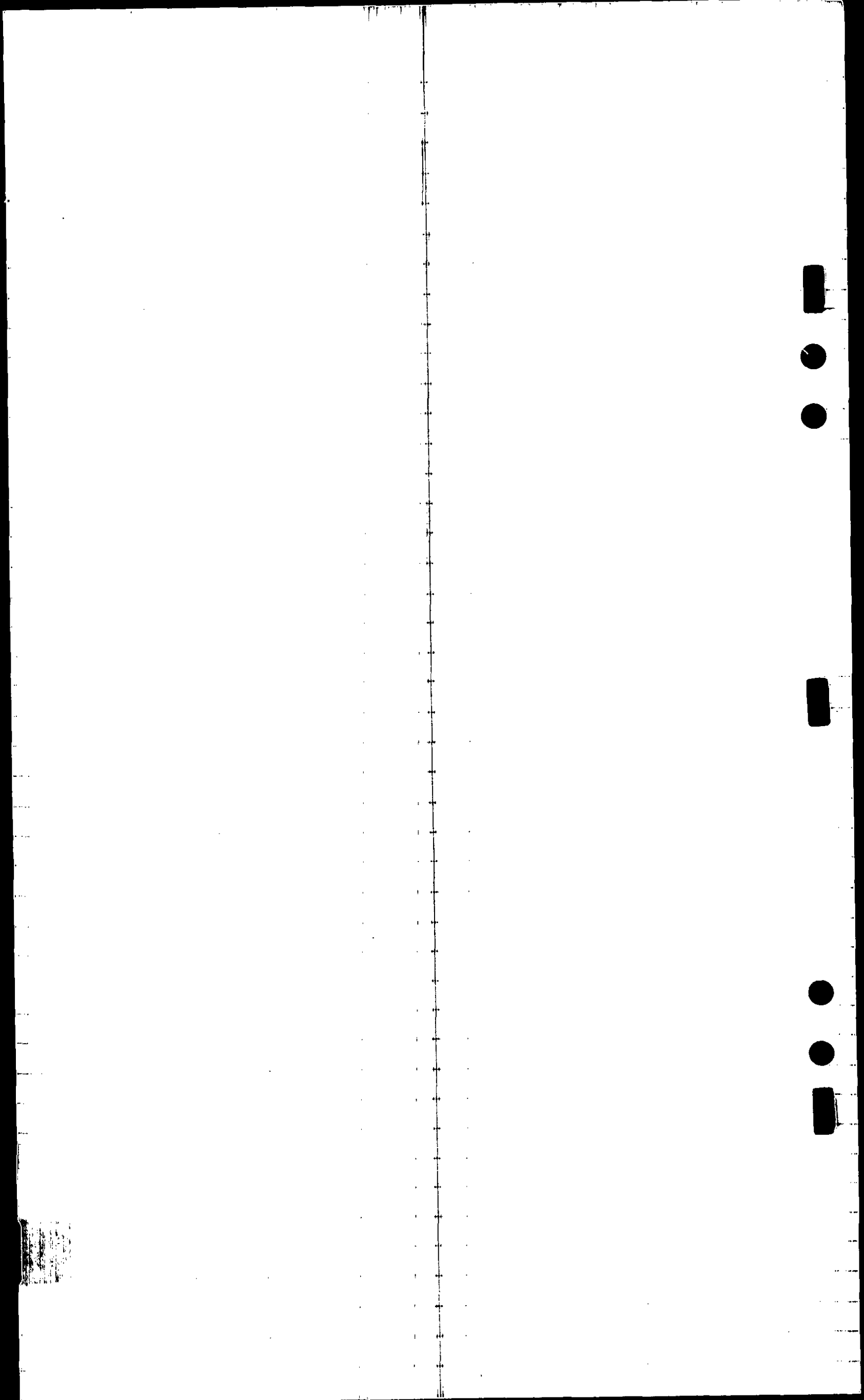
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ZONING

Public Hearing date set for Nelson Burke rezoning hearing	118
Public Hearing held - Rezoning from R-2 to R-3 approved	126
Public Hearing to be held re Amendments	131, 138
Paul Bolt requests rezoning - referred to Planning Board	134
Woodrow Webber and Ernest Fitty request rezoning - referred to Plan. Bd.	143, 155,
Public hearing to be held - Bolt rezoning request	145 168
Town Board passes Zoning amendments	146, 147
Bolt rezoning request hearing held - request withdrawn	152, 153, 154
Calvin Reeve request rezoning of Fisher property - Boston State Road	161, 168
Request from Donald Haas, Chestnut Ridge Road to rezone received	172, 179
Public Hearing set to rezone Fitty-Webber property	172
Public Hearing held to rezone Fisher Property	175, 176, 177, 178
Public Hearing held to rezone Fitty-Webber Property	182, 183, 184
Fisher rezoning tabled	188
Public hearing held re Haas request	191, 192
Town Clerk to meet with Pettit or Becker for SEQR Report on	
Fisher and Webber-Fitty	196, 203
Webber-Fitty property rezoned	206
Fisher rezoning tabled	206

ZONING BOARD OF APPEALS

Appointment tabled	135
Remy Orffeo appointed	139
Permission granted to attend seminar	145
Officers named	150

Regular Meeting
January 7, 1981

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman Esther Faulring, Councilman Don Wohlhueter, Councilman Alfred Samulski, Supervisor David Zimmerman, Town Attorney Charles Maxwell and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the minutes of the December 30, 1980 Special Meeting be approved.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski that the Town Clerk's Monthly Report be accepted.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the General Fund and Special District Bills in the amount of \$9,674.57 be paid.

five (5) ayes

Carried

A letter was read from Legislator Bennett advising of action taken at the December 18, 1980 session of the Erie County Legislature.

five (5) ayes

Carried

A letter was read from the Boston Lion's Club requesting permission to use the Town Park for a Flag Day Celebration and also requesting participation of the Town Hall personnel. Councilman Samulski questioned a phrase in the letter calling it a Political Protest. Councilman Wittmeyer advised that he would check into this. A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski granting permission for the Boston Lion's Club to use the Town Park on June 14, 1981 contingent upon receipt of a Certificate of Insurance.

five (5) ayes

Carried

Paul Doyka, Zimmerman Road, advised the Board that the Southern Expressway had not been plowed at 6:00 A. M. this morning when he had gone to work and he had pushed snow all the way to West Seneca. Councilman Wohlhueter stated that a letter had been sent after he had complained and he had received a call advising the day in question was very stormy and they had done the best they could with the cut in the budget. Supervisor Zimmerman stated that the New York State Department of Transportation would be advised of this latest complaint.

A motion was made by Supervisor Zimmerman and seconded by Councilman Faulring to create a position of Deputy Town Attorney, Cleaner PT and Secretary to the Planning Board and Board of Appeals.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer appointing Remy Orffeo as Recreation Supervisor. Term to expire December 31, 1981.

five (5) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Wohlhueter appointing Randy Burgwardt as Youth Service Supervisor. Term to expire December 31, 1981.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Supervisor Zimmerman appointing Tom Booth, Ann Schunk and Roberta Vanderhoff as Youth Center Recreation Attendants. Terms to expire December 31, 1981.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski appointing Reed E. Garver as Sewer Maintenance Man. Term to expire December 31, 1981.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring appointing Charles Decker as Building Inspector and Enforcement Officer of Town Ordinances. Term to expire December 31, 1981.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski appointing Robert Steiner as Dog Control Officer and Constable. Term to expire December 31, 1981.

five (5) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Faulring appointing Marjorie Steiner and Jeffrey Steiner as Deputy Dog Control Officers. Terms to expire December 31, 1981.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter appointing James J. Jehle as Historian. Term to expire December 31, 1981.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Supervisor Zimmerman appointing the following as Fire Police. Terms to expire December 31, 1981.

Boston:

Richard Zwack
Joe Lowry
Leo Stromecki

Glenn Trevett
George McDonald
Lyle Zahler

Cliff Johnson
George Stephens

North Boston:

Randy Seufert
Paul Woodhouse

Roy Seufert

John Klaybor

Patchin:

Jospeh Coyle
Bernard Liebler
Fred Kutz

William Janker
Stephen Plewik

Livingston Lasso
William Ferguson

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski appointing Gene Ruchalski as General Foreman in the Highway Department. Term to expire December 31, 1981.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski appointing Herbert Boltz as Bingo Inspector. Term to expire December 31, 1981.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter appointing David Zimmerman as Commissioner of Police. Term to expire December 31, 1981.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring appointing Phyllis Barrett, Nancy Kutz and Evelyn Hinkey as Emergency Squad Dispatchers. Terms to expire December 31, 1981.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer appointing Michael Czechowski as Cleaner PT. Term to expire December 31, 1981.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Samulski appointing Jerome Orffeo as a Laborer. Term to expire December 31, 1981.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring appointing Doris Follman, Cleaner PT. Term to expire December 31, 1981.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Faulring appointing Michael Perley as Deputy Town Attorney. Term to expire December 31, 1981.

five (5) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Wohlhueter appointing Lucille Genzel as Secretary to the Planning Board and Board of Appeals. Term to expire December 31, 1981.

five (5) ayes

Carried

Supervisor Zimmerman appointed the following committees:

Traffic Safety: Councilman Samulski, Highway Superintendent Kretzbender, Chief Constable Strack

Codification: Herbert Klein, Town Attorney Maxwell, Charles Decker, William Kleis, Michael Perley

Street Light: Councilman Esther Faulring, Highway Superintendent Kretzbender

Youth Service: William Ferguson, Richard Lee, Nancy Boltz, Clayton Schunk, Michael Stilb, Mark Lisowski, Ann Ferguson

Senior Citizens: Joseph Mertzluft, Henry Seufert, Mildred Seufert, John Walters, Michael Czechowski, H. Eglantine Berger, Ruth Garrison, Marilyn Weller (Nurse), Harold Rockwood

Recreation: Jean Yuhas, Christine Jusiak, Nancy Kulik, Mary Alice Tocke, Paul Becker, Remy Orffeo, Dr. Charles Matlach, Sharon Shenk

Community Development Advisory: Edward Snow, Charles Decker, Anna Golabek, Esther Faulring, Clarence Kreitzbender, Dennis Kramer, Karen Penfold, Howard Frank

Capital Improvement: Councilman Wittmeyer, James Smolinski, Paul Becker, Councilman Samulski, Clarence Kreitzbender

Insurance: Herbert Klein, Milton Wittmeyer, Don Wohlhueter

Supervisor Zimmerman appointed the following Councilman as Town Board Liaisons:

Chamber of Commerce - Councilman Faulring
 Planning Board - Councilman Faulring
 Youth Service - Councilman Wohlhueter
 Conservation Adv. - Councilman Wohlhueter
 Recreation - Councilman Wittmeyer
 Traffic Safety - Councilman Samulski
 Fire Companies - Councilman Wittmeyer
 Emergency Squad - Councilman Wittmeyer
 Codification - Councilman Wittmeyer
 Senior Citizens - Councilman Samulski
 Capital Improve. - Councilman Samulski
 Street Lighting - Councilman Faulring
 Drainage - Councilman Wohlhueter

A motion was made by Supervisor Zimmerman and seconded by Councilman Samulski designating Chase Manhattan Bank in North Boston as the official depository of the Supervisor, Town Clerk, Town Justice and Tax Collector.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter setting the first Wednesday of each month at 7:30 P. M. and the third Wednesday of each month at 8:00 P. M. for the Regular Town Board Meeting.

five (5) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer designating the Orchard Park Suburban Press and the Hamburg Sun as official newspapers for the Town of Boston.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring setting the 1981 salaries as follows:

1981 SALARIES

Supervisor - David G. Zimmerman	\$11,000.00
Councilman - Milton I. Wittmeyer	3,000.00
Esther M. Faulring	3,000.00
Don A. Wohlhueter	3,000.00
Alfred T. Samulski	3,000.00
Town Justice-Robert W. Tills	7,200.00
Assessor - William H. Kleis, Jr.	11,340.00
Town Clerk - Herbert H. Klein	16,410.00
Highway Superintendent - Clarence S. Kreitzbender	18,720.00
Town Attorney - Charles P. Maxwell	7,600.00
Deputy Town Attorney - Michael Perley	2,000.00
Bookkeeper to Supervisor - Jean Kleis	4.60 per hour
Deputy Town Clerk, Court Clerk - Joyce Carr	4.60 per hour
Election Inspectors:	
Registration days	27.00 per day
Primary Day (Regular & Presidential)	33.50 per day
Chairman	38.50 per day
Election Day	52.00 per day
School Attendance	9.00
Cleaner PT - Michael A. Czechowski	3.50 per hour
Cleaner PT - Doris Follman	4.00 per hour
Laborer - Jerome Orffeo	4.50 per hour
Dog Control Officer - Robert Steiner	4,400.00
Secretary to the Planning Board and Board of Appeals	3.50 per hour
Emergency Squad Dispatchers	
Phyllis Barrett, Chairman	2,328.00
Nancy Kutz	2,160.00
Evelyn Hinkey	2,160.00
Clerk PT - Nancy Lee	420.00 per year
Recreation Supervisor - Remy Orffeo	3,000.00
Youth Service Supervisor - Randy Burgwardt	1,310.00
Youth Center Recreation Attendants-Friday Nights	
Ann Schunk	20.00 per night
Thomas Booth	21.60 per night
Roberta Vanderhoff - Aide	18.00 per night
Historian - James J. Jehle	280.00
Building Inspector - Charles G. Decker	4,500.00
Bingo Inspector - Herbert M. Boltz	12.00 per night
Highway Department	
Working Foreman - Eugene Ruchalski	7.00 per hour
Motor Equipment Operators	5.40 - 6.76 per hour
Motor Equipment Operators PT	
Laborers	3.50 - 5.00 per hour
Sewer Operator PT - Reed E. Garver	
Sewer District #1	1,350.00
Sewer District #2	2,310.00
Sewer District #3	1,580.00
Sewer District #4	2,945.00
Youth Center Recreation Attendants-Tuesday Nights Remy Orffeo	648.00
Randy Burgwardt	13.00 per night
Thomas Booth	13.00 per night
Ann Schunk	12.00 per night

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Samulski setting payment of salaries on a monthly basis except the Highway Department, Deputy Town Clerk, Supervisor's Bookkeeper and Laborer Jerry Orffeo which are bi-weekly and the Town Clerk, Assessor, Supervisor and Highway Superintendent

which are semi monthly.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer authorizing the Supervisor to invest surplus monies.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Samulski authorizing the use of a signature stamp by the Supervisor.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Wohlhueter setting \$.20 as the rate paid by the Town for mileage.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer setting the date of the Annual Audit Meeting for January 16, 1981 at 7:00 P. M.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer directing Town Clerk Klein to send notices for the collection of the 1981 Trailer Court fees.

five (5) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer setting Petty Cash funds as follows:

Supervisor	\$30.00	Town Clerk	\$200.00
Town Justice	25.00	Police	20.00

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer appointing Councilman Faulring as a delegate and Councilman Samulski as an alternate to the Association of Towns Meeting in New York City from February 15 - 18, 1981.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Wohlhueter to sign an agreement for the expenditure of Highway #1 monies with Erie County in the amount of \$132,550.00 and Improvement Program of \$18,225.00.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter authorizing the Supervisor to sign an Engineers Statement of Completion accepting the Boston Crossroads Drainage Project Phase I.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Samulski approving a Change Order for the Boston Crossroads Drainage Project Phase II as follows:

Septic Tank Replacement	\$ 950.81
Restoration of Septic Tank Area	200.00
Removal of Concrete Wall	2,655.37
Total	\$3,806.18

five (5) ayes

Carried

The Supervisor's Monthly Report was received.

RESOLUTION - SOLID WASTE TO ENERGY FEASIBILITY STUDY

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski approving the request of Supervisor Zimmerman to attend a State Association of Supervisors and County Legislators on January 18-21 in Syracuse, New York. All appropriate costs to be paid by the Town.

five (5) ayes

Carried

Town Clerk Klein advised the Board that amendments had been received for the Flood Plain Ordinance. These have been put in order with what we now have and have been sent to Becky Anderson at the Department of Environmental Conservation in Buffalo for their review. He noted that a Public Notice had been printed in the Suburban Press on December 22nd and 29th and as a result of that publication the Town now has ninety days to adopt the amendments to the ordinance. Town Clerk Klein advised that he had received a call Monday requesting that a letter be sent to Tom Maynard of the Federal Emergency Management Agency indicating the Town's plan to adopt the amendments. A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring directing that a letter be sent to Tom Maynard of the Federal Emergency Management Agency indicating that the Town of Boston plans to adopt the amendments to the Flood Plain Ordinance within the ninety (90) day period.

five (5) ayes

Carried

The Town Justice Monthly Report was received.

Highway Superintendent Kreitzbender stated that the Bus Stop Ahead sign for Boston Colden Road had been received and would be put up as soon as possible.

Councilman Wittmeyer advised that a tentative date of January 15, 1981 at 7:30 has been set for a meeting of the Capital Improvements Committee and Drainage Committee.

Councilman Samulski advised that there will be a program on Energy Assistance for Senior Citizens and low income families on Friday, January 9, 1981 at 2:00 at the Boston Town Hall.

The Building Inspector's Monthly and Yearly report were received.

The Boston Police Department's monthly report was received.

A letter was read from Joseph Antos advising the Board that he would not seek reappointment as a Town of Boston Constable. Town Clerk Klein was directed to send a letter to Mr. Antos thanking him for his service to the Town of Boston.

The Dog Control Officers Monthly Report was received.

A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer appointing Harold Dodge as a member of the Boston Planning Board to fill out the term of Kenneth King. Term to expire February 1, 1986.

five (5) ayes

Carried

Town Clerk Klein read a letter from Herbert Berlin requesting he not be reappointed to the Conservation Advisory Council. Town Clerk Klein also advised that William Haag's term and Karen Klinczar's term also expired. A motion was made by Supervisor Zimmerman and seconded by Councilman Samulski appointing Karen Klinczar and Paul Doyka as members of the Conservation Advisory Council. Term to expire December 15, 1983.

five (5) ayes

Carried.

A motion was made by Supervisor Zimmerman and seconded by Councilman Wohlhueter appointing Charles Decker as a member of the Drainage Committee. Term to expire December 31, 1981.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to adjourn at 8:10 P. M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

Special Meeting
January 16, 1981

Town Hall
7:00 P.M.

Present were Councilman Milton Wittmeyer, Councilman Alfred Samulski, Supervisor David Zimmerman, Town Attorney Charles Maxwell. Absent were Councilman Don Wohlhueter, Councilman Esther Faulring and Highway Superintendent Clarence Kreitzbender.

Supervisor David Zimmerman presented the Condensed 1980 Annual Fiscal Report of the Supervisor. A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski that the Annual Fiscal Report for 1980 as presented by Supervisor Zimmerman be accepted and that the Town Clerk be directed to publish a legal notice within ten (10) days after receipt of the Supervisor's Annual Report stating that a copy of said report is on file in the Town Clerk's office and is available for public inspection and copying.

Three (3) ayes

Carried

A written annual report as well as the dockets of Justice Tills for 1980 was presented to the Board for audit. A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer that upon examination of the Criminal, Civil and Vehicle and Traffic Dockets along with the written annual report of Justice Tills, that all fines and fees collected have been turned over to the proper officials as required by law and that they be accepted.

Three (3) ayes

Carried

Town Clerk Klein distributed a written annual report of receipts for 1980 and the distribution of funds received as well as a report of the cost of operation of the Town Clerk's office within the budgeted allocation. A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski that the 1980 Annual Report for the Town Clerk be accepted.

Three (3) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Samulski that the meeting be adjourned at 7:20 P. M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

At a Regular Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York on the 7th day of January, 1981, at 7:30 P. M., Eastern Standard Time, there were present

David Zimmerman	Supervisor
Milton Wittmeyer	Councilman
Esther Faulring	Councilman
Don Wohlhueter	Councilman
Alfred Samulski	Councilman

Supervisor Zimmerman presented the following resolution and moved its adoption:

WHEREAS, the State of New York, by its Legislature, has made available the sum of \$100,000.00 for the purpose of a feasibility study (hereinafter called the "project") for a waste-to-energy facility at the Gowanda Psychiatric Center; and

WHEREAS, such a feasibility study is best undertaken through the mutual efforts of the local governments of the southern portion of Erie County, working with the County, consultants and appropriate agencies of the State of New York, pursuant to the powers granted under General Municipal Law Article 5-G, and

WHEREAS, It is determined that such a cooperative effort is the best method for undertaking such waste-to-energy feasibility project;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Boston shall participate in a Gowanda Psychiatric Center waste-to-energy facility feasibility study, together with any or all of:

the Towns of: Aurora, Brant, Colden, Collins, Concord, Eden,
Evans, Hamburg Holland, North Collins, Orchard
Park, Sardinia, and Wales;
the Villages of: Angola, Blasdel, East Aurora, Farnham,
Gowanda, Hamburg, North Collins, Orchard Park, and
Springville, and the County of Erie, hereinafter
called the "cooperating municipalities";

AND BE IT FURTHER RESOLVED, that there shall be a project steering committee comprised of the chief executives or their designees, of the aforementioned municipalities, one representative from each of them, which committee shall oversee the project, select consultants, review studies, issue reports and make recommendations to the cooperating governments and to the State;

AND BE IT FURTHER RESOLVED, that the County of Erie shall perform ministerial acts necessary for the project such as: Assistance to the project steering committee; accept funds from the State of New York; make payments in furtherance of the study subject to audit; and place custody of all funds received for the project in its Commissioner of Finance; and

BE IT FURTHER RESOLVED, that no funds or revenues of any of the cooperating municipalities shall be expended for this project, but that all funds shall be limited to those provided for the purpose by the State of New York; and

BE IT FURTHER RESOLVED, that the project steering committee established for this project shall cease to exist upon the final completion of the feasibility study anticipated herein, and

BE IT FURTHER RESOLVED, that all of the cooperating municipalities shall share equally in all aspects of the feasibility study, including , but

not limited to: voting power, access to information related to the project, sharing of information, and reporting to the State of New York; and

BE IT FURTHER RESOLVED, that any Town, Village or County not heretofore mentioned, may participate equally in this project by adoption of a similar resolution and upon approval by a majority vote the project steering committee members, and

BE IT FURTHER RESOLVED, that the Erie County Executive be authorized to execute on behalf of the County of Erie, any contracts necessary to carry out the feasibility study authorized herein.

Seconded by Councilman Wohlhueter and put to a vote which resulted as follows:

Supervisor Zimmerman	Voting	<u>aye</u>
Councilman Wittmeyer	Voting	<u>aye</u>
Councilman Faulring	Voting	<u>aye</u>
Councilman Wohlhueter	Voting	<u>aye</u>
Councilman Samulski	Voting	<u>aye</u>

AYES: 5 NOES: 0 ABSENT: 0

Herbert H. Klein
Herbert H. Klein
Town Clerk

Regular Meeting
January 21, 1981

Town Hall
8:00 P.M.

Present were Councilman Milton Wittmeyer, Councilman Esther Faulring, Councilman Don Wohlhueter, Councilman Alfred Samulski, Supervisor David Zimmerman, Town Attorney Charles Maxwell and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the minutes of the January 7, 1981 regular meeting and January 19, 1981 special meeting be approved.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski that the General Fund and Special District Bills in the amount of \$10,270.64 be paid.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the Highway Bills in the amount of \$7,474.42 be paid.

five (5) ayes

Carried

A letter was read from the New York State Comptroller's office acknowledging receipt of a resolution establishing the Rustic Subdivision Drainage District. The letter was received and filed.

A letter was received from the Boston Patriots Little League Football Association thanking the Town Board for their support of the Association. The letter was received and filed.

A letter was read from County Legislator Ronald Bennett advising the Board of action taken at the January 8th session of the Legislature.

A letter was read from Marine Midland Bank advising the Board of an IRS ruling entitled "Revenue Procedure 80-55" and asking the Board to express their views on the matter to State and Federal officials and to request that this IRS ruling be rescinded immediately. Supervisor Zimmerman stated that yesterday at the Supervisor's and County Legislators Association meeting a resolution had been passed relative to this ruling and he requested that the Boston Town Board pass this resolution also and send a copy of it to State and Federal Officials.

RESOLUTION IRS RULING "REVENUE PROCEDURE 80-55"

A letter was read from the Boston Emergency Squad advising the Board of their officers for 1981.

A letter was received from the Boston Town Democratic Club requesting permission to use the Town Park on April 18, 1981 for the 20th Annual Easter Egg Hunt. A motion was made by Supervisor Zimmerman and seconded by Councilman Faulring granting permission for the Boston Democratic Club to use the Town Park on April 18, 1981 for their annual Easter Egg Hunt contingent on receipt by the Town Clerk of a Certificate of Insurance.

five (5) ayes

Carried

A letter was read from Karen Klinczar, Chairman of the Memorial Day Committee requesting use of the Town Park for a Memorial Day celebration. A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer granting permission to the Memorial Day Committee to use the Town Park on May 25, 1981.

five (5) ayes

Carried

A letter and voucher were received from Paul R. Guenther, 2772 South Creek Road, Hamburg for alleged damage to his truck which occurred on Enser Road in the Town of Boston. Supervisor Zimmerman directed that this claim be forwarded to our Insurance Carrier Jacob Hauck.

RESOLUTION - 1980-81 SNOW CONTRACTS

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski setting March 4, 1981 at 7:45 P. M. and March 18, 1981 at 8:15 P. M. for Public Hearings on 1981 Federal Revenue Sharing Funds in the amount of \$45,816.00 and interest earned on previous Revenue Sharing Funds in the amount of \$262.93.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer setting March 4, 1981 at 8:00 P. M. as a date to rescind Local Law #1, 1977 and to consider the adoption of Local Law, #1, 1981 on the issuance of permits within the Flood Plain.

five (5) ayes

Carried

Supervisor Zimmerman appointed Thomas Finger, 6558 Colonial Drive to the Recreation Advisory Committee. Term to expire December 31, 1981.

RESOLUTION - TOWN PROSECUTOR

A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer to cancel the February 18, 1981 Regular Town Board Meeting as members of the Town Board will be attending the Association of Towns Meeting in New York City and will not be returning until the 18th.

five (5) ayes

Carried.

Town Clerk Klein stated he had received a complaint from Linda Carney, Abbott Road relative to the site distance at Abbott Road and Route 277. Supervisor Zimmerman referred this matter to the Traffic Safety Committee and Chairman Samulski stated they would check it this weekend.

A motion was made by Councilman Faurling and seconded by Councilman Wohlhueter authorizing Tax Collector Klein to invest the tax collecting funds as approved by the State Legislature in 1980.

five (5) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer authorizing the Town Clerk to sign the Certificate of Deposit each month.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring granting permission to the Boston Lion's Club to use the Town Park the week of July 27th for setting up for the Octoberfest to be held July 31st and August 1st.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Samulski approving the installation of a street light as follows:

Homestead

Install 1 - 58-- lumen HPS Lamp	@\$48.00 ea	\$48.00
(P-4, L-2524 - Intersection of Endress		
	Total Annual Increase	\$48.00

five (5) ayes

Carried

Councilman Faulring stated that she had been asked to check into a street light at Eckhardt Road and Route 391, but had been advised this was in the Town of Hamburg. She stated she would also check into a light in front of Mrs. Webbers house which is on an old pole.

Councilman Wittmeyer stated that the Capital Improvements Committee had met with Bob Sweet of Orchard Park to look at plans for the new Highway Garage and will meet again on February 12, 1981. Councilman Wittmeyer further stated that in the meantime Highway Superintendent Kreitzbender will be able to design how he would like the inside laid out. Councilman Wittmeyer advised that the Capital Improvements Committee had also met with the Drainage Committee and would be working together closely with them in the North Boston Stadium project.

Councilman Wittmeyer stated that the June 14th Flag Day Celebration planned by the Lion's Club had been cancelled and they would be working with the Memorial Day Committee.

Councilman Samulski stated that the Cable TV Committee would be meeting at his house next week.

A letter was read from Edwards and Moncreiff to Thomas McDonald of the New York State Clearinghouse relative to the Feddick Road Waterline Extension in Water District #2.

A letter was read from Chief Strack of the Boston Police recommending the reinstatement

of Leo Stromecki as a Patrolman. Supervisor Zimmerman asked that this matter be tabled to the next meeting.

A letter of resignation was read from James Clementson as a member of the Boston Police Department. Supervisor Zimmerman directed Town Clerk Klein to send a letter to Mr. Clementson expressing regret over his resignation and thanking him for his service.

A letter was read from the Planning Board advising they had reviewed the Short Environmental Assessment Form for Valley Truck and Equipment Company, Inc. and recommended that a building permit be issued.

A letter was read from the Boston Planning Board recommending that the rezoning request of Nelson Burke, 7060 Boston Cross Road from R2 to R3 be granted. A motion was made by Supervisor Zimmerman and seconded by Councilman Faulring setting March 4, 1981 at 8:15 P. M. as the time and date for a Public Hearing to consider the request of Nelson Burke, 7060 Boston Cross Road to rezone his property from R-2 to R-3.

five (5) ayes

Carried

A letter was read from William Haag requesting that he not be reappointed to the Conservation Advisory Council. Supervisor Zimmerman directed Town Clerk Klein to send a letter to Mr. Haag thanking him for his ten years of service to the Town.

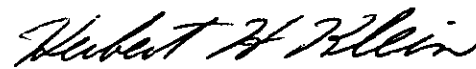
A letter of resignation was read from Harold Dodge as a member of the Conservation Advisory Council.

A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer appointing Reed Garver as a member of the Conservation Advisory Council. Term to expire December 15, 1983.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to adjourn at 8:32.



Herbert H. Klein
Town Clerk

At a Regular Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York on the 21st day of January, 1981 at 8:00 P. M., Eastern Standard Time, there were present

David Zimmerman	Supervisor
Milton Wittmeyer	Councilman
Esther Faulring	Councilman
Don Wohlhueter	Councilman
Alfred Samulski	Councilman

Councilman Samulski presented the following resolution and moved its adoption:

WHEREAS, the Town of Boston appointed Michael Perley as Deputy Town Attorney for the Town of Boston on January 7, 1981, and

WHEREAS, part of his duties consist of serving as a prosecutor for the Town of Boston.

NOW, THEREFORE, BE IT RESOLVED that Michael Perley is hereby authorized to prosecute on behalf of the Town of Boston all charges which would constitute a violation of the Penal Law or a traffic violation under the Vehicle and Traffic Law, and

FURTHER BE IT RESOLVED that a certified copy of this resolution be forwarded to the Erie County District Attorney.

Seconded by Councilman Wittmeyer and put to a vote which resulted as follows:

Supervisor Zimmerman	Voting	<u>aye</u>
Councilman Wittmeyer	Voting	<u>aye</u>
Councilman Faulring	Voting	<u>aye</u>
Councilman Wohlhueter	Voting	<u>aye</u>
Councilman Samulski	Voting	<u>aye</u>

AYES: 5 NOES: 0 ABSENT: 0


Herbert H. Klein, Town Clerk

At a Regular Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York on the 21st day of January, 1981 at 8:00 P. M., Eastern Standard Time, there were present

David Zimmerman	Supervisor
Milton Wittmeyer	Councilman
Esther Faulring	Councilman
Don Wohlhueter	Councilman
Alfred Samulski	Councilman

Supervisor Zimmerman presented the following resolution and moved its adoption:

WHEREAS, IRS Revenue Procedure 80-55 would force banks and lending institutions to lower the interest rate on negotiated time deposits secured by tax exempt obligations offered to local governments which would significantly disrupt cash flow projections of local government, and

WHEREAS, banks may purchase fewer tax exempt obligations because they can no longer deduct for tax purposes the interest they pay public depositors, and

WHEREAS, by purchasing fewer tax exempt obligations, banks would have less collateral and would reduce the amount of time deposits they would accept from local governments, and

WHEREAS, the cost to local governments and the tax payers of this state would be increased because of higher interest rates brought about by an anticipated drop in the number of interested purchasers of tax exempt obligations.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Boston, Erie County, New York, urges the IRS to withdraw Revenue Procedure 80-55 at the earliest possible date,

AND BE IT FURTHER RESOLVED, that copies of this Resolution be sent forthwith to Senators Moynihan and D'Amato and Congressmen Kemp, Nowak, LaFalce, Lundine and Conable requesting their support in the withdrawal of IRS Revenue Procedure 80.55.

Seconded by Councilman Samulski and put to a vote which resulted as follows:

Supervisor Zimmerman	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Faulring	Voting	aye
Councilman Wohlhueter	Voting	aye
Councilman Samulski	Voting	aye

AYES: 5 NOES: 0 ABSENT: 0

Herbert H. Klein
Herbert H. Klein, Town Clerk

At a Regular Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York on the 21st day of January, 1981, at 8:00 P. M., Eastern Standard Time, there were present

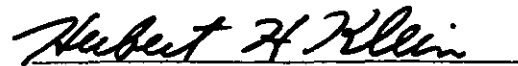
David Zimmerman	Supervisor
Milton Wittmeyer	Councilman
Esther Faulring	Councilman
Don Wohlhueter	Councilman
Alfred Samulski	Councilman

Councilman Wohlhueter presented the following resolution and moved its adoption:

BE IT RESOLVED, that the Town Board of the Town of Boston hereby authorizes the Supervisor to sign the 1980-81 Snow Removal Contract between the County of Erie and the Town of Boston.

Seconded by Councilman Wittmeyer and put to a vote which resulted as follows:

Supervisor Zimmerman	Voting	<u>Aye</u>		
Councilman Wittmeyer	Voting	<u>Aye</u>		
Councilman Faulring	Voting	<u>Aye</u>		
Councilman Wohlhueter	Voting	<u>Aye</u>		
Councilman Samulski	Voting	<u>Aye</u>		
AYES:	5	NOES:	0	ABSENT: 0


Herbert H. Klein
Town Clerk

Regular Meeting
February 4, 1981

7:30 P. M.
Town Hall

Present were Councilman Milton Wittmeyer, Councilman Esther Faulring, Councilman Don Wohlhueter, Councilman Alfred Samulski, Supervisor David Zimmerman and Highway Superintendent Clarence Kreitzbender. Town Attorney Maxwell arrived at 7:32 P. M.

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the minutes of the January 21, 1981 Regular Meeting be approved.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski that the Town Clerk's Monthly Report be accepted.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wittmeyer that the General Fund and Special District bills in the amount of \$6,872.08 be paid.

five (5) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Wohlhueter that the Highway Bills in the amount of \$13,396.86 be paid.

five (5) ayes

Carried

A Town of Colden public notice was received relative to a hearing to consider the opening of roads in the Town of Colden for snowmobile traffic. Supervisor Zimmerman referred this notice to the Traffic Safety Committee as he felt it might be looked at in the future as the Town of Boston might want to open up some of the roads.

A letter was read from the Association of Towns advising of their Annual Meeting in New York City February 15, 16, 17 and 18, 1981. A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer approving the attendance of Planning Board members Harold Dodge, Donald Genzel, and Charles R. Pettit, Councilman Esther Faulring, Councilman Alfred Samulski, Councilman Don A. Wohlhueter, Town Clerk Herbert Klein and Town Justice Robert W. Tills and that the officials be given up to a \$250.00 advance for approved expenses which includes \$30.00 a day for food.

five (5) ayes

Carried

A letter was read from the New York State Electric & Gas Corporation advising of a proposed increase in the Street Light rates. The letter was received and filed.

A letter was read from Legislator Ronald Bennett advising of action taken at the January 22nd session of the Legislature. The letter was received and filed.

A letter was read from the Town of Eden advising that they are seeking applications for a Cable Television franchise. The letter was received and filed.

Town Clerk Klein advised that he had received letters from Congressmen LaFalce and Conable acknowledging receipt of the Town's letter relative to the IRS Revenue Procedure 80-65. The letters were received and filed.

A letter was read from the New York State Department of Transportation approving the placement of a School Bus Stop Ahead sign at 7370 Boston State Road. Supervisor Zimmerman directed the Highway Superintendent to place the sign.

A notice was received from the Department of State advising that Local Law #2 had been received and filed.

Charles Decker requested the Town Board to find out if something could be done about the sanding on Route 219 from Rollin Drive to about 200' past the Post Office. He noted that there are eleven business driveways in that section and the road is a mess. Supervisor Zimmerman stated he would see what could be done.

Karen Kline asked the Board to check into the pedestrian crossing sign and the cross-walk on the highway that was proposed a few years ago. Supervisor Zimmerman stated this will be looked at again.

A letter was read from the North Boston Volunteer Fire Company requesting use of the Town Park on June 28, 1981 for a water ball competition. A motion was made by

Councilman Wittmeyer and seconded by Councilman Faulring granting permission to the North Boston Volunteer Fire Company to use the Town Park on June 28, 1981 contingent upon receipt by the Town Clerk of a Certificate of Insurance.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer to amend the 1981 Budget as follows:

AMEND 1981 BUDGET

DR 5110.4 - - - - - From \$75,000.00 to \$70,000.00

DR 5110 - - - - - Total change to \$110,700.00 from \$115,700.00

DR 9950.9 - - - - - From \$.00 to \$20,000.00

Total DR 9799 - - - - - \$20,000.00

DE 3521 - - - - - From \$7,290.00 to \$27,290.00 Total \$27,290.00

Change Front Page

Item 1 - - - - - Appropriations \$132,550.00 to \$127,550.00
Amount to be raised by taxes \$91,649.75
to \$86,649.75.

Improvements - - - - - Appropriations \$18,225.00 to \$38,225.00
Estimated Revenues \$7,290.00 to \$22,290.00
Amount to be raised by taxes \$10,935.00 to
\$15,935.00

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Samulski to reapprove the Agreement with Erie County to spend Item #1 Highway Funds as the amount for general repairs should be changed from \$132,550.00 to \$127,550.00 and the sum of \$20,000.00 for improvement of Town Highways under the Safer Roads Program should be added.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring changing the Federal Revenue Sharing Public Hearing date to April 1, 1981 at 8:00 P. M.

five (5) ayes

Carried

Mr. Jerry Powers, representative of the New York State Office of Mental Retardation and Developmental Disabilities spoke to the Town Board and assembled public on the States tentative plans to lease 6610 Rice Road as a community residence for eight retarded adults. He stated there would be twenty-four hour supervision for these people and there will be a process to see which clients at the Developmental Center are willing and able to live in a community setting. Mr. Powers stated these homes have been set up in other areas and they have had quite a bit of success in helping clients live in more of a homelike setting and are able to participate in community activities. Mr. Powers stated they were in the process of negotiating for the home at 6610 Rice Road.

Mr. Richard Sage asked if he understood correctly that these people were moved to a community to get them into the main stream of life and Mr. Powers stated yes. Mr. Sage then stated that he felt the location was semi-isolated and the people could not move into a community life as there were no shops or restaurants in the area. Mr. Powers stated these people will be going to the Boston Work Training Center during the day and they will have a van for

transportation for shopping, etc. He also noted they have opened a new home in Sardinia which is a rural setting and it is working well.

Mr. Powers stated at the other homes a Neighborhood Advisory Board has been set up and they look for neighbors, and Town leaders to serve on the Board and asked anyone interested in contact him.

Mr. John Koza asked what would happen if people do not want the home in their neighborhood. Mr. Powers stated that a process had been followed that the Town has been notified about the sites being looked at and if in forty (40) days there are objections they will meet and answer the objections. He noted that there have been no objections and John Koza asked how there could be objections when no one knew about it. Supervisor Zimmerman stated the town had been advised the State was looking for places in Boston and then advised that they were looking at a place on Back Creek Road and Rice Road and this was the extent of the correspondence.

Ken King expressed concern over the ravines in that area and asked if it was felt they could be supervised properly to prevent accidents. Mr. Powers advised the staff would be from seven to nine people working on shifts for twenty-four hour supervision and stated that the ravines would be checked for the possibility of putting up fences.

Concern was expressed by Mr. Fisher relative to the septic system and if it could handle the amount of people living in the house. Mr. Powers stated this would all be checked out by a state agency and he further noted that there would have to be renovation done to the house to make it a one family residence.

Councilman Wittmeyer asked if it was possible to meet with the neighbors and at that time maybe more facts on the septic system would be available. Mr. Powers stated that the Director of the Work Training Center had agreed to set up a meeting to show what their program involves and he, Mr. Powers, would then be able to report on the septic system.

Mr. and Mrs. Koza questioned why this house was chosen when there were much better places in Town.

Supervisor Zimmerman asked Mr. Powers to let him know when he had some word on the septic system and fencing for the ravine.

A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer directing the Town Clerk to advertise for bids for the Spring and Fall Trash Pickup with an alternate bid of the Spring Pickup only. Bids to be opened on March 4, 1981 at 8:30 P. M.

five (5) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Wohlhueter directing the Town Clerk to advertise for bids for Highway Supplies with bids to be opened on March 18, 1981 at 7:45 P. M.

five (5) ayes

Carried

The Supervisor's Monthly Report was received.

Supervisor Zimmerman stated he had received a letter from Mary Alice Tocke resigning as a member of the Recreation Advisory Committee.

Town Clerk Klein was directed to send Mrs. Tocke a letter thanking her for serving on the committee and to also advise Paul Becker, Chairman of the Committee of her resignation.

Supervisor Zimmerman stated that he had directed the Town Engineer to submit the plans and specs on the Water District #2 Feddick Road extension to him by February 18th, but there is no meeting on the 18th and he would like authorization to advertise for bids when he receives the plans. A motion was made by Councilman Samulski and seconded by Councilman Faulring authorizing Supervisor Zimmerman to advertise for bids for the Feddick Road Water District #2 extension as soon as he receives the plans and specifications.

five (5) ayes

Carried

Town Clerk Klein advised that he has received no response from the Trailer Court owners relative to the licensing fees. A motion was made by Supervisor

Zimmerman and seconded by Councilman Samulski directing Town Clerk Klein to send a second notice to the trailer court owners and advise them that legal steps will be taken if the fee is not received.

five (5) ayes

Carried

The Town Justice Monthly Financial Report was received.

Councilman Wohlhueter reported that the Drainage Committee had met and one of the items discussed was the Anthony Gulf area behind the Patchin Fire Hall and the Town is in the process of securing a permit from the Department of Environmental Conservation to do some work there. He advised he would know more about this at the March meeting.

Councilman Faulring asked Highway Superintendent Kreitzbender about the chipping of Christmas trees and he stated they would if the trees were brought to the rear of the Highway Garage.

Councilman Wittmeyer stated that the entire stretch of Route 219 is in bad shape and he has witness many near misses. He felt the County should be put on notice that we don't like the way it is being kept up and he also pointed out that he has seen a sander go through and then five minutes later a plow. Town Clerk Klein was directed to send a letter to County Executive Rutkowski with a copy to each of the Legislators appraising them of the situation.

Councilman Wittmeyer advised that the Capitals Improvement Committee would be meeting on February 12, 1981. He also advised that Bob Sweet of Orchard Park had measured the old Emergency Squad Building and he will have figures on what will have to be put in for a foundation.

Councilman Samulski stated he and Chief Strack had gone on Zimmerman Road and Chief Strack had pointed out a dangerous curve and Councilman Faulring has requested to check into the possibility of having a street light placed there.

Councilman Samulski stated that the Cable TV Committee has been meeting and a final report has been drawn up and mailed to Mr. Shaye for his review and then Mr. Shaye will return it. Councilman Samulski felt that in several weeks this report will be able to be turned over to the town.

The Police Department Monthly Report was received.

The Building Inspectors Monthly Report was received.

There was no Dog Warden Report.

A motion was made by Supervisor Zimmerman and seconded by Councilman Wohlhueter reappointing Leo Constantine as a member of the Planning Board. Term to expire February 1, 1988.

five (5) ayes

Carried

Supervisor Zimmerman advised that he had received a letter from the Erie county Health Department stating that gold could be tested for radiation at 5444 Camp Road.

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to adjourn at 8:36 P. M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

Regular Meeting
March 4, 1981

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman Esther Faulring, Councilman Don A. Wohlhueter, Councilman Alfred Samulski, Supervisor David Zimmerman, Town Attorney Charles Maxwell and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski that the minutes of the February 4, 1981 meeting be approved.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the Town Clerk's Monthly Report be accepted.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wittmeyer that the General Fund and Special District Bills in the amount of \$29,272.65 be paid.

five (5) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Wohlhueter that the Highway Bills in the amount of \$19,574.40 be paid.

five (5) ayes

Carried

A letter and copy of the Agreement for the Expenditure of Highway Moneys made between Highway Superintendent Kreitzbender and the Boston Town Board and approved by the Deputy Commissioner of Highways was received from Erie County. The letter and Agreement were received and filed.

A Notice of Public Hearing was received from the Erie County Legislature relative to the Eden-Agricultural Districts. A motion was made by Supervisor Zimmerman and seconded by Councilman Samulski that the Boston Town Board favors the Eden Agricultural Districts.

five (5) ayes

Carried

A letter was read from Legislator Ronald Bennett advising the Board of action taken at the February 5th and 19th sessions of the Erie County Legislature. The letter was received and filed.

A letter was read from the Internal Revenue Service relative to a letter sent expressing concern over the passage of IRS Procedure 80-55. Letters were also read from Senator D'Amato, Senator Moynihan and Congressman Nowak acknowledging receipt of the Town Board's letter. The letters were received and filed.

A letter was read from the New York State Department of Transportation in regard to the Safer Off Systems Program. The letter was received and filed.

A letter was read from the New York State Electric & Gas advising the Town Board of the following changes in Street Lighting.

Installed
10-25500

Std. 1,2,3,4,5,6,7,8,9,10
(Rt. 391, Boston State Road)

A letter was read from Dr. Joseph Wincenc, Lower East Hill Road expressing gratitude to the Boston Highway Department for the help extended him following a snowstorm.

A letter of Intent on Water District #2 was received from the New York State Department of Health.

A letter was received from the New York State Comptroller's Office advising that they have received and filed Local Law #1 of 1980 - Noise Ordinance.

Mr. Obad of Woodland Drive asked the Town Board for assistance in solving a drainage problem in his area. It was noted the water runs off Abbott Road and the Powerline and makes the back yards on Woodland wet most of the time. There was discussion relative to this problem and Town Attorney Maxwell pointed out that the Town cannot do work on private property. Building Inspector Decker stated

that the Drainage Committee would be making a tour on Thursday, March 5, 1981 and they would check this area and report back to the Board.

At 7:45 P. M. a Public Hearing was held to receive written and/or oral comments from citizens of Boston on the use of approximately \$45,816.00 in Federal Revenue Sharing Funds and \$262.93 in Federal Revenue Sharing unexpended fund balance. The Legal Notice was read by the Town Clerk. Town Clerk Klein advised that he had sent a letter to the Senior Citizens advising them of this hearing. A letter was read from the Drainage Committee requesting a \$10,000.00 allocation of Revenue Sharing Funds for Drainage Studies and remedial work. Councilman Wohlhueter stated the Citizens Advisory Council would be submitting a letter also requesting this amount for Drainage Studies. Reed Garver stated in keeping with the Presidents budget cuts we should return the money and not use it.

Karen Klinczar asked what Revenue Sharing money could be used for and Supervisor Zimmerman stated almost anything. Karen then suggested that she should like to see some of it used for the restoration of the old Emergency Squad Building and also the amphitheatre that they would like to construct.

Town Clerk Klein advised that he would like to see a back hoe purchased for the highway tractor and used to clean out ditches.

Councilman Wittmeyer suggested that the money be used to put a hydrant near the Emergency Squad Building, help pay to move the old emergency squad building and also pay for a parking lot which would be located near the Lion's shelter.

Councilman Wohlhueter suggested that as the new sewer district will be replacing the Town Sewer Districts some of the money might be used to fill in the ponds.

Supervisor Zimmerman stated that in the past some of the money has been used to pay for a highway truck and there is still a bond on one truck that the Revenue Sharing could be used for. He further stated that he had received a letter from the FHA advising there would be no loan on Water District #2 extension and some of the money could be used for that.

A motion was made by Councilman Wittmeyer and seconded by Councilman Faurling to close the Public Hearing.

five (5) ayes

Carried

Supervisor Zimmerman stated that at the March 18, 1981 meeting the Board will announce where they have decided to use the funds and another Public Hearing will be held on April 1, 1981 at 8:00 P. M.

Karen Klinczar asked if the Mutual Aid Snow Contracts mentioned in Legislator Bennett's letter were for the 1980-81 snow season and if this service had been used this year. Supervisor Zimmerman advised they were for this year and Highway Superintendent Kreitzbender stated no this service had not been used.

Karen Klinczar stated she was under the impression that the Eden Agricultural Districts had been enlarged and Supervisor Zimmerman stated that the one that concerns Boston, the Eden-Boston District has remained the same in the Town of Boston.

Karen Klinczar asked what alternatives there were for funding on the Water District #2 extension in view of the letter from the FHA denying the request for funds. Supervisor Zimmerman stated a loan would have to be applied for at a bank or individuals who would loan money.

An application and a check for \$1,000.00 was received from Stanley Czesak, owner of the Sprague Trailer Park. A motion was made by Councilman Wohlhueter and seconded by Councilman Faurling to approve the issuance of a 1981 Trailer Park License to the Sprague Trailer Park for 40 spaces.

five (5) ayes

Carried

A letter was read from Paul V. McCarthy, Insurance and Tax Manager of the Calspan Corporation requesting a renewal of their trailer permit. A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski to renew

LEGAL NOTICE

TOWN OF BOSTON

Notice is hereby given to the Citizens of the Town of Boston that the Boston Town Board will hold a Public Hearing on Wednesday, March 4, 1981 at 7:45 P.M.; Eastern Standard Time, at the Boston Town Hall, 8500 Boston State Road, Boston, New York to receive written and/or oral comments from the citizens of Boston on the use of approximately \$45,816.00 in Federal Revenue Sharing Funds expected to be received during Entitlement Period 12, October 1, 1980 to September 30, 1981 and \$262.93 in Federal Revenue Sharing unexpended fund balance.

At this hearing, at the time and place above noted, all interested persons will be given the opportunity to be heard.

Herbert H. Klein

Town Clerk

Town of Boston

Dated: January 29, 1981

the trailer permit of Calspan Corporation on the Oscar Rabus property, Boston, New York for a period from June 1, 1981 to May 31, 1982 under the conditions as previously granted.

five (5) ayes

Carried

At 8:00 P. M. a Public Hearing was held to consider the adoption of Local Law Number 1-1981 - Flood Hazard areas. The Legal Notice was read by the Town Clerk. Supervisor Zimmerman stated this is a revision to the one we already have and we have been asked to incorporate Federal standards. Town Attorney Maxwell stated that the original law was adopted four years ago and the Federal Government has adopted new regulations. He stated he and Town Clerk Klein had reviewed the new regulations and our ordinance and as there were a number of changes it was decided the easiest way was to repeal the existing Local Law and adopt a new one which has been approved by the Federal authorities. Town Attorney Maxwell stated that this must be adopted to conform with Federal Regulations to allow people to purchase Flood Insurance. He stated the channel for the Flood Plain has been considerably narrowed from what it originally was four or five years ago. He stated anyone in Town is eligible for Flood Insurance.

LEGAL NOTICE
TOWN OF BOSTON
NOTICE IS HEREBY GIVEN that there has been presented to the Town Board, Town of Boston, Erie County, New York on January 14, 1981, a copy of Local Law Number 1 of the year 1981, entitled A Local Law requiring development permits for any development activity involving any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, dredging, filling, grading, paving, excavation and drilling, within the areas designated as special flood hazard areas within the Town of Boston. Included in this proposed Local

Law is the repeal of Local Law Number 1 of the year 1977 adopted May 4, 1977, entitled 'A Local Law requiring development permits for any development activity involving any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, dredging, filling, grading, paving, excavation and drilling, within the areas designated as special flood hazard areas within the Town of Boston.'

NOTICE IS FURTHER GIVEN that the Town Board of the Town of Boston will conduct a public hearing on the aforesaid proposed Local Law at the Boston Town Hall, 8500 Boston State Road, Boston, New York, on Wednesday, March 4, 1981, at 8:00 p.m. Eastern Standard Time.

At this hearing, at the time and place noted, all interested parties will be heard for or against said petition.

Herbert H. Klein
Town Clerk
Town of Boston

2-6

Dated: January 30, 1981

Town Clerk Klein stated that on Page 6 there is a date of March, 1981 and this is the date to use now although it might have to be amended in the future. He noted we are one of the first communities to be on this accelerated program to adopt the flood plain. He advised that this is part of Congressman Kemp's District and he is the one that put the push on last fall to get this approved.

Karen Klineczar asked if the only major change was making the channel smaller and Town Attorney Maxwell stated yes and there is new terminology and specifications on building also. He stated that the new channel has been mapped and there are accurate elevation points. Karen asked what this meant to homeowners in the old Flood Plain and Town Attorney Maxwell stated they are not involved as to any limitations on their construction if they are not in the new band. She asked if they could get Flood Insurance and it was pointed out that anyone in Boston can get Flood Insurance. Councilman Wohlhueter stated that as the flood boundaries have been changed there are no existing buildings in the flood plain area. Supervisor Zimmerman pointed out that in the old Flood Plain Moore's Gas Station was in the Flood Plain, but under the new one it is at the creek.

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter to close the Public Hearing.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski to adopt Local Law Number 1 of 1981 - Flood Hazard Areas.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Wohlhueter to make the following correction:

Abstract #2 February 4, 1981
From A3120.4 to A5132.4

Voucher #71

Voucher 84C	From A7310.1	\$86.51
	To A7310.1	\$78.00
	A7310.4	\$ 8.51

five (5) ayes

Carried

A copy of a letter from the Erie County Water Authority to Glenn J. Snyder, Herman Hill Road relative to tapping into Woodlee Court water line was received. Town Clerk Klein stated he had received a call from Mr. Andrysiak asking that the Town Board try to use their influence to get the Water Authority to change their opinion.

He stated that if they don't there is a Water Authority Board meeting next Tuesday and if there is any information by then Mr. Andrysiak would like to know. Supervisor Zimmerman asked Town Attorney Maxwell if he would look into this. He stated he would contact the Water Authority Attorney about this case. He further stated it would be a good idea to get a picture and Town Clerk Klein stated he would take the picture.

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter authorizing all fireman in the Town of Boston to attend funerals and to advise the three fire companies that they are to also pass this resolution in their own meetings.

five (5) ayes

Carried

At 8:15 P. M. a Public Hearing was held to consider the rezoning application of Nelson Burke, 7060 Boston Cross Road. The Legal Notice was read by the Town Clerk. A letter was read from the Planning Board recommending this rezoning be approved. Town Clerk Klein advised he had sent letters to all the immediate property owners in the rezoning area. He further advised that a Referral had been sent to the County and had been returned marked no recommendation.

Councilman Samulski asked Mr. Burke if he was going along with the sketch that had been presented and he stated yes.

Karen Klinczar asked for an explanation of the Planning Board's letter and it was explained that if and when the Master Plan is accepted it would not be necessary to apply for a rezoning in the area as the zoning in this area under the proposed master plan would allow for two family dwellings by approval of the Town Board in granting a special exception.

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to close the Public Hearing.

five (5) ayes

Carried

Town Attorney Maxwell stated that the rezoning would have to be published after it was adopted and then anyone would have thirty (30) days to challenge the rezoning. He recommended that a Building Permit not be issued until this thirty (30) day period is past.

A motion was made by Councilman Faulring and seconded by Supervisor Zimmerman to rezone the Nelson Burke property at 7060 Boston Cross Road from R-2 to R-3.

five (5) ayes

Carried

The Supervisor's Monthly Financial Report was received.

Supervisor Zimmerman advised that he had received a letter from the FHA advising that there was no money available for a loan for the extension of Water District #2. Supervisor Zimmerman stated that as authorized at the February 4, 1981 meeting, he would like to set a date of April 9, 1981 at 4:00 P. M. for the opening of bids for the extension of lines in Water District #2.

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer setting April 2, 1981 at 4:00 P. M. to open bids for a new four (4) wheel drive pickup truck for the Dog Control Officer.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer appointing Mary Alice Tocke to the Conservation Advisory Council. Term to expire December 15, 1982.

five (5) ayes

Carried

Supervisor Zimmerman asked for a resolution to establish the Southtown Solid Waste Management Board and stated their goal is to find a plan that would solve most of the Southtown solid waste problems. He stated that the only enumeration it might cost would be up to \$500.00 per year for necessary expenses. A motion was made

LEGAL NOTICE
TOWN OF BOSTON
AMENDMENT TO ZONING ORDINANCE AND ZONING MAP OF THE TOWN OF BOSTON
NOTICE IS HEREBY GIVEN that the Town Board of the Town of Boston, Erie County, New York, will hold a Public Hearing on the 4th day of March, 1981 at 8:15 p.m., Eastern Standard Time in the Boston Town Hall, 8500 Boston State Road, Boston, New York, on the petition and request of Nelson L. Burke to rezone the following described property at 7060 Boston Cross Road which is presently zoned Residence R-2 to Residence R-3 under the Zoning Ordinance of the Town of Boston, said property being described as follows:
ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Boston, County of Erie, and State of New York, being part of the southeast part of the north half of Lot Number two (2), Township eight (8), Range seven (7) of the Holland Land Company's Survey as recorded in the Erie County Clerk's Office in Liber 1088 of deeds at page 462, bounded and described as follows:
BEGINNING at a point in the center line of the Boston Cross Road which is five hundred fifty-seven and three tenths (557.3) feet more or less westerly from the center line of the Buffalo and Susquehanna Railway lands measured along the center line of the above mentioned Boston Cross Road; thence south one hundred sixty-five (165) feet along the east line of petitioner's lands; thence west three hundred forty-five and eight hundredths (345.80) feet to the south west corner of petitioner's lands; thence north one hundred sixty-five (165) feet along the west line of the petitioner's lands to the center line of the Boston Cross Road; thence east three hundred forty-five (345) feet along the center line of the above mentioned road to the point of beginning, containing one and forty hundredths (1.40) acres of land to be the same more or less. Excepting that part of above premises lying within the highway known as Boston Cross Road.
At this hearing, at the time and place noted all interested parties will be heard for or against said petition.
Herbert H. Klein
Town Clerk
Town of Boston
2-5 Dated: January 30, 1981

by Councilman Wohlhueter and seconded by Councilman Samulski authorizing the Supervisor to enter into an agreement with the Southtowns Solid Waste group.

five (5) ayes

Carried

Supervisor Zimmerman stated that a Public Hearing would be held at the Erie County Legislature Chamber on Tuesday, March 10, 1980 at 1:30 P. M. relative to All Sports Betting.

Town Clerk Klein read a letter he had sent the County relative to County Roads. A letter was read from Legislator Paxon acknowledging receipt of this letter.

The Tax Collectors Monthly Report was received.

At 8:30 P. M. bids were opened for the 1981 Spring and Fall Trash Pickup. The Legal Notice was read by the Town Clerk.

CID Refuse
Box 152
Hamburg, New York 14075

Non Collusive Bidding Certificate Signed

Spring & Fall Pickup	\$10,103.70
Spring Pickup Only	6,028.44

* * * * *

Southtowns Sanitation Service
Box 1957
Blasdell, New York 14219

Non Collusive Bidding Certificate Signed

Spring & Fall Pickup	\$12,249.00
Spring Pickup Only	6,458.90

* * * * *

The awarding of a bid was tabled to the March 18, 1981 meeting.

The Town Justice Monthly Report was received.

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer setting a Public Hearing for April 1, 1981 at 8:15 P. M. to amend Local Law #1 of 1979 - Games of Chance and to add a provision of repeal.

five (5) ayes

Carried

Councilman Wohlhueter advised the Board that the Drainage Committee had held their meeting and had discussed drainage problems in Town.

A motion was made by Councilman Faulring and seconded by Councilman Samulski approving the placement of the following Street Light:

1 - 8500 Lumen HPS Lamp @ \$58.00 Pole 12, Line 1657
and the removal of a Street Light on Route 219 near the expressway which is on an old pole and close to a new street light.

five (5) ayes

Carried

Councilman Faulring asked Councilman Samulski, Chairman of the Traffic Safety Committee to check the area of Rollin Drive as she felt it was dark in that area which caused the accidents of late. Councilman Samulski stated he would check this and report back.

Councilman Wittmeyer stated the Capital Improvements Committee would be meeting on March 12, 1981 and he felt that they would be moving the Old Emergency Squad Building the early part of summer.

Councilman Wittmeyer stated that Kay Yoerk, Herman Hill Road had talked to him about the creek behind her house and asked the Drainage Committee to look into it.

Councilman Samulski stated he had sent a letter to the New York State Department of Transportation relative to cross walks on Route 219 at the Town Park.

A motion was made by Supervisor Zimmerman and seconded by Councilman Wohlhueter

LEGAL NOTICE

NOTICE TO BIDDERS TOWN OF BOSTON

Notice is hereby given that the Town Board of the Town of Boston will receive and sealed bids are requested for the Pickup and Removal of Trash within the Town of Boston in accordance with the specifications which are on file and can be obtained from Herbert H. Klein, Town Clerk, Town of Boston, 8500 Boston State Road, Boston, New York.

Sealed and marked Pickup and Removal of Trash are to be submitted to Herbert H. Klein, Town Clerk of the Town of Boston, 8500 Boston State Road, Boston, New York not later than March 4, 1981 at 8:30 P.M., E.S.T. at which time all bids will be publicly opened by the Town Board at the Boston Town Hall, 8500 Boston State Road, Boston, New York.

A statement of Non-collusion must accompany the bid.

The Town Board hereby reserves the right to reject any and all bids and waive any informalities and to accept the bid they consider to be in the best interest of the Town of Boston.

By order of the Town Board of the Town of Boston, Erie County.

Dated: February 6, 1981

Herbert H. Klein
Town Clerk
Town of Boston

appointing Leo Stromecki as a Constable of the Town of Boston. Term to expire December 31, 1981.

five (5) ayes

Carried

The Boston Police Department Monthly Report was received.

The Building Inspector's Monthly Report was received.

The Dog Control Officers Monthly Report was received.

The Planning Board's Annual Report was received.

A letter of resignation was read from Benjamin Randle as a member of the Planning Board. Supervisor Zimmerman directed Town Clerk Klein to send a letter of appreciation to Mr. Randle for his service to the Town.

A letter of resignation was read from John Hinkey as a member of the Conservation Advisory Council. Supervisor Zimmerman directed Town Clerk Klein to send a letter to John in appreciation of past service.

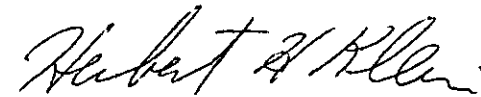
A motion was made by Supervisor Zimmerman and seconded by Councilman Samulski approving the attendance of Building Inspector Decker to a Building Code Seminar at Penfield, New York March 17, 24, 31 and April 7 and also the Finger Lake Building Officials School at a date yet to be determined.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Faulring to adjourn at 8:50 P. M. in memory of Mrs. Alwina Pfitzinger.

RESOLUTION



Herbert H. Klein
Town Clerk

TOWN OF BOSTON

ERIE COUNTY, NEW YORK

LOCAL LAW NO. 1 OF THE YEAR 1981

ADOPTED MARCH 4, 1981

A LOCAL LAW REQUIRING DEVELOPMENT PERMITS FOR ANY DEVELOPMENT ACTIVITY INVOLVING ANY MAN-MADE CHANGE TO IMPROVED OR UNIMPROVED REAL ESTATE, INCLUDING BUT NOT LIMITED TO BUILDINGS OR OTHER STRUCTURES, DREDGING, FILLING, GRADING, PAVING, EXCAVATION AND DRILLING, WITHIN THE AREAS DESIGNATED AS SPECIAL FLOOD HAZARD AREAS WITHIN THE TOWN OF BOSTON.

SECTION 1.0 - Statutory Authorization, Findings of Fact, Purpose and Objectives

1.1 STATUTORY AUTHORIZATION

The Legislature of the State of New York has delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Town Board of the Town of Boston, State of New York does ordain as follows:

1.2 FINDINGS OF FACT

(1) The flood hazard areas of the Town of Boston are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

(2) These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazards which increased flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

1.3 STATEMENT OF PURPOSE

It is the purpose of this Local Law to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- (1) To protect human life and health;
- (2) To minimize expenditure of public money for costly flood control projects;

- (3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) To minimize prolonged business interruptions;
- (5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
- (6) To help maintain a stable tax base by providing for the second use and development of areas of special flood hazard so as to minimize future flood blight areas;
- (7) To insure that potential buyers are notified that property is in an area of special flood hazard; and,
- (8) To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

1.4 METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this Local Law includes methods and provisions for:

- (1) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- (2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- (4) Controlling filling, grading, dredging, and other development which may increase flood damage; and,
- (5) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

SECTION 2.0 - DEFINITIONS

Unless specifically defined below, words or phrases used in this Local Law shall be interpreted so as to give them the meaning they have in common useage and to give this Local Law its most reasonable application.

"APPEAL" means a request for a review of the Building Inspector's interpretation of any provision of this ordinance or a request for a variance.

"AREA OF SHALLOW FLOODING" means a designated A0 Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident.

"AREA OF SPECIAL FLOOD HAZARD" means the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year.

"BASE FLOOD" means the flood having a one percent chance of being equalled or exceeded in any given year.

"DEVELOPMENT" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.

"EXISTING MOBILE HOME PARK OR MOBILE HOME SUBDIVISION" means a parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale for which the construction of facilities for servicing the lot on which the mobile home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed before the effective date of this ordinance.

"EXPANSION TO AN EXISTING MOBILE HOME PARK OR MOBILE HOME SUBDIVISION" means the preparation of additional sites by the construction of facilities for servicing the lots on which the mobile homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete or the construction of streets).

"FLOOD" OR "FLOODING" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters and/or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

"FLOOD INSURANCE RATE MAP" (FIRM) means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

"FLOOD INSURANCE STUDY" means the official report provided in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Boundary-Floodway Map and the water surface elevation of the base flood.

"FLOODWAY" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

"HABITABLE FLOOR" means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a "habitable floor."

"MOBILE HOME" means a structure that is transportable in one or more sections, built on a permanent chassis, and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers.

"NEW CONSTRUCTION" means structures for which the "start of construction" commenced on or after the effective date of this Local Law.

"NEW MOBILE HOME PARK OR MOBILE HOME SUBDIVISION" means a parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale for which the construction of facilities for servicing the lot (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed on or after the effective date of this Local Law.

"START OF CONSTRUCTION" means the first placement of permanent construction of a structure (other than a mobile home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as

dwelling units or not as part of the main structure. For a structure (other than a mobile home) without a basement or poured footings, the "start of construction" included the first permanent framing or assembly of the structure or any part thereof on its piling or foundation. For mobile homes not within a mobile home park or mobile home subdivision, "start of construction" means the affixing of the mobile home to its permanent site. For mobile homes within mobile home parks or mobile home subdivisions, "start of construction" is the date on which the construction of facilities for servicing the site on which the mobile home is to be affixed (including, at a minimum, the construction of streets, either final site grading or the pouring of concrete pads, and installation of utilities) is completed.

"STRUCTURE" means a walled and roofed building, a mobile home, or a gas or liquid storage tank, that is principally above ground.

"SUBSTANTIAL IMPROVEMENT" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

- (1) before the improvement or repair is started, or
- (2) if the structure has been damaged and is being restored, before the damage occurred.

For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either:

- (1) any project for improvement of a structure to comply with existing State or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or
- (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

"VARIANCE" means a grant of relief from the requirements of this Local Law which permits construction in a manner that would otherwise be prohibited by this Local Law.

SECTION 3.0 - GENERAL PROVISIONS

3.1 LANDS TO WHICH THIS LOCAL LAW APPLIES

This Local Law shall apply to all areas of special flood hazards within the jurisdiction of the Town of Boston.

3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for the Town of Boston" dated March , 1981, with accompanying Flood Insurance Rate Maps and Flood Boundary-Floodway Maps is hereby adopted by reference and declared to be a part of this Local Law. The Flood Insurance Study is on file at the Boston Town Hall, 8500 Boston State Road, Boston, New York.

3.3 PENALTIES FOR NONCOMPLIANCE

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this Local Law and other applicable regulations. Violation of the provisions of this Local Law by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a violation. Any person who violates this Local Law or fails to comply with any of its requirements shall upon conviction thereof be fined not more than Two Hundred Fifty Dollars (\$250.00) or imprisoned for not more than fifteen (15) days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the Town of Boston from taking such other lawful action as is necessary to prevent or remedy any violation.

3.4 ABROGATION AND GREATER RESTRICTIONS

This Local Law is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Local Law and other Local Law, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

3.5 INTERPRETATION

In the interpretation and application of this Local Law, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the governing body; and,
- (3) Deemed neither to limit nor repeal any other powers granted under State statutes.

3.6 WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this Local Law is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Local Law does not imply that land outside the area of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This Local Law shall not create liability on the part of the Town of Boston, any officer or employee thereof or the Federal Insurance Administration, for any flood damages that result from reliance on this Local Law or any administrative decision lawfully made thereunder.

SECTION 4.0 - ADMINISTRATION

4.1 ESTABLISHMENT OF DEVELOPMENT PERMIT

A Development Permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 3.2. Application for a Development Permit shall be made on forms furnished by the Building Inspector and may include, but not be limited to; plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing.

Specifically, the following information is required:

- (1) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
- (2) Elevation in relation to mean sea level to which any structure has been floodproofed;

(3) Certification by a registered professional engineer or architect that the floodproofing methods for any non residential structure meet the floodproofing criteria in Section 5.2-2; and

(4) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

4.2 DESIGNATION OF THE ADMINISTRATOR

The Building Inspector is hereby appointed to administer and implement this Local Law by granting or denying development permit applications in accordance with its provisions.

4.3 DUTIES AND RESPONSIBILITIES OF THE

Duties of the Building Inspector shall include, but not be limited to:

4.3-1 PERMIT REVIEW

(1) Review all development permits to determine that the permit requirements of this Local Law have been satisfied.

(2) Review all development permits to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required.

(3) Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of Section 5.3(1) are met.

4.3-2 USE OF OTHER BASE FLOOD DATA

When base flood elevation data has not been provided in accordance with Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the Building Inspector shall obtain, review, and reasonably utilize any base flood elevation data available from a Federal, State or other source, in order to administer Sections 5.2-1, SPECIFIC STANDARDS, Residential Construction, and 5.2-2, SPECIFIC STANDARDS, Nonresidential Construction.

4.3-3 INFORMATION TO BE OBTAINED AND MAINTAINED

(1) Obtain and record the actual elevation (in relation to mean sea level) of the lowest habitable floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a

basement.

(2) For all new substantially improved floodproofed structures:

- (i) verify and record the actual elevation (in relation to mean sea level; and
- (ii) maintain the floodproofing certifications required in Section 4.1(3).

(3) Maintain for public inspection all records pertaining to the provisions of this Local Law.

4.3-4 ALTERATION OF WATERCOURSES

(1) Notify adjacent communities and the Department of Environmental Conservation prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.

(2) Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

4.3-5 INTERPRETATION OF FIRM BOUNDARIES

Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 4.4.

4.4 VARIANCE PROCEDURE

4.4-1 APPEAL BOARD

(1) The Zoning Board of Appeals as established by the Town of Boston shall hear and decide appeals and requests for variances from the requirements of this Local Law.

(2) The Zoning Board of Appeals shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Building Inspector in the enforcement or administration of this Local Law.

(3) Those aggrieved by the decision of the Zoning Board of Appeals, or any taxpayer, may appeal such decision to the Supreme Court, as provided by law.

(4) In passing upon such applications, the Zoning Board of Appeals shall consider all technical evaluations, all relevant factors, standards specified in other sections of this Local Law, and:

(i) the danger that materials may be swept onto other lands to the injury of others;

(ii) the danger of life and property due to flooding or erosion damage;

(iii) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

(iv) the importance of the services provided by the proposed facility to the community;

(v) the necessity to the facility of a waterfront location, where applicable;

(vi) the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

(vii) the compatibility of the proposed use with existing and anticipated development;

(viii) the relationship of the proposed use to the comprehensive plan and flood plain management program of that area;

(ix) the safety of access to the property in times of flood for ordinary and emergency vehicles;

(x) the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and

(xi) the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

(5) Upon consideration of the factors of Section 4.4-1(4) and the purposes of this Local Law, the Zoning Board of Appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Local Law.

(6) The Building Inspector shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request.

4.4.2 CONDITIONS FOR VARIANCES

(1) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (i-xi) in Section 4.4-1(4) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

(2) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this section.

(3) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(4) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(5) Variances shall only be issued upon:

(i) a showing of good and sufficient cause;

(ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant; and

(iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in Section 4.4-1(4), or conflict with existing local laws or ordinances.

(6) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

SECTION 5.0 PROVISIONS FOR FLOOD HAZARD REDUCTION

5.1 GENERAL STANDARDS

In all areas of special flood hazards the following standards are required:

5.1-1 ANCHORING

(1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

(2) All mobile homes shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. Special requirements shall be that:

(i) over-the-top ties be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations, with mobile homes less than 50 feet long requiring one additional tie per side;

(ii) frame ties be provided at each corner of the home with five additional ties per side at intermediate points, with mobile homes less than 50 feet long requiring four additional ties per side;

(iii) all components of the anchoring system be capable of carrying a force of 4,800 pounds; and,

(iv) any additions to the mobile home be similarly anchored.

5.1-2 CONSTRUCTION MATERIALS AND METHODS

(1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

(2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

5.1-3 UTILITIES

- (1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters in the system;
- (2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration flood waters into the systems and discharge from the systems into flood waters; and
- (3) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

5.1-4 SUBDIVISION PROPOSALS

- (1) All subdivision proposals shall be consistent with the need to minimize flood damage;
- (2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- (3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and,
- (4) Base flood elevation data shall be provided for subdivision proposals and other proposed development which contain at least 50 lots or 5 acres (whichever is less).

5.2 SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data have been provided as set forth in Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or in Section 4.3-2, Use of Other Base Flood Data, the following standards are required:

5.2-1 RESIDENTIAL CONSTRUCTION

New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above base flood elevation.

5.2-2 NONRESIDENTIAL CONSTRUCTION

New construction and substantial improvement of any commercial, industrial or other non residential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

- (1) be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;

(2) have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and

(3) be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the official as set forth in Section 4.3-3(2).

5.2-3 MOBILE HOMES

(1) Mobile homes shall be anchored in accordance with Section 5.1-1(2).

(2) For new mobile home parks and mobile home subdivisions; for expansions to existing mobile home parks and mobile home subdivisions; for existing mobile home parks and mobile home subdivisions where the repair, reconstruction or improvement of the streets, utilities and pads equals or exceeds 50 percent of value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced; and for mobile homes not placed in a mobile home park or mobile home subdivision, require that:

(i) stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood level;

(ii) adequate surface drainage and access for a hauler are provided; and

(iii) in the instance of elevation on pilings, that:

-lots are large enough to permit steps,

-piling foundations are placed in stable soil no more than ten feet apart, and

-reinforcement is provided for pilings more than six feet above the ground level.

(3) No mobile home shall be placed in a floodway, except in an existing mobile home park or an existing mobile home subdivision.

5.3 FLOODWAYS

Located within areas of special flood hazard established in Section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

(1) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless a technical evaluation demonstrates that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

(2) If Section 5.3(1) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 5.0 PROVISIONS FOR FLOOD HAZARD REDUCTION.

(3) Prohibit the placement of any mobile homes, except in an existing mobile home park or existing mobile home subdivision.

6.1 REPEAL OF PRIOR FLOOD PLAIN LOCAL LAW

The adoption of this Local Law shall supersede and repeal in full the provisions of a prior Local Law designated as Local Law Number 1 of the year 1977.

I, HERBERT H. KLEIN, TOWN CLERK of the Town of Boston, Erie County, New York, DO HEREBY CERTIFY: I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town of Boston, New York including the resolution contained therein, held on the March 4, 1981 with the original thereof on file in my office and that the same is a true and correct copy therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 6th day of March, 1981.

Herbert H. Klein, Town Clerk

SEAL

At a Regular Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York on the 4th day of March, 1981, at 7:30 P. M., Eastern Standard Time, there were present

David Zimmerman	Supervisor
Milton Wittmeyer	Councilman
Esther Faurling	Councilman
Don Wohlhueter	Councilman
Alfred Samulski	Councilman

Supervisor Zimmerman presented the following resolution and moved its adoption:

WHEREAS, Alwina Pelzer Pfitzinger was born on April 27, 1981, and

WHEREAS, Mrs. Pfitzinger was called Grandma by all those who knew her, and

WHEREAS, the Town Board of the Town of Boston was honored to proclaim the month of April 1978 as Grandma Pfitzinger month in the Town of Boston in honor of her 100th birthday, and

WHEREAS, Grandma Pfitzinger had the distinction of being the oldest resident of the Town of Boston, and

WHEREAS, Mrs. Pfitzinger's life style, devotion to God and her church and faith in humanity is a goal for all to achieve, and

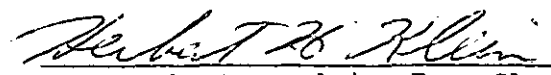
WHEREAS, God in his infinite wisdom called her home on February 10, 1981.

NOW, THEREFORE BE IT RESOLVED, that the Boston Town Board adjourn this Board meeting in memory of Alwina Pelzer Pfitzinger for the love and richness of life that she gave to all those who knew her, and

FURTHER BE IT RESOLVED, that a copy of this resolution be forwarded to her family expressing the Town's sincere sympathy.

Seconded by Councilman Faulring and duly put to a vote which resulted as follows:

Supervisor Zimmerman	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Faulring	Voting	aye
Councilman Wohlhueter	Voting	aye
Councilman Samulski	Voting	aye


Herbert H. Klein, Town Clerk

Regular Meeting
March 18, 1981

Town Hall
8:00 P.M.

Present were Councilman Milton Wittmeyer, Councilman Esther Faulring, Councilman Don Wohlhueter, Councilman Alfred Samulski, Supervisor David Zimmerman, Town Attorney Charles Maxwell and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer that the minutes of the March 4, 1981 meeting be approved.

five (5) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Faulring that the General Fund and Special District Bills in the amount of \$3,753.08 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the Highway Bills in the amount of \$4,640.40 be paid.

five (5) ayes

Carried

A notice was received from the Department of State advising they had received and filed Local Law #1 of 1981 - Flood Plain Ordinance. The notice was received and filed.

A letter was read from the In Home Support Service Corporation of Western New York giving the Town Board information on their program. The letter was referred to Councilman Samulski, the Senior Citizen Liaison.

A letter was read from Legislator Ronald Bennett advising the Board of action taken at the March 5th session of the Erie County Legislature. The letter was received and filed.

A letter was read from Congressman Kemp relative to the IRS Procedure 80-55. The letter was received and filed.

Notice was received from the New York State Division of Youth that approval had been received for the 1981 Project Application in the amount of \$4,639.14 for Recreation and \$4,247.10 for Youth Service.

Glenn Snyder, Woodlee Court advised the Board that he had made application for water service from the Erie County Water Authority and had been denied. Supervisor Zimmerman stated that a letter received from the Water Authority to Mr. Snyder had been referred to Town Attorney Maxwell at the last meeting. Town Attorney Maxwell stated he had talked to the Water Authority Attorney relative to this matter and he had advised that no way would they grant permission for the Snyders to tap in. Town Attorney Maxwell explained that the Town has no jurisdiction over the water line. He further advised that the attorney had said their tariff or rules and regulations prohibited this and Town Attorney Maxwell had requested a copy of the rules be sent to him so he could study them. He advised Mr. Snyder that he did not think they would budge, but would see what could be done after he had read the tariff. James Carr, former North Boston Fire Chief stated that the hydrant that was to be put on Herman Hill Road to serve Woodlee Court was never installed and one in Woodlee Court was in a different area than where it was to have been. Supervisor Zimmerman advised Mr. and Mrs. Snyder the Town would check to see about them getting water.

James Carr pointed out that the section of Route 219 between Patchin Road the Town Hall had never been included in the contracts to rebuild Route 219 a few years ago and he felt it should be done before the County takes over the road after the Expressway opens. Councilman Samulski of the Traffic Safety Committee was directed to check into this and send a letter to the County.

Charles Decker asked if a letter had been sent relative to the sanding of Route 219 and Town Clerk Klein stated the letters had been sent, but he had never received a reply.

A motion was made by Supervisor Zimmerman and seconded by Councilman Wohlhueter granting permission to the Boston Historical Society to use the Community Room on the evening of September 11, 1981 and the full days of September 12th and 13th for their Country Market Sale and further to advise the Youth Director that the Community Room will be in use on Friday, September 12th.

five (5) ayes

Carried

Town Clerk Klein stated he had sent Mr. Falkides a letter on February 6, 1981 to remind him that his license for the Boston Hills Mobile Home Park had not been paid for and as of this date he has not heard from him. Supervisor Zimmerman stated that after the letter went out they had met with Mr. Falkides and he had requested the \$25.00 per trailer fee be waived so he can use the money to upgrade the park roads and it is the feeling of the Board that they not waive the fee. Town Attorney Maxwell stated it would not be legal to waive the fee. Supervisor Zimmerman stated he would write a letter to Mr. Falkides advising him that the fee would have to be paid by April 1, 1981 or the necessary legal action would have to be taken.

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer to renew the permit of the Flying Knights of Hamburg, New York to fly model aircraft in the County Park under the same conditions as previously granted and that the permit expire on May 1, 1982 and to also advise them that the Town of Boston has a noise ordinance.

five (5) ayes

Carried

A letter and contracts were received from the Town of Hamburg for Fire Dispatching. Supervisor Zimmerman stated that the cost of \$3,557.52 was the same as last year and asked that the matter be referred to Councilman Wittmeyer so he can check with the fire companies.

A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski to correct the March 4, 1981 General Fund Abstract as follows:

Voucher #121	Xerox Corporation	From \$164.26 to \$164.50
	Total	From \$29,272.65 to \$29,272.89
Voucher #151	Gary Pool Sales	From A7310.4 \$354.56
	To A7310.2	\$245.00
	A7310.4	\$109.56

five (5) ayes

Carried

A letter and contracts were received from the County of Erie relative to the 1980-1981 Mutual Aid Contracts. Town Clerk Klein pointed out that this letter was dated November 21, 1980 and it had been received March 10, 1981. A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski that the contracts between the County of Erie and Town of Boston for the Mutual Aid Agreement for the period November 1, 1980 to October 31, 1981 be returned to the County unsigned and that if in the future the County wants the cooperation of the Town of Boston that they furnish us the agreement at the proper time as the winter season is now over with.

five (5) ayes

Carried

Notice was received from the New York State Board of Equalization and Assessment advising that the tentative Equalization rate of 8.84 had been set. Supervisor Zimmerman stated that this is the same as last year and Town Attorney Maxwell would be going to a pre hearing conference on March 24th to get more information.

Supervisor Zimmerman advised that he had received a letter from Erie County relative to setting up an Agricultural District in the southern part of Boston which is the proposed Concord Agricultural District. Supervisor Zimmerman asked that this be referred to Councilman Faulring and the Planning Board for their study.

Supervisor Zimmerman recommended that the Revenue Sharing Funds be spent as follows:

Drainage Studies and Remedial Work	\$10,000.00	Parks	\$10,000.00
Payment on Highway Truck	\$10,000.00	Capital	
Historical Society (Contract to be reopened)	\$ 1,000.00	Improvements	\$15,078.93
		Total	\$46,078.93

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to accept the recommendation of Supervisor Zimmerman on the expenditure of the Revenue Sharing Funds and set a date of April 15, 1981 at 8:15 P. M. for a Public Hearing to consider the recommendation and that the hearing previously scheduled for April 1, 1981 be rescinded.

five (5) ayes

Carried

Supervisor Zimmerman stated that he had received a letter from Paul Doyka requesting appointment to the Planning Board. He also stated that he had received a request from Tom Finger to be appointed to the Planning Board. A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter appointing Thomas Finger as a member of the Planning Board to fill the unexpired term of Benjamin Randle. Term to expire February 1, 1982.

five (5) ayes

Carried

Supervisor Zimmerman stated that there will be an Energy Conservation Meeting on Wednesday, March 25 at the Town Hall sponsored by the Town and Mr. Decker, Building Inspector.

Town Clerk Klein reported that bids for Highway Supplies had been opened at 7:45 P. M. this day and that the following had offered bids:

Western Bituminous Products, Inc.
Box 276, West Seneca, NY 14224

Midland Asphalt Corporation
640 Young Street, Tonawanda, NY 14150

Lane Metal Products, Inc.
Box 711, Bath, New York 14810

The Buffalo Slag Company, Inc.
111 Great Arrow Avenue, Buffalo, NY 14216

Krantz Asphalt Company, Inc.
701 Elk Street, Buffalo, N. Y. 14210

Gernatt Asphalt Products, Inc.
Taylor Hollow Road, Collins, N. Y. 14034

Hanover Sand and Gravel, Inc.
Alleghany Road, Silver Creek, NY 14136

Buffalo Crushed Stone
8615 Wehrle Drive, Williamsville, NY 14221

Chemung Supply Corp.
P. O. Box 527, Elmira, N. Y. 14902

Spencer & Haley, Inc.
10292 Elton Road, Delevan, NY 14042

Republic Steel Division
148 Meadow Run, Hamburg, NY 14075

Chautauqua Pipe & Tank, Inc.
Cemetery Avenue, Portland, NY 14769

Town Clerk Klein stated he had received a Small Claim Notice in the case of Paul Guenther vs the Town of Boston for appearance in the Boston Town Court on April 6, 1981. He noted that Mr. Guenther was requesting payment for damages to his truck. This claim was referred to Town Attorney Maxwell.

A motion was made by Supervisor Zimmerman and seconded by Councilman Samulski setting April 15, 1981 at 8:30 P. M. to hold a Public Hearing on Amendments to the Zoning Ordinance of the Town of Boston.

five (5) ayes

Carried

Councilman Wittmeyer stated that the Capital Improvements Committee had met on March 12th and would meet again on March 26th and at that time would try and finalize the plans to start the road in the Town Park and also to move the building.

Councilman Samulski presented to the Town Board the Cable TV Committee's Request for Proposal and the Final Report. He also presented a cover letter which advised the Board of the steps and procedure that would be taken from this point on. Councilman Samulski advised that the Final Report had been sent to Albany on an informal basis and would be sent formally when the Town Board accepts it.

A letter from Recreation Supervisor Remy Orffeo to Supervisor Zimmerman requesting

LEGAL NOTICE NOTICE TO BIDDERS TOWN OF BOSTON

Notice is hereby given that the Town Board of the Town of Boston will receive and sealed bids are requested for supplies for the Town of Boston Highway Department all in accordance with the specifications which are on file and can be obtained from Herbert H. Klein, Town Clerk, Town of Boston, 8500 Boston State Road, Boston, New York 14025.

Sealed bids marked Highway Supplies are to be submitted to Herbert H. Klein, Town Clerk of the Town of Boston, 8500 Boston State Road, Boston, New York not later than March 18, 1981 at 7:45 P.M., E.S.T. at which time all bids will be publicly opened by the Town Board at the Boston Town Hall, 8500 Boston State Road, Boston, New York 14025.

A statement of Non-Collusion must accompany the bid.

The Town Board hereby reserves the right to reject any and all bids and waive any informalities and to accept the bid they consider to be in the best interest of the Town of Boston.

By order of the Town Board of the Town of Boston, Erie County.

Dated: February 10, 1981
Herbert H. Klein
Town Clerk
Town of Boston

six (6) County of Erie Summer Youths to work for the Boston Summer Recreation Program was read. Supervisor Zimmerman stated he would follow this up.

A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer granting permission to members of the Planning Board to attend a Planning Workshop on April 16, 1981 at the East Aurora Town Hall.

five (5) ayes

Carried

A letter was read from the Planning Board requesting a meeting with the Town Board on April 9, 1981 to develop a strategy for completion of the Master Plan. Supervisor Zimmerman asked the BoardMembers to make a note of this date.

A letter of resignation as a member of the Conservation Advisory Council was received from Paul Bolt. Supervisor Zimmerman directed the Town Clerk to send a letter to Mr. Bolt thanking him for his past service.

A letter was read from Karen Klinczar advising the Board of the Schedule of Events for the Memorial Day celebration at the Town Park on May 25th. A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer naming the following to the Memorial Day Committee: Karen Klinczar, Chairman; Judith Sullivan; Edward and Edith Schramm; James and Maryann Jehle; David Stringfellow and Marilyn Nagel.

five (5) ayes

Carried.

The Town Board discussed the bids for the Spring and Fall Trash Pickup opened at the March 4th meeting and Supervisor Zimmerman recommended that only a Spring Pickup be held this year as in the past there has not been much trash put out in the fall. A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to award the Spring Trash Pickup Contract to C.I.D. for \$6,028.44.

five (5) ayes

Carried

A letter was read from the Fine Arts Advisory Council requesting the appointment of members. Supervisor Zimmerman stated he would like to table this matter as he just received the letter.

A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski to adjourn at 8:47 P. M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

Regular Meeting
April 1, 1981

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman Esther Faulring, Councilman Don Wohlhueter, Councilman Alfred Samulski, Supervisor David Zimmerman, Town Attorney Charles Maxwell and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski that the minutes of the Mar. 18, 1981 Regular Meeting be approved.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the Town Clerk's Monthly Report be accepted.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Samulski that the General Fund and Special District Bills in the amount of \$15,886.99 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the Highway Bills in the amount of \$4,178.88 be paid.

five (5) ayes

Carried

A letter was read from the Erie County Department of Public Works acknowledging receipt of the Town Board's letter of February 24, 1981 relative to the condition of County roads. Supervisor Zimmerman stated that bids will be opened on April 9th for repair of Zimmerman and Feddick Road. He advised the work should be started this summer.

A resolution, passed by the Erie County Legislature, relative to the Revaluation Program was received.

A resolution, passed by the Erie County Legislature, relative to the termination of the Sales Tax Distribution Agreement was received. Supervisor Zimmerman stated he would report back on this matter when he has more information.

A letter was read from Erie County Legislator Ronald Bennett advising of action taken at the March 20th session of the Erie County Legislature. The letter was received and filed.

Notices were received from the State Comptroller advising the Board they had received and filed Local Law #2 of 1980 and Local Law #1 of 1981. The Notices were received and filed.

A motion was made by Councilman Samulski and seconded by Councilman Faulring to appropriate Federal Revenue Sharing Funds as follows:

\$10,225.00	to	CF 8540.4	Drainage
\$ 5,885.00	to	CF 7110.4	Parks

from Fund Balance which has already had public hearings for Federal Revenue Sharing.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer setting a Public Hearing for May 6, 1981 at 8:00 P. M. to consider a Local Law to amend the Dog Ordinance to conform with the State Dog Law and to include a clause to repeal the present Dog Ordinance.

five (5) ayes

Carried

Mr. John Panek, Feddick Road asked for a discription of capital expenditures through Federal Revenue Sharing. Supervisor Zimmerman stated the funds will probably be used in the park and for some of the buildings they want to build and also to move the Old Rescue Squad Building to the Town Park for an Arts Center. Mr. Panek asked if this would be decided on April 15, 1981 and Supervisor Zimmerman stated yes.

Mr. Panek also asked why it was felt it was necessary for the Dog Control Officer to have a four wheel drive truck.

Supervisor Zimmerman stated that because of the hills and it could also be used as an emergency vehicle in case of a disaster. Supervisor Zimmerman further pointed out that bids are being requested for a four wheel drive truck and also a regular truck.

Town Clerk Klein stated that he had not received the 1981 Trailer Court fee for the Boston Hills Mobile Home Park. Supervisor Zimmerman stated Mr. Falkides had called him yesterday and was upset that the Town Board did not concur with his request for a waiver of the fee. Supervisor Zimmerman advised that Mr. Falkides would be sending the check by April 10th and requested that no action be taken at this time.

A Notice of Claim was received in the action of Joseph and Lorraine Doyka vs The Town of Boston. Supervisor Zimmerman stated that this matter had been referred to the Town Attorney. The Notice was received and filed.

Supervisor Zimmerman commended Councilman Samulski and the Cable TV Committee on the reports the Board had received and from what he could tell everything had been covered. Councilman Wittmeyer further stated that he had a lot of requests for Cable TV. A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer to accept the Request for Proposals and the Final Report as presented and asking that the Cable TV Committee pursue seeking a franchise.

five (5) ayes

Carried

A letter was read from Paul Bolt requesting that his property at 6610 Rice Road be rezoned from Agriculture to R-3. Supervisor Zimmerman asked that this be referred to the Planning Board for their study and recommendation.

The Supervisor's Monthly Financial Report was received.

A motion was made by Supervisor Zimmerman and seconded by Councilman Wohlhueter naming the following as members of Boston Arts Advisory Council:

Richard Klinczar
Harold Dodge

Joseph Orffeo
Joseph Terrizzi

Chester Rosinski
Dennis Lell

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Wohlhueter commending Paul Schunk for being awarded the Erie County Mutual Aid Association Fireman of the Year Award for saving the life of his son Michael who was struck by lightening in July of 1980 and further that a letter be sent to Paul commending him for this award.

five (5) ayes

Carried

An Annual Report of tax collections was received from the County of Erie. Town Clerk Klein advised that this report was on file in his office for anyone interested.

A report was received from the County of all money paid by the Commissioner of Finance to Cities, Towns and Villages in Erie County. This is on file in the Town Clerk's Office.

The Tax Collectors Monthly Report was received.

The Town Justice Monthly Report was received.

Upon the recommendation of Highway Superintendent Kreitzbender, a motion was made by Supervisor Zimmerman and seconded by Councilman Samulski to accept the State Price of Republic Steel for culvert pipe as their price is lower than the bids received and opened on March 18, 1981 and to accept the lowest bidders on all Highway road materials subject to deliveries and quantities acceptable to the Highway Superintendent and the bids are to remain with the Highway Superintendent to refer back to when he needs to check a price.

five (5) ayes

Carried

Upon the recommendation of Town Attorney Maxwell a motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that Whereas, there is or may be damage to Town Highways as a result of the contractors work on various contracts in connection with Sewer District #3, therefore, be it resolved that the Town Board of the Town of Boston would request the Sewer District #3 Agency prior to the final advancement of payment on these contracts do retain either a sum of money to indemnify the Town as to damages or to notify the Town prior to final

payment that final payment would be made and any claim there is could be forwarded to Sewer District #3 or the contractor or the carrier.

five (5) ayes

Carried

Councilman Wittmeyer stated he would be meeting with the three fire companies on April 3, 1981 to review their contracts and get some idea what they will be asking for the next three years.

Councilman Wittmeyer stated there would be a Capital Improvements Committee on April 16, 1981 and as the weather is getting better they will start working on the road in the vicinity of the Lion's Club shelter and also begin to work to get a foundation ready for the Old Emergency Squad Building which should be moved down by early summer.

Councilman Samulski commended Gary Walters and Joseph Terrizzi for their work on the Cable TV Committee and stated they would continue until they had Cable TV in Town.

Councilman Samulski stated he and Chief Strack had looked at the intersection of Hillcroft and Back Creek Road and there is work that the County suggests be done prior to them installing Yield Signs. Councilman Samulski and Highway Superintendent Kreitzbender will meet on Saturday April 4, 1981 at 9 AM to take a look at the area and see what has to be done. Councilman Samulski stated they would also look into a stop or yield sign at Edgewood Terrace and East Lane.

The Building Inspector's Monthly Report was received.

No report was received from the Dog Control Officer.

Supervisor Zimmerman asked that the appointment of a member of the Zoning Board of Appeals be tabled as he has not had a chance to talk to Remy Orffeo to see if he would like to be reappointed.

A letter and recommendation were received from the Planning Board relative to the proposed Grading and Drainage Ordinance. Supervisor Zimmerman stated that this will be gone over at the next codification committee meeting.

The Police Monthly Report was received.

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski authorizing Supervisor Zimmerman to sign the agreement with the Town of Hamburg for Fire Dispatching in 1981 at a cost of \$3,557.52 and to also send a letter to the Town of Hamburg requesting a copy of their Fire Dispatching Budget.

five (5) ayes

Carried.

At 8:15 P. M. a Public Hearing was held to consider Local Law #2 of 1981 - Games of Chance. The Legal Notice was read by the Town Clerk. The proposed Local Law was read.

Karen Klinczar asked why it was necessary to amend the present Local Law on Games of Chance. Supervisor Zimmerman explained that one of the items in the Local Law states that the Chief Law Enforcement Officer is the Town of Boston Police, but they are not legally considered law enforcement officers for this type of law and it had to be County Sheriff and another is the dollar amount which was \$10.00 and could not be more than \$2.00. Michael Perley stated that the changes are made to bring the Town Local Law into conformance with the State Law.

Town Clerk Klein recommended to the Board that they take no action on this proposed Local Law as Mr. McCarthy, Director of the Racing and Wagering Board will be the speaker at the Town Clerk's Association next week and he would like to show him the proposed Local Law as it is felt there are somethings incorporated in the new law that were not in the previous law and Mr. Klein stated he was not sure they were necessary as the Town Board might be restricting themselves in case the State changes their rules in the future and then the Board would have to again make changes.

A motion was made by Councilman Wittmeyer and seconded by

LEGAL NOTICE

TOWN OF BOSTON
NOTICE IS HEREBY GIVEN that there has been presented to the Town Board, Town of Boston, Erie County, New York, on March 4, 1981, a copy of Local Law Number 2 of the year 1981, entitled A Local Law providing for the Games of Chance in the Town of Boston, Erie County, New York. Included in this proposed Local Law is the repeal of Local Law Number 1 of the year 1979 adopted August 8, 1979, entitled A Local Law Providing for the Games of Chance in the Town of Boston, Erie County, New York.

NOTICE IS FURTHER GIVEN that the Town Board of the Town of Boston will conduct a public hearing on the aforesaid proposed Local Law at the Boston Town Hall, 8500 Boston State Road, Boston, New York, on Wednesday, April 1, 1981 at 8:15 P. M. Eastern Standard Time.

At this hearing, at the time and place noted, all interested parties will be heard for or against said petition.

Herbert H. Klein
Town Clerk
Town of Boston

Dated: March 6, 1981

Councilman Faulring to close the Public Hearing.

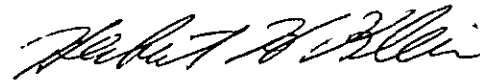
five (5) ayes

Carried

Supervisor Zimmerman stated that the adoption of Local Law #2, 1981, would be tabled to the May 6th Regular Town Board meeting.

The Town Board commended Building Inspector Decker on the good job he had done to put on the Energy Conservation Program the other evening.

A motion was made by Councilman Faulring and seconded by Councilman Samulski to adjourn at 8:23 P. M.



Herbert H. Klein
Town Clerk

Regular Meeting
April 15, 1981

Town Hall
8:00 P. M.

Present were Councilman Milton Wittmeyer, Councilman Esther Faulring, Councilman Alfred Samulski, Supervisor David Zimmerman, Town Attorney Charles Maxwell and Highway Superintendent Clarence Kreitzbender.

Councilman Don Wohlhueter was absent.

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski that the minutes of the April 1, 1981 Regular Meeting be approved.

four (4) ayes

Carried

A motion was made by Councilman Faulring and seconded by Supervisor Zimmerman that the General Fund and Special District Bills in the amount of \$4,960.67 be paid.

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski that the Highway Bills in the amount of \$6,481.93 be paid.

four (4) ayes

Carried

A letter was read from the County of Erie Department of Environment and Planning advising of a Public Hearing to be held on May 14, 1981 at 7:30 P. M. on the proposal to construct Wind Turbine Generators at the Erie County Southtowns Sewage Treatment Plant. Supervisor Zimmerman stated that the Information Document was on file for anyone to come in to look at.

A letter and Final Report were received from the Solid Waste Action Plan Steering Committee for Erie County. Supervisor Zimmerman asked that the passing of a resolution on this be tabled to the May 6, 1981 Town Board Meeting so he will have more time to study it. He also advised that copies of the report are on file in the Town Clerk's and Supervisor's office for anyone interested.

A letter of complaint on the conditions at the North Boston Garage was received from Peter and Angela Zebrowski. Supervisor Zimmerman stated that he had received a letter from the County of Erie Department of Environment and Planning relative to this matter and they stated that the complaint of paint solvents seeping onto their property from the garage was investigated and the test was negative, but the test for septic tank effluent seeping on the Zebrowski property was positive and it is felt the sewer system is failing at the garage. The letter from the County further advised that the installation of a new leach field may not be feasible and they were recommending to the Board of Managers for Sewer District #3 to consider an extension of BV-2 to pick up the units on Route 219 between Abbott Road and Thornwood Drive. Supervisor Zimmerman stated the letter had been received in time for the last meeting of the Board of Managers and he had turned it over to them to study the feasibility of putting in more sewers and he has not yet heard from them.

Town Attorney Maxwell stated there are certain things in the Zerbowski letter that are not within the province of the Town of Boston, the septic system is the County's and differences between neighbors is a civil matter. He further stated that if the Zerbowski's feel there is junk on the neighboring property, they should file the necessary complaint and if the Enforcement Officer feels they have a legitimate complaint, it can then be brought before the Town Justice.

Enforcement Officer Decker stated he had checked the garage and asked that an area be cleaned up and Mr. Gerwitz had cleaned it up. Mr. Decker stated that the garage is a licensed used car lot. Councilman Wittmeyer asked if the North Boston Fire Company could be asked to check for fire hazards. Enforcement Officer Decker pointed out that we are not under New York State Fire Codes.

Supervisor Zimmerman stated that upon the report of the Building Inspector the letter would be received and filed.

At 8:15 P. M. a Public Hearing was held upon the proposed Use of Federal Revenue Sharing Funds. The Legal Notice was read by the Deputy Town Clerk. As there were no comments from the Board or audience, a motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to close the Public Hearing.

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski to approve the use of Federal Revenue Sharing Funds as follows:

Drainage Studies and Remedial Work	\$10,000.00
Parks	10,000.00
Payment on Highway Truck	10,000.00
Capital Improvements	15,078.93
Historical Property	1,000.00

four (4) ayes Carried

A letter was read from County Legislator Ronald Bennett advising the Board of action taken at the April 2nd session of the Legislature. Supervisor Zimmerman, in reference to a tax credit for Volunteer Firemen, stated he felt this should include Emergency Squads also. The letter was received and filed.

Mr. Peter Zerbrowski, 7432 Boston State Road, stated the reason they complained about the North Boston Garage, as according to Town Law there is an ordinance which states there has to be a fence around a place of business that has two or more unlicensed cars. He stated there were more than two cars. There was discussion by the Town Board whether this is a junk yard and it was decided that the Town Board and Enforcement Officer Decker will make an inspection on Thursday, April 16, 1981 at 6:00 P.M. to check for themselves.

At 8:30 P. M. a Public Hearing was held to consider the adoption of Amendments to the Zoning Ordinance. The Legal Notice was read by the Deputy Town Clerk. A letter was read from the Planning Board recommending an annual renewal fee for Special Use Permits. The Zoning REFerral Application was received from the County with no recommendation.

Remy Orffeo, Chairman of the Zoning Board of Appeals stated the Zoning Board approved the amendments as it would streamline their operation and cut their meetings in half.

Town Attorney Maxwell stated he disagreed with the Planning Board letter as the Town Board has been putting yearly conditions on some Special Use Permits and he felt the Board should maintain the flexibility to grant the Sepcial Permit without a one year limitation or if it should have it grant it, but do not put a burden on an applicant because a one year condition is on it. He noted that there have been no permit fees for Special Use Permits in the past, but feels the \$75.00 fee be a one time only thing.

Councilman Wittmeyer stated he felt the amendment for putting on an additon to a non conforming building was good and explained how it would help. Councilman Samulski stated he would like more time to review the amendments before they are passed.

Building Inspector Decker stated that the Planning Board had felt that an annual fee would eliminate some of the requests for Special Use Permits.

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to close the Public Hearing.

four (4) ayes Carried

A motion was made by Councilman Samulski and seconded by Supervisor Zimmerman to table the adoption of the proposed amendments to the Zoning Ordinance to the May 6th meeting.

four (4) ayes Carried

LEGAL NOTICE

**TOWN OF BOSTON
NOTICE OF HEARING UPON
PROPOSED USE OF FEDERAL
REVENUE SHARING FUNDS**
NOTICE IS HEREBY GIVEN that the proposed use of Federal Revenue Sharing Funds in context of the proposed budget for Entitlement Period 12, October 1, 1980 to September 30, 1981, has been completed and filed in the office of the Town Clerk, where it is available for inspection by any interested person during regular office hours.

FURTHER NOTICE IS HEREBY GIVEN that the Town Board of the Town of Boston will meet and review said proposed budget and hold public hearing thereon at the Boston Town Hall, 8500 Boston State Road, Boston, New York, at 8:15 P.M. Eastern Standard Time, on the 15th day of April, 1981, and that at such hearing any person may present written or oral comments in favor of or against said proposed budget as compiled.

PURSUANT TO Federal Regulations to proposed use of Federal Revenue Sharing Funds in the amount of \$46,078.93, the proposed use is as follows:

Drainage Studies & Remedial Work	\$10,000.00
Parks	\$10,000.00
Payment on Highway Truck	\$10,000.00
Capital Improvements	\$15,078.93
Historical Property	\$1,000.00

AT THIS HEARING, at the time and place above noted, all interested persons will be given the opportunity to be heard.

Herbert H. Klein
Town Clerk
Town of Boston

Dated: March 20, 1981

LEGAL NOTICE

**TOWN OF BOSTON
AMENDMENTS TO ZONING
ORDINANCE OF THE TOWN
OF BOSTON**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Boston, Erie County, New York, will hold a public hearing on the 15th day of April, 1981, at 8:30 P.M., Eastern Standard Time, in the Town Hall of the Town of Boston, New York, 8500 Boston State Road, Boston, New York, on the following proposed amendments, additions or deletions, to the Zoning Ordinance and the Zoning Map of the Town of Boston. BE IT RESOLVED that the following amendments, insertions, additions or deletions be made to the present Zoning Ordinance of the Town of Boston, as follows:

1. At Page 17 - Article VIII - Section 5, Alterations, Extensions and Restorations shall be deleted in full and shall be restated to read, in full, as follows:

Section 5, Alterations, Extensions and Restoration

(a) The Town Clerk shall be empowered to issue building permits for the extension, reconstruction or structural alteration of a building which is non-conforming because it did not comply with the setback requirements from the public highway at the time of the adoption of this ordinance, provided, however, that the proposed extension, reconstruction or structural alteration does not increase the non-conforming use of the structure within the non-conforming setback from the public highway.

(b) The extension, reconstruction or structural alteration of any non-conforming building, other than a building which may be non-conforming by reason of its setback from the public highway as specified in Section 5(a) above, shall require approval by the Zoning Board of Appeals of the Town of Boston. The Zoning Board of Appeals may require the

A check, paid under protest, in the amount of \$1,600.00 for 64 trailer lots was received from John Falkides for the 1981 Trailer Park License for the Boston Hills Mobile Home Park. A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer to grant the 1981 Trailer Park License to the Boston Hills Mobile Home Park.

four (4) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Samulski reappointing Remy Orffeo as a member of the Zoning Board of Appeals. Term to expire April 1, 1986.

four (4) ayes

Carried

Supervisor Zimmerman stated he had received a letter from Erie County relative to the Concord Agriculture District which takes in a part of the East Hill in Boston. He stated that this had been referred to the Planning Board and they recommended that a letter be sent in favor of the District plus there are three families that are interested and the names of Norbert Reichberger, 8067 Lower East Hill Road, Harold Frantz, 7515 Wohlhueter Road and Robert Arent, 8712 Cole Road should be included in the letter to the County.

BID OPENING ON APRIL 2, 1981 AT 4:00 PM FOR ONE NEW 1980 OR 1981 ONE-HALF (1/2) TON PICKUP TRUCK. BIDS RECEIVED AS FOLLOWS:

Emerling Chevrolet
9000 Boston State Road
Boston, New York 14025

Non Collusive Bidding Certificate Signed
Bid Check Enclosed

Bid Number 1 - 1981 Chevrolet
Amount of Bid - \$6,985.45

Alternate Bid 1 to Bid Number 1 - 1981 Chevrolet
Amount of Bid - \$6,659.00

Alternate Bid 2 to Bid Number 1 - 1981 Chevrolet
Amount of Bid - \$8,372.30 4 Wheel Drive

Alternate Bid 3 to Bid Number 1 - 1981 Chevrolet
Amount of Bid - \$8,190.00 4 Wheel Drive

Bid Number 2 - 1981 Chevrolet Luv
Amount of Bid - \$7,031.00

Alternate Bid 1 to Bid Number 2 - 1981 Chevrolet
Amount of Bid - \$8,387.10

Alternate Bid - 1980 Chevrolet Luv
Amount of Bid - \$6,313.00

Dan Stedem Ford, Inc.
S3725 Orchard Park Road
Orchard Park, New York 14127

Non Collusive Bidding Certificate Signed
Bid Check Enclosed

Bid Number 1 - 1981 Ford
Amount of Bid - \$7,196.00

Alternate Bid 1 to Bid Number 1 - 1981 Ford
Amount of Bid - \$6,863.00

Alternate Bid 2 to Bid Number 1 - 1981 Ford
Amount of Bid - \$8,476.00

Alternate Bid 3 to Bid Number 1 - 1981 Ford
Amount of Bid - \$8,286.00

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submission of development plans including the location and character of the proposed structure and conditions of use for the premises concerned and in approving any such extension, reconstruction or structural alteration, the Zoning Board of Appeals may specify that no building permit or Certificate of Occupancy may be issued with respect to said premises except in accordance with the plans and conditions of use as submitted or as revised to meet the requirements of the Zoning Board of Appeals in furthering the purposes of this Ordinance. Any reconstruction or structural alteration of a non-conforming building as required in this Section shall not be permitted unless said building is changed to a conforming use except with the approval of the Zoning Board of Appeals following a public hearing as prescribed by law.

2. At page 18, Article IX, Special Use Permits, there shall be added a new section, designated Section 5 to read as follows:

Section 5 - Application Fees

All applications for Special Use Permits shall be accompanied by payment of a fee of \$75.00.

3. At Page 18 - Article X - Section 2 at line 2 of the fourth paragraph delete three and substitute two therein.

4. At Page 18 - Article X - Section 2 the last paragraph thereof shall be deleted in full and in substitution thereof there shall be added the following new section as follows:

Section 3 - Fees, Building Permits.

The following fees shall accompany the application for a building permit for the construction, enlargement or alteration of any structure as follows:

Up to 250 square feet	\$15.00
251 to 600 square feet	25.00
601 to 1500 square feet	50.00
1501 to 1000 square feet	75.00
over 2000 square feet	75.00 plus
	\$.75 per additional 1000 cubic feet or proportion thereof.

5. At Page 19 - Article X - Section 6 at line 3 of the first paragraph delete \$25.00 and substitute \$75.00 therein.

6. At Page 20 - Article X - Section 8 at line 4 delete \$25.00 and substitute \$75.00 therein.

At this Hearing, at the time and place above noted, all interested persons will be heard for or against said proposed amendments.

DATED: March 18, 1981

Herbert H. Klein
Town Clerk

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the Town of Boston will receive and sealed bids are requested on the following:

One new 1980 or 1981 one-half (1/2) Ton Pickup Truck, in accordance with specifications which are on file and may be obtained from Herbert H. Klein, Boston Town Clerk, at the Boston Town Hall, 8500 Boston State Road, Boston, New York.

Sealed bids on the above, pursuant to the specifications on file are to be submitted to Herbert H. Klein, Town Clerk of the Town of Boston, 8500 Boston State Road, Boston, New York, not later than April 2, 1981 at 4:00 P.M. E.S.T., at which time all bids will be publicly opened at the Boston Town Hall, 8500 Boston State Road, Boston, New York.

A statement of non-collusion along with a certified check or Bid Bond of 5% of the bid must accompany the bid.

The Town Board hereby reserves the right to reject any and all bids and waive any informalities and to accept the bid they consider to be in the best interest of the Town of Boston.

By order of the Town Board of the Town of Boston, Erie County.

Dated: March 10, 1981
Herbert H. Klein, Town Clerk
Town of Boston, New York

West-Herr Ford, Inc.
 S5025 Camp Road
 Hamburg, New York 14075

Non Collusive Bidding Certificate Enclosed
 Bid Bond Enclosed

Bid Number 1 - 1981 Ford
 Amount of Bid - \$7,129.00

Alternate Bid 1 to Bid Number 1 - 1981 Ford
 Amount of Bid - \$6,796.00

Alternate Bid 2 to Bid Number 1 - 1981 Ford
 Amount of Bid - \$8,514.00

Alternate Bid 3 to Bid Number 1 - 1981 Ford
 Amount of Bid - \$8,324.00

Bid Number 2 - 1981 Ford Courier
 Amount of Bid - \$6,977.00

* * * * *

Friendship Subaru, Inc.
 5646 Camp Road
 Hamburg, New York 14075

Non Collusive Bidding Certificate Enclosed
 Bid Check Enclosed

Bid Number 1 - No Bid

Alternate Bid 1 to Bid Number 1 - No Bid

Alternate Bid 2 to Bid Number 1 - 1981 Jeep
 Amount of Bid - \$8,534.55

Alternate Bid 3 to Bid Number 1 - 1981 Jeep
 Amount of Bid - \$8,247.55

Supervisor Zimmerman asked that awarding of the bid for the Dog Control Officers Vehicle be tabled to the next meeting to give him an opportunity to meet with the Dog Control Officer.

An Approval of Completed Works for the Rustic Development's water supply was received from the County. The approval was received and filed.

Town Attorney Maxwell advised that a tentative Equalization Rate of 8.64 had been received and he had filed a complaint in March which had been followed up with a memorandum and documentation. He stated it would probably be six or seven weeks before they know if the rate will increase or stay the same.

Councilman Wittmeyer reported that the Capital Improvements Committee would be meeting on April 16th. He also noted that the roadway is under construction.

Councilman Samulski reported that the Cable TV Committee had met and based on the recommendation and request of the Town Board at the last Board meeting that we advertise for bids, the Committee had prepared a letter which was sent to the State Commission in Albany along with a request for proposals, the final report and a sample ad that would be put in trade journals. He noted that within ten days they expect to hear from Albany and at that point they will advertise for bidders and he would estimate that within ninety (90) days of today they should be getting some formal bids in from Television Franchise applicants.

Councilman Samulski reported that on the Highway Safety he and Clarence Kreitzbender had gone out last Saturday to check the Hillcroft and Back Creek Road area and a letter had been sent to the County asking them to install Yield Signs similar to the one on Shero and Zimmerman Roads.

A copy of a letter was read from Engineer Moncreiff to the New York State Department of Transportation relative to the water line in the Heinrich Road cul-de-sac and also a

1 of 4 BID TABULATION

TOWN OF BOSTON, N.Y. FEDDICK
ROAD WATER MAIN EXTENSION IN
WATER DISTRICT NO. 2

BIDS RECEIVED UNTIL 4:00 PM EST
APRIL 9, 1981 BY TOWN CLERK,
TOWN CLERK'S OFFICE, BOSTON, N.Y.

THIS BID TABULATION
IS CERTIFIED CORRECT
APRIL 14, 1981
EDWARDS & MONCREIFF, PC
482 S. Cascade Drive
Springville, New York
14141

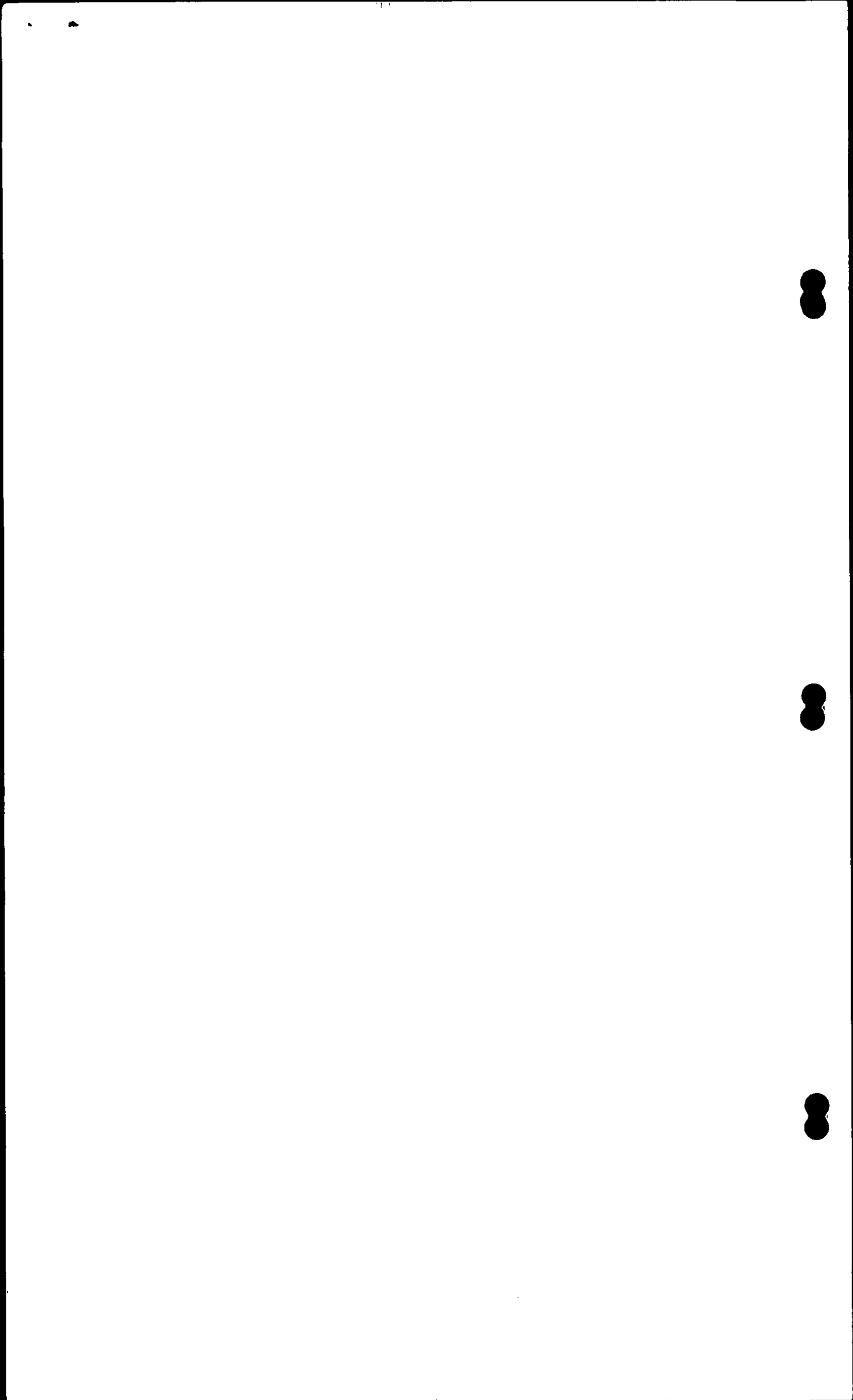
1) Robert A. Caldwell
Trenching & Excav. Inc.
10650 Lake Shore Road
Irving, N.Y. 14081

2) Scheffer Const.
4153 Beaubien Drive
Hamburg, N.Y. 14075

3) Pilon Const., Co., Inc.
Route 31
West Albion, N.Y.
14111

4) Anastasi Trucking
6469 Transit Road
Bowmansville, N.Y.
14026

	PRO SIG & NOT															Yes
	BID BOND			Yes				Yes								Yes
	NON COL CERT			Yes				Yes								Yes
ITEM	QUANTITY			UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION			
1- 8" AC Pressure Pipe	4825 L.F.			\$ 12.00	\$ 57,900.00	\$ 11.91	57,465.75	\$ 13.00	\$ 62,725.00	\$ 11.75	\$ 56,693.75					
2- 8" Gate Valves	4 EA.			350.00	1,400.00	600.00	2,400.00	400.00	1,600.00	573.00	2,292.00					
3- Hydrant Assembly	5 EA.			1,200.00	6,000.00	1,100.00	5,500.00	1,200.00	6,000.00	1,220.00	6,100.00					
4- Select Backfill	51 C.Y.			12.00	612.00	10.00	510.00	8.50	433.50	14.50	739.50					
5- Surface Aggregate	36 C.Y.			12.00	432.00	11.00	396.00	10.00	360.00	30.00	1,080.00					
6- AC (Binder Course)	10 TON			50.00	500.00	37.00	370.00	50.00	500.00	60.50	605.00					
7- AC (Top Course)	18 TON			55.00	990.00	40.00	720.00	50.00	900.00	57.00	1,026.00					
8- Landscaping	4825 L.F.			1.00	4,825.00	1.20	5,790.00	.30	1,447.50	1.40	6,755.00					
TOTAL					\$ 72,659.00		\$73,151.75		\$73,966.00		\$ 75,291.25					



TOWN OF BOSTON, N.Y. FEEDICK
ROAD WATER MAIN EXTENSION IN
WATER DISTRICT NO. 2

BIDS RECEIVED UNTIL 4:00 PM EST
APRIL 9, 1981 BY TOWN CLERK,
TOWN CLERK'S OFFICE, BOSTON, N.Y.

ITEM	QUANTITY	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1- 8" AC Pressure Pipe	4825 L.F.	\$ 11.75	\$ 56,693.75	\$ 13.77	\$ 66,440.25	\$ 13.75	\$ 66,343.75	\$ 13.75	\$ 66,343.75*	\$ 12.00	\$ 57,900.00
2- 8" Gate Valves	4 EA.	553.63	2,214.56	444.00	1,776.00	375.00	1,500.00	350.00	1,400.00	600.00	2,400.00
3- Hydrant Assembly	5 EA.	1,906.77	9,533.85	1,220.00	6,100.00	1,200.00	6,000.00	1,050.00	5,250.00	1,800.00	9,000.00
4- Select Backfill	51 C.Y.	11.00	561.00	9.50	484.50	10.00	510.00	12.00	612.00	30.00	1,530.00
5- Surface Aggregate	36 C.Y.	13.00	360.00	9.50	342.00	45.00	1,620.00	15.00	540.00	35.00	1,260.00
6- AC (Binder Course)	10 TON	36.00	360.00	46.00	460.00	75.00	750.00	75.00	750.00	100.00	1,000.00
7- AC (Top Course)	18 TON	40.00	720.00	56.00	1,008.00	80.00	1,440.00	75.00	1,350.00	150.00	2,700.00
8- Landscaping	4825 L.F.	1.25	6,031.25	.95	4,583.75	.90	4,343.50	1.45	6,996.25*	2.00	9,650.00
TOTAL			\$ 76,582.41		\$ 81,194.50		\$ 82,506.25		\$ 83,242.00		\$ 85,440.00

*Error corrected by
Engineer did not
change total

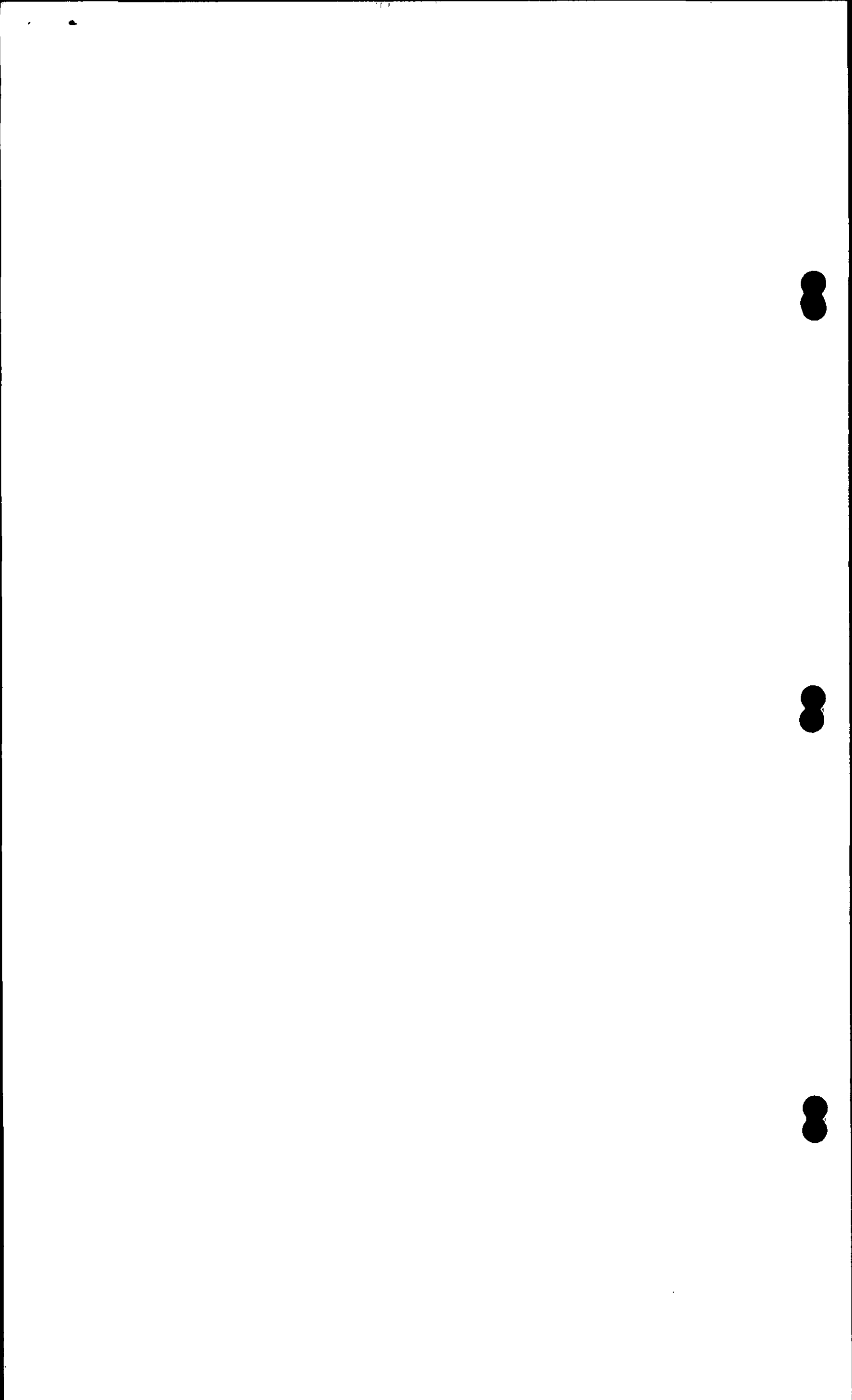
5) Burgwardt Const., Inc.
6105 Newton Road
Orchard Park, N.Y.
14127

6) A & M Contracting
1155 Church Road
Angola, N.Y.
14006

7) Bee Line Contg, Inc
137 Sawyer Avenue
Depew, N.Y.
14043

8) J.D. Northrup
Const., Inc.
Route 219, Box 451
Ellicottville, N.Y.
14731

9) Gene Hock Excav., Co.
4561 Lewis Drive
Hamburg, N.Y.
14075



TOWN OF BOSTON, N.Y. FEDDICK
ROAD WATER MAIN EXTENSION IN
WATER DISTRICT NO. 2

BIDS RECEIVED UNTIL 4:00 PM EST
APRIL 9, 1981 BY TOWN CLERK,
TOWN CLERK'S OFFICE, BOSTON, N.Y.

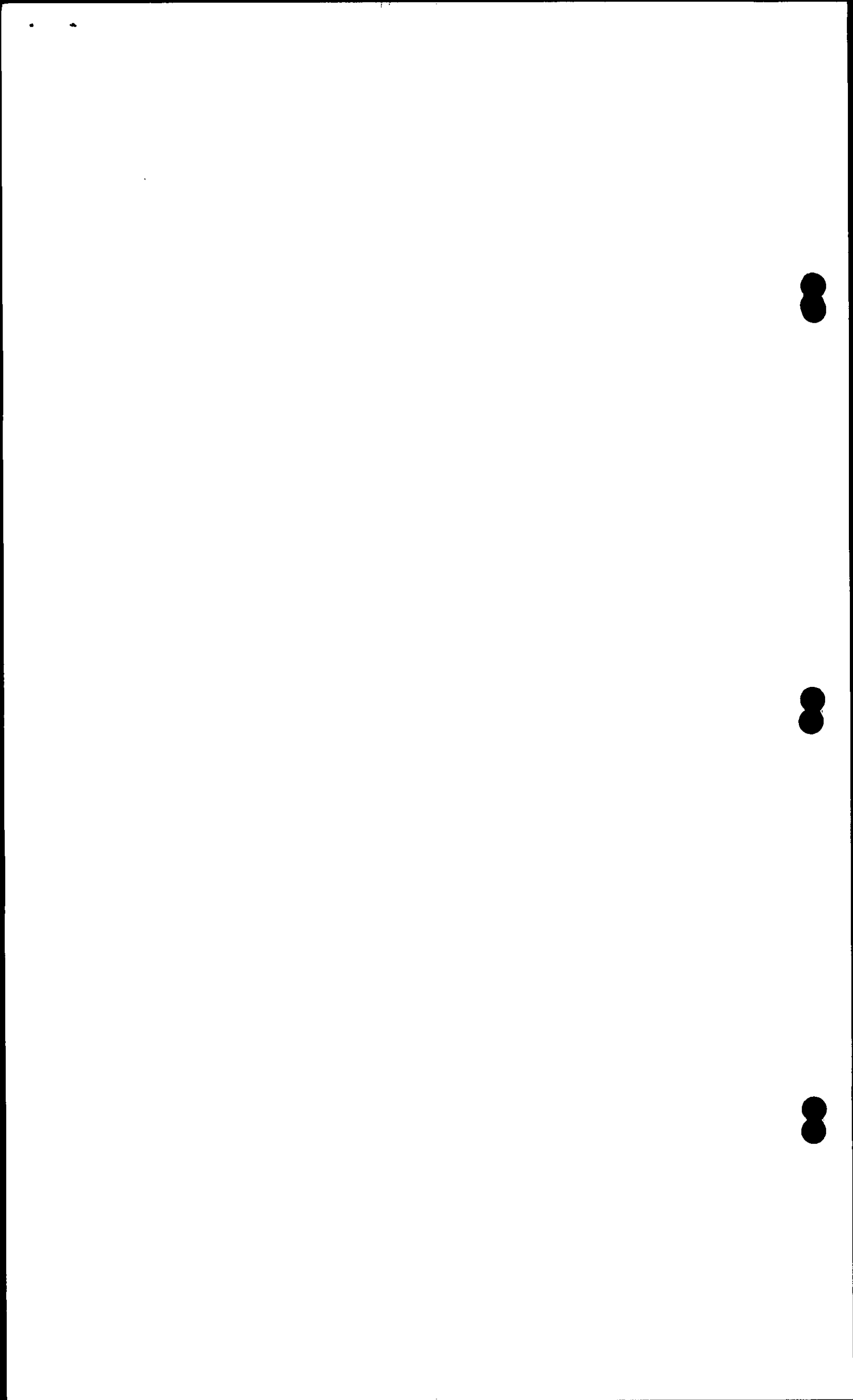
1- 8" AC Pressure Pipe		4825 L.F.	\$ 15.90	\$ 76,717.50	\$ 16.00	\$ 77,200.00	\$ 14.85	\$ 71,651.25	\$ 16.75	\$ 80,818.75	\$ 16.75	\$ 80,818.75
2- 8" Gate Valves		4 EA.	360.00	1,440.00	450.00	1,800.00	365.00	1,460.00	450.00	1,800.00	450.00	1,800.00
3- Hydrant Assembly		5 EA.	1,190.00	5,950.00	1,231.00	6,155.00	1,120.00	5,600.00	1,200.00	6,000.00	1,475.00	7,375.00
4- Select Backfill		51 C.Y.	10.50	535.50	15.00	765.00	15.00	765.00	11.00	561.00	8.00	408.00
5- Surface Aggregate		36 C.Y.	11.00	396.00	15.00	540.00	15.00	540.00	12.00	432.00	15.00	540.00
6- AC (Binder Course)		10 TON	65.00	650.00	35.00	350.00	50.00	500.00	60.00	600.00	35.00	350.00
7- AC (Top Course)		18 TON	50.00	900.00	40.00	720.00	110.00	1,980.00	40.00	720.00	42.00	756.00
8- Landscaping		4825 L.F.	.55	2,653.75	.50	2,412.50	2.30	11,097.50	.75	3,618.75	1.00	4,825.00
TOTAL				\$ 89,242.75		\$ 89,942.50		\$ 93,593.75		\$ 94,550.50		\$ 96,872.75

10) Nickel City Conc... Corp. 53 Arlington Rd. Williamsville, N.Y. 14221		11) S. Stock Services, Inc 727 Bennet Road Angola, N.Y. 14006		12) Wagner Excav., Inc. 930 Center Road West Seneca, N.Y. 14224		13) R.P. Myers, Inc. 1 Merton St. Rochester, N.Y. 14609		14) Climato Brothers, Inc 165 Hartford Road Amherst, N.Y. 14226	
Yes		Yes		No		Yes		No	
Yes		Yes		Yes		Yes		Yes	
Yes		Yes		Yes		Yes		Yes	

BIDS RECEIVED UNTIL 4:00 PM EST
APRIL 9, 1981 BY TOWN CLERK,
TOWN CLERK'S OFFICE, BOSTON, N.Y.

BID TABULATION

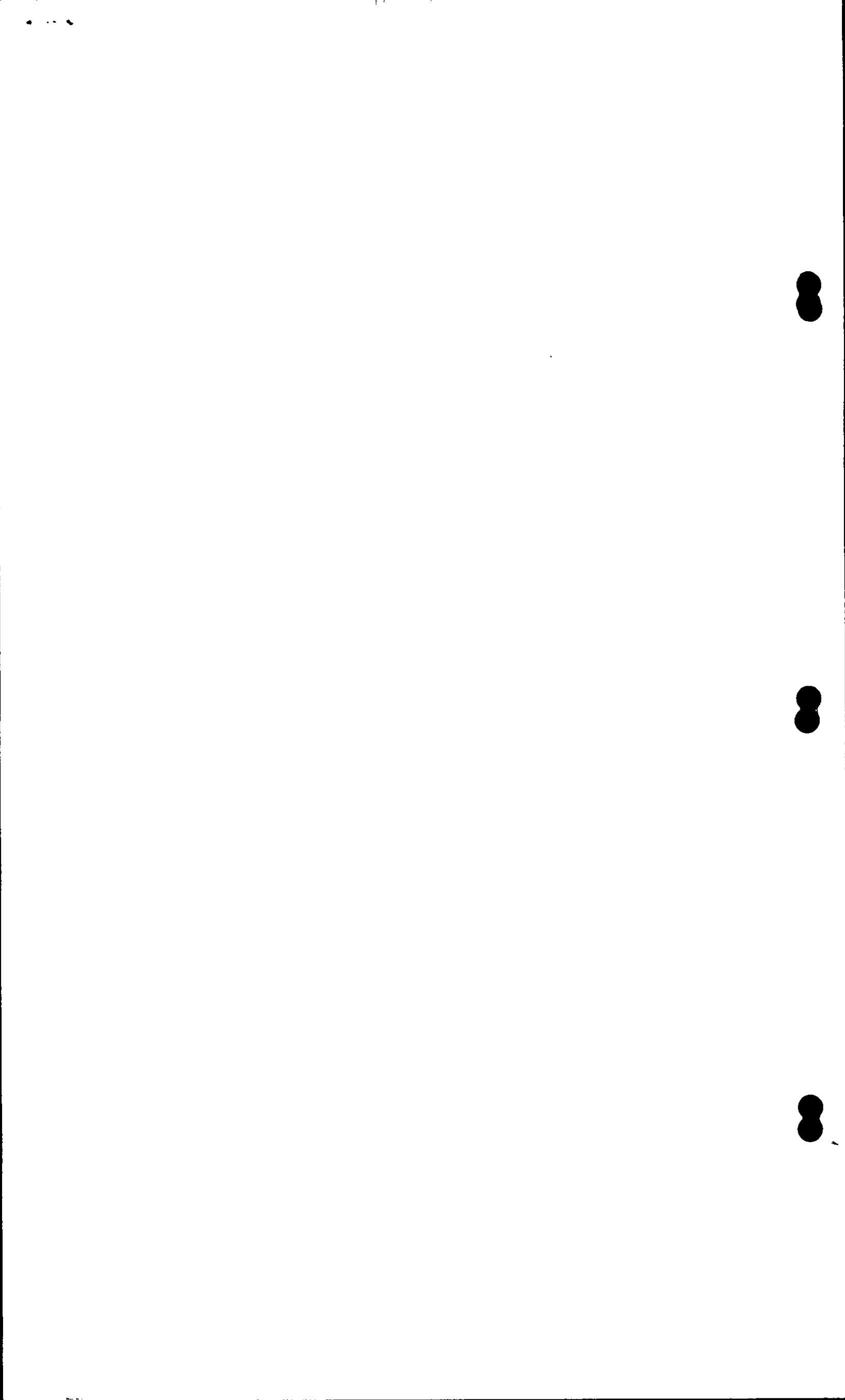
TOWN OF BOSTON, N.Y. FEDDICK
ROAD WATER MAIN EXTENSION IN
WATER DISTRICT NO. 2



TOWN OF BOSTON, N.Y. FEDDICK
ROAD WATER MAIN EXTENSION IN
WATER DISTRICT NO. 2

BIDS RECEIVED UNTIL 4:00 PM EST
APRIL 9, 1981 BY TOWN CLERK,
TOWN CLERK'S OFFICE, BOSTON, N.Y.

ITEM	QUANTITY	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
15) Dan Marzec Plumbing & Heating, Inc 5029 Broadway Depeew, N.Y. 14043											
16) J.K. Sherwin RD # 2 Olean, N.Y. 14760											
17) Tri-Delta Agg, Inc 3623 Eggert Rd. P.O. Box 288 Orchard Park, N.Y. 14127											
18) Kissel Landscaping Inc. 650 Creekside Dr. Alden, N.Y. 14004											
19) M. Falgiano Const., Co., Inc. 95 Leslie St. Buffalo, N.Y. 14211											
PRO SIG & NOT	Yes			Yes		Yes		Yes		Yes	
BID BOND	Yes			Yes		Yes		Yes		Yes	
NON COL CERT	Yes			Yes		Yes		Yes		Yes	
1- 8" AC Pressure Pipe	4825 L.F.	\$ 17.00	\$ 82,025.00	\$ 18.25	\$ 88,056.25	\$ 18.40	\$ 88,780.00	\$ 20.00	\$ 96,500.00	\$ 18.05	\$ 87,091.25
2- 8" Gate Valves	4 EA.	400.00	1,600.00	775.00	3,100.00	500.00	2,000.00	450.00	1,800.00	570.00	2,280.00
3- Hydrant Assembly	5 EA.	1,150.00	5,750.00	1,800.00	9,000.00	1,300.00	6,500.00	1,600.00	8,000.00	1,503.10	7,515.50
4- Select Backfill	51 C.Y.	12.00	612.00	10.00	510.00	15.00	765.00	18.00	918.00	10.50	535.50
5- Surface Aggregate	36 C.Y.	15.00	540.00	10.00	360.00	22.00	792.00	18.00	648.00	31.00	1,116.00
6- AC (Binder Course)	10 TON	50.00	500.00	40.00	400.00	75.00	750.00	50.00	500.00	86.00	860.00
7- AC (Top Course)	18 TON	60.00	1,080.00	50.00	900.00	75.00	1,350.00	60.00	1,080.00	77.50	1,395.00
8- Landscaping	4825 L.F.	1.00	4,825.00	.01	48.25	2.50	12,062.50	1.00	4,825.00	3.35	16,163.75
TOTAL			\$ 96,932.00		\$102,374.50		\$112,999.50		\$114,271.00		\$ 116,957.00



a letter from the New York State Department of Transportation to Supervisor Zimmerman relative to this matter was read. The letters were received and filed.

Supervisor Zimmerman reported that on April 9, 1981, at 4:00 P. M. bids were opened for the Feddick Road Water Main Extension - Water District #2. He stated that notice had been received from Cullen D. Moncreiff, Engineer recommending that the low bid of \$72,659.00 from Robert A. Caldwell Trenching and Excavating, Inc. be accepted. A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer to award the contract for the Feddick Road Water Main Extension, Water District #2 to Robert A. Caldwell Trenching and Excavating, Inc. for \$72,659.00 as recommended by Engineer Moncreiff.

four (4) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer approving the appointment of Albert Schieber as an administrative Constable for the Town of Boston as recommended by Chief Strack. Term to expire December 31, 1981.

four (4) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer approving the appointment of Patrolmen Leo Stromecki as Lieutenant and Robert J. Lorek as Sergeant of the Boston Constabulary as recommended by Chief Strack.

four (4) ayes

Carried

Local Law - Games of Chance was again tabled upon the recommendation of the Supervisor as there was no report from Town Clerk Klein.

Supervisor Zimmerman stated that he had met with two of the Commissioners of the Erie County Water Authority and had received no satisfaction relative to the water service request of Glen Snyder of Woodlee Court. He stated he was still in the process of trying to do something.

A motion was made by Councilman Samulski and seconded by Councilman Faulring to adjourn at 8:56 P. M.

Jean Kleis
Jean Kleis
Deputy Town Clerk

LEGAL NOTICE TOWN OF BOSTON NOTICE TO BIDDERS

Sealed bids for the Feddick Road Water Main Extension, Water District #2, Town of Boston will be received by the Town Clerk until 4:00 P.M. local time on April 9, 1981 at 8500 Boston State Road, Boston, New York, at which time and place they will be publicly opened and read.

Plans, specifications and proposal forms for this work are on file for inspection in the Town Hall, Town of Boston, New York; and in the office of Edwards and Moncreiff, P.C., Engineers and Surveyors, 482 South Cascade Drive, Springville, New York 14141. Copies of the plans and specifications may be obtained from the Town Hall, Boston, New York, upon payment of a deposit of Twenty Dollars (\$20.00). ALL CHECKS SHALL BE MADE PAYABLE TO THE TOWN OF BOSTON.

Any Bidder upon returning the Contract Documents within 30 days of the award of the contract and in good condition will be refunded his full deposit, and any non-bidder upon so returning the Contract Documents will be refunded ten dollars (\$10.00).

Each proposal must be accompanied by a certified check or bid bond in the amount of Five Percent (5%) of the bid. Such check is to be made payable to the Town Clerk, Town of Boston, New York, and is to be held as a guaranty that in the event the bid is accepted and the contract awarded to the bidder, the contract will be duly executed and its performance properly secured. In default thereof, said check and the amount thereof will be forfeited to the Town of Boston as liquidated damages.

Proposals must be made upon the forms furnished with the plans and specifications.

The Town reserves the right to reject any and all bids, waive any informalities or irregularities in the bids received, and to accept any bid which is deemed most favorable to the Town.

Date: March 6, 1981

Herbert H. Klein
Town Clerk
Town of Boston

Regular Meeting
May 6, 1981

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman Esther Faulring, Councilman Don Wohlhueter, Councilman Alfred Samulski, Supervisor David Zimmerman, Town Attorney Charles Maxwell and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer that the minutes of the April 15, 1981 Regular Meeting be approved.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer that the Town Clerk's Monthly Report be approved.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the General Fund and Special District Bills in the amount of \$13,009.74 be paid.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Samulski that the Highway Bills in the amount of \$7,998.34 be paid.

five (5) ayes

Carried

Letters were received from Congressmen Kemp, LaFalce, Lundine and Senator Moynihan advising that the IRS has withdrawn Procedure 80-55. The letters were received and filed.

A letter and executed copy of the fire dispatching agreement were received from the Town of Hamburg. Also received was a copy of the Fire Dispatching Budget for 1981. Councilman Wittmeyer asked that a copy of this be forwarded to the three fire companies.

A letter was read from the North Boston Fire Company questioning why a fire hydrant had not been placed on Herman Hill Road in the vicinity of Woodlee Court as was denoted in the original plans. Supervisor Zimmerman asked that this letter be referred to the Erie County Water Authority for an answer.

A notice was received from the State of New York Department of Environmental Conservation advising of a Public Hearing on Hazardous Waste Management on June 2, 1981 at 10:00 A. M. at 65 Court Street in Buffalo, New York. Town Clerk Klein advised that there is a copy of the proposed regulations in his office for any interested.

A letter was read from County Legislator Ronald Bennett advising of action taken by the Legislature during April. The letter was received and filed.

A letter was read from Dr. Costa, Southtowns Primary Care Physician inviting the town Board to a reception and tour of the center on Monday, May 25, 1981 at 7:30 P. M. Any Board member interested is to contact the Town Clerk's Office so reservations can be made.

Mr. Robert Vaughan, President of the Thornwood Park Association advised the Town Board that when they had purchased their Townhouse they were under the impression that the cul-de-sac was also their property, but had recently learned it was not. Mr. Vaughan asked the Town Board if it would be possible to deed the land to them so they can maintain it and plant flowers and shrubbery. Town Attorney Maxwell stated this cannot be deeded to them as it is a part of the Public Highway System. Supervisor Zimmerman asked Mr. Vaughan to come in to the next meeting with a plan of what would be planted and where and if it is satisfactory a permit could be issued so they could maintain the area. Karen Klineczar asked that the Conservation Advisory Council receive a copy of the Plan.

Kay Yoerk, Herman Hill Road advised the Town Board that she was having a problem with the creek running behind her property and has lost from 3 to 5 feet of land in the last couple of years. Building Inspector Decker stated the Drainage Committee had checked this and the problem is the gravel has come up about 2 feet. There was discussion by the Town Board and Supervisor Zimmerman advised that he would contact the State to see if they could help rectify this problem.

A Soil Removal Permit application was received from Martin Logel to remove 2625 cubic yards in a 200'x 350' area off Route 219 near the Eighteen Mile Creek. Town Clerk Klein stated that the Environmental Assessment Form had been filed

and that the proper place for the Logel request is with the Department of Environmental Conservation as more than 600 cubic yards is being removed thus requiring a mine reclamation permit. Town Clerk Klein named the DEC as the Lead Agency so they can handle the permit. He advised that the applicant had requested the permit be approved tonight contingent on approval by the DEC. Supervisor Zimmerman stated that the Town Board usually takes a look at the sites before they act on them and he would like to look the Logel property over.

A Soil Removal Permit application was received from Anna Gernold, Trevett Road. Town Clerk Klein advised there was no environmental assessment form so this request will be referred back to Mrs. Gernold and if she wants to remove more than 600 cubic yards this will also have to go to the DEC.

A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer granting permission to the Boston Youth Baseball to use the Town Park on Saturday, August 8, 1981 for their Annual Picnic and Awards Day.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter granting permission to the Amvets Post 219 to use the Town Park on August 2, 1981 for their Annual Jamboree contingent upon the filing of the proper Certificate of Insurance.

five (5) ayes

Carried

At 8:00 P. M. a Public Hearing was held to consider the adoption of a Local Law providing for the Control of Dogs in the Town of Boston. The Legal Notice was read by the Town Clerk. Town Clerk Klein explained that the adoption of this Local Law will bring the Boston Dog Law into conformance with the State Law. Bill Brehm, Zimmerman Road stated something should be done to catch the dogs running loose as this is a big problem in Boston. Town Clerk Klein advised of the fines that are levied for dogs picked up by the Dog Control Officer. Councilman Wohlhueter stated that the Dog Control Officer has been dependable and if there is a problem to call him.

Town Attorney Maxwell advised Mr. Brehm that he could also file a complaint with the Justice Court so charges would be brought against dog owners who allow their dogs to run.

Kay Yoerk asked what changes were being made in the Law and Town Clerk Klein advised of the changes and also noted that any money received from dogs - fines and licenses can only be spent for dog control.

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski to close the Public Hearing.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to adopt Local Law #2 providing for the Control of Dogs in the Town of Boston.

five (5) ayes

Carried

Requests were received from Woodrow Webber, 7074 Boston State Road and Ernest Fittry, 7072 Boston State Road to rezone their properties from RRB & R2 to B1 Business. Supervisor Zimmerman asked that these requests be referred to the Planning Board for their study and recommendation and that the Town Board be advised when the Planning Board meet to study this matter.

BOND ANTICIPATION NOTE RESOLUTION - EXTENSION OF WATERLINES - WATER DISTRICT #2

A letter was read from the County of Erie Department of Environment and Planning with the 1980 Census Information. The letter was received and filed.

A summons received by Town Attorney Maxwell on April 22, 1981, in the matter of Joseph and Lorraine Doyka was read. Town Attorney Maxwell advised that this had been referred to the Insurance Company.

LEGAL NOTICE

TOWN OF BOSTON
NOTICE IS HEREBY GIVEN that there has been presented to the Town Board, Town of Boston, Erie County, New York, on April 1, 1981, a copy of Local Law Number 3 of the year 1981, entitled a Local Law providing for the Control of Dogs in the Town of Boston, Erie County, New York. Included in this proposed Local Law is the repeal of the Town of Boston Dog Ordinance adopted on July 22, 1964 and amended on July 7, 1976 and August 8, 1979.

NOTICE IS FURTHER GIVEN that the Town Board of the Town of Boston will conduct a public hearing on the aforesaid proposed Local Law at the Boston Town Hall, 8500 Boston State Road, Boston, New York, on Wednesday, May 6, 1981 at 8:00 P.M. Eastern Daylight Savings Time.

At this hearing, at the time and place noted, all interested parties will be heard for or against petition.

Herbert H. Klein,

Town Clerk

Town of Boston

Dated: April 7, 1981

A motion was made by Councilman Samulski and seconded by Councilman Wohlhueter authorizing the Supervisor to execute an agreement with the Erie County Consortium.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer to create Water District #2 Extension project;

Estimated Revenues	\$90,000.00	From Interfund Transfers
Water District #2		\$50,000.00
Bond Anticipation Note		<u>\$40,000.00</u>
Appropriated for Project		\$90,000.00

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring naming the following as Polling Places for 1981 in the Town of Boston:

District #1	Boston Valley School
District #2	North Boston Fire Hall
District #3	Boston Town Hall
District #4	St. John the Baptist Church School
District #5	Boston Valley School
District #6	Boston Town Hall
District #7	North Boston Fire Hall

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer setting June 3, 1981 at 7:45 P. M. as a hearing time to consider a new contract with the Boston Historical Society.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer to request the State Insurance Fund to cover the Town of Boston Constables with Workmen's Compensation Insurance.

five (5) ayes

Carried

A letter was read from the Memorial Day Committee advising the Board of activities taking place on May 25th at the Town Park.

The Supervisor's Monthly Report was received.

Supervisor Zimmerman stated that the Southtowns Planning and Development Group has been working the past year to find a place to house dogs in the Southtowns and the SPCA has offered to help with a solution, but needs to know how many towns might be interested in a shelter. A motion was made by Supervisor Zimmerman and seconded by Councilman Samulski to go on record as being in favor of working with the SPCA to look into setting up a facility in the Southtowns to house dogs.

five (5) ayes

Carried

Supervisor Zimmerman advised the Board he had sent a letter to the Department of Transportation in the fall relative to the on ramp at Route 219 and 391 and had received an answer that it would be studied over the winter. He stated he had sent another letter yesterday and asked that they advise him of the conclusions of their study.

Supervisor Zimmerman stated that he had also sent a letter to Mr. Frandina of the County Department of Public Works relative to the condition of Back Creek Road and Eckhardt Road.

RESOLUTION - SALES TAX DISTRIBUTION

The Tax Collector's Monthly Report was received.

The Town Justice Monthly Report was received.

A motion was made by Supervisor Zimmerman and seconded by Councilman Faulring granting permission to Highway Superintendent Kreitzbender to attend a seminar at

A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer setting salary for Laborers at \$3.35 to \$6.00 per hour.
five (5) ayes
Carried

Cornell University on June 8, 9 and 10, 1981.

five (5) ayes

Carried

Councilman Wohlhueter asked if the trash pickup was proceeding okay and he was advised it was.

Highway Superintendent Kreitzbender asked if it would be possible to alert town residents that the highway department cannot run dead branches or stumps through the chipper. He advised that they were taking out the truck to pick them up, but stated most of it could be burned by the property owner.

Councilman Wohlhueter advised that the Drainage Committee had met last night.

Councilman Wittmeyer advised that the road in the Town Park was coming along and also the Lions Club Shelter was being bricked and would be dedicated on May 25, 1981.

Councilman Wittmeyer stated that he and Superintendent Kreitzbender had met with the Department of Environmental Conservation relative to a permit to take gravel from the creek to use it on the road in the park. He felt they should have the permit by June 1st.

Councilman Samulski stated that he had been advised by Albany that the Cable TV Final Report had been accepted so now the committee can advertise for bids. Bids will be advertised in two national publications and Global and International will be notified. Councilman Samulski stated they would have 60 days to bid after it is advertised.

Councilman Samulski thanked Councilman Faulring for getting the street light installed on Zimmerman Road.

Councilman Samulski stated he had not received an answer from the State Department of Transportation on the stripping of the road in front of the Town Hall so he had written another letter this week.

Letters were read from W. R. Casseday, New York State Department of Transportation to Supervisor Zimmerman and from Engineer Moncreiff to Kenneth Joseph of the New York State Department of Transportation relative to the waterline at Heinrich Road.

The Town Police Monthly Report was received.

The Building Inspector's Monthly report was received.

A motion was made by Supervisor Zimmerman and seconded by Councilman Samulski granting permission to Building Inspector Decker to attend a seminar at the Marriott Inn in Amherst on May 27, 1981. All appropriate expenses to be paid by the Town.

five (5) ayes

Carried

The Dog Control Officers Reports for February, March and April were received.

A letter was read from the Planning Board recommending that the rezoning request of Paul Bolt be denied. A motion was made by Supervisor Zimmerman and seconded by Councilman Faulring setting June 3, 1981 at 8:00 P. M. to hold a Public Hearing to consider the request of Paul Bolt to rezone his property at 6610 Rice Road from Agriculture to R-3.

five (5) ayes

Carried

A letter was read from Karen Klinczar with suggestions from Reed Garver for uses of the four sewer districts after they are shut down. Supervisor Zimmerman stated that this has been on the Capital Improvements Committee Agenda for sometime and they have been thinking along the same lines.

A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer granting permission to the Zoning Board of Appeals to attend a Workshop in East Aurora on May 14, 1981. All appropriate expenses to be paid by the Town.

A motion was made by Supervisor Zimmerman and seconded by Councilman Wohlhueter granting permission to Karen Klinczar to attend a seminar from May 15-17, 1981 of the New York State Preservation League in Corning, New York. All appropriate expenses to be paid by the Town.

five (5) ayes

Carried.

A letter was read from the Drainage Committee relative to their recommendations for the Meadow Drive/Creekside Subdivision drainage work.

Councilman Wohlhueter explained that a number of exhibits and alternates were received from URS and the Drainage Committee felt that after they had discussed it this was the plan to have on file so it can be preceded with when funding becomes available. Supervisor Zimmerman stated he would like to look at the phases recommended before the Board accepted them. The matter was tabled to the next meeting.

A redraft of a Local Law - Games of Chance was presented by the Town Clerk and he advised that changes were made after receiving a letter from Mr. McCarthy of the Wagering and Racing Board. Town Clerk Klein stated that the Local Law had been reworded to conform with the State Law and advised the Board of changes made. A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer to accept Local Law #3, 1981 - Games of Chance as revised.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Samulski to accept the Erie County Solid Waste Management Action Plan Final Report.

five (5) ayes

Carried

Supervisor Zimmerman advised that the books are on file relative to this plan for anyone interested.

A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer awarding the bid to Emerling Chevrolet, the low bidder, for a 1981 Chevrolet $\frac{1}{2}$ Ton 6 cylinder Pickup truck for the Dog Control Officer at a cost of \$6,985.45. Bids were received on April 1, 1981.

five (5) ayes

Carried

The following redraft of the amendments to the Zoning Ordinance were presented to the Town Board by Town Clerk Klein

1. At Page 17 - Article VIII - Section 5, Alternations, Extensions and Restoration shall be deleted in full and shall be restated to read, in full, as follows:

Section 5, Alternations, Extensions and Restoration

- (a) The Town Clerk shall be empowered to issue building permits for the extension, reconstruction or structural alteration of a building which is non-conforming because it did not comply with the minimum front yard or side yard setback requirements required at the time of the adoption of this ordinance, provided, however, that the proposed extension, reconstruction or structural alteration does not increase the non-conforming use of the structure within the non-conforming setbacks from the front or side lot lines.
- (b) The extension, reconstruction or structural alteration of any non-conforming building, other than a building which may be non-conforming by reason of its setback from the front or side lot line as specified in Section 5(a) above, shall require approval by the Zoning Board of Appeals in the Town of Boston. The Zoning Board of Appeals may require the submission of development plans including the location and character of the proposed structure and conditions of use for the premises concerned and in approving any such extension, reconstruction or structural alterations, the Zoning Board of Appeals may specify that no building permit or Certificate of Occupancy may be issued with respect to said premises except in accordance with the plans and conditions of use as submitted or as revised to meet the requirements of the Zoning Board of Appeals in furthering the purposes of this Ordinance. Any reconstruction or structural alteration of a non-conforming building as required in this Section shall not be permitted unless said building is changed to a conforming use except with the approval of the Zoning Board of Appeals following a public hearing as prescribed by law.

4. At Page 18 - Article X - Section 2 the last paragraph thereof shall be deleted in full and in substitution thereof there shall be added the following new section as follows:

Section 3 - Fees, Building Permits

The following fees shall accompany the application for a building permit for the construction, enlargement or alteration of any structure as follows:

Up to 250 square feet	\$15.00
251 to 600 square feet	25.00
601 to 900 square feet	35.00
901 to 1500 square feet	55.00
1501 to 2000 square feet	75.00
over 2000 square feet	75.00 plus \$.75 for each thousand cubic feet including cellar of area to be constructed.

He further recommended that Number 4, Section 3, Fees, the last part be changed to read as follows: \$75.00 plus \$.75 for each thousand cubic feet or proportion thereof including cellar of area to be constructed. The addition of or proportion thereof is for better clarity.

A motion was made by Councilman Samulski and seconded by Councilman Wohlhueter to adopt the amendments to the Zoning Ordinance as presented at the public hearing on April 15, 1981 and amended by the Town Clerk's redraft and recommendations.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to adjourn at 9:05 P. M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

TOWN OF BOSTON



At a Regular Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York on the 6th day of May, 1981, at 7:30 P. M., Eastern Daylight Savings Time, there were present

David Zimmerman	Supervisor
Milton Wittmeyer	Councilman
Esther Faulring	Councilman
Don Wohlhueter	Councilman
Alfred Samulski	Councilman

Supervisor Zimmerman presented the following resolution and moved its adoption:

WHEREAS, the County of Erie has heretofore been using the official Census data of population for distribution of Sales Tax Revenue to Cities, Towns and Villages, and

WHEREAS, the new 1980 Federal Census data of population has now been certified and received by the County of Erie.

NOW, THEREFORE, BE IT RESOLVED, that the County of Erie forthwith use the 1980 Federal Census data for the distribution of Sales Tax Revenue to Cities, Towns and Villages as required by the distribution agreement, and

FURTHER RESOLVED that a copy of this Resolution be forwarded to Erie County Legislator, Ronald P. Bennett, and County Executive Edward J. Rutkowski.

Seconded by Councilman Samulski and duly put to a vote which resulted as follows:

Supervisor Zimmerman	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Faulring	Voting	aye
Councilman Wohlhueter	Voting	aye
Councilman Samulski	Voting	aye

Herbert H. Klein

Herbert H. Klein, Town Clerk
Town of Boston, New York

At a Regular Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, Boston State Road, Boston, New York, in said Town, on the 6th day of May, 1981, at 7:30 o'clock P.M., Easter Daylight Time.

The meeting was called to order by Supervisor Zimmerman and upon roll being called, there were

PRESENT:	David Zimmerman	Supervisor
	Milton Wittmeyer	Councilman
	Esther Faulring	Councilman
	Don Wohlhueter	Councilman
	Alfred Samulski	Councilman

ABSENT: NONE

The following resolution was offered by Councilman _____

_____ Samulski _____, who moved its adoption,
seconded by _____ Wittmeyer _____, to wit:

BOND ANTICIPATION NOTE RESOLUTION DATED MAY 6, 1981,
FOR THE ISSUANCE AND SALE OF NOTES OF THE TOWN OF BOSTON,
NEW YORK, IN ANTICIPATION OF THE SALE OF \$40,000.00 SERIAL
BONDS FOR PART OF THE COST OF THE CONSTRUCTION OF THE
EXTENSION OF WATER LINES AND A WATER SYSTEM IN AND FOR
WATER DISTRICT NO. 2 IN SAID TOWN.

BE IT RESOLVED, by the Town Board of the Town of Boston, Erie County, New York, as follows:

Section 1. The specific object or purpose for which the obligations are to be issued is payment of part of the cost of the construction of the extension of water lines and a water system in and for Water District No. 2 in the Town of Boston, New York.

Section 2. The maximum estimated cost of such specific object or purpose is \$90,000.00 and the plan for the financing thereof is as follows:

- (a) By the issuance of \$40,000.00 serial bonds of said Town, hereby authorized to be issued pursuant to the local Finance Law and by the payment of the balance of said total cost in the amount of \$50,000.00 from current funds now available in the Town of Boston Water District No. 2 budget.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is at least 40 years, pursuant to subdivision 1 of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized shall be 5 years.

Section 4. The faith and credit of said Town of Boston, Erie County, New York, are hereby irrevocably pledged to the payment of the principal of an interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property within Water District No. 2 of the Town of Boston a tax sufficient to pay the principal and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner and amounts as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. This resolution shall take effect immediately. The question of the adoption of the foregoing resolution was duly put to a vote on roll call, subscribed by the members voting in the affirmance thereof, which resulted as follows:

Supervisor Zimmerman

Voting aye

David H. Zimmerman
Signature

Councilman Wittmeyer

Voting aye

Neil J. Wittmeyer
Signature

Councilman Faurling

Voting aye

Esther M. Faurling
Signature

Councilman Wohlhueter

Voting aye

Donna A. Wohlhueter
Signature

Councilman Samulski

Voting aye

Edith T. Samulski
Signature

AYES: 5

NOES: 0

ABSENT 0

Herbert H. Klein
TOWN CLERK, TOWN OF BOSTON

I, HERBERT H. KLEIN, Town Clerk of the Town of Boston, Erie County, New York, DO HEREBY CERTIFY: I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town of Boston, New York, including the resolution contained therein, held on the 6th day of May, 1981, with the original thereof on file in my office and that the same is true and correct copy therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 12th day of May, 1981.

Herbert H. Klein
Town Clerk, Town of Boston
Erie County, New York

Regular Meeting
May 20, 1981

Town Hall
8:00 P.M.

Present were Councilman Milton Wittmeyer, Councilman Esther Faulring, Councilman Don Wohlhueter, Councilman Alfred Samulski, Supervisor David Zimmerman, Town Attorney Charles Maxwell, Highway Superintendent Clarence Kreitzbender.

Boy Scouts from Troop 490 present were Michael Glogowski, Peter Schlee, Eric Curry, Paul Schlee, Bobby McDonald, Donald Curry, David Schlee and Paul Lorquet.

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer that the minutes of the regular meeting of May 6, 1981 be approved.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski that the General Fund and Special District Bills in the amount of \$10,737.64 be paid.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the Highway Bills in the amount of \$19,480.24 be paid.

five (5) ayes

Carried

A copy of a complaint served upon the State Board of Equalization and Assessment was received from National Fuel Gas relative to the 1981 tentative Special Franchise Assessment. Town Clerk Klein explained that the Town had received this complaint last year also and there is no action the Town has to take. This was received and filed.

A letter was received from New York State Electric and Gas advising the Town of the following street light changes as authorized in a Town Board resolution of January 23, 1981:

Installed

Removed

1-5800

P-4, L-2524
Homestead Road

1-5800

P-172, L789
Route 219

The letter was received and filed.

A letter was read from County Legislator Ronald Bennett advising the Board of action taken at the May 7th session of the Legislature. The letter was received and filed.

A letter was read from the Erie County Water Authority in reply to the Town Board's letter of March 24th relative to water service for a portion of Omphalius Road. Supervisor Zimmerman stated he would contact the Town Engineer to get cost estimates to serve this area. The letter was received and filed.

A letter was read from Ronald Bennett acknowledging receipt of the Town Board's resolution relative to sales tax distribution. Supervisor Zimmerman directed the Town Clerk to send a copy of the resolution to Amherst Supervisor Jack Sharpe. The letter was received and filed.

A letter was read from the Southtowns Primary Care Center rescheduling the tour and reception of the Boston Emergency Squad to May 26, 1981 at 7:30 PM. Town Clerk Klein asked any Town Board members interested in going to contact his office so reservations can be made. The letter was received and filed.

A letter was read from Charles Alessi, County of Erie, Department of Environment and Planning relative to the Town Board's concern for the condition of town roads following the sewer construction. Supervisor Zimmerman advised that the Town has no permit system to protect themselves like Mr. Alessi mentioned in his letter. Supervisor Zimmerman appointed Michael Perley, Chairman, Highway Superintendent Kreitzbender and Councilman Samulski to a committee to study the possibility of adopting a system to protect town roads when sewer and water lines are installed.

Robert Vaughan, President of the Thornwood Homeowners Association presented a plan to the Board relative to maintaining the town owned cul de sac on Thornwood Drive. Mr. Vaughan assured the Town Board that no town money would be needed. A motion was made by Supervisor Zimmerman and seconded by Councilman Faulring granting a one year permit to the Thornwood Home Owners Association to landscape and maintain the Thornwood Drive cul de sac as per their sketch at no cost for maintenance and materials to the Town of Boston.

five (5) ayes

Carried

Karen Klinczar asked if there would be provisions made on the Expressway to identify Boston. It was pointed out that some years ago this was pursued, but to no avail. Supervisor Zimmerman referred this to Councilman Samulski to get an answer from the New York State Department of Transportation.

A soil removal permit for Martin Logel, (contractor Robert Clark) which was tabled from the May 6, 1981 meeting, was discussed. Town Clerk Klein reported that the Environmental Assessment Form had been received and they were requesting 2600 cubic yards and the Department of Environmental Conservation advised they can be allowed to take 625 cubic yards without them getting a permit from the DEC for a Mine Reclamation Permit. He noted that the DEC recommends that the Town Board grant a permit to allow them to take out 625 cubic yards and no more until the DEC permit is finalized. Town Clerk Klein stated the area Mr. Logel is asking to remove soil from is 200' x 350' and Building Inspector Decker has informed him that they can only remove soil one foot deep. Town Clerk Klein further advised that at the last Board meeting he had said the Lead Agency would be the DEC, but this was in error and the DEC has informed him they are not the Lead Agency, that he as intake officer would be if it is necessary. Mr. Klein stated that he will call this a negative declaration as there is no action necessary under 617.7 and 617.10 and as far as he is concerned a permit can be issued without an Environmental Impact Statement. Mrs. Clark explained that there would not be a steady run of trucks and they would not be coming onto Wildwood. A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski to grant a Soil Removal Permit to Martin Logel, 7784 Boston State Road for the removal of not more than 625 cubic yards to be brought out through the Martin Logel property and not out Wildwood Drive.

five (5) ayes

Carried

A soil removal permit tabled at the May 6, 1981 Town Board meeting was discussed. Town Clerk Klein reported he received an Environmental Assessment Statement and upon his review this does not have a significant effect upon the environment. That under 617.7 and 617.10 of the Environmental Act he is considering it a negative declaration and no Environmental Impact Statement is required. That 625 cubic yards can be removed. If more is removed then a Mine Reclamation Permit will be required from the Department of Environmental Conservation and a copy filed with this application. Supervisor Zimmerman stated that the area was checked by the Board and is in a state of disarray. A motion was made by Supervisor Zimmerman and seconded by Councilman Faulring to grant a Soil Removal Permit to Anna Gernold, Trevett Road for the removal of not more than 625 cubic yards unless a Mine Reclamation Permit from DEC is received and a copy filed with the Town Clerk and that the area receive corrective grading or a permit will not be issued in the future.

five (5) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer approving the issuance of a building permit to Raymond Miller, 7182 Boston State Road to construct an addition (overhang) to a non conforming structure at 7182 Boston State Road.

five (5) ayes

Carried.

RESOLUTION - OUT OF DISTRICT SERVICE - GORDON HIGGINS - ORCHARD PARK #17

A motion was made by Supervisor Zimmerman and seconded by Councilman Faulring granting permission to Town Clerk Klein and Building Inspector Decker to attend a SEQR Seminar in Buffalo on June 4, 1981. All appropriate expenses to be paid for by the Town.

five (5) ayes

Carried

Supervisor Zimmerman welcomed the Boy Scouts and each member of the Town Board introduced their counterpart.

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring approving a Change Order for a credit of \$482.50 on the Feddick Road Water Main Extension in Water District #2.

five (5)

Carried

Supervisor Zimmerman stated at the last meeting he had reported writing to the State relative to the ramp at the Expressway entrance and he had now received an answer advising that speed was the main problem. Supervisor Zimmerman stated this was not really the answer he was looking for and referred the letter to the Traffic Safety Committee.

He further stated that he had also sent a letter to the County relative to the County roads and noted that some patching had been done on Back Creek Road.

A motion was made by Councilman Samulski and seconded by Councilman Wohlhueter granting permission to the Town Board to attend a Surplus Property Awareness Program on June 15th or 16th in Albany.

five (5) ayes

Carried

A letter was received from the Boston Lions Club inviting the Boston Town Officials to the dedication of the Lion's shelter at the Boston Town Park on Monday, May 25, 1981.

Councilman Faulring asked Councilman Samulski if he had contacted the State about delineators for the curve at Kummers on Route 219. He stated they were looking into reflectors for that area.

Councilman Wittmeyer stated he, Highway Superintendent Kreitzbender and Ed Cary had walked the Wendling property to look at the drainage situation and it had been decided to turn this matter over to the Drainage Committee for their study and recommendation.

Councilman Wittmeyer advised that the road is in as far as it is going and that the old Emergency Squad building should be moved within a month.

Councilman Samulski read a letter from Commissioner Frandina of the County of Erie Department of Public Works to the New York State Department of Transportation relative to the portion of Route 219 from Patchin Road to Liebler Road that had never been included in any of the resurfacing projects.

Councilman Samulski advised that the State has advised him that the crosswalk stripping on 219 at the Town Park, the speed limit for Boston Cross Road and the arrows on 219 at the Kummer property are all under study by the State.

A letter from Edwards and Moncreiff to Highway Superintendent Kreitzbender relative to completion and correction of items at Woodlee Court before it can be accepted was read.

A letter was received from the Boston Zoning Board of Appeals advising the Board of officers elected to the Zoning Board. The letter was received and filed.

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter to adjourn at 8:43 P. M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

At a regular meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York, on the 20th day of May, 1981, at 8:00 P. M., Eastern Daylight Saving Time, there were

PRESENT: David G. Zimmerman	Supervisor
Milton Wittmeyer	Councilman
Esther Faurling	Councilman
Don A. Wohlhueter	Councilman
Alfred Samulski	Councilman

Councilman Wohlhueter presented the following resolution and moved its adoption.

RESOLVED, that the Town Board of the Town of Boston, Erie County, New York, hereby consents and approves that public water service be furnished to the following property owner, residing at the address as set opposite their name as follows:

<u>TAX ACCOUNT NUMBER</u>	<u>NAME</u>	<u>ADDRESS</u>
3-13	Gordon Higgins	6993 Ward Road, Boston, N. Y.

By Water District #17 of the Town of Orchard Park as an out-of-district customer, and that the Town Board further consents and approves that in the event of a default in payment with respect to said water service should result in said sum or sums as may be unpaid may be placed on the Tax Rolls in the Town of Boston for collection thereof and be it further

RESOLVED, that when and if the Town of Boston forms a Water District to service the area in which these petitioners reside that these petitioners be and are hereby obligated to join the Town of Boston Water District and be it further

RESOLVED, that if the Town of Orchard Park Water District involved is under Lease Management with the Erie County Water Authority that the permission granted above be and hereby is subject to the approval of the Erie County Water Authority's Engineering and Tariff requirements.

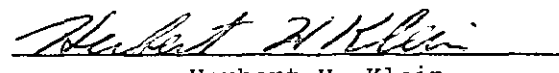
Seconded by Councilman Faurling and duly put to a vote and upon roll call the vote was as follows:

Supervisor Zimmerman	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Faurling	Voting	aye
Councilman Wohlhueter	Voting	aye
Councilman Samulski	Voting	aye

AYES: 5

NOES: 0

ABSENT: 0


Herbert H. Klein
Town Clerk

Regular Meeting
June 3, 1981

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman Esther Faulring, Councilman Don Wohlhueter, Councilman Alfred Samulski, Supervisor David Zimmerman, Town Attorney Charles Maxwell and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer that the minutes of the May 20, 1981 Regular Meeting be approved.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the Town Clerk's Monthly Report be accepted.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski that the General Fund and Special District Bills in the amount of \$13,129.99 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the Highway Bills in the amount of \$15,852.06 be paid.

five (5) ayes

Carried

Letters were received from the New York State Comptroller and Department of State advising of the filing of Local Law 2 and 3 of 1981.

A letter and executed copy of the Snow Removal Contract for the 1980-81 season were received from the County of Erie. The letter and contract were received and filed.

A thank you letter was read from Edith Schramm for the Highway Department's assistance on the Memorial Day Program. A letter and report were received from Karen Klinczar, Chairman of the Memorial Day Committee. Supervisor Zimmerman thanked Karen and her committee for the work done on the celebration.

A letter was read from Norbert and Joanna Witkowski, 8298 Feddick Road, requesting water service from Water District #2. Supervisor Zimmerman stated that the Witkowski's are at the end of the present Water District and he will contact the engineer to look into this and have a report at the next meeting.

A letter was read from Donald Hutchinson, 5710 Herman Hill Road relative to the problem with the ditch behind his property. Supervisor Zimmerman reported this letter had been referred to the Drainage Committee. Councilman Wohlhueter reported the Drainage Committee had looked at the problem and realized it was on private property and the Town cannot go on private property. Kay Yoerk, Herman Hill Road stated she had asked for help on this problem. Supervisor Zimmerman asked Mrs. Yoerk if she felt the property owners would be willing to sign a temporary easement so the Town could go on private property to clean the ditch. She stated yes, she felt they would. Supervisor Zimmerman directed Town Attorney Maxwell to draw up a letter for a temporary easement and he would go house to house to get the permission. Jean Kleis, Woodland Drive, asked if it would be possible to have the east side of the ditch cleaned also as there is a lot of debris in it.

At 7:45 P. M. a Public hearing was held to consider an amendment to the present contract with the Boston Historical Society. The Legal Notice was read. Supervisor Zimmerman explained the reason it is being reopened is to forward \$1,000.00 to the Society for the preservation of their steeple. There were no comments from the public. A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer to close the Public Hearing.

five (5) ayes

Carried

LEGAL NOTICE
TOWN OF BOSTON
PLEASE TAKE NOTICE that a Public Hearing will be held by the Town Board of the Town of Boston at the Boston Town Hall, 8500 Boston State Road, Boston, New York on June 3, 1981 at 7:45 P.M. Eastern Daylight Savings Time for the purpose of considering an amendment to the present contract with the BOSTON HISTORICAL SOCIETY, INC. for the preservation of historical places and objects in the total amount of \$2,800.00 per annum for the year 1981. All persons interested in the matter shall be heard at such time and place.
Dated: May 8, 1981.

Town Board
Town of Boston
Herbert H. Klein
Town Clerk

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to approve the amendment to the Boston Historical Society Contract in the amount of \$2,800.00 per annum for the year 1981.

five (5) ayes

Carried

A letter was read from the Erie County Water Authority in answer to a letter from the Town Board relative to a proposed hydrant on Herman Hill Road. Supervisor Zimmerman stated that Richard Doll, Woodlee Court Developer has claimed that he never intended to put a hydrant on Herman Hill Road and James Carr, North Boston Fireman stated that he still had the plans and would check them. A copy of the Erie County Water Authority letter was referred to the North Boston Fire Company.

A decision in the matter of Paul R. Guenther vs the Town of Boston was read finding no cause of action against the Town. The decision was received and filed.

A letter was read from Legislator Ronald Bennett advising the Board of action taken at the May 28th session of the Legislature.

A Rice Road resident advised that Rice Road is in bad condition and asked if something could be done. He stated he had talked to Mr. Kretizbender and stone had been put down, but it needs to be repaved. Supervisor Zimmerman stated the cost of paving would be looked at.

Gary Walters, Zimmerman Road asked if any answer had been received from the County in regard to letters written on the condition of Zimmerman Road. Supervisor Zimmerman read a letter he had received from the County advising of work that would be done on some County roads in Boston. Supervisor Zimmerman also advised Mr. Walters that bids had been let for portions of Zimmerman and Feddick and that probably next spring something could be done about the lower part of Zimmerman as the sewer contractor has to be completed by October.

At 8:00 P. M. a Public Hearing was held to consider the request of Paul Bolt to rezone his property at 6610 Rice Road from Agriculture to Residence R-3. The Legal Notice was read. A letter was read from the Planning Board requesting the rezoning application be denied.

George Kassman, Attorney for Paul Bolt stated that the property is attractive, well designed and well kept up and it is unfortunate it is in the kind of circumstances it is. He stated that Mr. Bolt is looking for the solution to a problem that has been around for some period of time. Mr. Kassman stated that he felt the Board should consider this to alleviate an existing situation and not to enlarge any kind of zoning exception as Mr. Bolt is looking for something to be compatible with his neighbors. He stated a rezoning or variance would be fine with Mr. Bolt as long as he can be put into conformity with the ordinance.

Attorney Gary Maas, representing neighbors in this matter principally John Koza and Tony Fisher, stated that as the Board is well aware there is a problem regarding amicable relations between the neighbors and the use to which Mr. Bolt may or may not put his property. He stated the neighbors and Mr. Bolt have attempted to reach some form of resolution but unfortunately because of a pre existing condition the Town Board's help is needed. Mr. Maas stated that there is a question if a variance is proper or rezoning, but if the real question is how are we going to let these people best live together, and it seemed the best way was a variance or zoning change.

Mr. Richard Sage, Rice Road stated he did not follow Counsel for Mr. Koza on working on a relationship in a neighborhood as it is new to

LEGAL NOTICE

AMENDMENT TO THE ZONING ORDINANCE AND ZONING MAP OF THE TOWN OF BOSTON

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Boston, Erie County, New York will hold a Public Hearing on the 3rd day of June, 1981 at 8:00 P.M. Eastern Daylight Savings Time in the Boston Town Hall, 3500 Boston State Road, Boston, New York on the petition and request of Paul Bolt to rezone the following described property at 6610 Rice Road which is presently zoned Agriculture to Residence R-3 under the Zoning Ordinance of the Town of Boston, said property being described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Boston, County of Erie and State of New York, being part of Lot No. 11, Township 8, Range 7 of the Holland Land Company's survey, bounded and described as follows:

BEGINNING at a point in the center line of Rice Road, distant 135 feet westerly, as measured along said center line from the intersection thereof with the center line of Back Creek Road; running thence southerly at an interior angle of 92°45' with said center line of Rice Road, 341.5 feet to a point; running thence westerly and parallel with the center line of Rice Road, 175 feet to a point; running thence northerly, parallel with first mentioned course, 341.5 feet to the center line of Rice Road; running thence easterly, along the center line of Rice Road, 175 feet to the point of place of beginning.

At this hearing, at the time and place noted all interested parties will be heard for or against said petition.

Herbert H. Klein
Town Clerk
Town of Boston

Dated: May 14, 1981

him and he has been in the neighborhood quite a few years. Mr. Sage stated he is against the rezoning. He noted it is zoned Agriculture and there is presently a three apartment home on the property which was put up 2½ - 3 years ago in violation of the zoning ordinance and now later he comes in and wants a change in the zoning which Mr. Sage stated he is opposed to. He further stated that if there is some other way to go at it fine, but if you do rezone someplace along the line Mr. Bolt or a new owner could turn this into a detriment of the neighborhood and even the township. Mr. Sage stated he did not feel this request was being fair to the Councilman as they were in fact being asked to give sanction to what has been a violation of the past couple of years, and he would hate to have to sit on the Board and tell Mr. Bolt that they would rezone his property and forgive him for past violations. He asked the Town Board to reject Mr. Bolt's request for rezoning.

Ken King, 9188 Back Creek Road stated that he, his wife and son are very much against the rezoning as if the property is rezoned for multi family use it not only permits what is presently there illegally, but it also permits anything that complies to the new zone which could be a large apartment house. Mr. King further advised this would be 'spot zoning and the Town has fought for many years to avoid spot zoning. He stated that if the property is changed to multi family, it will then be next to impossible to prevent rezoning the adjoining parcel to multi family and he noted that a year or so ago Mr. Bolt had requested that the entire corner be rezoned. Mr. King went on to say that rezoning would be a poor idea on a regional and local planning basis as the higher density there would encourage more people to move here from the city which would tend to increase gasoline consumption which is against the national interest. Mr. King noted that more sewer systems would be needed and then more dwellings to pay for the sewers. He stated the area is rural single family homes and he felt the people that bought them expected them to stay basically rural single family homes and he did not feel an apartment complex should be brought in that would change the character of the neighborhood. Mr. King stated that there are provisions in the Master Plan for multi family areas adequate to suit the Town.

Councilman Samulski asked if Mr. Kassman could be more specific on what was meant by solution to a problem and to alleviate a situation. Mr. Kassman stated that heretofore there was some friction between some of the neighbors and Mr. Bolt by reason of fact that this had occurred and at the present time they recognized the fact that he doesn't intend to enlarge this in contrast to what Mr. King says. Mr. Kassman stated all he was trying to do was bring it into conformity. He stated that Mr. Bolt would be happy to sign an agreement that he would not build any further buildings on the property that is being rezoned. Mr. Kassman stated that Mr. King had a personnel interest in this which does not have a great deal of bearing, but does effect his credibility.

Councilman Samulski asked what the problem was before and John Koza stated he did not know if Mr. Bolt had knowingly or unknowingly done it, but to him it seemed that if the Building Inspector, whoever he was at the time, he must have known the building was going up against principals of zoning and he should have conveyed this to Mr. Bolt so he would not have stuck all that extra money in the building. Mr. Koza stated he did not know whose fault it was, but something should be ironed out and he felt the neighbors should not suffer because of someones slip up.

Councilman Samulski asked if the problem had gone away and John Koza stated no it had not gone away. Councilman Samulski again asked what the problem was and Mr. Koza stated it was that Mr. Bolt wants this thing changed so he can comply and live with his neighbors. Councilman Samulski asked Mr. Koza what his gripe had been against this man. Mr. Koza stated that this gripe was that some here don't see the same as the other half does. He stated he did not feel that this should be knocked down that they all should be able to live there.

Town Attorney Maxwell stated the problem was that the house was going to be leased to the State of New York for retarded people. Supervisor Zimmerman stated that maybe it still is as he has not heard anything different.

Supervisor Zimmerman stated his opinion was that he agreed with Mr. Kassman that it was an attractive building, but he was against rezoning the property. He further advised that he would be in favor of issuing a non conforming order.

Town Attorney Maxwell stated that this could be done on a special permit basis which would restrict it to the present use and any other conditions put on it. He asked if the septic system was in compliance with the Health Department and Mr. Kassman stated it was in the process. Mr. Bolt said it would be about two months.

Councilman Wittmeyer stated he did not feel anyone wanted Mr. Bolt to take the building down and felt they would be happy to have it restricted to what it is now and not let the rezoning happen.

Ken King stated he did not object to what he had done except it was a strange way to go about things and if Paul said he would not build another thing he believed him, but what if he sold it in the future.

Tony Fischer, 9300 Back Creek Road asked if this property had been a two family home and was advised it was a single family. He asked Mr. Bolt if it was possible to give it a non conforming status as long as it was an owner occupied dwelling. Mr. Bolt stated he was not in favor of this as he did not want to tie himself to the property the rest of his life.

Town Attorney Maxwell stated if you went the Special Permit route, if he sold it to someone else, they would be bound by the conditions of the Special Permit. All conditions would be bound into the land itself and any buyer would be bound by those conditions.

Councilman Wittmeyer stated he felt the same as the Supervisor as he was against rezoning that would open up so many things that could happen in that area and he would rather see it go on a Special Permit basis.

Town Attorney Maxwell stated this would require a new Public Hearing as it could not be done on the basis of this hearing.

Councilman Wohlhueter stated he would be satisfied to have another public hearing so neighbors could again be heard and also have something from the Health Department that the septic system is in compliance. He stated he could not see rezoning as a high rise apartment could be put in there.

Councilman Samulski stated he was totally opposed to rezoning, but if there is some means to settle the situation amicably he would be in favor of it.

Mr. Kassman advised the Board that Mr. Bolt would be agreeable to a Special Permit situation and in due course the septic system would be in compliance.

Town Attorney Maxwell explained the procedure for a Special Permit advising that the rezoning be denied and that Mr. Bolt apply for a Special Permit and a public hearing be set up.

Mr. Kassman advised that Mr. Bolt would be willing to withdraw his application for rezoning and Mr. Bolt stated he would like to withdraw the application.

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski to close the public hearing.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Faulring to correct abstracts as follows:

Abstract #5	May 6, 1981
Voucher #320	from CF 7310.4 to CF 7110.4
Abstract #5A	May 21, 1981
Voucher #335	A1620.4 From \$164.25 to \$164.75
Total Abstract from \$10,737.64 to \$10,738.14	

five (5) ayes

Carried

RESOLUTION - REAPPORTIONMENT

A motion was made by Supervisor Zimmerman and seconded by Councilman Faulring granting permission to Town Clerk Klein to attend at Municipal Insurance Seminar in Albany on June 3, 1981. All appropriate expenses to be paid by the Town.

five (5) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Wohlhueter granting permission to Town Clerk Klein and Councilman Wittmeyer to attend the Upstate Municipal Risk Association in Buffalo on June 10. All appropriate expenses to be paid by the Town.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Wohlhueter * to attend an OSHA Compliance Seminar in Orchard Park on June 17, 1981. All appropriate expenses to be paid by the Town.

five (5) ayes

Carried

The Town Board offered their congratluations to Mrs. Louis Rucker on her 97th Birthday and signed a card to be sent to her.

Karen Klinczar asked for the status of the Recreation Program study. Supervisor Zimmerman stated that if it had been done Paul Becker would have them and he would contact Paul.

The Supervisor's Monthly Report was received.

A motion was made by Supervisor Zimmerman and seconded by Councilman Faulring that the Town pay the Blue Cross and Blue Shield coverage for Lee Pfarner.

five (5) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer granting permission to Supervisor Zimmerman to attend the Summer Conference of Supervisors and County Legislators at Edgewood in Alexandra Bay from June 21st to June 24th. All appropriate expenses to be paid by the Town.

five (5) ayes

Carried

Supervisor Zimmerman stated he had received a letter from Orchard Park advising they will no longer be responsible for the Senior Citizens Van. He stated on the recommendation of the Board he would meet with our Senior Citizens on Friday to get their opinion and if we are getting enough use from it then the Town might take over the operation. He advised he would report at the next meeting.

A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski to set a petty cash fund for the Town Attorney in the amount of \$300.00.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the farms of Norbert Heichberger, 8067 Lower East Hill Road, Harold Frantz, 7515 Wohlhueter Road and Robert Arendt, 8712 Cole Road be considered for inclusion in the Concord Agriculture District.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Samulski entitling the Town Clerk to charge \$5.00 for a Certificate of Marriage as set forth in Domestic Relations Law 14a §2a.

five (5) ayes

Carried

The Tax Collectors Monthly Report was received.

The Town Justice Monthly Report was received.

Town Attorney Maxwell stated that the Assessment Lawsuit with WBUF cannot be settled and it will be necessary to hire an appraiser soon as this will go to court.

Councilman Samulski stated he had received a response from a Denver publication and they will carry the ad for the Cable TV Franchise and he is now waiting for word from a trade paper in Washington. Then a date will be set to advertise for bids.

Councilman Samulski reported that a gentleman from the New York State Department of Transportation had been at the Town Hall to see about the crosswalks and had been advised that a crosswalk at each driveway would be the best.

Councilman Wohlhueter advised that at the corner of Keller and Feddick there is a tree limb over the stop sign that is dangerous. Councilman Samulski asked Highway Superintendent Kreitzbender to look into this.

Letters from the Planning Board to Ernest Fittry and Woodrow Webber were read realtive to their rezoning requests. The letters were received and filed.

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring

*granting permission to Herbert Klein

to accept the recommendation of the Drainage Committee for the Meadow Drive/Creekside Subdivision as follows: Exhibit project II - Alternate I, as submitted by URS, be accepted and further that this alternate be accomplished in two phases:

- 1) Include Items 1, 2 and 6 with Item 6 being modified if necessary, to accomodate any drainage of the North Boston Recreation Field for development of possible additions.
- 2) That Items 3, 4 and 5 be done in order of numbering - Phase I and Phase II.

five (5) ayes

Carried

Supervisor Zimmerman appointed Deputy Town Attorney Perley and Councilman Wohlhueter to look into funding for this project and whether or not a district should be set up.

Councilman Wittmeyer stated that fill could not be put up at the stadium as it was too wet and the truck had gotten stuck.

Councilman Samulski on behalf of the Town Board, wished Councilman Wittmeyer a Happy Birthday and invited everyone for cake and coffee in the Assessors office.

A motion was made by Councilman Samulski and seconded by Councilman Faulring to adjourn at 8:45 P. M.

Jean Kleis
Jean Kleis
Deputy Town Clerk

TOWN OF BOSTON



At a Regular Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York on the 3rd day of June, 1981, at 7:30 P. M., Eastern Daylight Saving Time, there were present

David Zimmerman
Milton Wittmeyer
Esther Faulring
Don Wohlhueter
Alfred Samulski

Supervisor
Councilman
Councilman
Councilman
Councilman

Councilman Samulski presented the following resolution and moved its adoption:

WHEREAS, the Supreme Court requires that certain legislative bodies reapportion every 10 years to equalize population of legislative districts, thereby providing equal representation on matters of public concern, and

WHEREAS, the official 1980 federal census report showed that the County of Erie has lost more than 100,000 people since 1970, and

WHEREAS, Although 10 years ago each of the present 20 districts of the Erie County Legislature were drawn to have, and did in fact each have, approximately 55,000 persons, the shifts in population have been so severe that in some districts the current population is less than 40,000 persons, and

WHEREAS, the Legislature of the County of Erie has enacted a local law which was drawn based on the census figures, and which will provide equal representation on county matters for the residents of the Town of Boston and for residents of the county as a whole, and

WHEREAS, The local law will be subject of a countywide public referendum on June 23, 1981, in which the people of Erie County will have a direct voice in the structure of their county government for the next 10 years, and

WHEREAS, The reapportionment law enacted by the Legislature of the County of Erie provides for a reduction from 20 to 17 districts, each new district having approximately 59,000 residents, and

WHEREAS, The reduction of three districts is consistent with the county's population loss and represents a commendable effort toward controlling the size of government, a concept which is an increasing concern of the public, and

WHEREAS, the sponsors of the local law project an annual savings of \$200,000.00 per year as a result of the approval of the 17-District reapportionment plan, for a total savings of more than \$2,000,000 by the time the next reapportionment is necessary after the 1990 federal census, and

WHEREAS, the Town of Boston will expect to receive its fair share of county services, and a continuation of fair, responsive representation in keeping with the court's sanction of "one-man", one-vote" with the enactment of the 17-District reapportionment law,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Boston does hereby go on record in favor of the approval of the 17-District reapportionment law in the June 23, 1981, referendum, and directs that a copy of this resolution be transmitted to the Clerk of the Legislature of the County of Erie.

Seconded by Councilman Wohlhueter and put to a vote which resulted as follows:

Supervisor Zimmerman

Voting aye

Councilman Wittmeyer

Voting aye

Councilman Faulring

Voting aye

Councilman Wohlhueter

Voting aye

Councilman Samulski

Voting aye

AYES:

5

NOES:

0

ABSENT:

0

Herbert A. Kline

TOWN OF BOSTON



TOWN OF BOSTON

AMENDED CONTRACT WITH BOSTON HISTORICAL SOCIETY, INC.

THIS AGREEMENT, made the 3rd day of June, 1981, between the TOWN OF BOSTON, Erie County, New York, hereinafter referred to as "party of the first part, " and BOSTON HISTORICAL SOCIETY, INC., a membership corporation of the State of New York, hereinafter referred to as "party of the second part, " being amendatory of an Agreement made November 19, 1980.

W I T N E S S E T H :

WHEREAS, the Boston Historical Society, Inc., party of the second part, desires to furnish the following services for the benefit of the people of the Town of Boston, consisting of the preservation and protection of places, buildings, works of art and other objects of historical value having a special character or aesthetic interest or value to the history of the Town of Boston; and

WHEREAS, the Town Board of the Town of Boston, pursuant to the authority granted to it by statute, Section 64, Subdivision 17A of the Town Law, has heretofore appropriated a sum of money to carry out the purposes of this agreement, and to enable the party of the second part to carry out its activities and to render such service and aid for the year 1981;

NOW, THEREFORE, the Town of Boston, party of the first part, does hereby engage the party of the second part for the year 1981 from January 1, 1981 to December 31, 1981, to render services for the benefit of the people of the Town of Boston for the preservation and protection of places, buildings, works of art and other objects of historical value having a special character or aesthetic interest or value to the history of the Town of Boston, pursuant to the authority granted by Section 64, Subdivision 17A of the Town Law, for which services the said Town of Boston, party of the first part, shall pay to the Boston Historical Society, Inc., the sum of \$2,800.00 of which \$1,800.00 has been paid leaving a balance of \$1,000.00 which shall be paid subsequent to this amended agreement.

The party of the second part further agrees to furnish to the Town Board of the Town of Boston, a written itemized statement of its disbursements and expenses not later than September 30, 1981.

This agreement shall continue for a period of one (1) year from January 1, 1981 and shall terminate December 31, 1981.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day hereabove first written.

David H. Zimmerman
Supervisor, David G. Zimmerman

SEAL

Milton I. Wittmeyer
Councilman, Milton Wittmeyer

Attest:

Esther M. Faurling
Councilman, Esther Faurling

Herbert H. Klein
Herbert H. Klein, Town Clerk

Don A. Wohlhueter
Councilman, Don A. Wohlhueter

SEAL

Alfred Samulski
Councilman, Alfred Samulski

BOSTON HISTORICAL SOCIETY, INC.

Attest:

By Charles R. Pettit
President

Herbert H. Klein
Herbert H. Klein, Town Clerk

Regular Meeting
June 17, 1981

Town Hall
8:00 P. M.

Present were Councilman Milton Wittmeyer, Councilman Don Wohlhueter, Councilman Alfred Samulski, Supervisor David Zimmerman and Town Attorney Charles Maxwell.

Absent were Councilman Esther Faulring and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski that the minutes of the June 3, 1981 Regular Meeting be approved.

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the General Fund and Special District Bills in the amount of \$26,978.68 be paid.

four (4) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer that the Highway Bills in the amount of \$4,882.33 be paid.

four (4) ayes

Carried

A letter was received from the County of Erie Department of Senior Services with a Program Announcement relative to Community Services for the Elderly. Supervisor Zimmerman asked that this letter be referred to Councilman Samulski and that he attend the informational meeting on June 19th to obtain more information.

A resolution, adopted by the Erie County Legislature on May 28, 1981 relative to the Eden Agriculture Districts was read. The resolution was received and filed.

A letter was read from Mr. and Mrs. John Parkhurst, 6697 Pinehurst relative to a drainage problem to the rear of their property. Mr. Parkhurst was present and explained that last year a neighbor had put in railroad ties and gravel thus cutting down the size of the drainage ditch which Mr. Parkhurst felt would cause problems with his sump pump drain during heavy runoffs. Supervisor Zimmerman directed the Town Clerk to send a letter to the Drainage Committee asking that they check into this problem along with the Town Board.

A letter was read from Ron Bennett advising the Town Board of action taken at the June 4th session of the Erie County Legislature. The letter was received and filed.

A notice was received from the County of Erie advising of the designation of restricted highways as follows:

That portion of Feddick Road C.R. 469 from Shero Road to North Boston Road a distance of 2.5+ miles all in the Town of Boston. Purpose of restriction is to resurface pavement. Restriction to be in effect from June 15, 1981 till completion. Work to be done by A. L. Blades & Sons, Inc.

AND

That portion of Zimmerman Road, C.R. 437 from Brown Hill Road to Shero Road. A distance of 3.0+ Miles all in the Town of Boston. Purpose of restriction is to resurface pavement. Restriction to be in effect from June 16, 1981 till completion. Work to be done by A. L. Blades & Sons, Inc.

Supervisor Zimmerman directed the Town Clerk to send a copy of this notice to the Fire Companies and Emergency Squad.

Kay Yoerk, Herman Hill Road, asked how the Board was coming with their drainage problem. Supervisor Zimmerman advised that Town Attorney Maxwell had given him the forms and he asked Mrs. Yoerk to meet with him after the meeting to discuss getting signatures for permission to enter private property. Supervisor Zimmerman stated he would also check with the New York State Department of Environmental Conservation to see if it is necessary to get a permit to clean this ditch.

Kay Yoerk also asked if Zimmerman Road would be fixed. Supervisor Zimmerman stated that the last time he had talked to anyone they had stated that the sewer contractor would be paving Zimmerman Road from Keller to Mayer as soon as he is done.

Edward Schramm, Back Creek Road, asked the Town Board what they were doing about his problem which is a heavy runoff from the hill during a rain. Supervisor

Zimmerman stated that he had talked to Mr. Johnson from the consulting engineers working with the State and he expected that by tomorrow they would have the plans laid out to divert the water although they were not sure in what direction. Mr. Schramm stated that the problem is the waste land up there as the water comes right over the top of it. He asked if the contractor had received a permit to dump there and Supervisor Zimmerman stated the Planning Board had not felt a permit was needed after they had studied it and he also noted that top soil will be put on this waste area and it will be seeded. Mrs. Schramm advised that she felt it was being used for a personal garbage dump. Supervisor Zimmerman advised the Schramm's he would get back to them as soon as he hears something.

Town Clerk Klein read a letter from Mrs. Frederick Meyer, 7288 Boston State Road relative to a problem of water backing up on her property. Building Inspector Decker stated he and Ed Snow had checked this and determined that the outlet had been blocked when the people next door had filled it in to make lawn. Following discussion Supervisor Zimmerman stated he would send a letter to the property owner Mrs. Umber advising her of this problem.

Charles Decker advised the Town Board that Shero Road should be fixed as each time it rains it gets worse. Supervisor Zimmerman stated they would look into this.

An application for a soil Removal Permit was received from Harold Kreitzbender to remove soil at 8116 Boston State Road from a section 75' x 350'. Town Clerk Klein stated the EAF Form has been completed and there is not more than 625 cubic yards being removed. Councilman Wittmeyer stated he and Building Inspector Decker had looked the site over and as no soil was removed last year, it is just a renewal of last years permit. Town Clerk Klein stated that under the Environmental Act it would be a negative declaration. A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski to approve the granting of a Soil Removal Permit to Harold Kreitzbender to remove soil at 8116 Boston State Road from a site 75' x 350' and to remove no more than 625 cubic yards.

four (4) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Wohlhueter setting July 8, 1981 at 8:00 P. M. to hold a public hearing to consider the request of Clive and Marilyn Rucker for a Special Use Permit to park a travel trailer at 8982 Pack Creek Road 12 months a year and live in it four (4) months contingent upon the receipt of the \$75.00 fee.

four (4) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer setting July 8, 1981 at 8:15 P. M. to consider the request of Paul Bolt for a Special Use Permit to convert a single family residence at 6610 Rice Road to a three family residence.

four (4) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Wohlhueter granting permission to Good Shepherd Lutheran Church to use the Town Park on July 12, 1981 from 10:30 A. M. to 5:00 P. M. for their annual church picnic contingent upon the receipt of a Certificate of Insurance.

four (4) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski setting summer meeting times and dates as follows:

July 8, 1981	7:30 P. M.
August 12, 1981	7:30 P. M.

four (4) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer appointing the Recreation Staff and setting salaries as recommended by Recreation Supervisor Orffeo as follows:

Director	Pat Burger	\$900.00/session
Assistant Directors	Barb Weber	4.00 per hour
	Greg Weber	4.00 per hour
	Karen Brunner	3.40 per hour
Aides	Margery Vogel	3.40 per hour
	John Rudney	3.40 per hour

Youth Aides	Jackie Pawlikowski	\$335.00/session
	Lee Ann Sedovy	335.00/session
	Dave Fluker	335.00/session
	Ron Smolinski	335.00/session
	Patty McGlynn	335.00/session
	Wendy Wozniak	335.00/session

Arts and Crafts Director	Kattie Armitage	740.00 session
Bus Driver	Sandy Meyers	4.20/hour

Salaried workers to be paid at the end of the third week and the end of the sixth week and hourly workers to be paid bi-weekly.

four (4) ayes Carried

Councilman Wittmeyer reported that he and Town Clerk Klein had attended a UMRA session last Thursday and it was very informative. He felt that at a later time a recommendation would be made to join this organization at a cost of \$50.00 and advised that it is a plan to go into Insurance with surrounding communities.

Councilman Wittmeyer further reported that he and Supervisor Zimmerman had gone to Albany to check into Federal Surplus. He noted that there was a vast supply of materials for municipalities to purchase. He advised that they did not purchase anything, but there were somethings they might be interested in in the future.

Specifications for a new Police Car were discussed and Chief Strack advised that the cars are available at Mid City Dodge and can be purchased under the state price. He advised the 1981 Dodge St. Regis would be white with a blue stripe, blue trunk and blue hood. He advised that the radio from the old car would be salvageable and put in the new car. The amount received from the Insurance Company is as follows: \$4,000 on car; \$1,252.60 wiring and lights; \$45.00 towing. A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski to purchase a 1981 Dodge St. Regis with police package under contract number P 100 - Mid City Dodge, Inc. - as set forth by the Office of General Services for the State of New York at a cost of \$8,193.00.

four (4) ayes Carried

The Boston Police Department Monthly report was received.

The Building Inspector's Monthly Report was received.

A letter was received from the Boston Planning Board advising that they would hold a monthly business session on July 9 and August 13 but no work session on July 23 and August 27.

A written report was received from Karen Klinczar relative to the Statewide Conference she attended in Corning, New York on May 15-17. Supervisor Zimmerman thanked Karen for the report.

Upon the recommendation of Town Clerk Klein, who stated Insurance was much too important to leave in the hands of layman, a motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to retain Ernest A. Holfoth, S4900 Lake Shore Road, Hamburg, New York as a consultant for the Town of Boston to review and make recommendations on their Insurance Program at a cost of \$40.00 per hour not to exceed \$2,000.00.

four (4) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski to adjourn at 8:55 P. M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

Regular Meeting
July 8, 1981

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman Esther Faulring, Councilman Don Wohlhueter, Councilman Alfred Samulski, Supervisor David Zimmerman, Town Attorney Charles Maxwell and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski that the minutes of the June 17, 1981 Regular Meeting be approved.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the Town Clerk's Monthly Report be accepted.

five (5) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Faulring that the General Fund and Special District bills in the amount of \$92,383.34 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the Highway Bills in the amount of \$8,796.11 be paid.

five (5) ayes

Carried

A notice was received from the State Board of Equalization and Assessment advising that the final equalization rate is 8.90. Supervisor Zimmerman stated this was up from last years rate which was 8.84. The notice was received and filed.

A letter was read from Legislator Bennett advising of action taken at the June 18th session of the Legislature. Supervisor Zimmerman advised, relative to the portion on the Southtowns Planning Group, that this is the first fruits from the Southtowns Planning and hopefully the consulting firm for Downtown Revitalization will come up with some answers on what can be done and possibly to upgrade what is already in town. He further advised that Karen Klinczar has agreed to serve on a committee from the Town.

A letter was read from County Executive Rutkowski relative to a resolution from the Town Board relative to the Sales Tax Formula. The letter was received and filed.

A letter and census report were received from the New York Department of State advising that the final 1980 Census figure for the Town of Boston is 7,687. The letter and report were received and filed.

A letter was read from the New York State Electric and Gas Corporation advising of the following change in street lighting as authorized in a resolution dated March 4, 1981:

Installed

1 - 8500

P-12, L 1657
Zimmerman Road

Councilman Samulski thanked Councilman Faulring for getting this street light installed and stated this should eliminate the traffic problem on that bend in the road.

A letter of complaint was read from Gertrude Bobseine relative to problems with cats and a suggestion that cats be licensed. Supervisor Zimmerman asked that a copy of this letter be referred to Assemblyman Kennedy, Senator Volker and the SPCA for their comments.

A letter of complaint relative to the blowing up of his mailbox and juveniles congregating in a vacant lot near his home was read from Tim Donahue, 8702 Park Drive. Supervisor Zimmerman asked that this letter be referred to the State Police, Town Police and Erie County Sheriff's Department. He also pointed out that to set up a basic Town Police Force as suggested by Mr. Donahue would cost each taxpayer \$20.00 per thousand and he did not feel this would be acceptable.

Karen Klinczar asked where the vacant lot was referred to in the letter and was advised it was on the corner of Thornwood and Park Drives.

A request for a Special Use Permit was received from Steven Townsend to park a mobile home on his grandfathers farm at 9924 Boston State Road. Supervisor Zimmerman asked that this request be referred to the Planning Board for their comment and recommendation.

A letter was read from residents of Pinecrest Terrace requesting the use of a portion of Pinecrest Terrace for a street party. A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski to grant permission to the residents of Pinecrest Terrace to use a portion of their street for a street party on July 11th, 1981 from 1:00 P. M. to 12:00 midnight to hold their annual street party.

five (5) ayes

Carried

A letter was read from Calvin Reeve requesting a zoning change from RRB to B-1 on property located on Boston State Road at Fisher Drive to allow for the construction of a small assembly of shops. Supervisor Zimmerman asked that this be referred to the Planning Board for their comment and recommendation.

Town Clerk Klein advised that he had received a request for a street light from Mrs. William Dunn, 6482 Kevinton Place. Supervisor Zimmerman asked that this be referred to Councilman Faurling.

Letters were read from Clive Rucker and Granville Rucker to the New York State Department of Transportation relative to drainage problems on Back Creek Road caused by the Expressway construction.

Town Clerk Klein stated last week he had talked to Paul Wells of the New York State Department of Transportation relative to this problem and Mr. Wells had advised there was a 5% reduction in water and there was no difference because of the Expressway, the storm may have been a 50 year storm and also that the Supervisor should send a letter to Don Ketchum of the New York State Department of Transportation requesting the state perform hydraulic work and to also check with the county.

Town Clerk Klein further stated that Mr. Wells had contacted him today and stated he felt there was a problem with the fill area and advised the following would be done:

1. diversion ditches would be placed
2. clean ditches on the Tom Rucker property
3. replace the pipe under Back Creek Road
4. restudy the area regarding the fill area and the watershed to be distributed more evenly and topsoil and seeding be done.

Granville Rucker stated that action is being taken and he advised the Board of what the State and contractor would be doing to alleviate the problem in this area.

Lee Pfarner stated he talked to them and they advised him of what would be done and also that they would clean up his back yard. He further stated he appreciated all who had helped him.

Supervisor Zimmerman stated he had sent a letter to D. H. Ketchum of the New York State Department of Transportation as per Mr. Wells request and also a letter to Mr. Frandina of the County of Erie relative to this drainage problem.

At 8:00 P. M. a Public Hearing was held to consider the request of Clive Rucker, 8982 Back Creek Road for a Special Use Permit to park a travel trailer on his property for 12 months and to occupy it for 4 months. The Legal Notice was read by the Town Clerk. A letter from Mr. and Mrs. Rucker requesting this Permit was read. Town Clerk Klein stated he had advised the adjoining neighbors of this hearing. A letter from Town Clerk Klein to the Planning Board was read and Town Clerk Klein stated there was no response from the Planning Board as they have not had a meeting.

Le Ray Williams, 8991 Back Creek Road asked what the Building Inspector had advised when the first application was made. The Board advised that they were not aware what had been advised and then Mr. Williams asked Mr. Decker if he had advised the Ruckers that it was against the ordinance to have the trailer parked there to begin with. Mr. Decker

**TOWN OF BOSTON
NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN**
that the Town Board of the Town of Boston will hold a public hearing at the Boston Town Hall, 8500 Boston State Road, Boston, New York on Wednesday, July 8, 1981 at 8:00 P.M. Eastern Daylight Savings Time to consider the application of Clive and Marilyn Rucker for a Special Use Permit for the purpose of storing a travel trailer on their property for 12 months a year and occupying it for 4 months at 8982 Back Creek Road. This notice is given pursuant to the provisions of Article IX of the Zoning Ordinance of the Town of Boston.

At this hearing, at the time and place above noted, all interested persons will be heard for or against said Application.

By order of the Town Board of the Town of Boston, New York.
Dated: June 18, 1981
Boston, N.Y.

Herbert H. Klein
Town Clerk

stated yes he had said that. Mr. Williams then questioned why it was being left up to the neighbors when it is clearly against the ordinance. He stated he was not against Mr. and Mrs. Rucker personally, but was against the trailer being there.

Mr. Craig Wilson, 8984 Back Creek Road, read a letter sent to Mr. Decker and the Town Board in August of 1980 relative to the trailer parked on Mr. Rucker's land. Town Clerk Klein stated this letter would be on file.

LeRoy Pfarner, 8970 Back Creek Road stated he would like to have a Special Use Permit defined. He stated he had no objection to the Ruckers pulling in for a month or two as he has work to do up there, but there is a holding tank and permanent utilities that are hooked up. He stated he was afraid it would happen all over town and he did not object to Mr. Rucker living there, but would like the Special Use Permit defined a little clearer.

Clive Rucker stated one of the things that Mr. Pfarner had referred to was a permanent hookup, but he did not feel a garden hose was a permanent hookup or an extension cord a permanent hookup. He stated he had a building on the property and in the building is electric, phone and city water. Mr. Rucker further stated that as far as parking the trailer, he pays taxes and feels he can park his camper there and has as much right to do so as Mr. Wilson does although he realizes Mr. Wilson does not use it as he uses his. Mr. Rucker stated he did not want to point fingers but he could go around town and point to a lot of them. He further stated he was asking the Town Board for a permit as he wanted to be legal as he did not feel he was a nuisance and he felt what he has done to the property is improved it and would not want to devalue it.

Supervisor Zimmerman stated there was no question of him parking the travel trailer the question is how permanent is it and if it's hooked to a holding tank that is wrong. Mr. Rucker stated he did not know it was against the law to put in a holding tank and he could dump the waste in the creek that runs through his property.

Councilman Wittmeyer asked Mr. Rucker if the building referred to earlier was the house on the land and he stated no he was referring to a cabin. Councilman Samulski asked if anyone was living there and Mr. Rucker stated no he was using it for storage. Councilman Wittmeyer asked if he could live in the cabin and he stated he probably could.

Mrs. Edith Schramm, 9000 Back Creek Road stated that the trailer did not bother her and Mr. Rucker certainly has improved the property as the scenery out her windows is better now than in the past. She did not feel a hose or an extension cord were permanent hookups and she again stated she had no objection to the trailer.

Mrs. Wilson stated that last year a pole was put up and also the holding tank and with a home in the back she did not see why they didn't live there. Mrs. Wilson stated she had been advised that there is an ordinance against trailers and there should not be a question.

Mr. Rucker explained that the pole was put up and explained that this was recommended by the power company to alleviate a shortage of power to the house that he had rented out.

Mr. Wilson stated the Board should decide if the trailer is a permanent installation or not.

Councilman Samulski asked Mr. Rucker if he was living in the trailer and if he enjoyed city water and sewage disposal facilities. Mr. Rucker answered yes to both.

Councilman Wittmeyer asked Mr. Rucker if he had any idea of anyone else occupying it when he went back to Florida and Mr. Rucker stated absolutely not and it could be put in the permit that the trailer not be rented out.

Councilman Wohlhueter stated the ordinance states no trailers outside the trailer park and he felt he should abide by the ordinance and also felt that if one request is granted they will be popping up all over town.

Councilman Faulring stated she went along with Councilman Wohlhueter and if there was a cabin to live in it should be lived in.

Councilman Wittmeyer stated that when you let the first one in you will then have trailers setting all over the hills.

Mr. Rucker asked if this told him that if someone came up to visit their family and wanted to stay in the trailer would they be told they could not stay and Councilman Wittmeyer stated yes.

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski to close the public hearing.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to deny the issuance of a Special Use Permit to Clive Rucker, 8982 Back Creek Road to park a travel trailer on his property for 12 months and to occupy it for four months.

five (5) ayes

Carried

At 8:15 P. M. a public hearing was held to consider the request of Paul Bolt for a Special Use Permit to allow for the conversion of a dwelling to a three family residence at 6610 Rice Road. The Legal Notice was read and Town Clerk Klein advised that letters to neighbors had been sent advising of this request.

Mr. George Kassman, Attorney for Mr. Bolt stated that Mr. Bolt is making this request to conform his property. Supervisor Zimmerman asked if they had the Health Department okay and Mr. Kassman stated they are waiting for specifications from the Health Department.

Mr. Sage stated that he would not oppose this permit, but pointed out that 50% of the things said at the last hearing pertained here especially when it was stated a law is a law. Supervisor Zimmerman stated that everyone has the right to appeal a law and have their day in court.

Mr. Kassman stated this is necessary as there was a large misunderstanding. Mr. Sage asked if Mr. Bolt was living in the apartment and Mr. Kassman stated yes. In answer to a question from Councilman Samulski, Mr. Kassman stated there are two other families living there.

Councilman Samulski stated that until such time as Mr. Bolt can come through with approval of the septic system he could not make a decision.

Mr. Kassman stated there is no question that they must conform to it as the Health Department is requiring it and as soon as the Health Department gives him the specs he will build it. He further noted that Mr. Bolt has put a lot of money in the place and would certainly put in an approved septic system.

Councilman Samulski stated he would like to see the septic system in before he makes his decision.

Building Inspector Decker stated that the reason for the Health Department delay is that Mr. Cross is no longer in the area. He noted that the paper work is done in Hamburg and then sent downtown.

Supervisor Zimmerman stated if the permit is issued that it be to the existing building as it stands now and not to the property so that if something did happen he could not come in and build another three family on the property.

Town Attorney Maxwell stated that the Board could issue conditions to the permit such as for a period of three months to continue thereafter if an approved septic system has been formulated and installed and if not the Special Use would terminate.

Clive Rucker asked about the Southtowns Sewer District and it was pointed out that that area was not in the district.

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to close the Public Hearing.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer to grant a Special Use Permit to Paul Bolt to allow for the conversion of an existing single family dwelling to a three family residence contingent on:

1. Approval by the Erie County Health Department for a septic system
2. Approval for septic system be received by the Town Clerk within three months

LEGAL NOTICE

**TOWN OF BOSTON
NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN**
that the Town Board of the Town of Boston will hold a public hearing at the Boston Town Hall, 8500 Boston State Road, Boston, New York on Wednesday, July 8, 1981 at 8:15 P.M. Eastern Daylight Savings Time to consider the application of Paul Bolt to allow for the conversion of a dwelling to a 3 family residence at 6610 Rice Road. This notice is given pursuant to the provisions of Article IX of the Zoning Ordinance of the Town of Boston.

At this hearing, at the time and place above noted, all interested persons will be heard for or against said Application.

By order of the Town Board of the Town of Boston, New York.
Dated: June 18, 1981
Boston, N.Y.

**Herbert H. Klein
Town Clerk**

3. Approval is given for present dwelling only

The motion was duly put to a vote which resulted as follows:

Councilman Wittmeyer	Voting	aye	
Councilman Faulring	Voting	aye	
Councilman Wohlhueter	Voting	aye	
Councilman Samulski	Voting	no	
Supervisor Zimmerman	Voting	aye	
four (4) ayes	one (1) no		Carried

The Supervisor's Monthly Report was received.

Mr. Granville Rucker stated that a towing and repair business has moved into Watkins barn next to his mother. Building Inspector Decker stated he has been there and the business was going to move into the Quick Garage but that has fallen through. Following discussion Supervisor Zimmerman directed Building Inspector Decker to close the business down as it was in an agricultural area and not zoned for business.

A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski authorizing the Supervisor to enter into an agreement with Nussbaumer and Clarke for plans for drainage in the new section of the Town Park for a lump sum of \$750.00.

five (5) ayes Carried

The Tax Collector's Monthly Report was received.

The Town Justice Monthly Report was received.

LeRay Williams thanked all who had responded when he had been flooded.

Councilman Wohlhueter stated he had walked on the Expressway near the Rice Road fill area and he could see where there would be a problem and he felt the runoff would have to be diverted and seeding put in.

Councilman Wohlhueter stated that the Drainage Committee would be meeting on Monday evening July 13, 1981 at 7:30 P. M. relative to the Colonial Drive flooding problems. Town Board members and Highway Superintendent Kreitzbender were invited to attend.

Councilman Wohlhueter stated that the Drainage Committee would like the Town to put pressure on the County to clean the pipe on Boston Cross Road from the Lake property to the old Fire Hall as if it is not done the construction recently done will be damaged.

Councilman Faulring asked that the County be asked to mow grass at intersections especially Boston Cross and Cole and Boston Colden and Cole as the grass is causing a hazard there and a lot of other places.

Councilman Samulski stated that a public notice has been published for applicants for Cable TV in the Town of Boston. Applications will be accepted to September 16th.

Councilman Samulski stated that the portion of Route 219 from Patchin to Liebler Road has been resurfaced and he would like to thank Mr. Frandina of the County for accomplishing this.

Councilman Samulski stated there have been complaints on Murphy's Tavern on Friday night and he was there and what he saw was beyond belief. Councilman Samulski advised that the Town Police and State Police have been notified to patrol this area. He further stated that the residents have every right to complain as the noise is bad.

The Boston Police Department Monthly Report was not received.

The Building Inspectors Monthly Report was received.

The Dog Warden's Monthly Report was not received.

A letter was read from the Boston Planning Board relative to an amendment to the Subdivision Regulations. A motion was made by Supervisor Zimmerman and seconded by Councilman Faulring setting August 12 at 8:00 P. M. for a public hearing to consider an amendment to the Subdivision Regulations.

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to adjourn at 9:00 P. M.

Herbert H. Klein
Herbert H. Klein, Town Clerk

Special Meeting
July 27, 1981

Town Hall
7:00 P.M.

Present were Councilman Milton Wittmeyer, Councilman Esther Faulring, Councilman Don Wohlhueter, Councilman Alfred Samulski, Supervisor David Zimmerman and Town Attorney Charles Maxwell.

Absent was Highway Superintendent Clarence Kreitzbender.

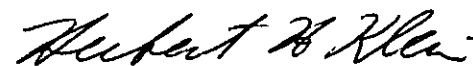
The Special Meeting was called to order by Supervisor Zimmerman to consider the request of the Boston Lion's Club for a permit to have music at the Octoberfest on July 31st and August 1st past the 11:00 P. M. time limit set by the Town's Local Law controlling noise. The Town Clerk read the letter of request from the Lion's Club. Discussion centered around Section 4 and 5 of the Local Law.

A motion was made by Councilman Samulski and seconded by Councilman Faulring granting a permit to the Boston Lion's Club as sponsor of the Octoberfest to have music and related noise at the Boston Town Park beyond the 11:00 P. M. time set in the law controlling noise. Time extended is from 11:00 P. M. July 31st to 2:00 A. M. August 1st and 11:00 P. M. August 1st to 2:00 A. M. August 2nd.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Supervisor Zimmerman to adjourn at 7:10 P. M.



Herbert H. Klein
Town Clerk

Regular Meeting
August 12, 1981

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman Esther Faulring, Councilman Don Wohlhueter, Councilman Alfred Samulski, Supervisor David Zimmerman, Town Attorney Charles Maxwell and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer that the minutes of the July 8, 1981 Regular Meeting and July 27, 1981 Special Meeting be approved.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the Town Clerk's Monthly Report be accepted.

five (5) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer that the General Fund and Special District Bills in the amount of \$38,757.96 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski that the Highway Bills in the amount of \$15,974.75 be paid.

five (5) ayes

Carried

A Notice of Claim, New York Telephone vs the Town of Boston was received. Town Clerk Klein stated he had forwarded this claim to our Insurance agent Alfred Dye. Supervisor Zimmerman stated he talked to Marin Contracting and their insurance company has contacted Al Dye as this is a claim against County Sewer District #3 not against the Town of Boston.

A letter from the New York State Department of Transportation to Assemblyman Richard Kennedy relative to the Back Creek Road flooding problem was read. Town Clerk Klein advised that the problem in that area had been taken care of, but he had toured an area of Back Creek Road with Howard Minnick and he has a problem in his area. Town Clerk Klein further advised that he would be talking to Paul Wells of the New York State Department of Transportation to discuss the problem with him.

A letter was read from Emerling Chevrolet supporting the proposed Rice Road interchange.

A letter from Supervisor Zimmerman to William Casseday of the New York State Department of Transportation was read requesting the opening of the Rice Road interchange to serve the local traffic from the hill. Councilman Wittmeyer stated that the Chamber of Commerce is sending a letter to the State requesting an early opening to this interchange.

A letter was read from the New York State Department of Transportation advising the Board that their requests for a reduced speed on South Abbott Road and Taylor Road had been denied.

A letter was read from the New York State Department of Transportation advising that the town's request for a reduced linear speed restriction on Boston Cross Road had been denied, but there might be justification for an area speed restriction. Councilman Samulski asked the Town Clerk to send a letter to Mr. Nowacki, Assistant Regional Traffic Engineer asking what the findings were on the 85 percentile traffic speed and to also inquire whether we would qualify for an area speed restriction for Boston Cross Road.

A letter was read from Edwards and Moncreiff to the Erie County Department of Health requesting a Certificate of Completed Works be issued for the Feddick Road Waterline Project.

An Approval of Completed Works for the Feddick Road Waterline project was received. Supervisor Zimmerman questioned if the hook ups had been made and Town Clerk Klein stated that they had not been hooked up as there is a problem getting the necessary pipe sleeve to hook into the water line.

Mr. Angelo Bellittiere, Zimmerman Road asked the Town Board what they were doing about the Rice Road interchange so the people on the hill would have access to the Expressway. Supervisor Zimmerman pointed out that a letter

had been read earlier in the meeting relative to this. Mr. Bellittiere also asked what the Board was going to do about Zimmerman Road. Supervisor Zimmerman explained that the sewer contractor would be fixing the road, but did not know if it would be resurfaced or patched. Mr. Bellittiere asked the Town to send a letter to the County to find out what would be done and Supervisor Zimmerman stated a letter would be sent. It was also pointed out that the heavy trucks have damaged portions of Zimmerman Road as the County had designated it as a haul road for the other portion of Zimmerman from Shero to Brown Hill Road. Mr. Bellittiere stated he felt the Town should get a strong commitment from the County.

Councilman Wohlhueter stated that from East to West Lanes on Eckhardt Road the road is a mess from the sewer construction. Supervisor Zimmerman advised that it should be brought back to the condition it was before the sewer construction.

Karen Klinczar asked if Old Chestnut Ridge Road could be fixed after the sewer construction or would it only be brought up to its original condition which was terrible. Supervisor Zimmerman stated he would question this in his letter to the county.

A request was received from Joseph V. Klein for permission to erect an addition to his home at 4676 Eckhardt Road for an in law apartment. Supervisor Zimmerman advised that the Town Attorney had been asked to look into this and had determined that the deed restricts a two family house in that area. Supervisor Zimmerman directed Town Attorney Maxwell to send a letter to Mr. Klein advising him of this restriction.

A letter from Supervisor Zimmerman to Richard Doll developer of the Rustic Subdivision was read relative to work that must be done to complete the road. A letter was read from Mr. Doll to Supervisor Zimmerman in answer to the Supervisor's letter. Supervisor Zimmerman stated that Mr. Doll had been in to talk to him today about the uncompleted work. It was the unanimous decision of the Town Board to withhold any building permits until an answer is received from Edwards and Moncreiff.

A letter and map from the Boston Planning Board to the North Boston Fire Company relative to the street layout and fire hydrant locations in the Rustic Subdivision was received from the North Boston Fire Company as they questioned why there wasn't a hydrant on Herman Hill Road as was shown on the map. It was determined that the subdivision map that was ultimately approved by the Planning Board did not have this fire hydrant on it. The Town Clerk was directed to send a letter to the North Boston Fire Company advising them of the elimination of this hydrant.

A motion was made by Supervisor Zimmerman and seconded by Councilman Wohlhueter to appoint Douglas Will and Kathy McGarva as tennis teachers at a salary of \$3.35 per hour.

five (5) ayes

Carried

RESOLUTION - DISPOSITION OF RECORDS

A summons in the matter of Martin W. Rauch vs the Town of Boston was received. Town Clerk Klein advised this had been sent to the Town's insurance carrier. A letter from Town Attorney Maxwell to the Concord Justice Court requesting an adjournment was read. Town Attorney Maxwell stated he felt this case would be dismissed as there was no prior notice of claim.

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer granting permission to one person from the Board or a designated person to attend the annual conference of the National Association of Towns and Townships to be held in Washington, D. C. on September 9-11, 1981.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Samulski authorizing the Supervisor to sign an Acceptance of Completion of the Boston Cross Road Drainage Project - Phase II.

The Supervisors Monthly Report was received.

Supervisor Zimmerman advised that a group would be coming from Alden at 8:00 PM on August 13, 1981 to look at the Lion's shelter.

Supervisor Zimmerman read a letter that he had sent to Mr. John Falkides owner of the Boston Hills Mobile Home Park relative to removing trash that has been placed in the front portion of the park near the road. Councilman Wittmeyer stated that he had received a complaint from Mr. Brock about this trash. Town Attorney Maxwell stated that Mr. Falkides has taken the Town to court because of what he feels is an

exorbitant licensing fee and Town Attorney Maxwell advised that a picture be taken of the debris.

Supervisor Zimmerman read a letter he had received from the Boston Emergency Squad relative to their responsibility to an intoxicated person. Supervisor Zimmerman turned the letter over to Town Attorney Maxwell and requested he send them an answer.

Supervisor Zimmerman stated he had received a communication from the Solid Waste Steering Committee asking that a resolution be passed for the acceptance of the plan. There was discussion if this had not been approved previously and the Board decided to check before adopting it to see what had been done.

Karen Klinczar advised Supervisor Zimmerman that she had attended a meeting of the Steering Committee on Downtown Revitalization and recommended that the Supervisor check into what is being done as changes have been made. Supervisor Zimmerman stated he would look into this.

A letter was read from the County of Erie Department of Public Works advising the town of action that will be taken as requested in a letter from Supervisor Zimmerman dated July 22, 1981. Supervisor Zimmerman asked that a copy of this letter be sent to the drainage committee.

RESOLUTION - WELL DRILLING

Supervisor Zimmerman asked that a copy of the resolution be forwarded to the Department of Environmental Conservation and request a list of oil and gas well drillers so they can be sent a copy.

Town Clerk Klein advised that Steve Townsend had withdrawn his request for a special permit to park a trailer.

Town Clerk Klein stated that the Public Hearing set to consider adoption of Subdivision Regulations pertaining to "As Built Drawings" had been cancelled as there was a problem relative to the numbering of amendments.

Town Clerk Klein advised that he had received the EAF Forms on the Fittly and Webber rezoning requests and the Town Board was waiting for a recommendation from the Planning Board.

The Town Justice Monthly Financial Report was received.

A motion was made by Supervisor Zimmerman and seconded by Councilman Wohlhueter setting September 2, 1981 at 7:45 P. M. as the bid opening for salt for the 1981-82 Winter Season.

The Police Department Monthly Report was received.

The Building Inspectors Monthly Report was received.

There was no Dog Control Officers Report.

A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski setting September 16, 1981 at 8:15 P. M. to consider the request of Calvin Reeve to rezone the Fisher property on Boston State Road.

five (5) ayes

Carried

A letter was read from the Drainage Committee relative to a problem that Mr. and Mrs. Parkhurst, 6697 Pinehurst Drive have. Councilman Wohlhueter and Highway Superintendent Kreitzbender will check into this and report to the Drainage Committee.

A letter was read from the Drainage Committee relative to the Niagara Mohawks ROW and Drainage and their responsibility.

An opinion from the Town Attorney was also read relative to this and Supervisor Zimmerman directed that a letter be sent to Niagara Mohawk and ask them to contact Edward Snow, Drainage Committee Chairman.

A letter from the Drainage Committee to the Town Board relative to Colonial Drive Flooding was read. Supervisor Zimmerman answered the points set down as follows:
1. Is done or will be done; 2. Highway Superintendent Kreitzbender is taking care of this; 3. Ravine is being worked on by CETA; 4. County will install rip-rap; 5. State will take care of runoff and a copy of the State's letter will be sent to the Drainage Committee.

A letter from the Drainage Committee and a letter of complaint from Mr. and Mrs. Edward Rutecki was read. Following discussion Town Clerk Klein was directed to send a letter to the State advising of the problem.

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to adjourn ^{at 8:40 PM} in memory of Lothrop Willis a former Town Attorney and extend to the family the Town Board's sincere sympathy.



Herbert H. Klein
Town Clerk

At a Regular Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York on the 12th day of August, 1981, at 7:30 P. M., Eastern Daylight Saving Time, there were present

David Zimmerman	Supervisor
Milton Wittmeyer	Councilman
Esther Faulring	Councilman
Don Wohlhueter	Councilman
Alfred Samulski	Councilman

Supervisor Zimmerman presented the following resolution and moved its adoption:

In order to promote and protect the public health, welfare and safety of the residents of the Town of Boston, specifically with respect to potential fire hazards and other hazards related to the drilling of natural gas or oil wells within the Town of Boston,

BE IT RESOLVED, that no natural gas or oil well drilling operation, construction or excavation for a gas or oil well site, nor the erection, placing or moving of drilling equipment to be used for construction of a gas or oil well site on any land shall be commenced without a Permit being first issued by the Town Clerk of the Town of Boston. Application for such Permit shall be made, in writing, and shall be submitted to the Town Clerk of the Town of Boston on such forms as may be secured from the Town Clerk's Office.

Information to include names, addresses and phone numbers of persons to contact in case of emergency. Also required would be a schedule of activities that will take place during operation.

Seconded by Councilman Wittmeyer and put to a vote which resulted as follows:

Supervisor Zimmerman	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Faulring	Voting	aye
Councilman Wohlhueter	Voting	aye
Councilman Samulski	Voting	aye

AYES: 5 NOES: 0 ABSENT: 0

Herbert H. Klein

Herbert H. Klein, Town Clerk

At a Regular Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York on the 12th day of August, 1981, at 7:30 P. M., Eastern Daylight Saving Time, there were present

David Zimmerman	Supervisor
Milton Wittmeyer	Councilman
Esther Faulring	Councilman
Don Wohlhueter	Councilman
Alfred Samulski	Councilman

Supervisor Zimmerman presented the following resolution and moved its adoption:

RESOLVED, by the Town Board of the Town of Boston that Records Retention and Disposition Schedule No. 19-TC-1 issued pursuant to Part 185, Title 8 of the Official Compilation of Codes, Rules, and Regulations of the State of New York and containing minimum legal retention periods for town records, is hereby adopted for use by the Town Clerk of this town;

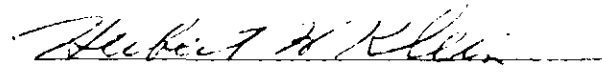
FURTHER RESOLVED, that this Board hereby authorizes the disposition of records in accordance with the minimum legal retention periods set forth in Records Retention and Disposition Schedule No. 19-TC-1;

AND FURTHER RESOLVED, that the Town Clerk be, and hereby is, directed to furnish a certified copy of this Resolution to the Commissioner of Education.

Seconded by Councilman Wohlhueter and put to a vote which resulted as follows:

Supervisor Zimmerman	Voting	<u>aye</u>
Councilman Wittmeyer	Voting	<u>aye</u>
Councilman Faulring	Voting	<u>aye</u>
Councilman Wohlhueter	Voting	<u>aye</u>
Councilman Samulski	Voting	<u>aye</u>

AYES: 5 NOES: 0 ABSENT: 0


Herbert H. Klein, Town Clerk

Regular Meeting
September 2, 1981

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman Esther Faulring, Councilman Don Wohlhueter, Councilman Alfred Samulski, Supervisor David Zimmerman, Town Attorney Charles Maxwell and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer that the minutes of the August 12, 1981 Regular Meeting be approved.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the Town Clerk's monthly report be accepted.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the General Fund and Special District Bills in the amount of \$13,061.68 be paid.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Samulski that the Highway bills in the amount of \$34,166.98 be paid.

five (5) ayes

Carried

A letter was read advising of a SEQR meeting. A motion was made by Councilman Samulski and seconded by Councilman Wohlhueter authorizing the Town Clerk and Town Attorney to attend a SEQR Forum in Hamburg on October 1, 1981 at 2:00 PM.

five (5) ayes

Carried

A letter and a Notice of Motion to Consolidate were received from Attorney Sharyn Bittner in the matter of Doyka vs Caldwell Trenching. These were received and filed.
*

A Notice of Approved petition for Trailways Edwards, Inc. was received from the New York State Department of Transportation. Town Clerk Klein stated that this petition would be in his office for those interested. The petition was received and filed.

A letter was read from New York State Department of Environmental Conservation advising of an annual inspection of Sewer District #1, 2, 3, and 4 on July 22, 1981 and advised of the deficiencies. Supervisor Zimmerman stated that he would get together with Sewer Maintenance Man Garver and would also contact the Town Engineer so the questions put forth in the letter can be answered.

A letter and Annual Report were received from the Boston Emergency Squad. The letter and report were received and filed.

A letter was read from Secretary of State Basil Paterson advising the Board that effective March 1, 1982 state law requires that all towns, villages and cities have a building code and fire code or adopt the state codes. Supervisor Zimmerman stated that the town has already adopted the State Building Codes and Town Clerk Klein advised that he had sent for a copy of the State Fire Prevention Code.

A notice was received from the United States Environmental Protection Agency advising that an environmental review had been performed on the Southtowns Sewer District #3. Town Clerk Klein stated that the Notice would be on file in his office for anyone interested.

A Notice of Motion in the matter of Inland Steel vs the Town of Boston was received. Town Clerk Klein stated that he would send this to George Blair the attorney for the Town of Boston in this case.

A Notice of Motion in the case of John Falkides vs the Town of Boston was received. Supervisor Zimmerman asked that this be referred to Town Attorney Maxwell.

At 7:45 P. M. bids were opened for salt for the 1981-82 Winter Season. The Legal Notice was read by the Town Clerk.

*A Notice of Approval of completed works - Heinrich Road was received from the Erie County Health Department. The approval was received and filed.

Domtar Industries, Inc.
Sifto Salt Division
4825 N. Scott Street/Suite 419
Schiller Park, Illinois 60176

Non-Collusive Bidding Certificate Signed

FOB Plant \$16.07
Delivered to Town of Boston
Highway Department \$19.59

Bidders Plant Location - Buffalo, New York
* * * * *

Morton Salt Company
110 N. Wacker Drive
Chicago, Illinois 60606

Non Collusive Bidding Certificate Signed

FOB Plant \$15.78 per ton
Delivered to Town of Boston
Highway Department \$17.08 per ton

Bidders Plant Location - Buffalo, New York
* * * * *

International Salt Company
Clarks Summit, Pennsylvania 18411

Non Collusive Bidding Certificate Signed

FOB Plant \$18.70
Delivered to Town of Boston
Highway Department \$17.91

Bidders Plant Location - Restoff, NY

The bids were referred to Highway Superintendent Kreitzbender for his study and recommendation.

A letter was received from Niagara Mohawk relative to drainage on their Right of Way in the Town of Boston. Building Inspector Decker stated that the Drainage Committee has made arrangements to meet with Niagara Mohawk personnel.

A letter was received from the SPCA in answer to a Town Board request for laws on cat control. A Local Law adopted by the Town of Kenmore was also enclosed. Supervisor Zimmerman asked that this be tabled to the next meeting so the Councilmen can have a chance to study it.

Leo Obad, Woodland Drive advised the Board that he had been in in the spring to complain about the drainage in his area and nothing had been done. Supervisor Zimmerman stated that he felt some of the problem would be alleviated with the Niagara Mohawk Right of Way drainage correction. Highway Superintendent Kreitzbender advised that he had cleaned out the culvert pipe that was causing the problem, but would check it and see if it needed cleaning again.

Mr. Minnick, Back Creek Road stated that he has been having problems with drainage since the Expressway was built and advised the Board of the problems and how he felt they could be alleviated. Building Inspector Decker stated he has made a tour of the property and Mr. Minnick has a legitimate complaint. A letter from the Drainage Committee to the Town Board was read relative to Mr. Minnick's problem. Supervisor Zimmerman stated he would contact the County and the State and report back to Mr. Minnick.

A letter was read from Erie County relative to the Solid Waste Action Plan. Supervisor Zimmerman advised that the plan was how to control solid waste in this area.

RESOLUTION - SOLID WASTE ACTION PLAN

A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski authorizing the Supervisor to execute the agreement between the Town of Boston and the County of Erie for 1982-84 Community Development Funds. RESOLUTION ATTACHED.

five (5) ayes

LEGAL NOTICE

NOTICE TO BIDDERS TOWN OF BOSTON

NOTICE is hereby given that the Town of Boston Town Board requests sealed bids on the following:

Approximately 1,500 tons more or less of cc grade rock salt to be treated with AW anticaking agent sufficient for the 1981-82 winter highway uses according to written specifications which are now filed with and may be obtained from the Town Clerk of the Town of Boston, 8500 Boston State Road, Boston, New York. All bids submitted shall contain a unit price per ton amount.

Sealed bids on the above pursuant to these specifications are to be submitted to Herbert H. Klein, Town Clerk of the Town of Boston, 8500 Boston State Road, Boston, New York not later than September 2, 1981 at 7:45 P.M. Eastern Daylight Savings Time, at which time all bids will be publicly opened by the Town Board at the Boston Town Hall, 8500 Boston State Road, Boston, New York 14025.

The Town Board hereby reserves the right to reject any and all bids and waives any informalities by order of the Town Board of the Town of Boston, Erie County, New York.

Dated: August 13, 1981
Herbert H. Klein
Town Clerk
Town of Boston, New York

Carried

A motion was made by Councilman Samulski and seconded by Councilman Wohlhueter authorizing the Supervisor to execute an agreement between the County of Erie and the Town of Boston for the seventh year (1981) Community Development Project.

five (5) ayes

Carried

RESOLUTION ON ABOVE ATTACHED.

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring authorizing the Supervisor to request Assemblyman Richard Kennedy and Senator Dale Volker to sponsor special state legislation if and when such legislation is needed dependent upon the Town of Boston and the State of New York entering into an agreement whereby the Town of Boston would construct a building and lease it to the State of New York for an office for the State Police and further authorize the Supervisor and Town Attorney to go to Albany to correlate this.

five (5) ayes

Carried

A letter was read from Herbert Klein requesting permission to use the Town Hall for the collection of taxes. A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski granting permission to Herbert Klein to use the Town Hall ~~for the collection of taxes~~ **A motion was made by Councilman Wittmeyer and Councilman Samulski granting permission to Herbert Klein to use the Town Hall** for the collection of the school taxes for that portion of the Hamburg School District in the Town of Boston and Eden under the same conditions as last year in which he would pay the Town \$1,000.00.

five (5) ayes

Carried

A letter and application were received from Donald Haas, Chestnut Ridge Road, requesting his property be rezoned from R-2 to A-1 so he could add a structure to make his home a two family dwelling. This request was referred to the Planning Board for their comments.

The Supervisors Monthly Financial Report was received.

Supervisor Zimmerman read a letter from the County in answer to his letter on the status of Zimmerman and Chestnut Ridge Roads advising that they would both be paved before winter.

Supervisor Zimmerman read a letter from Mr. Cassedy of the New York State Department of Transportation relative to the Supervisor's request that the Rice Road interchange be open. Supervisor Zimmerman stated he had also sent letters to D. H. Ketchum and Congressman Nowak, but had not heard from them.

Supervisor Zimmerman reported that the Erie County Solid Waste Committee is meeting to pick an engineer to do a feasibility study on the Gowanda Psychiatric site for the disposal of Solid Waste.

RESOLUTION - OUT OF DISTRICT WATER USERS

The Tax Collectors Final Report for 1981 was received.

A motion was made by Supervisor Zimmerman and seconded by Councilman Wohlhueter setting October 7, 1981, at 8:00 P. M. to hold a Public Hearing to consider the rezoning request of Woodrow Webber and Ernest Fittry.

five (5) ayes

Carried

The Town Justice Monthly Report was received.

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer to set September 28, 1981 at 4:00 P. M. to open bids on a 1982 Heavy Duty One Half Ton Pickup Truck.

five (5) ayes

Carried.

A letter was read from Engineer Moncreiff and Highway Superintendent Kreitzbender relative to the completion of the Rustic Subdivision. A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer to accept the Rustic subdivision as recommended by Engineer Cullen Moncreiff and Highway Superintendent Kreitzbender and to authorize the release of the \$12,000.00 Certificate of Deposit to Richard Doll now held by the Town Clerk and to allow for the issuance of building permits.

five (5) ayes

Carried

The Boston Police Department Monthly Report was received.

The Building Inspector's Report was received.

The Dog Control Officers Reports for May, June, July and August were received.

A motion was made by Councilman Samulski and seconded by Supervisor Zimmerman to adjourn at 8:30 P. M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

TOWN OF BOSTON



At a regular meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York, in said Town on the 2nd day of September, 1981 at 7:30 P. M., Eastern Daylight Saving Time, there were

PRESENT:	David Zimmerman	Supervisor
	Milton Wittmeyer	Councilman
	Esther Faulring	Councilman
	Don Wohlhueter	Councilman
	Alfred Samulski	Councilman

Councilman Wohlhueter presented the following resolution and moved its adoption:

BE IT RESOLVED that the Town Board of the Town of Boston, New York authorizes the Supervisor to sign an agreement with the County of Erie for the 1981 - 1982 Community Development Funds for the seventh year program.

Seconded by Councilman Samulski and duly put to a vote which resulted as follows:

Supervisor Zimmerman	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Faulring	Voting	aye
Councilman Wohlhueter	Voting	aye
Councilman Samulski	Voting	aye

AYES:

5

NOES:

0

ABSENT:

0

Herbert H. Klein
Herbert H. Klein, Town Clerk

TOWN OF BOSTON



At a Regular Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York on the 2nd day of September, 1981 at 7:30 P. M. Eastern Daylight Saving Time, there were present

David Zimmerman	Supervisor
Milton Wittmeyer	Councilman
Esther Faulring	Councilman
Don Wohlhueter	Councilman
Alfred Samulski	Councilman

Councilman Samulski presented the following resolution and moved its adoption:

BE IT RESOLVED THAT THE Town Board of the Town of Boston, New York authorizes the Supervisor of the Town of Boston to execute the Cooperation Agreement with the County of Erie, pursuant to the Housing and Community Development Act of 1974 as amended.

Seconded by Councilman Wohlhueter and put to a vote which resulted as follows:

Supervisor Zimmerman	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Faulring	Voting	aye
Councilman Wohlhueter	Voting	aye
Councilman Samulski	Voting	aye

AYES: 5 NOES: 0 ABSENT: 0

Herbert H. Klein
Herbert H. Klein, Town Clerk

TOWN OF BOSTON



At a Regular Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York, on the 2nd day of September, 1981, at 7:30 P. M., Eastern Daylight Saving Time, there were present:

David Zimmerman
Milton Wittmeyer
Esther Faulring
Don Wohlhueter
Alfred Samulski

Supervisor
Councilman
Councilman
Councilman
Councilman

Supervisor Zimmerman presented the following resolution and moved its adoption:

RESOLVED that all "out of district" water users shall pay as an annual charge the following rates:

(a) An out of district user contiguous to Water District #1 shall pay an annual sum calculated by multiplying the annual water rate per thousand of assessed valuation times 7.5.

(b) An out of district user contiguous to Water District #2 shall pay one and one-half times the unit charges or tax rates assessed against properties within Water District #2.

Seconded by Councilman Samulski and put to a vote which resulted as follows:

Supervisor Zimmerman
Councilman Wittmeyer
Councilman Faulring
Councilman Wohlhueter
Councilman Samulski

Voting aye
Voting aye
Voting aye
Voting aye
Voting aye

AYES:

5

NOES:

0

ABSENT:

0

Herbert H. Klein
Herbert H. Klein, Town Clerk

At a Regular Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York, on the 2nd day of September, 1981, at 7:30 P. M., Eastern Daylight Saving Time, there were present

David Zimmerman	Supervisor
Milton Wittmeyer	Councilman
Esther Faulring	Councilman
Don Wohlhueter	Councilman
Alfred Samulski	Councilman

Supervisor Zimmerman presented the following resolution and moved its adoption:

WHEREAS, the Erie County Solid Waste Action Plan Steering Committee has produced and accepted a management plan for collection, hauling and disposal of solid waste,

WHEREAS, the Town of Boston is in agreement with the urgency of the problem,

NOW THEREFORE BE IT RESOLVED that the Town of Boston accepts in principle this plan and will actively work with other members of their group towards the successful implementation of the Solid Waste Plan.

Seconded by Councilman Wittmeyer and put to a vote which resulted as follows:

Supervisor Zimmerman	Voting _____ aye
Councilman Wittmeyer	Voting _____ aye
Councilman Faulring	Voting _____ aye
Councilman Wohlhueter	Voting _____ aye
Councilman Samulski	Voting _____ aye

AYES:

5

NOES:

0

ABSENT:

0

Herbert H. Klein
Herbert H. Klein, Town Clerk

Regular Meeting
September 16, 1981

Town Hall
8:00 P.M.

Present were Councilman Milton Wittmeyer, Councilman Esther Faulring, Councilman Don Wohlhueter, Councilman Alfred Samulski, Supervisor David Zimmerman and Town Attorney Charles Maxwell. Highway Superintendent Clarence Kreitzbender was absent.

At 8:00 P. M. Applications were received for a Cable TV Franchise. The Legal Notice was read by the Town Clerk. The applications were received as follows:

International Cable
789 Indian Church Road
West Seneca, New York 14224

\$100.00 Franchise Application fee received
Three (3) sets of proposal

Global Cable TV
37 Central Avenue
Lancaster, New York 14086

\$100.00 Franchise Application fee received
Three (3) sets of proposal

Supervisor Zimmerman stated these would be referred to the Cable TV Committee and wait for their advise.

Councilman Samulski stated it is gratifying to see that there are two bidders in that it puts the towns bargaining position in a more favorable light. He further stated that the Cable Commission will study the proposals and suggested that one copy of the proposals be passed among the Board Members and another be kept on file in the Town Clerk's office for anyone interested in reviewing it. Councilman Samulski stated that the next step would be to hold a Public Hearing and he suggested that a Public Hearing date be set at the next Town Board Meeting. He advised that after hearing from the citizens and Cable TV Companies then a determination will be made as to which company to enter into an agreement with.

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski that the minutes of the September 2, 1981 Regular Meeting be approved.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the General Fund and Special District Bills in the amount of \$13,148.87 be paid.

five (5) ayes

Carried

A letter was read from the Boston Chamber of Commerce relative to the signing on the Expressway and also the signal light at Route 219 (Expressway) and Route 391. The letter was received and filed.

A letter of resignation as a Boston Emergency Squad Dispatcher effective September 28, 1981 was received from Nancy Kutz. The Town Clerk was directed to send a letter of regret on her resignation and also appreciation for her service. Supervisor Zimmerman stated the Emergency Squad is meeting to find a replacement for Nancy Kutz and should have a name to present for appointment at the next Town Board Meeting.

A letter was read from the New York State Department of Transportation relative to an area speed reduction on Boston Cross Road and also a portion of Mill Road. The Department of Transportation also recommended 35 MPH area speed on Aspen, Pin Oak, Smolinski, Sunset and Robin. Supervisor Zimmerman stated he would like to refer this letter to the Traffic Safety Committee and Councilman Samulski stated he would contact Mr. Nowicki of the Department of Transportation in the morning.

A Notice of Order was received from the New York State Department of Transportation relative to stop sign control at the Expressway and Route 391. The Notice was received and filed.

LEGAL NOTICE

PUBLIC NOTICE

The Town of Boston, in Erie County, New York, invites applications for a cable television franchise. Applications shall be prepared and submitted in accordance with a "Request For Proposals" available from the undersigned. Applications will be accepted until September 16, 1981, at 8:00 P.M., and all applications received will be available for public inspection during normal business hours at the Boston Town Hall, 8500 Boston State Road, Boston, N.Y. 14025.

Herbert H. Klein, Town Clerk
Town of Boston
Boston Town Hall
8500 Boston State Road
Boston, New York 14025
(716-941-6113)

Alfred T. Samulski, Chairman
Boston Cable Television
Commission

A letter of thanks from Karen Penfold for the repair of the Creekside posts was read. The letter was received and filed.

A request for a permit for a milk machine at 7898 Boston State Road was received from Charlaps Dairy. Councilman Wittmeyer stated that he would like to check with Mr. Blesy on the status of his milk machine before a decision is made. The matter was tabled to the next meeting.

A letter and septic plans were received from Paul Bolt, 6610 Rice Road. Town Clerk Klein stated that the plans had not been stamped approved by the Health Department. He further noted that Mr. Bolt had a 90 day period to submit Health Department approval so he has until October 8, 1981 and felt the next Town Board Meeting would be soon enough to consider Mr. Bolt's request for an extension. Supervisor Zimmerman directed Town Clerk Klein to notify Mr. Bolt that it will be necessary to have signed and approved plans for the septic system from the Health Department.

At 8:15 P. M. a Public Hearing was held to consider the request of Mrs. Jean Kyne to rezone property from RRB to B-1 and from B-1 to Agriculture. The Legal Notice was read by the Town Clerk. A letter of application was read from Mrs. Jean Kyne. Town Clerk Klein stated he had sent a Zoning Referral Application to the County and they had called today to advise they had a concern about the zoning whether there is Agriculture or R2 around it. They concluded they were not opposed to the rezoning, but would be sending concerns as to drainage and permits required by the Erie County Highway Department when a development takes place. Town Clerk Klein stated that letters were sent to people who live in the area to conform to the Boards policy of advising neighbors 2 up, 2 down, and 2 across from the designated area. He stated letters were also sent to Mr. R. Alessi, D. H. Ketchum, Steven Doleski, Philip Frandina and Ms. Joan Loring, people in State or County positions relative to SEQR. Town Clerk Klein read letters from the Boston Planning Board recommending the rezoning and from William and Jane Corbran adjacent property owners stating their approval of the rezoning. Town Clerk Klein showed the map which showed what was being considered for rezoning and also plans submitted by the applicant.

Supervisor Zimmerman stated a decision would not be made tonight by the Town Board as they would receive comments and then consider them.

Mr. Calvin Reeve, Tillen Road, purchaser and developer of the property stated he would answer any questions presented to him.

Jerry Hess, 8192 Boston State Road, presented a petition to the Town Board which had been signed by residents in the immediate area of rezoning and stated that the petition was not to stop progress, only to find out what is involved and what is needed in Town.

Mrs. Norman Gawlick, 8228 Boston State Road, stated that she is opposed to the rezoning as they had moved to Boston for the country setting and although she was not opposed to progress she asked if this establishment really was needed at this time as there are grocery stores within two miles and she did not feel that was a need for this in that area.

Mr. John Snyder, 6356 May Road asked if under business what are the restrictions. Could there be a disco club put in. Town Clerk Klein read what could be put in under Business Zoning. Supervisor Zimmerman stated it very well could be, but before they could build anything they would have to come in for a permit.

LEGAL NOTICE

TOWN OF BOSTON AMENDMENT TO THE ZONING ORDINANCE AND ZONING MAP OF THE TOWN OF BOSTON

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Boston, Erie County, New York will hold a Public Hearing on the 16th day of September, 1981 at 8:15 P.M. Eastern Daylight Savings Time in the Boston Town Hall, 8500 Boston State Road, Boston, New York on the petition and request of Mrs. Jean Kyne, Administrator of the Kenneth Fisher Estate to rezone the following described property, which is presently zoned Residence Restricted Business RRB to Business B-1 under the Zoning Ordinance of the Town of Boston, said property being described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Boston, County of Erie and State of New York, being part of Lot No. 13, Township 8, Range 7 of the Holland Land Company's survey, more particularly bounded and described as follows:

BEGINNING at a point in the center line of Boston-Springville Road at the southwest corner of land conveyed to Harold Holscher and Edward Gier by deed recorded in Erie County Clerk's office in Liber 4707 of Deeds at Page 109, the said point of beginning being the most westerly north corner of lands conveyed to Kenneth A. Fischer by deed recorded in Erie County Clerk's office in Liber 7533 of Deeds at page 609; thence northeasterly 125 feet along the southerly line of premises described by first above mentioned deed to an iron pipe at the southeast corner thereof; thence northwesterly parallel with the said center line of Boston-Springville Road, 53.52 feet to a point in the north line of Kenneth A. Fisher by deed aforementioned; thence easterly to a point in a line drawn parallel with Boston-Springville Road center line and 330 feet easterly, as measured at right angles, therefrom; thence southeasterly along said line parallel with Boston-Springville Road to a point in the northerly line of a private right of way, 50 feet in width, described in a deed to Richard Frank Reynolds, recorded in Erie County Clerk's office in Liber 4950 of Deeds at page 216; thence southeasterly along the north line of said right of way to (and making an interior angle of 98°38' with) the center line of Boston-Springville Road; thence northwesterly along said road center line 337.25 feet, more or less, to the point of beginning.

(b) THAT THE FOLLOWING described property, which is presently Business B-1 be changed to Agriculture:

Mary Ann Sharrow, 8197 Boston State Road, stated that if she understands correctly the area that is being talked about is directly in front of her property and one of the reasons she bought in Boston was for the country area and not business. She stated that when the Expressway was opened that enhanced the Boston Valley as the heavy trucks were diverted and now they are talking about more business which goes against the things they have been in favor of. Mrs. Sharrow asked where the collection of buildings were going in relation to her property and what kind of protection she would have against it. Supervisor Zimmerman told her to come and look at the proposals after the meeting and explained that this could change if the rezoning was approved.

Warren Rauch, 8158 Boston State Road, stated that most of the land proposed to be rezoned was swamp which causes drainage problems now and he felt if the area was paved over the drainage problems would become more intense. Mr. Rauch asked what assurance they had that the drainage and traffic flow would be taken care of after the establishment was built. Supervisor Zimmerman stated the County Highway Department would look at it for drainage and entrance on and off the road. Mr. Rauch pointed out that each time it rains the area gets flooded.

Mary Claire Superbine, 8197 Boston State Road, stated she was concerned about what she has read about Buffalo and video machines and kids are finding access to drugs which she was sure the Board did not want in this area. She pointed out that a disco with noise would sully the reputation of the community.

Norm Kuhn, President of the Boston Chamber of Commerce stated he was at the meeting to find out what was going on as they have been talking at the Board Meetings about trying to see what businesses were needed in this area. He asked that when a decision is made he would like a copy of it as the Boston Chamber is interested in progressing further and they want to go the right way.

Mr. Jack Hyman, 6761 Liebler Road stated that he and his wife had bought on Liebler Road and had moved from Buffalo. He stated that Boston has unusual attractions for a residence for people who want a rural setting. He pointed out the wooding in the area and continues to be impressed with the beauty of the Boston Valley with the state road running through it and Boston's accessibility to Buffalo makes it an attractive place for people who want to get out of the city. Mr. Hyman stated that Hamburg is a lovely village and Orchard Park is an opulent suburb, but Boston offers something different and is rural and countrylike to be so close to the city. He stated that although he has every respect for the Planning Board he asked that the Board consider how the main road through the valley creates an atmosphere for living in the valley.

Nick Favava, 8146 Boston State Road stated that people have been waiting for years for the Expressway to alleviate the traffic flow and he stands opposed as the road is very comfortable now and he does not feel more traffic is the way to go.

Ray Miller, delicatessen owner in Boston stated that he did not feel more food shops were needed around here.

Mrs. Phyllis Burley, 8137 Boston State Road, stated she did not feel that the Town can stand any future progress of this nature and she stands opposed.

Mr. Jerry Hess stated he was under the impression that there is a Master Plan for the Town of Boston. He stated that he was getting three stories - one there is one - one there isn't one and one there is one and no one is paying any attention to it. Supervisor Zimmerman explained there is one adopted about 1968 and there is another one the Planning Board is working on to update to today and the next 20 years, but this has not been presented to the Board for adoption. Mr. Hess suggested that the Board wait to rezone something until the Master Plan goes in. He asked if what was being done now was spot zoning and Supervisor Zimmerman stated no not necessarily as there is business in the area and they would be expanding the business zone. Mr. Hess stated he had talked to people who said they owned property and they wanted to develop commercial property and were

A STRIP OF LAND presently zoned Business B-1 under the Zoning Ordinance of the Town of Boston located about 300 feet east of the easterly line of Route 219 in Farm lot 13 of lands owned by the Estate of Kenneth Fisher and being approximately 233 feet in width running from the northerly line of Fisher Drive, a private road, thence running northerly parallel with Route 219 to the southerly line of a 50 feet private right of way described in a deed recorded in the Erie County Clerk's Office in Liber 4950 of deeds at Page 2. It being intended to describe a 233 foot strip of land between two said private rights of way that is presently zoned Business B-1 having an approximate depth of 200 feet.

At this hearing at the time and place noted, all interested parties will be heard for or against said petition.

Herbert H. Klein

Town Clerk

Town of Boston

Dated: August 19, 1981

turned down. Councilman Wittmeyer asked for an example and Mr. Hess stated that Art May told him he had property zoned commercial and tried to build and was turned down. Councilman Wittmeyer pointed out that was a rezoning request for across the street and had been turned down by the Board. Mr. Hess asked about a berm and asked if there was a Town Ordinance on how high it could be.

Calvin Reeve stated that he had in mind to protect the residences along Fisher Drive and the Sharrow residence and the Corbran residence. He stated he could not estimate the height of the berm, but felt it would be at roof level which would be about 12'. He stated this would maintain the views along those residences on Fisher Drive, but pointed out it would not be feasible to do it along Route 219. He noted this berm would be maintained and would have a ground cover and trees. Mr. Hess stated that he had been told the original sketch could be torn up or burned and would not necessarily be used. Town Clerk Klein stated that this proposal was not being considered tonight. Mr. Hess stated that it was going to be rezoned, but it was not known to what. Councilman Wittmeyer stated it would be Business B-1 and Town Clerk Klein explained that he would have to come in with a proper architect's drawing when he wanted to develop a business and then the Board would have to approve them. Councilman Wittmeyer stated if this was rezoned he would not be able to build helter skelter, but would be under strict restrictions to build what they wanted him to build. Mr. Hess pointed out that what he offers in the plaza is things the town already has - a small supermarket, a branch bank - drug store - restaurant or stores and there are only so many people and he does not feel that this town can stand too many of these shops.

Margaret Miller stated that they had a store at the bottom and top of Town and one in the middle would not do anyone any good.

Warren Rauch asked if it would be possible instead of rezoning it to grant a variance for specific types of business that would not be objectionable to the community as obviously a supermarket seems to be and also a disco. He felt this would accomodate the people selling the land, the developer and the community. Town Attorney Maxwell stated a variance was a different operation.

Ms. Superbine questioned if a restaurant went in and then closed could it be converted for a hangout for teenagers and she also stated that the berm will take care of the sight but not the noise factor.

Karen Klinczar stated that many of the things brought up here were brought up when the the property across the street was up for rezoning and asked if that request was for business. Councilman Wittmeyer stated yes. Karen further pointed out that the egress to 219 had been talked about and also the business in the middle of a residential area and although she did not remember the Planning Board's position they now think it is okay to do it down the road. Councilman Wittmeyer stated that the Planning Board had also approved that zoning, but the Town Board had denied it.

Calvin Reeve stated he wanted to express his appreciation for the comments opposing the development and stated he had similar attitudes about the beauty of Boston and he was not well known in the community and did not have a track record of development in the Town so there is a fear of the unknown on what will be done on this site. He stated he could understand the fear about dirt and noise, but he could only say that he and the investors in the mall would give all assurances that this would be done tastefully with all due concern for residents in the immediate area and would be developing the kind of structure that would add to the character of the town. Mr. Reeve stated that was a fear of the unknown and you do not know what it will look like. He further stated they anticipate doing a brick structure along a colonial theme. He stated he appreciated the comments made.

Mr. Hess thanked Mr. Reeve for being here and stated he did not feel Mr. Reeve would put up anything ugly, but felt the rezoning should wait for the Master Plan as people should see it before it is rezoned.

Elsie Van Lare, 8180 Boston State Road stated she was not in favor of it.

Nick Favava stated he felt there would be increased taxes as there would be a need for more fire protection and other services.

Mrs. Gawlick stated that she felt this area should be kept residential and other areas used for commercial.

Mr. Joe Warren, 9236 Boston State Road stated the town is going to have to grow and we cannot sit here and let it be residential. Mr. Warren noted that you could not even buy a gallon of gas in Boston and if needed diesel you had to go 20 miles to get it.

Mrs. Burley stated gas stations have closed and restaruants are up for sale and she asked if the piece adjoining it would be the next to be rezoned if this request was approved.

Supervisor Zimmerman thanked everyone for their comments and stated the Board would take them under advisement. He asked that this be referred to Town Clerk Klein for the SEQR report and that the matter be tabled at this time.

Councilman Samulski asked Mr. Reeve if there had been an economic impact study done to see if there is a need for the type of business he wants to put in the area. Mr. Reeve stated he had heard a lot about no need for further commercial development in town and advised that the sketch was hastily done and was not applicable to the types of business that would be planned. He stated he anticipated businesses that would serve the townspeople. He pointed out that he had been approached by a Show and Sew Fabric Place and there is not one of them in town and although he is not sure there is a need, but this is the type he is thinking of. He further stated he has had positive comments from a real estate insurance man about locating in the development. He stated there has not been a study done, but there would be businesses to serve the townspeople. Mr. Reeve also pointed out that the two trailer courts are in close proximity and these are large concentrations who would use this plaza.

Mr. Hess asked if this was a group of people or only Mr. Reeve on this and Mr. Reeve stated his name and his wifes name would be on the property as owners and there are investors. He would also be part owner in the business establishments.

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski to close the Public Hearing.

five (5) ayes

Carried

Supervisor Zimmerman recommended the matter be tabled to the October 7th meeting.

A motion was made by Councilman Samulski and seconded by Councilman Wohlhueter granting permission to Supervisor Zimmerman, Town Attorney Maxwell and Town Clerk Klein to go to Albany, New York on September 22, 1981 or another day if more convenient relative to a meeting on the proposed State Police Building.

five (5) ayes

Carried

Supervisor Zimmerman advised that requests have been received to have a trash pickup this fall and upon the recommendation of Supervisor Zimmerman a motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to contract with Joe Ball Sanitation to place a 30 yard dumpster in the rear of the town hall from October 5, 1981 to October 19, 1981 for Boston residents to dispose of their non garbage trash at a cost of \$180.00 each time it is emptied.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Faulring to set October 7, 1981 at 7:45 P. M. for a Public Hearing on Federal Revenue Sharing Funds.

five (5) ayes

Carried

Town Clerk Klein, in the absence of Highway Superintendent Kreitzbender, advised the Board of Mr. Kreitzbenders recommendation for the salt bid opened Sept. 2, 1981 be awarded to Morton Salt. Town Clerk Klein stated that Highway Superintendent Kreitzbender had requested both bids be accepted so that he can do whichever is best for him at the time he needs it.

A motion was made by Councilman Samulski and seconded by Supervisor Zimmerman to accept the low bid of Morton Salt as follows:

\$15.78 FOB Buffalo

\$17.08 Delivered to Highway Department

as recommended by Highway Superintendent Kreitzbender.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Faulring to approve the attendance of Highway Superintendent Kreitzbender at the Highway Seminar at Grossingers September 15, 16 and 17, 1981. All appropriate expenses to be paid by the Town.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer authorizing Town Attorney Maxwell to hire an appraiser to help defend the tax assessment case brought by the Boston Hill Mobile Home Park.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer granting permission to Charles G. Decker and William McGee, Planning Board Members to attend a Planning and Zoning Institute Seminar October 25-27 at Ellenville, New York. All appropriate expenses to be paid by the Town.

five (5) ayes

Carried

A letter was read from the Boston Planning Board advising the Town Board that their meeting on September 24, 1981, would be a business meeting rather than a work session. Town Clerk Klein stated he had notified the papers.

A letter was received from the Boston Planning Board recommending a revision in the Subdivision Regulations with respect to deed restrictions. Town Clerk Klein was directed to incorporate this with another revision that is being worked on.

A letter was read from the Boston Planning Board recommending the rezoning request of Donald Haas, Chestnut Ridge and Hillside Drive be approved. A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski to set a Public Hearing for October 21, 1981 at 8:15 P. M. to consider the request of Donald Haas to rezone his property at the corner of Chestnut Ridge Road and Hillside Drive from Residence R2 to Agriculture.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Supervisor Zimmerman to adjourn at 9:05 P. M.



Herbert H. Klein
Town Clerk

Regular Meeting
October 7, 1981

Town Hall
7:30 P. M.

Present were Councilman Milton Wittmeyer, Councilman Esther Faulring, Councilman Don Wohlhueter, Councilman Alfred Samulski, Supervisor David Zimmerman, Town Attorney Charles Maxwell and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski that the minutes of the September 16, 1981 Town Board Meeting be approved.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the Town Clerk's Monthly Report be accepted.

five (5) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer that the General Fund and Special District Bills in the amount of \$21,789.49 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the Highway Bills in the amount of \$14,915.41 be paid.

five (5) ayes

Carried

A letter was read from the County of Erie Department of Senior Services advising the Board that the "Going Places" Van would resume operations the week of September 21, 1981. Councilman Samulski stated that he had reviewed the contents of the letter with the Senior Citizens and they were pleased. He also advised that the information was posted on the bulletin board.

A letter was read from Reed Garver, Sewer Maintenance Man complimenting Leroy Pfarner on his operation of the Sewer District while Mr. Garver was on vacation.

A letter from Gordon Wood to the New York State Department of Transportation relative to the signal light at Route 391 and Route 219 and a copy of the New York State Department of Transportation ^{reply} to Mr. Wood was read. A copy of a letter from the New York State Department of Transportation to the Boston Chamber of Commerce relative to signing on the Expressway was read. Supervisor Zimmerman directed these letters to be referred to the Traffic Safety Committee.

Health Department approval of plans was received for the Sewage Disposal System at 6610 Rice Road owned by Paul Bolt. Supervisor Zimmerman directed the Town Clerk to send a letter requesting that the Town Board be notified as soon as the system is installed and approved by the Health Department.

A 1981 Financial Statement was received from Boston Historical Society. The statement was received and filed.

A letter of thanks was received from Mr. and Mrs. E. Rutecki for the prompt action taken on their drainage problem. The letter was received and filed.

A letter was received from the March of Dimes requesting permission to use an area in Boston for their Bike-a-thon. Town Clerk Klein stated the route had been changed as their course was on a dead end road. A motion was made by Supervisor Zimmerman and seconded by Councilman Wohlhueter authorizing the March of Dimes to conduct a bike-a-thon in an area of Boston on October 18, 1981.

five (5) ayes

Carried

Mr. Richard Sage, Rice Road questioned the Sewage Plan approval for Paul Bolt and asked if there was a time limit on this. Supervisor Zimmerman stated no, but Mr. Bolt would not receive a Certificate of Occupancy until it was completed and approved.

Mr. Angelo Bellittiere, 8406 Zimmerman Road said thank you for the lower part of Zimmerman being paved, but stated the heavy trucks have caused damage that has not been repaired. Supervisor Zimmerman advised that he had been informed this would be taken care of before winter.

Karen Klinczar stated that there had been a Downtown Revitalization Meeting and although she had been unable to attend she understood that a detailed presentation had been made of the condition of buildings in the market area of each of

the towns and what the consultant would like now is for each Revitalization Committee in each town to meet at least once or twice to get organized before he gives his final presentation which will probably be in early December. Karen suggested the local committee meet in November.

Councilman Wittmeyer advised that he had talked to Carl Blesy relative to the milk machine on Boston State Road and as he was going out of the milk business had no objection to Charlap being granted a permit for this location. A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to grant a permit to Charlaps Dairy to put a milk machine on Boston State Road in the vicinity of the Boston Hill Trailer Park.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Faulring to appoint Florence Coyle, 6711 Meadowbrook Drive as a dispatcher for the Boston Emergency Squad as recommended by the Emergency Squad to replace Nancy Kutz at the same salary. Term to expire December 31, 1981.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring authorizing the Supervisor to apply for State aid for Recreation and Youth Service.

five (5) ayes

Carried

At 7:45 P. M. a Public Hearing was held to receive written and/or oral comments on the use of Revenue Sharing Funds. The legal notice was read by the Town Clerk. Town Clerk Klein stated that he had sent a letter to the Senior Citizens advising them of this hearing.

Mr. Angelo Bellittiere, Zimmerman Road stated that he felt a decision on the use of Federal Revenue Sharing Funds should be postponed until after the election as there may be an all new Town Board and they may have other ideas for the use of the money. Town Attorney Maxwell stated the Town Board has the responsibility ^{regardless} of elections to determine the use of the money.

Councilman Samulski stated he would like to see some of the money set aside for equipment to take care of the Town Park such as a lawn mower and have the equipment available here.

Councilman Wittmeyer stated he would like to see some set aside for the Capital Improvement Committee so they can continue with the developing of the Town Park.

Supervisor Zimmerman stated that last year the money was split up, some going to the Highway Department to help pay for a truck, some in the parks, some for the Capital Improvements Committee, and some to solve some of the drainage problems in town. Supervisor Zimmerman stated he would like to see it split up again this year. He further stated the suggestions made tonight would be studied. Town Clerk Klein stated that plans for the money would be announced at the next meeting and a hearing would be held in November.

Karen Klinczar asked if there was any thought to acquiring any land in other areas of town for natural areas. Councilman Wittmeyer stated there were no plans right now to acquire any land, but they were open to suggestions. He noted that the areas where the sewers are will be developed and Councilman Samulski stated there is some thought to having a bird sanctuary or a small game preserve for one of these areas.

Jerome Hubert, Greenbriar Terrace asked if the Firemen's budget had been cut and Supervisor Zimmerman stated that would be under the budget in a few minutes. He then asked Jerry if he was asking if some of the money could be put in it. He stated yes and Supervisor Zimmerman advised that it has been the policy of the past boards not to use this money to cut existing taxes and he would like to use it for something they would not do if it would raise taxes.

LEGAL NOTICE

TOWN OF BOSTON

Notice is hereby given to the Citizens of the Town of Boston that the Boston Town Board will hold a Public Hearing, on Wednesday, October 7, 1981, at 7:45 P.M., Eastern Daylight Savings Time, at the Boston Town Hall, 8500 Boston State Road, Boston, New York to receive written and/or oral comments from the citizens of Boston on the use of approximately \$44,213 in Federal Revenue Sharing Funds expected to be received during Entitlement Period 13, October 1, 1981 to September 30, 1982 and \$2,000 in Federal Revenue Sharing unexpended fund balance.

At this hearing, at the time and place above noted, all interested persons will be given the opportunity to be heard.

Herbert H. Klein
Town Clerk
Town of Boston

Dated: September 18, 1981

Mr. Bellittiere asked if a fire substation could be built on the hill where they are cut off by the road and Councilman Wittmeyer explained that the firemen own their own buildings and it would be up to Boston Fire Company to build a station if it was needed. Supervisor Zimmerman advised there is already a fire station up there.

A motion was made by Councilman Samulski and seconded by Councilman Faulring to close the Public Hearing.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Supervisor Zimmerman to appropriate \$2,543.00 from the Reserve for excess dog revenues to A3510.2 Control of Dogs, Equipment.

five (5) ayes

Carried

A letter was read from the Erie County Water Authority advising of Delinquent water bills in the Town of Boston. A motion was made by Councilman Samulski and seconded by Councilman Wohlhueter authorizing the Town Clerk to notify property owners of their delinquent water bills.

five (5) ayes

Carried

The Supervisor's Monthly Report was received.

A letter was read from Town Attorney Maxwell relative to the New York State Police Departments Zone Administration Headquarters Building outlining the procedure that will be required to secure special legislation approving building and leasing of the proposed structure. Supervisor Zimmerman stated that the Town Attorney, Town clerk and he had gone to Albany on September 22nd to meet with Audit and Control and they concurred that they did not foresee any problems with the town leasing the building to the State Police, but they did suggest that they go for special legislation. He stated that they are already negotiating with State Police on the site and floor plan and they are in agreement with the location and the floor plan and as soon as the necessary legal work is done they are ready to negotiate a lease. Town Attorney Maxwell stated that in the next couple of days he should get the proposed bill for special legislation and then he will sit down with the Board to make the necessary corrections. Supervisor Zimmerman stated that a letter had been received from the New York State Police dated September 23, 1981 basically outlining with he had just advised.

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer authorizing the Supervisor to enter into a contract with Malcolm Pirnie to conduct a study so a closure plan can be made of the four sewer districts as suggested in a letter dated August 18, 1981 from the New York State Department of Environmental Conservation. Cost of study not to exceed \$1,100.00.

five (5) ayes

Carried

At 8:00 P. M. a Public Hearing was held to consider the request of Woodrow Webber and Ernest Fittry to rezone their property at 7074 and 7072 Boston State Road. A letter was read from Mr. Webber requesting the rezoning. A letter was read from the Boston Planning Board recommending that this be rezoned. The Zoning Referral Application was returned from the County marked no recommendation. Town Clerk Klein stated that he had sent letters to State and County Agencies and the only response was from the New York State Department of Transportation expressing concern over the increased traffic flow in that area. The letter from Ernest Fittry requesting rezoning was read. Town Clerk Klein stated that letters had been sent to the neighbors notifying them of the hearing.

Mr. Willard Magavern, Attorney for Mr. Webber explained the reason for the rezoning request stating that due to the Southern Expressway the property is not well suited to residential and with sewers and water he felt the best use would be business. Mr. Magavern explained what the Webbers have in mind for the property, giving an example of retail firms using it for storage of equipment or possibly retail sales. He pointed out that the present use is non conforming and this complex would help reduce the possibility

of increasing the trucking operation. Mr.

LEGAL NOTICE

TOWN OF BOSTON AMENDMENT TO THE ZONING ORDINANCE AND ZONING MAP OF THE TOWN OF BOSTON

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Boston, Erie County, New York, will hold a Public Hearing on the 7th day of October, 1981 at 8:00 P.M. Eastern Daylight Saving Time in the Boston Town Hall, 8500 Boston State Road, Boston, New York on the petition and request of Woodrow Webber to rezone the following described property, which is presently zoned Residence Restricted Business RRB and Residence R-2 to Business B-1 under the Zoning Ordinance of the Town of Boston, said property being described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Boston, County of Erie and State of New York, being part of Lot Number 30, Township 8 and Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the center line of Hamburg-Springville Road 267.90 feet northwest of the north line of premises conveyed to Jonathan Hoag by deed recorded in the Erie County Clerk's Office in Liber 180 of Deeds at page 526, as measured along the center line of

Magavern stated that the area would be a clean operation and a sketch of the plan was shown, but Mr. Magavern emphasised that this was only an idea.

Jerry Hess, 8192 Boston State Road stated that by going toward the Expressway is a good idea as there is a lot of open property up there and he backs Mr. Magavern as that is where it should be.

Mr. Michael Czechowski, Boston State Road, asked if this wouldn't be spot zoning. Charles Decker, Boston Planning Board stated it would not be because of the Expressway and the new Master Plan calls for Highway Commercial.

Mr. Bellittiere stated he objected to a zoning where there were no definite plans for building.

Mr. Magavern stated they are actually telling them what they are going to do, but the cost of architect plans is very expensive and the sketch is the general intention of what is planned.

Town Attorney Maxwell stated that the Town has the option to approve or disapprove the buildings and this is not the last step to building.

Mr. Magavern stated there are a lot of stores around that need space to store goods they buy in larger lots and there isn't any good warehousing space around that is available for this.

Ray Webber pointed out that an example of a tenant would be Kuhn Associates.

Councilman Samulski stated that he would like a clarification as Mr. Magavern had stated it would probably not be retail sales and the letter from Mr. Webber stated retail sales. Mr. Magavern stated that there might be some retail sales, but their idea is warehousing.

Councilman Samulski stated there would be traffic considerations in retail sales. Mr. Magavern stated he did not want to mislead anyone that there would not be retail sales, but that he did not feel retail would be the main thrust.

Mr. Hess asked what they would be doing with the building on the main highway and Mr. Magavern advised that they would not change its use as they would continue with the present business.

Councilman Samulski asked about the present residence would it remain a residence. Mr. Magavern showed pictures of how the property looked in 1976, and stated for now it would stay a residence.

Jerry Hubert asked if this rezoning was passed for business would they still have to present plans to the Town Board for their approval.

Mr. Bellittiere stated they could still build once the zoning was changed. Town Attorney Maxwell pointed out that they would need a building permit to build in the future and Mr. Bellittiere stated they could not be denied to put a building there. Town Attorney Maxwell stated that they need approval for a building regardless of what it is zoned.

Jerry Hess stated there is a Master Plan and he asked the Board to adopt the Plan before any rezoning is done.

Hamburg-Springville Road, thence northwesterly along the center line of said road 370.22 feet to the northeast corner of premises conveyed to Woodrow Webber and Lola Webber, his wife, by deed recorded in the Erie County Clerk's Office in Liber 4989 of Deeds at page 398, thence southwesterly at an interior angle of 96°, 178.90 feet to a point; thence southerly along a westerly line of lands conveyed to Webber by deed aforesaid, 18.2 feet; thence westerly at an exterior angle of 90° along the north line of Webber by deed aforesaid, 371.30 feet to the southeasterly line of the Southern Expressway; thence southwesterly along the southeasterly line of the Southern Expressway, making a curve to the left having a radius of 5563.58 feet, 512.1 feet to the north line of premises conveyed to Jonathan Hoag by deed aforesaid, thence easterly along Hoag's said north line 741.98 feet to a point 237.7 feet west of the center line of Hamburg-Springville Road as measured along Hoag's said line; thence northwesterly at an interior angle of 65°25', 177.0 feet to a point; thence northeasterly at an exterior angle of 87°55', 203.56 feet to the point of beginning, containing 7.93 acres of land, be the same more or less.

ALSO ON THE PETITION AND REQUEST of Ernest Fittry to rezone the following described property, which is presently zoned Residence Restricted Business RRB and Residence R-2 to Business B-1 under the Zoning Ordinance of the Town of Boston, said property being described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Boston, County of Erie and State of New York, being part of Lot No. 30, Township 8, Range 7 of the Holland Land Company's survey, bounded and described as follows:

BEGINNING in the center of the Hamburg-Springville Road at the intersection of the south line of lands conveyed to Van Webber and Florence Webber, his wife, by deed recorded in Erie County Clerk's Office on November 1, 1954 in Liber 5634 of Deeds at Page 426; thence southwesterly along said south line of parties of the first part, at an exterior angle with said center line of Hamburg-Springville Road of 96°, 178.9 feet to an iron pipe; thence southerly 18.2 feet along said southerly line of Webber by deed aforesaid; thence westerly at right angles and continuing along said southerly boundary by deed aforesaid, 405.62 feet to a point on the easterly boundary of highway described as Parcel No. 154-Map 154 for the acquisition of property by the New York State Department of Transportation; thence northeasterly on a curve to the right with a radius of 5563.58 feet an arc distance of 25.0 feet more or less recorded and 32.85 feet measured; thence northeasterly on a curve to the right with a radius of 873.98 feet an arc distance of 440.58 feet to a point (and described in Parcel 154 being 115.81 feet distant southwesterly measured at right angles from station 219/21 + 15.86 of said base line); thence southeasterly on a curve to the right with a radius of 1427.89 feet along said southwesterly boundary of said Hamburg-Springville Road an arc distance of 167.0 feet to a stone monument; thence continuing along said highway boundary a distance of 42.3 feet to a stone monument at the intersection of said highway boundary with the north line of property conveyed to Ernest Fittry by deed recorded in the Erie County Clerk's Office on December 11, 1964 in Liber 7067 of

Mr. Bellittiere stated he wanted to know what was going there.

Councilman Wohlhueter asked if there would be an exit or entrance onto the Southern Expressway and Supervisor Zimmerman stated no.

Councilman Samulski asked if the road into the back area was sufficient enough room as he felt it was narrow. Mr. Magavern stated he felt it was adequate, but that would be part of the engineering.

Supervisor Zimmerman asked if there had been any thought given to the Fittry's being able to get out of this road. Ray Webber stated they would be able to use it and it could be worked in easily.

Town Clerk Klein stated he was going to tie the Webber Zoning and the Calvin Reeve zoning together and as Intake Officer he had to come up with a statement and there would be no statement tonight on the Calvin Reeve rezoning presented at the last meeting. He advised that he had been waiting for this rezoning so he could set down with the Department of Environment Conservation and the Erie County Environment and Planning to help him prepare a statement that will be acceptable under the law. Mr. Klein stated that he had attended a meeting in Hamburg last Thursday at which time State Commissioner Flacke of the Department of Environmental Conservation was there and two of his associates from Albany. He stated they had given him a manuel that he has been trying to digest. Mr. Klein stated that in that manuel it points out the problem small towns have compared to larger towns and small developers compared to larger developers. He stated a small developer cannot afford to prepare the extraordinary plans that the super Mall in Hamburg developer can. He stated they advised that you look at the rezoning just as a zoning- does this fit into your Master Plan - does this fit into your thinking should this be zoned business. You only look at this not at the project as another study has to be made of the project. Mr. Klein stated they advised not to get the two confused and he asked the people not to get the project and the buildings and the exits in and out confused with whether this is a good and acceptable area for commercial zoning.

Jerry Hess stated that Town Clerk Klein had mentioned Master Plan and there isn't one. Town Clerk Klein pointed out there is a Master Plan in effect and there is one being proposed.

Mr. Bellittiere asked if the sewers were adequate and Supervisor Zimmerman stated they had been notified, but have not answered. Town Clerk Klein pointed out that under SEQR all these people have to be notified and they have so many days to comment and the only comment was received from Department of Transportation.

A motion was made by Councilman Samulski and seconded by Councilman Wohlhueter to close the Public Hearing.

five (5) ayes

Carried

Supervisor Zimmerman stated that they will await the impact statement.

The 1982 Preliminary Budget was read.

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the 1982 General Fund Preliminary Budget as read by the Town Clerk be approved as follows:

Appropriations	\$410,891.51
Less Estimated Revenues	277,800.00
Less Unexpended Balance	126,888.73
Amount to be Raised by Tax	6,202.78

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Samulski that the 1982 Highway Fund #1 Preliminary Budget as read by the Town Clerk be approved as follows:

Appropriations	\$135,200.00
Less Estimated Revenues	41,632.00
Amount to be Raised by Tax	93,568.00

five (5) ayes

Carried

Deeds at Page 613; thence easterly and along said Fittry's east line to a point in the center line of the Hamburg Springville Road; thence southerly along the center line of said road to the point or place of beginning.

At this hearing at the time and place noted, all interested parties will be heard for or against said petition.

Herbert H. Klein
Town Clerk
Hamburg, New York
September 11, 1981

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski that the 1982 Highway Fund #3 Preliminary Budget as read by the Town Clerk be approved as follows:

Appropriations	\$ 66,300.00
Less Estimated Revenues	24,000.00
Amount to be Raised by Tax	42,300.00

five (5) ayes Carried

A motion was made by Councilman Samulski and seconded by Councilman Wohlhueter that the 1982 Highway Fund #4 Preliminary Budget as read by the Town Clerk be approved as follows:

Appropriations	\$128,200.00
Less Estimated Revenues	77,500.00
Amount to be Raised by Tax	50,700.00

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the 1982 Debt Service Fund Preliminary Budget as read by the Town Clerk be approved as follows:

Appropriations	\$104,615.00
Less Estimated Revenues	104,615.00
Amount to be Raised by Tax	.00

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the 1982 Light District Preliminary Budget as read by the Town Clerk be approved as follows:

Appropriations	\$ 9,605.28
Less Estimated Revenues	237.70
Amount to be Raised by Tax	9,367.58

five (5) ayes Carried

A motion was made by Councilman Samulski and seconded by Councilman Faulring that the 1982 Water District #1 Preliminary Budget as read by the Town Clerk be approved as follows:

Appropriations	\$ 50,944.16
Less Estimated Revenues	3,500.00
Amount to be Raised by Tax	47,444.16

five (5) ayes Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the 1982 Water District #2 Preliminary Budget as read by the Town Clerk be approved as follows:

Appropriations	\$ 41,830.00
Less Estimated Revenues	1,000.00
Amount to be Raised by Tax	40,830.00

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the 1982 Sewer District #1 Preliminary Budget as read by the Town Clerk be approved as follows:

Appropriations	\$ 2,926.00
Less Estimated Revenues	700.00
Less Unexpended Balance	2,226.00
Amount to be Raised by Tax	.00

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski that the 1982 Sewer District #2 Preliminary Budget as read by the Town Clerk be approved as follows:

Appropriations	\$ 8,305.37
Less Estimated Revenues	1,000.00
Less Unexpended Balance	4,000.00
Amount to be Raised by Taxes	3,305.37

five (5) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer that the 1982 Sewer District #3 Preliminary Budget as read by the Town Clerk be approved as follows:

Appropriations	\$ 3,269.86
Less Estimated Revenues	600.00
Less Unexpended Balance	1,500.00
Amount to be Raised by Taxes	1,168.86

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the 1982 Sewer District #4 Preliminary Budget as read by the Town Clerk be approved as follows:

Appropriations	\$ 7,218.73
Less Estimated Revenues	500.00
Less Unexpended Balance	1,500.00
Amount to be Raised by Taxes	5,218.73

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski that the 1982 Fire Protection Preliminary Budget as read by the Town Clerk be approved as follows:

Appropriations	\$115,683.64
Less Estimated Revenues	534.54
Amount to be Raised by Taxes	115,149.10

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Samulski that the 1982 Refuse and Garbage District Preliminary Budget as read by the Town Clerk be approved as follows:

Appropriations	\$ 11,011.08
Less Estimated Revenues	492.65
Amount to be Raised by Taxes	10,518.43

five (5) ayes

Carried

Supervisor Zimmerman stated that there were 8% raises for elected officials and the General Fund tax rate was raised by \$.20 per thousand. He also answered the question posed by Jerry Hubert relative to Fire Protection Budget pointing out that the increase is \$5,000.00 this year, \$6,000.00 next year and \$5,000.00 the next year.

A motion was made by Councilman Samulski and seconded by Councilman Faulring setting November 4, 1981 at 8:00 P. M. for a Public Hearing on the 1982 Preliminary Budget.

five (5) ayes

Carried

Town Clerk Klein advised that bids had been opened on September 28, 1981 at 4:00 P. M. for a 1982 ½ ton heavy duty pickup truck for the Highway Department and the following bids were received:

Dan Stedem Ford, Inc.
S3725 North Buffalo Street
Orchard Park, New York 14127

Total Amount of Base Bid \$7,850.00

Emerling Chevrolet
9000 Boston State Road
Boston, New York 14025

Total Amount of Base Bid \$7,650.00

Alternate Bid #1
1981 3/4 Ton Pickup \$7,185.00

Upon recommendation of Highway Superintendent Kreitzbender, a motion was made by Councilman Wohlhueter and seconded by Councilman Samulski to accept Alternate Bid #1 from Emerling Chevrolet for a 1981 3/4 ton pickup truck at a cost of \$7,185.00.

five (5) ayes

Carried

Town Clerk Klein read a letter from George Blair, Attorney relative to Tax Assessment Case of Inland Steel vs. the Town of Boston. The letter requested additional information to assist in the defense of the case. Supervisor Zimmerman stated this letter had been referred to the Town Attorney. Town Attorney Maxwell stated this case was coming to trial on October 27th or 28th and will require the presence of the present assessor and possibly the past assessor.

The Town Justice Monthly Report was received.

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter requesting the Town Clerk to send a letter to the Public Service Commission advising that the Boston Town Board is in opposition to the proposed telephone rates within the County of Erie.

five (5) ayes

Carried

Councilman Samulski reported on the letter from the State Department of Transportation relative to a speed limit request on the Boston Cross Road. The letter stated it could not be done just there, but suggested an area speed zone. A motion was made by Councilman Samulski and seconded by Councilman Faulring directing the Town Clerk to send a TEL0A form to the County Superintendent of Highways for lowering the speed to 35 MPH in an area whose boundaries are described as follows:

Beginning at the intersection of the east right-of-way line of the Hamburg-Springville Road with the south right-of-way line of Sunset Drive, thence proceeding in a generally easterly direction to its intersection with the west right-of-way line of the powerline, thence proceeding in a generally north-westerly direction along the west right-of-way line of the powerline to the intersection of the north right-of-way line of Aspen Drive extended easterly, thence westerly along the north right-of-way line of Aspen Drive extended easterly, to its intersection with the west right-of-way line of the Hamburg Springville Road, thence southwesterly to its intersection with the south right-of-way line of Mill Street at Eighteen Mile Creek, thence southeasterly to its point of beginning.

five (5) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer to set the November 18th Town Board Meeting for 7:30 P. M. and to hold a Public Hearing on Cable TV at 8:00 P. M.

five (5) ayes

Carried

The Boston Police Department Monthly Report was received.

The Building Inspectors Monthly Report was received.

The Dog Control Officers Monthly Report was received.

A motion was made by Supervisor Zimmerman and seconded by Councilman Wohlhueter granting permission to a member of the Conservation Advisory Council to attend the New York State Association of Conservation Councils at Saratoga Springs, November 6-8, 1981.

five (5) ayes

Carried

A memo was received from the Drainage Committee recommending funding in the budget for preventive maintenance on the Boston Cross Road Drainage Project. Supervisor Zimmerman stated this was part of the Highway Budget.

RESOLUTION - LOTHROP WILLIS

Town Clerk Klein stated the rezoning application on the Fisher property would be tabled until he comes forth with the statement and he would try to have it done in a month and if the Town Board agrees he would send a letter to all those expressing an interest in the Fisher rezoning advising them when it would be on the agenda. The Board agreed.

A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski to adjourn at 9:19 P. M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

TOWN OF BOSTON



At a Regular Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York, on the 7th day of October, 1981, at 7:30 P. M., Eastern Daylight Saving Time, there were present:

David Zimmerman	Supervisor
Milton Wittmeyer	Councilman
Esther Faulring	Councilman
Don Wohlhueter	Councilman
Alfred Samulski	Councilman

Councilman Samulski presented the following resolution and moved its adoption:

WHEREAS, LOTHROP M. WILLIS, was one of the original community group who banded together in 1947 to organize the Boston Free Library Association, and

WHEREAS, was the writer of the original By-Laws of the Association, and

WHEREAS, had served for 34 years since that time as a member of the Board of Trustees of the Boston Free Library, acting as treasurer and president for many years, and

WHEREAS, had continued in his capacity as president of the Board of Trustees until the time of his death in July, 1981, and

WHEREAS, had dedicated his years of service to the principle of free access to library materials and services for the people of the community, and

WHEREAS, had served as Town Attorney for the Town of Boston.

BE IT HEREBY RESOLVED that in recognition and grateful appreciation of such devoted service, the Boston Town Board hereby supports the Boston Free Library Association in its establishment of a Lothrop M. Willis Continuing Memorial Fund which will be used for the presentation of an annual award in his name.

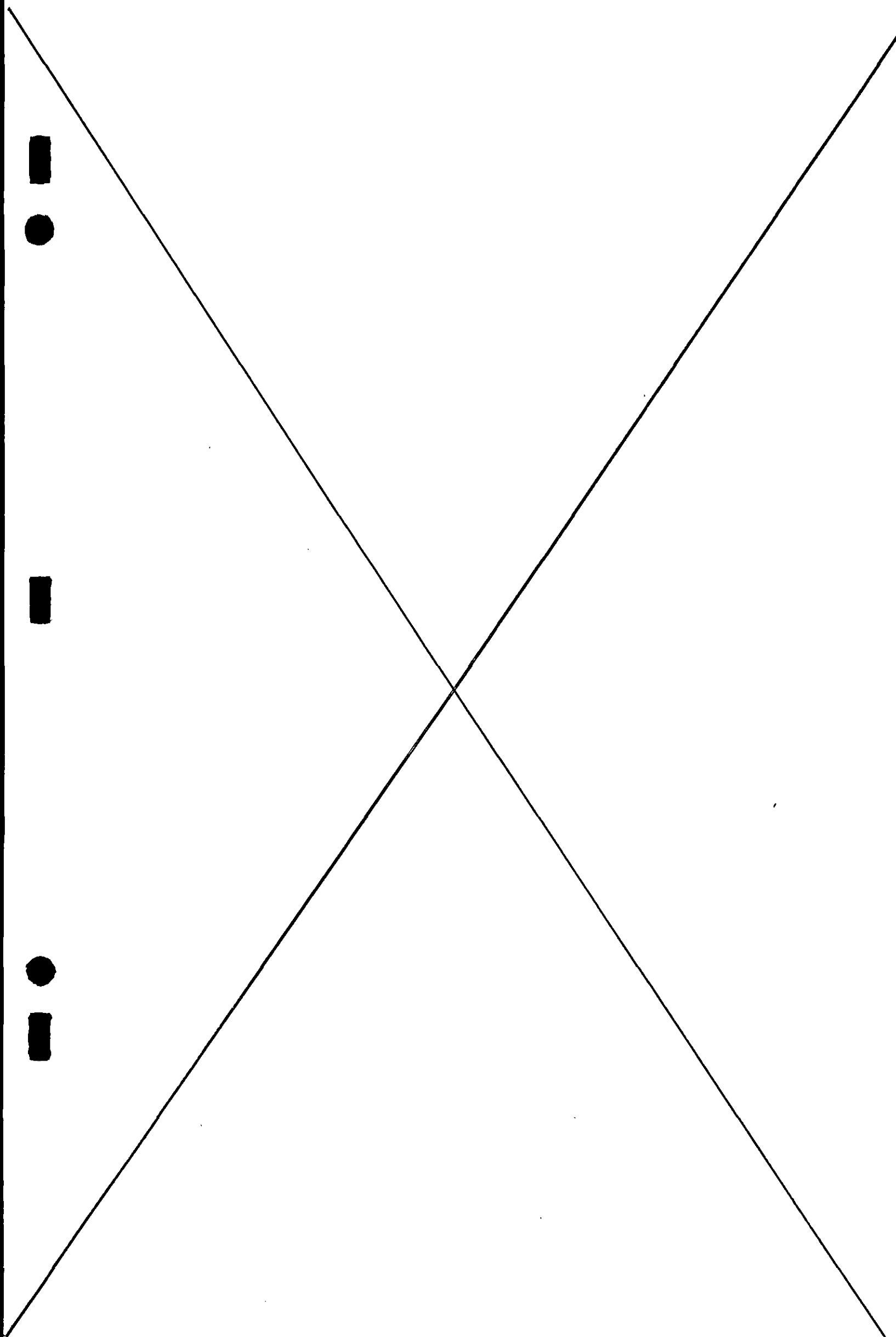
Seconded by Councilman Wittmeyer and put to a vote which resulted as follows:

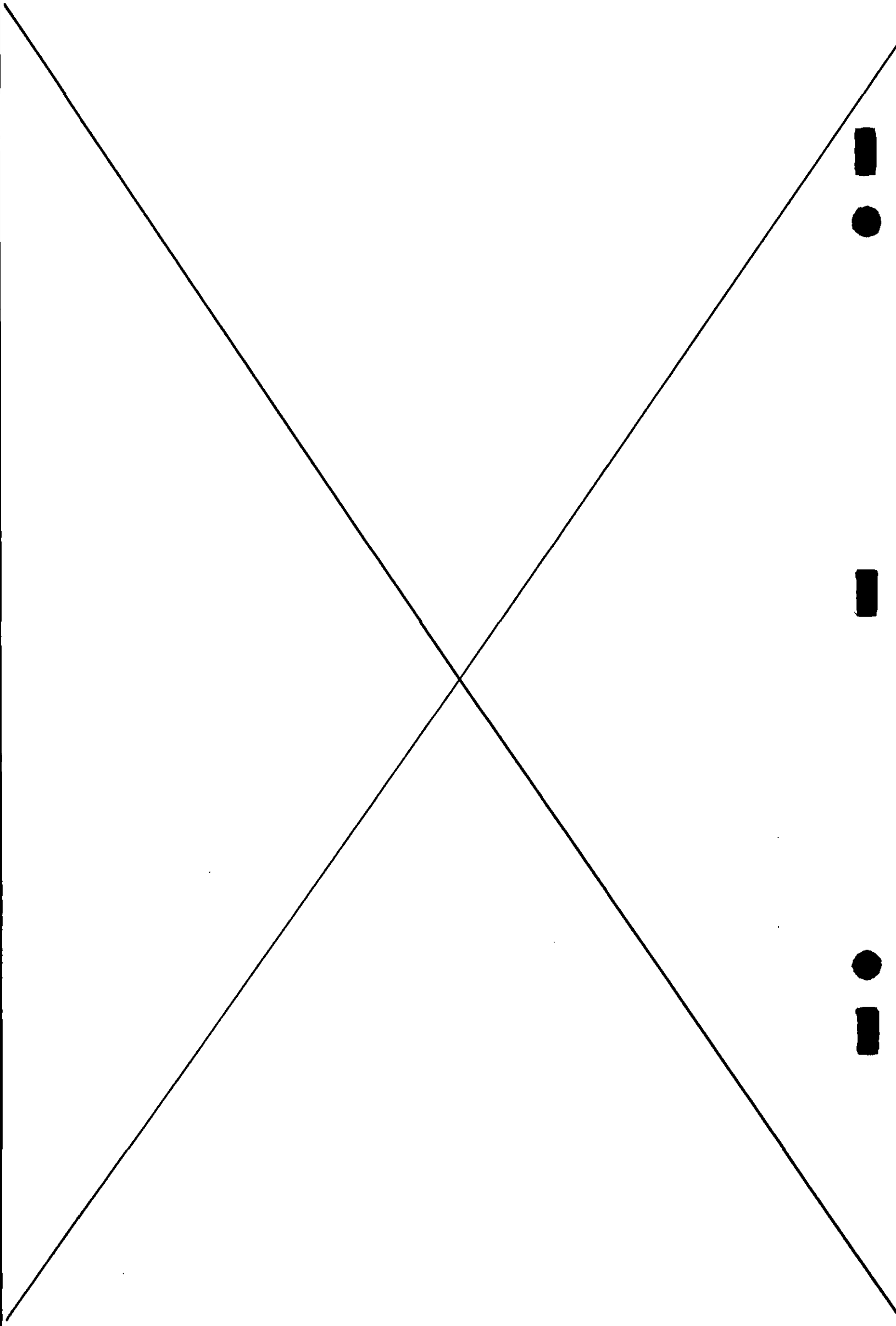
Supervisor Zimmerman	Voting_____aye_____
Councilman Wittmeyer	Voting_____aye_____
Councilman Faulring	Voting_____aye_____
Councilman Wohlhueter	Voting_____aye_____
Councilman Samulski	Voting_____aye_____

AYES: 5 NOES: 0 ABSENT: 0

Herbert H. Klein
Herbert H. Klein, Town Clerk

See Page 24 - March 7, 1984





Regular Meeting
October 21, 1981

Town Hall
8:00 P.M.

Present were Councilman Milton Wittmeyer, Councilman Esther Faulring, Councilman Don Wohlhueter, Councilman Alfred Samulski, Supervisor David Zimmerman, Town Attorney Charles Maxwell and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer that the minutes of the October 7, 1981 Regular Town Board meeting be approved.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the General Fund and Special District Bills in the amount of \$6,150.83 be paid.

A letter was read from the New York State Department of Environmental Conservation relative to permit requirements for gas and oil drilling in the Town of Boston. The letter explained that the state has the authority over gas and oil drilling and quoted Section 23 of the Environmental Conservation Laws. Supervisor Zimmerman stated this was in answer to a letter from the Town Board written because of the gas well that blew in Boston and no one knew who to contact.

A letter was read from the Federal Emergency Management Agency relative to the Towns newly adopted Flood Plain Program. The letter advised that this plan meets their regulations. The letter was received and filed.

A letter of complaint on assessment was read from Susan and Patrick Saunders, 4358 North Boston Road. The letter was received and filed.

A letter was read from the New York State Department of Transportation relative to the drainage problem at the Howard Minnick property on Back Creek Road. The letter advised of remedial work they have done to alleviate the problem. Supervisor Zimmerman stated he felt that the State had attempted to solve the problem and the Board will keep an eye on this area.

A thank you note was received from the Historical Society for the Towns contribution to support the "Save the Steeple" campaign. The letter was received and filed.

A copy of a Notice of Application for review in the case of New York Telephone vs the State Board of Equalization and Assessment and a copy of a Notice of Petition in the case of National Fuel Gas vs the State Board of Equalization and Assessment were received. The notices were received and filed.

A letter was read from the New York State Division of Housing and Community Renewal. A copy of the State Fire Prevention Code was included with the letter. Supervisor Zimmerman explained this code book had been sent for in response to a new fire code being implemented in the State of New York. Supervisor Zimmerman asked that this be referred to Councilman Wittmeyer and Building Inspector Decker for their comments. Councilman Wittmeyer asked the Town Clerk to order three (3) more code books, one for each fire company.

A letter and a copy of a resolution passed by the Hamburg Town Board relative to assessment litigation was received. Councilman Wohlhueter stated he felt the Boston Town Board should pass a similar resolution to support the Hamburg Town Board. Councilman Samulski stated he felt it was an excellent resolution.

RESOLUTION - ASSESSMENT LITIGATION

At 8:15 P. M. a Public Hearing was held to consider the request of Donald P. and Evelyn Haas to rezone their property at 6471 Chestnut Lane from Residence R-2 to Agriculture A-1. The Legal Notice was read by the Town Clerk. Town Clerk Klein reported that the Zoning Referral Form had been returned marked no recommendation. He also advised that a letter had been sent to Philip Frandina, County Highway Department; Charles Pettit, Boston Planning Board; Karen Klineczar, Boston Conservation Advisory Council; Edward Snow, Drainage Committee; Joan Loring, County Department of Environment and Planning; Steven Doleski, New York State Department of Environmental Conservation, and Charles J. Alessi, County Department of Environment and Planning and had received no response to the letters. Mr. Klein further noted that the Environmental Assessment

Short Form had been sent to each of the above.

LEGAL NOTICE

TOWN OF BOSTON AMENDMENT TO THE ZONING ORDINANCE AND ZONING MAP OF THE TOWN OF BOSTON

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Boston, Erie County, New York will hold a Public Hearing on the 21st day of October, 1981 at 8:15 P.M. Eastern Daylight Savings Time in the Boston Town Hall, 8500 Boston State Road, Boston, New York on the petition and request of Mr. Donald Haas to rezone the following described property, which is presently zoned Residence R2 to Agriculture under the Zoning Ordinance of the Town of Boston, said property being described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Boston, County of Erie and State of New York, being part of Lot 15, Township 8, Range 7 of the Holland Land Company's survey, bounded and described as follows:

He noted that under the SEQR review, this is a Type 2 action and needs no further review.

Karen Klinczar asked where the property was located and Town Clerk Klein advised Chestnut Lane and Chestnut Ridge Road.

Councilman Samulski asked if the garage and house were connected and Mr. Haas stated yes by a breezeway. Councilman Wittmeyer stated that he had talked to Grover Grinsell, Mr. Haas's neighbor and he had stated that he had no objection to the rezoning.

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to close the Public Hearing.

five (5) ayes Carried

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer to rezone the property owned by Donald and Evelyn Haas at 6471 Chestnut Lane from Residence R2 to Agriculture.

five (5) ayes Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Faulring to renew the permit of Roger Felt to operate an airfield on Rockwood Road. Permit to expire October 31, 1982.

five (5) ayes Carried

A letter was received from Paul Bloom, Junior Class Faculty Advisor, Hamburg Central School requesting permission to use the Town Hall Parking Lot as a pickup point for a paper drive they are having. A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski to grant permission to the Hamburg Central Junior Class to use the Town Hall Parking Lot on November 7, 1981 from 10:00 A. M. to 4:00 P. M. for a pickup point for a paper drive contingent on the receipt of a Certificate of Insurance and also an agreement they maintain housekeeping at the site.

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski to adopt the 1982 Preliminary Revenue Sharing Budget as follows:

Highway Item #3	\$10,000.00
Drainage	\$10,000.00
Parks	\$10,000.00
Capital Improvements	\$16,213.00
Total	\$46,213.00

and to set November 4, 1981 at 8:00 P. M. for a public hearing to consider the adoption of this.

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to correct Highway Abstract #10 - October 7, 1981 as follows:

Voucher #248 Valley Truck and Equipment Corporation - From \$45.84 to \$99.40
Total Abstract \$14,968.97

five (5) ayes Carried

BEGINNING at a point in the center line of Old Chestnut Hill Road (formerly called Chestnut Ridge Road or Hess Road), at the intersection of the northerly line of a proposed 50-foot road, said northerly line of the proposed road being measured north and along the center line of Old Chestnut Hill Road a distance of 840.83 feet from the south line of property formerly conveyed to George Neher, Jr.; thence northerly on the center line of Old Chestnut Hill Road 150.17 feet; thence easterly, making an interior angle with the said center line of 97°38', 216.70 feet; thence southerly at right angles 148.70 feet to and making a right angle with the northerly line of the aforementioned proposed 50-foot road at a point 236.57 feet easterly from the point of beginning; thence westerly along the said northerly line of the proposed road 236.57 feet to the point of beginning, containing .77 acres be the same more or less.

BEING the same premises, together with the appurtenances thereto, conveyed to grantors herein by deed recorded in Erie County Clerk's Office in Liber 4722 of Deeds at page 551, and

TOGETHER with and subject to a non-exclusive easement of right of way as created by deed of Rollin M. Pfanner and wife and Clayton Schunk, dated June 6, 1950 and recorded in Erie County Clerk's Office in Liber 4721 of Deeds at page 554.

AT THIS HEARING at the time and place noted, all interested parties will be heard for or against said petition.

Herbert H. Klein
Town Clerk
Town of Boston

Dated: September 23, 1981

Councilman Samulski reported that the Cable TV Committee would be meeting next Tuesday and that a Public Hearing on Cable TV will be held on November 18, 1981. Councilman Samulski advised that both Global and International would be present at the hearing.

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to adjourn at 8:25 P. M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

TOWN OF BOSTON



At a Regular Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York, on the 21st day of October, 1981, at 8:00 P. M., Eastern Daylight Saving Time, there were present:

David Zimmerman	Supervisor
Milton Wittmeyer	Councilman
Esther Faulring	Councilman
Don Wohlhueter	Councilman
Alfred Samulski	Councilman

Councilman Wohlhueter presented the following resolution and moved its adoption:

WHEREAS, there is litigation pending in regard to our assessments on certain properties in the Town of Boston, and

WHEREAS, expenses incurred in defending petitions for the Assessment Board of Review and following litigation be born percent wise by the Town, County, and School Districts since each are receiving tax monies based on assessments, and

WHEREAS, the Town Board of the Town of Hamburg has by resolution recommended a unified appeal to the County for aid in defending the above.

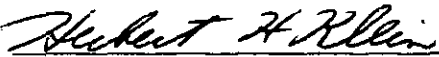
THEREFORE BE IT RESOLVED that the Town Board of the Town of Boston supports the Town Board of the Town of Hamburg in their efforts for County aid in defending these assessment petitions and litigation, and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Hamburg Town Board and the County Legislature.

Seconded by Councilman Samulski and put to a vote which resulted as follows:

Supervisor Zimmerman	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Faulring	Voting	aye
Councilman Wohlhueter	Voting	aye
Councilman Samulski	Voting	aye

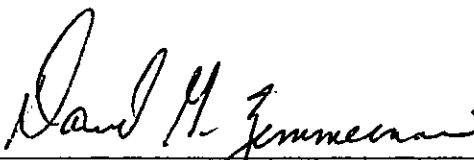
AYES: 5 NOES: 0 ABSENT: 0


Herbert H. Klein, Town Clerk

Present were Councilman Milton Wittmeyer, Councilman Esther Faulring, Councilman Don A. Wohlhueter, Councilman Alfred Samulski, Supervisor David Zimmerman and Town Attorney Charles P. Maxwell.

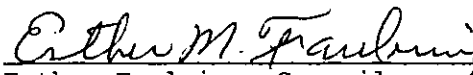
WAIVER AND CONSENT OF SPECIAL MEETING

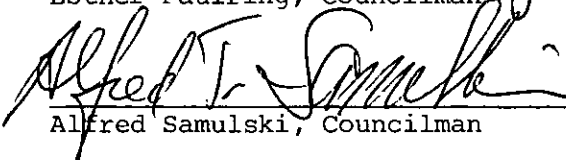
The undersigned, members of the Town Board of the Town of Boston, hereby waive notice of a Special Meeting and consent that a Special Meeting may be held by The Town Board of the Town of Boston on October 28, 1981 at 5:00 P. M. Eastern Standard Time for the purpose of acting upon a Home Rule request with respect to certain special legislation introduced in the New York State Assembly and New York State Senate approving the construction and leasing of a New York State Police Building on lands owned by the Town of Boston.


David G. Zimmerman, Supervisor


Milton Wittmeyer, Councilman


Don A. Wohlhueter, Councilman


Esther Faulring, Councilman


Alfred Samulski, Councilman

Dated: October 28, 1981

RESOLUTION - HOME RULE REQUEST - ASSEMBLY

RESOLUTION - HOME RULE REQUEST - SENATE

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to adjourn at 5:08 P. M.


Herbert H. Klein
Town Clerk

TOWN OF BOSTON



At a Special Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York, on the 28th day of October, 1981 at 5:00 P. M., Eastern Standard Time, there were present:

David Zimmerman
Milton Wittmeyer
Esther Faulring
Don Wohlhueter
Alfred Samulski

Supervisor
Councilman
Councilman
Councilman
Councilman

Councilman Samulski presented the following resolution and moved its adoption:

WHEREAS, New York State Law requires the Town Board to adopt a Home Rule Resolution with respect to Special Law filed in the New York State Senate designating 7176 in relation to the construction, financing and leasing of an office for the New York State Police.

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Boston hereby requests the enactment of Senate Special Law Number 7176 in relation to the construction and financing of an office building for the primary use of the New York State Police as provided in said Senate Special Law designated above.

Seconded by Councilman Faulring and put to a vote which resulted as follows:

Supervisor Zimmerman	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Faulring	Voting	aye
Councilman Wohlhueter	Voting	aye
Councilman Samulski	Voting	aye

AYES: 5

NOES: 0

ABSENT: 0

Herbert H. Klein

Herbert H. Klein, Town Clerk

TOWN OF BOSTON



At a Special Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York, on the 28th day of October, 1981 at 5:00 P. M., Eastern Standard Time, there were present:

David Zimmerman
Milton Wittmeyer
Esther Faulring
Don Wohlhueter
Alfred Samulski

Supervisor
Councilman
Councilman
Councilman
Councilman

Supervisor Zimmerman presented the following resolution and moved its adoption:

WHEREAS, New York State Law requires the Town Board to adopt a Home Rule Resolution with respect to Special Law filed in the New York State Assembly designating A-9115 in relation to the construction, financing and leasing of an office for the New York State Police.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Boston hereby requests the enactment of Assembly Special Law Number A-9115 in relation to the construction and financing of an office building for the primary use of the New York State Police as provided in said Assembly Special Law designated above.

Seconded by Councilman Wittmeyer and put to a vote which resulted as follows:

Supervisor Zimmerman	Voting _____ aye _____
Councilman Wittmeyer	Voting _____ aye _____
Councilman Faulring	Voting _____ aye _____
Councilman Wohlhueter	Voting _____ aye _____
Councilman Samulski	Voting _____ aye _____

AYES:

5

NOES:

0

ABSENT:

0

Herbert H. Klein

Herbert H. Klein, Town Clerk

Regular Meeting
November 4, 1981

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman Esther Faulring, Councilman Don Wohlhueter, Councilman Alfred Samulski, Supervisor David Zimmerman, Town Attorney Charles Maxwell and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski that the minutes of the October 21, 1981 Regular Meeting be approved.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to accept the Town Clerk's Monthly Report.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the General Fund and Special District Bills in the amount of \$15,030.87 be paid following a correction in Voucher Number 922 as follows:

Drainage CF8540.4 to Capital Projects Fund H7110.2

five (5) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer that the Highway Bills in the amount of \$13,094.52 be paid.

five (5) ayes

Carried

A letter and Notice of Petition were received from the New York State Electric and Gas Corporation relative to Special Franchise Assessments. These were received and filed.

A letter was read from the New York State Department of Environmental Conservation advising the Board of Grant amounts of \$727.36 and \$674.18 for O & M Maintenance of Sewer District #1 for Fiscal Years 1/1/79 - 12/31/79 and 1/1/80 - 12/31/80.

A letter was read from the North Boston Volunteer Fire Company opposing proposed Erie County fees for firematic training and courses. A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer directing Town Clerk Klein to send a letter to the Erie County Fire Safety advising that the Town of Boston opposes these proposed fees.

five (5) ayes

Carried

A letter was received from Erie County Department of Public Works and New York State Department of Transportation relative to the requested area speed limit at the Boston Cross Road. The New York State Department of Transportation advised they would make a study of the area when their workload permits. The letters were received and filed.

A letter was read from the Erie County Department of Health advising that the sewage disposal system at Paul Bolt's property at 6610 Rice Road has been installed according to plans approved by the Erie County Health Department. The letter was received and filed.

Town Clerk Klein read a letter and framed poem that had been presented to the Town of Boston by the author Sean O'Leary of South Buffalo entitled Boston Hills. Supervisor Zimmerman directed the Town Clerk to send a letter of thanks to Mr. O'Leary.

Resolutions supporting a New York State Police Building in the Town of Boston were received from the Towns of Collins, Farnham and Eden. These resolutions were received and filed.

A letter was read from Herbert D. Warren, 9236 Boston State Road requesting the renewal of his Special Use Permit to operate a collision shop. Building Inspector Decker stated he had inspected Mr. Warren's collision shop and found everything in order. A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer to grant the renewal of a Special Use Permit for a collision shop to Herbert D. Warren for a three (3) year period under the same conditions as previously granted. Special Use Permit to expire November 25, 1984.

five (5) ayes

Carried

The Supervisor's Monthly Financial Report was received.

RESOLUTION - RICE ROAD INTERCHANGE

Supervisor Zimmerman stated that he had read an article in last Saturdays paper advising that the Towns request to open up the Rice Road interchange had been denied until an access road was built and he therefore sent a letter to everyone concerned including the President, that he was not too happy they had not been notified before it was put in the papers and also that they had made an inspection of the area without letting anyone know.

A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer to create a Park Improvement Capital Project using Miscellaneous Capital Reserve Funds in the amount of \$10,000.00.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring authorizing the Capital Improvements Committee to interview architects for the New York State Police Building and to come back to the Town Board with a recommendation.

five (5) ayes

Carried

Supervisor Zimmerman asked that a letter be sent to the New York State Police telling them of our intent and asking them for a letter giving their intentions.

A motion was made by Councilman Faulring and seconded by Councilman Samulski to take sealed bids for the sale of a 1976 Plymouth four door sedan. Bids to be received until 5:00 P. M. on November 18, 1981.

five (5) ayes

Carried

RESOLUTION - WATERLINE - SNYDER - WOODLEE COURT

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring granting permission to Supervisor Zimmerman to attend the Winter Conference of the Supervisors and County Legislators Association, January 17 to 20, 1981 in Ithaca, New York.

five (5) ayes

Carried

RESOLUTION - COUNTY SEWER DISTRICT #3 CONTRACTS

Supervisor Zimmerman reported that on Tuesday, November 17, 1981, at 7:30 P. M. there will be a meeting in Buffalo relative to the new State Fire Prevention Code. He advised the Building Inspector would attend and also a representative from each fire company.

Upon the request of Town Clerk Klein, a motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer allowing him to meet with Robert Pettit or Paul Becker of Nussbaumer and Clarke to get their assistance to write up a SEQR report for the Fisher property rezoning and the Webber-Fittry rezoning.

five (5) ayes

Carried

Town Clerk Klein advised that he had received a copy of a resolution from the Hamburg Town Board to the PSC opposing the proposed telephone rate increase.

The Town Justice Monthly Report was received.

A letter was read from Ray May, Staff Engineer at Edwards and Moncreiff advising of the estimated cost to provide water line extensions on the south end of Feddick Road. The letter also mentioned that a booster system would be necessary and Supervisor Zimmerman stated he would check to see what this is.

The Boston Police Department Monthly Report was received.

The Building Inspector's Monthly Report was received.

A letter from Building Inspector Decker was read thanking the Town Board for the opportunity to attend Building Code Seminars and also enclosed Certificates he had received.

A memo was received from Karen Klinczar, Chairman of the Conservation Advisory Council relative to a tree preservation law. Building Inspector Decker stated

that instead of a law he would like to see conservation zoning and Karen pointed out this would have to be part of the Master Plan and as yet it has not been adopted. The letter advised that the Conservation Advisory Council would like to receive ideas and complaints so they can sort through them and come up with a recommendation.

At 8:00 P. M. a Public Hearing was held to consider the adoption of the 1982 Preliminary Budget and the use of 1982 Federal Revenue Sharing Funds. The Legal Notice was read by the Town Clerk. A summary of the proposed 1982 Preliminary Budget was available for those present. The Town Clerk advised that in the interest of time he would only read the totals in each budget category if there were no objections. There were no objections. There were no comments from the floor or from the Board. A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to close the Public Hearing.

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski that the 1982 General Fund Budget be approved as follows:

Appropriations	\$410,891.51
Less Estimated Revenues	277,800.00
Less Unexpended Balance	126,888.73
Amount to Be Raised by Taxes	6,202.78

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and Seconded by Councilman Wohlhueter that the 1982 Highway #1 Fund Budget be approved as follows:

Appropriations	\$135,200.00
Less Estimated Revenues	41,632.00
Amount to be Raised by Taxes	93,568.00

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Samulski that the 1982 Highway #3 Fund Budget be approved as follows:

Appropriations	\$ 66,300.00
Less Estimated Revenues	24,000.00
Amount to be Raised by Taxes	42,300.00

five (5) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Wohlhueter that the 1982 Highway #4 Fund Budget be approved as follows:

Appropriations	\$128,200.00
Less Estimated Revenues	77,500.00
Amount to be Raised by Taxes	50,700.00

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the 1982 Debt Service Fund be approved as follows:

Appropriations	\$104,615.00
Less Estimated Revenues	104,615.00
Amount to be Raised by Taxes	.00

five (5) ayes

Carried

LEGAL NOTICE

LEGAL NOTICE

NOTICE OF HEARING UPON PRELIMINARY BUDGET INCLUDING USE OF FEDERAL REVENUE SHARING FUNDS

NOTICE IS HEREBY GIVEN that the preliminary budget of the Town of Boston including the use of Federal Revenue Sharing Funds for the fiscal year beginning January 1st, 1982, has been completed and filed in the office of the Town Clerk, where it is available for inspection by any interested person during regular office hours.

FURTHER NOTICE IS HEREBY GIVEN that the Town Board of the Town of Boston will meet and review said preliminary budget and hold public hearing thereon at the Boston Town Hall, 8500 Boston State Road, Boston, New York, at 8:00 P.M. Eastern Standard Time, on the 4th day of November, 1981 and that at such hearing any person may be heard in favor of or against the preliminary budget as compiled for or against any items therein contained.

Pursuant to Section 113 of the Town Law, the proposed salaries of the following town officers are hereby specified as follows:

Supervisor	\$11,988.00
Councilman	3,240.00
Councilman	3,240.00
Councilman	3,240.00
Councilman	3,240.00
Town Justice	7,760.00
Town Clerk	17,723.00
Highway Superintendent	20,218.00

Pursuant to Federal Regulations to proposed use of Federal Revenue Sharing Funds in the amount of \$46,213.00, the proposed use is as follows:

Highway Item No. 3	\$11,000.00
Drainage Studies and Remedial Work	\$10,000.00
Parks	\$10,000.00
Capital Improvements	\$16,213.00

AT THIS HEARING, at the time and place above noted, all interested persons will be given the opportunity to be heard.

Herbert H. Klein
Town Clerk
Town of Boston

Dated: October 14, 1981

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the 1982 Fire Protection Budget be approved as follows:

Appropriations	\$115,683.64
Less Estimated Revenues	534.54
Amount to be Raised by Taxes	115,149.10

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Samulski that the 1982 Light District #1 Budget be approved as follows:

Appropriations	\$ 9,605.28
Less Estimated Revenues	237.70
Amount to be Raised by Taxes	9,367.58

five (5) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Faulring that the 1982 Water District #1 Budget be approved as follows:

Appropriations	\$ 50,944.16
Less Estimated Revenues	3,500.00
Amount to be Raised by Taxes	47,444.16

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the 1982 Water District #2 Budget be approved as follows:

Appropriations	\$ 41,830.00
Less Estimated Revenues	1,000.00
Amount to be Raised by Taxes	40,830.00

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski that the 1982 Sewer District #1 Budget be approved as follows:

Appropriations	\$ 2,926.00
Less Estimated Revenues	700.00
Less Unexpended Balance	2,226.00
Amount to be Raised by Taxes	.00

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wittmeyer that the 1982 Sewer District #2 Budget be approved as follows:

Appropriations	\$ 8,305.37
Less Estimated Revenues	1,000.00
Less Unexpended Balance	4,000.00
Amount to be Raised by Taxes	3,305.37

five (5) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer that the 1982 Sewer District #3 Budget be approved as follows:

Appropriations	\$ 3,268.86
Less Estimated Revenues	600.00
Less Unexpended Balance	1,500.00
Amount to be Raised by Taxes	1,168.86

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer that the 1982 Sewer District #4 Budget be approved as follows:

Appropriations	\$ 7,218.73
Less Estimated Revenues	500.00
Less Unexpended Balance	1,500.00
Amount to be Raised by Taxes	5,218.73

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the 1982 Refuse and Garbage Budget be approved as follows:

Appropriations	\$ 11,011.08
Less Estimated Revenues	492.65
Amount to be Raised by Taxes	10,518.43

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to adjourn at 8:15 P. M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

TOWN OF BOSTON



At a Regular Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York, on the 4th day of November, 1981 at 7:30 P. M., Eastern Standard Time, there were present:

David Zimmerman	Supervisor
Milton Wittmeyer	Councilman
Esther Faulring	Councilman
Don Wohlhueter	Councilman
Alfred Samulski	Councilman

Councilman Wittmeyer presented the following resolution and moved its adoption:

WHEREAS, the Southern Expressway running along Boston's west hill was officially opened in August, 1981, and

WHEREAS, the Rice Road Interchange was deleted from the original contract because of insufficient access roads, and

WHEREAS, the New York State Department of Transportation has designed an access route connecting the southern portion of the Town of Boston with the proposed Rice Road interchange, and

WHEREAS, this access route would enhance the business community, especially the recreation area of Kissing Bridge Ski Area in the neighboring Town of Colden, and

WHEREAS, the interchange would also serve the residents of Boston's west hill who for the past three (3) years accepted the noise and dust during construction for the benefit of others and now are unable to use this expressway to commute to work, and

WHEREAS, this interchange would provide access to residents of adjoining communities to the west of Boston now not serviced by an expressway, and

WHEREAS, the Town Board of the Town of Boston, Erie County, New York has supported the construction of this expressway including the Rice Road Interchange for more than twenty (20) years and are deeply concerned with the Federal Highway Administrations decision to cut off Discretionary Priority Funds.

NOW, THEREFORE, BE IT RESOLVED that the Boston Town Board hereby requests the Federal Highway Administration to reconsider funding for the completion of this project and support the efforts of Congressman Henry Nowak for the designation of these discretionary funds for this purpose, and

FURTHER BE IT RESOLVED that this resolution be forwarded to President Reagan, Senators Moynihan and D'Amato and Congressmen Nowak, Kemp, LaFalce and Lundine requesting support of this project.

Seconded by Councilman Faulring and put to a vote which resulted as follows:

Supervisor Zimmerman	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Faulring	Voting	aye
Councilman Wohlhueter	Voting	aye
Councilman Samulski	Voting	aye

AYES: 5

NOES: 0

ABSENT: 0

Herbert H. Klein
Herbert H. Klein, Town Clerk

TOWN OF BOSTON



At a Regular Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York, on the 4th day of November, 1981 at 7:30 P. M., Eastern Standard Time, there were present:

David Zimmerman	Supervisor
Milton Wittmeyer	Councilman
Esther Faulring	Councilman
Don Wohlhueter	Councilman
Alfred Samulski	Councilman

Councilman Samulski presented the following resolution and moved its adoption.

WHEREAS property owners in the Town of Boston have approved the creation of Erie County Sewer District #3 and their inclusion thereof, and

WHEREAS many property owners are in need of receiving public sewer service, and

WHEREAS many lateral lines have been installed in the last year with no main interceptor to connect to, and

WHEREAS property owners are being taxed for this service at approximate tax of \$300.00 a year and are not receiving any service for their tax, and

WHEREAS the Erie County Department of Planning and Environment has submitted the plans for construction of this interceptor known as BV-2 to the New York State Department of Environmental Conservation for State approval, and

WHEREAS the Erie County Department of Environment and Planning needs this approval prior to receiving bids, and

WHEREAS the construction of this interceptor is behind schedule.

NOW THEREFORE BE IT RESOLVED that the Boston Town Board hereby requests the New York State Department of Environmental Conservation to immediately review the plans for construction of this interceptor and grant their approval so that Sewer District Number 3 may submit the construction of this vital interceptor to public bid, and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Assemblyman Richard Kennedy and Senator Dale Volker seeking their support in the approval by the New York State Department of Environmental Conservation of these plans.

Seconded by Councilman Wittmeyer and put to a vote which resulted as follows:

Supervisor Zimmerman	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Faulring	Voting	aye
Councilman Wohlhueter	Voting	aye
Councilman Samulski	Voting	aye

AYES:

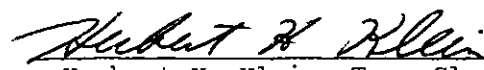
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NOES:

0

ABSENT:

0


Herbert H. Klein, Town Clerk

TOWN OF BOSTON



At a Regular Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York, on the 4th day of November, 1981 at 7:30 P. M., Eastern Standard Time, there were present:

David Zimmerman	Supervisor
Milton Wittmeyer	Councilman
Esther Faulring	Councilman
Don Wohlhueter	Councilman
Alfred Samulski	Councilman

Supervisor Zimmerman presented the following resolution and moved its adoption:

WHEREAS, Erie County Water Authority has requested this Board to approve and consent to the connection of the Glenn J. Snyder residence to the public water line located in Woodlee Court Town Road.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Boston hereby approves and consents to the connection and service of public water from the water line located in Woodlee Court to the Glenn J. Snyder residence at Woodlee Court and Herman Hill Road on the understanding that neither the Erie County Water Authority or the Town of Boston shall be obligated or required to extend said public water line from its present terminus on Herman Hill Road, as now located, for further extended water connections.

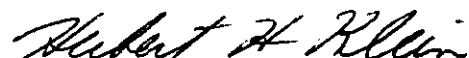
Seconded by Councilman Wittmeyer and put to a vote which resulted as follows:

Supervisor Zimmerman	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Faulring	Voting	aye
Councilman Wohlhueter	Voting	aye
Councilman Samulski	Voting	aye

AYES: 5

NOES: 0

ABSENT: 0


Herbert H. Klein, Town Clerk

Present were Councilman Esther Faulring, Councilman Don Wohlhueter, Councilman Alfred Samulski, Supervisor David Zimmerman, Town Attorney Charles Maxwell and Highway Superintendent Clarence Kreitzbender. Councilman Milton Wittmeyer was absent.

A motion was made by Councilman Samulski and seconded by Councilman Wohlhueter that the minutes of the November 4, 1981 Regular Meeting and October 27, 1981 Special Meeting be approved.

four (4) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski that the General Fund and Special District Bills in the amount of \$5,130.41 be paid.

four (4) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the Highway Bills in the amount of \$13,765.73 be paid.

four (4) ayes

Carried

A letter was received from Legislators Marie Richardson and Francis Pordum to County Attorney Casey relative to litigation proceedings of assessment petitions. Also received were copies of resolutions passed by Towns appealing for aid by the County in defending these suits. The letter was received and filed.

A letter was received from the County of Erie Department of Environment and Planning and also received was a fact sheet labled Policy Guidelines Study. Supervisor Zimmerman stated that each Board member had received a copy. The letter and fact sheet were received and filed.

Karen Klinczar asked if this study was going to be answered. Supervisor Zimmerman stated that as each board member had a copy they could respond if they wanted to. Supervisor Zimmerman asked that Karen receive a copy of this material.

A letter was read from the Erie County Water Authority relative to a renewal of the Water District #1 Lease Management Agreement between them and the Town of Boston. Town Clerk Klein advised that he had received a telephone call from the Authority asking that the Lease Management Agreement for Water #2 also be renewed.

RESOLUTION - WATER DISTRICT #1 - LEASE MANAGEMENT AGREEMENT

RESOLUTION - WATER DISTRICT #2 - LEASE MANAGEMENT AGREEMENT

A motion was made by Supervisor Zimmerman and seconded by Councilman Faulring to set a public hearing on the Fire Company contracts at 8:15 P. M. on December 16, 1981 and Emergency Squad Contract at 8:20 P. M. on December 16, 1981.

four (4) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Samulski granting permission to Supervisor-elect Jerome Hubert to attend the Supervisors Meeting in Ithaca, New York from January 17-20, 1982. All appropriate expenses to be paid by the Town.

four (4) ayes

Carried

A copy of a letter from Cullen D. Moncreiff, Engineer to North Boston Fire Chief Paul Schunk relative to new hydrants at Feddick Road, Mayer Road to Appletree, Woodlee Court, Herman Hill Road to North end of the road was received and file.

The Supervisor recessed the meeting at 7:41 P. M.

At 8:00 P. M. the meeting was again called to order by Supervisor Zimmerman for a Public Hearing on Cable TV. The Legal Notice was read by the Town Clerk. Supervisor Zimmerman turned the meeting over to the Cable TV Committee, Councilman Samulski, Joseph Terrizzi and Gary Walters. A transcript of the Public Hearing is heretofore attached and is a part of these minutes.

LEGAL NOTICE

PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Boston, Erie County, New York at the Boston Town Hall, 8500 Boston State Road, Boston, New York on the 18th day of November, 1981 at 3:00 P. M., Eastern Standard Time in the matter of the review of the Cable-TV franchising for the purpose of allowing residents of the Town of Boston the opportunity to question the municipal officials and applicants in regard to the cable service that will be provided to the community. At such time, all interested persons will be given an opportunity to be heard.

Copies of the applications are on file in the Town Clerk's office and may be reviewed during regular business hours.

Herbert H. Klein
Town Clerk

Dated: October 16, 1981

A motion was made by Councilman Samulski and seconded by Councilman Wohlhueter to close the Public Hearing.

four (4) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Wohlhueter to adjourn at 9:54 P. M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

TOWN OF BOSTON



At a regular meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York on the 18th day of November, 1981, at 7:30 P. M., Eastern Standrad Time, there were

PRESENT:	David Zimmerman	Supervisor
	Don Wohlhueter	Councilman
	Esther Faulring	Councilman
	Alfred Samulski	Councilman
ABSENT:	Milton Wittmeyer	Councilman

Supervisor Zimmerman presented the following resolution and moved its adoption:

WHEREAS, the Town Board of the Town of Boston acting in behalf of Water District No. 1 in the Town of Boston, County of Erie, State of New York after due consideration has determined that it would be in the best interest of said Water District No. 1 and would assure said Water District No. 1 of an adequate supply of water at reasonable rates and with efficient management to enter into a Lease-Management Agreement with the Erie County Water Authority effective from date of said agreement.

WHEREAS, the Erie County Water Authority has indicated a willingness to enter into said Lease-Management Agreement pursuant to Section 198 of the Town Law under the terms of which it will lease, maintain and operate the facilities of said district and supply water service to its customers.

NOW, THEREFORE, BE IT RESOLVED, that Water District No. 1, Town of Boston, County of Erie, State of New York, be, and it hereby is authorized to enter into a Lease-Management Agreement with the Erie County Water Authority for a term of five years effective from the date of said agreement pursuant to Section 198 of the Town Law whereby the said Erie County Water Authority will lease, maintain and operate the facilities of said Water District No. 1 and supply water service to its customers in accordance with the terms of said Lease-Management Agreement; and

BE IT FURTHER RESOLVED, that David Zimmerman, Milton Wittmeyer, Don Wohlhueter, Esther Faulring and Alfred Samulski, as members of the Town Board of the Town of Boston acting in behalf of said Water District No. 1, pursuant to Section 198 of the Town Law be, and they hereby are, authorized and directed to execute said Lease-Management Agreement in behalf of said Water District No. 1 and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Boston, be and he hereby is directed to publish and post due notice of this resolution pursuant to Section 90 of the Town Law, said resolution being subject to a permissive referendum;

and;

BE IT FURTHER RESOLVED, that a copy of said Lease-Management be filed forthwith in the Office of the Town Clerk of the Town of Boston available for public inspection upon reasonable request.

Seconded by Councilman Samulski and duly put to a vote and upon roll call the vote was as follows:

David Zimmerman, Supervisor

Voting aye

Don Wohlhueter, Councilman

Voting aye

Esther Faulring, Councilman

Voting aye

Alfred Samulski, Councilman

Voting aye

AYES:

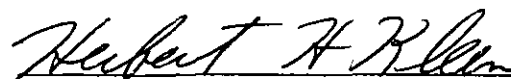
4

NOES:

0

ABSENT:

1

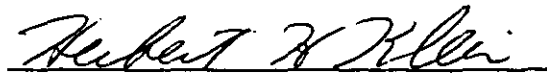


Herbert H. Klein, Town Clerk
Town of Boston

I, HERBERT H. KLEIN, TOWN CLERK of the Town of Boston, Erie County, New York, DO HEREBY CERTIFY: I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town of Boston, New York including the resolution contained therein, held on the 18th day of November, 1981 with the original thereof on file in my office and that the same is a true and correct copy therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 19th day of November, 1981.


Herbert H. Klein, Town Clerk

SEAL

TOWN OF BOSTON



At a regular meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York on the 18th day of November, 1981, at 7:30 P. M., Eastern Standrad Time, there were

PRESENT:	David Zimmerman	Supervisor
	Don Wohlhueter	Councilman
	Esther Faulring	Councilman
	Alfred Samulski	Councilman
ABSENT:	Milton Wittmeyer	Councilman

Councilman Samulski presented the following resolution and moved its adoption:

WHEREAS, the Town Board of the Town of Boston acting in behalf of Water District No. 2 in the Town of Boston, County of Erie, State of New York after due consideration has determined that it would be in the best interest of said Water District No. 2 and would assure said Water District No. 2 of an adequate supply of water at reasonable rates and with efficient management to enter into a Lease-Management Agreement with the Erie County Water Authority effective from date of said agreement.

WHEREAS, the Erie County Water Authority has indicated a willingness to enter into said Lease-Management Agreement pursuant to Section 198 of the Town Law under the terms of which it will lease, maintain and operate the facilities of said district and supply water service to its customers.

NOW, THEREFORE, BE IT RESOLVED, that Water District No. 2, Town of Boston, County of Erie, State of New York, be, and it hereby is authorized to enter into a Lease-Management Agreement with the Erie County Water Authority for a term of five years effective from the date of said agreement pursuant to Section 198 of the Town Law whereby the said Erie County Water Authority will lease, maintain and operate the facilities of said Water District No. 2 and supply water service to its customers in accordance with the terms of said Lease-Management Agreement; and

BE IT FURTHER RESOLVED, that David Zimmerman, Milton Wittmeyer, Don Wohlhueter, Esther Faulring and Alfred Samulski, as members of the Town Board of the Town of Boston acting in behalf of said Water District No. 2, pursuant to Section 198 of the Town Law be, and they hereby are, authorized and directed to execute said Lease-Management Agreement in behalf of said Water District No. 2 and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Boston, be and he hereby is directed to publish and post due notice of this resolution pursuant to Section 90 of the Town Law, said resolution being subject to a permissive referendum;

and;

BE IT FURTHER RESOLVED, that a copy of said Lease-Management be filed forthwith in the Office of the Town Clerk of the Town of Boston available for public inspection upon reasonable request.

Seconded by Councilman Faulring and duly put to a vote and upon roll call the vote was as follows:

David Zimmerman, Supervisor

Voting aye

Don Wohlhueter, Councilman

Voting aye

Esther Faulring, Councilman

Voting aye

Alfred Samulski, Councilman

Voting aye

AYES:

4

NOES:

0

ABSENT:

1

Herbert H. Klein

Herbert H. Klein, Town Clerk
Town of Boston

I, HERBERT H. KLEIN, TOWN CLERK of the Town of Boston, Erie County, New York, DO HEREBY CERTIFY: I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town of Boston, New York including the resolution contained therein, held on the 18th day of November, 1981 with the original thereof on file in my office and that the same is a true and correct copy therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 19th day of November, 1981.

Herbert H. Klein
Herbert H. Klein, Town Clerk

SEAL

Regular Meeting
December 2, 1981

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman Don Wohlhueter, Councilman Alfred Samulski, Supervisor David Zimmerman, Town Attorney Charles Maxwell and Highway Superintendent Clarence Kreitzbender. Councilman Esther Faulring was absent.

A motion was made by Councilman Samulski and seconded by Councilman Wohlhueter that the minutes of the November 18, 1981 Regular Town Board Meeting be approved.

four (4) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer that the Town Clerk's Monthly Report be accepted.

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the General Fund and Special District Bills in the amount of \$8,695.88 be paid.

four (4) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer that the Highway Bills in the amount of \$18,407.35 be paid.

four (4) ayes

Carried

A letter was read from the New York State Public Service Commission in answer to a letter from the Boston Town Board expressing opposition to New York Telephone's proposed change in local calling areas. The letter was received and filed.

A letter was read from F. J. Geiser, Chief, Federal-Aid Division, Federal Department of Transportation relative to primary funding for the Rice Road interchange. Supervisor Zimmerman advised that he had received a letter from Congressman Nowak in answer to a letter he had sent relative to an inspection made of the proposed interchange area and Congressman Nowak advised that he is checking on the inspection procedure and will report when he has the information. Supervisor Zimmerman stated that it is his understanding there are some funds available to do the Rice Road project and he will be making contacts to find out what the funding and timetable is for these funds.

Karen Klinczar reported to the Board that the Conservation Advisory Council is doing leg work on a Park and Ride Project. She read a letter from the New York State Department of Transportation advising that they would be looking at three lots for this purpose. Karen said she had contacted the Hamburg Conservation Advisory Council to see if they would be interested in supporting the project. Karen stated the Conservation Advisory Council would like to get such a facility established which would cost the Town of Boston a minimal amount of money in maintenance. Karen stated they would like to have a presentation ready for the Town Board in February. She further advised that the State had enclosed a sample copy of an agreement with their letter. Karen also advised the Board that she would be attending a public hearing on Commuter Parking on Wednesday, December 9, 1981.

RESOLUTION - ORCHARD PARK WATER DISTRICT #17 - UNPAID FEES

A motion was made by Supervisor Zimmerman and seconded by Councilman Samulski setting December 30, 1981 at 9:00 A. M. as a Special end of the year meeting.

four (4) ayes

Carried

The Supervisor's Monthly Report was received.

A motion was made by Supervisor Zimmerman and seconded by Councilman Wohlhueter to transfer \$4,313.41 from the General Fund Balance to the Boston Cross Road Drainage Project to pay the final expenses not covered by Community Development Funds.

four (4) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Samulski to set Town of Boston Personnel Rules as follows:

VACATIONS:	After 6 months	1 week
	1 Year	2 weeks
	5 Years	3 weeks
	15 Years	4 weeks

PERSONAL TIME: Bereavement - Immediate Family - 3 days

After 2 years - 3 Paid Personal Days
From July to July for sickness, etc.

HOLDAYS:	New Years Day	Labor Day
	Lincoln's Birthday	Columbus Day
	Washington's Birthday	Election Day
	Good Friday	Veteran's Day
	Memorial Day	Thanksgiving
	Independence Day	Christmas

DISMISSAL: If for some reason dismissal is suggested, the employee will have a hearing before the Town Supervisor and the employee's immediate supervisor.

four (4) ayes

Carried

Town Clerk Klein stated that he had met with Charles Pettit to work on the SEQR report for the Webber-Fittry and Fisher rezonings and had called Albany to find out about the Community Review Committee which was mentioned on the report and talked to a gentlemen who was well informed on SEQR. Town Clerk Klein stated that the gentlemen was not aware of what this Committee was so the forms had been sent to him. Town Clerk Klein stated that he had received a phone call yesterday to inform him that the forms were all outdated and that new forms will be sent. Town Clerk Klein further advised that he should have the SEQR forms ready at the December 16th Town Board meeting on the two rezonings.

Town Clerk Klein reported that he had received no bids on the old car.

The Town Justice Monthly Report was received.

Councilman Wohlhueter advised that the Drainage Committee had met and they had gone over a number of items. He asked that the Drainage Committee give a copy of the year end report to the Town Board.

Councilman Wittmeyer advised that the Capital Improvements Committee had met on Monday night to interview two architects for the New York State Police Building and would be meeting on December 7 to interview more and would then make a decision on who would be selected.

Councilman Samulski stated that the transcript on the Cable TV Hearing had been received and the Committee would meet Tuesday, December 8 and hopefully by December 16, 1981 would have a recommendation for the Town Board.

A letter of resignation as a Boston Constable was received from Jay Andrews. Supervisor Zimmerman directed the Town Clerk to send a letter of acceptance of the resignation and to thank Jay for his service as a Town of Boston constable.

The Town Police Monthly Report was received.

The Building Inspectors Monthly Report was received.

Councilman Samulski asked if a date had been set to move the house from Zimmerman Road to Elmtree and Northside. Building Inspector Decker stated he had no definite date and Councilman Samulski asked that he be notified of this date when it is known as area residents have inquired about this.

The Dog Control Officer's reports for October and November were received.

A report on the NYSACC Conference held from November 6-8, 1981 was received from Karen Klinczar, Chairman of the Conservation Advisory Council.

Building Inspector Decker advised the Town Board that the house that is being moved to Elmtree and Northside will have a brick front, new siding, new windows and the addition of a family room so it will not look like it does at the present time.

A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski to adjourn at 7:53 P. M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

TOWN OF BOSTON



At a Regular Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York, in said Town on the 2nd day of December, 1981 at 7:30 P. M., Eastern Standard Time, there were present:

David Zimmerman
Milton Wittmeyer
Don Wohlhueter
Alfred Samulski

Supervisor
Councilman
Councilman
Councilman

Absent:

Esther Faulring

Councilman

The following resolution was offered by Supervisor Zimmerman who moved its adoption, seconded by Councilman Wittmeyer and unanimously carried.

WHEREAS, Section 198 of the Town Law provides that unpaid water charges shall be a lien upon real property upon which or in connection with which the water was used, and

WHEREAS, the Town Board of the Town of Boston adopted resolutions consenting and approving the furnishing of public water service by the Town of Orchard Park to 6159 Ward Road, and

WHEREAS, the resolutions provide that in the event that a customer defaults in payment for said water service the Town of Boston agrees to place upon the tax rolls of the Town of Boston for collection thereof the sum or sums unpaid, and

WHEREAS, the Town Board of the Town of Orchard Park adopted a resolution on November 4, 1981 requesting the Town of Boston to place upon the 1982 Tax Rolls for collection and upon collection to pay to Orchard Park Water District #17 the amounts shown on Schedule A, annexed for said unpaid water charges, and said charges are now outstanding.

NOW THEREFORE BE IT RESOLVED, that the unpaid water charges as itemized on attached "Schedule A" be made a part of these minutes and they be assessed against the respective properties as shown thereon and that the respective amounts be levied and collected with the 1982 taxes upon each respective parcel of real property in the Town of Boston and when collected the said sum shall be paid to said Water District Number 17, Town of Orchard Park,

FURTHER RESOLVED that a copy of this resolution be forwarded to the County of Erie, Department of Finance.

"SCHEDULE A"

<u>TAX ACCOUNT NUMBER</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>AMOUNT OF LEVY</u>
2-67-400	Keafe, Patrick	6159 Ward Road Orchard Park, N. Y. 14127	\$86.81

Duly put to a vote which resulted as follows:

Supervisor Zimmerman	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Wohlhueter	Voting	aye
Councilman Samulski	Voting	aye

AYES: 5

NOES: 0

ABSENT: 1

Herbert H. Klein
Herbert H. Klein, Town Clerk
Town of Boston, Erie County,
New York

Regular Meeting
December 16, 1981

Town Hall
8:00 PM

Present were Councilman Milton Wittmeyer, Councilman Esther Faulring, Councilman Don A. Wohlhueter, Councilman Alfred Samulski, Supervisor David Zimmerman, Town Attorney Charles Maxwell and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski that the minutes of the December 2, 1981 Regular Meeting be approved.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the General Fund and Special District Bills in the amount of \$6,966.53 be paid.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the Highway Bills in the amount of \$5,346.18 be paid.

five (5) ayes

Carried

A letter was read from the New York State Department of Environmental Conservation in response to a resolution from the Boston Town Board requesting expedition for approval of Sewer District #3 contracts. Supervisor Zimmerman stated that the letter points to the County holding back. Supervisor Zimmerman directed the Town Clerk to send a copy of the States letter to Mr. Alessi of the County and asked him for an explanation.

A letter was read from Attorney Joseph V. McCarthy relative to hydrant charges in the Rustic Subdivision. Supervisor Zimmerman pointed out in order to take over the charges a district would have to be set up. Supervisor Zimmerman asked that this matter be referred to Town Attorney Maxwell, Assessor Kleis and Town Clerk Klein for their study and recommendation.

A memo was received from the Colden Neighbors Association advising of a meeting to hear a speaker from the New York Telephone Company on the proposed telephone rate change. Supervisor Zimmerman stated that it was his understanding that Assemblyman Richard L. Kennedy would be having one of these meetings sometime in January in the Town of Boston.

A Notice of Motion in the assessment case of Rudolph Blesy vs the Town of Boston was received. Town Attorney Maxwell stated he felt this would be thrown out of court as it was not filed in the required length of time.

A letter was read from the SPCA advising the Board of their emergency back up service. Supervisor Zimmerman directed the Town Clerk to send a copy of the letter to the Town Police, State Police and Dog Control Officer.

Letters were read from Senator Moynihan, Senator D'Amato and a congressional delegation relative to the Discretionary Funding for the Rice Road interchange. Supervisor Zimmerman stated he had sent a letter to Jack Kemp asking for assistance to get this project completed.

A motion was made by Supervisor Zimmerman and seconded by Councilman Faulring approving the issuance of a building permit to the Sherwood Road Corporation, 8425 Boston State Road to add a 17' x 8' porch roof to the existing structure.

five (5) ayes

Carried

Upon the written request of Frederick Scherbarth a motion was made by Councilman Samulski and seconded by Councilman Wittmeyer to renew the Special Use Permit of Frederick Scherbarth, 5438 George Drive for an amateur radio tower for three years under the conditions originally granted and that Mr. Scherbarth be advised that if he wishes to increase the height of the tower he will have to make a request for permission at that time. The new permit expires October 1, 1984.

five (5) ayes

Carried

Upon the written request of Gregory Grzeskowiak a motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to renew the Special Use Permit of Gregory Grzeskowiak, 8708 Boston State Road for a three year period under the same conditions as originally granted to allow for the refinishing and restoration and sale of antiques and reproductions of antiques. The new permit to expire October 1, 1984.

five (5) ayes

Carried

At 8:15 P. M. a Public Hearing was held to consider the contracts with the North Boston Fire Company, Patchin Fire Company and Boston Fire Company. The Legal Notice was read by the Town Clerk. There were no comments from the Boston Town Board or persons present at the meeting. A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer to close the Public Hearing.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to enter into a contract with the North Boston Fire Company, Patchin Fire Company and Boston Fire Company in the amount of \$28,900.00 for 1982; \$34,900.00 for 1983 and \$39,900.00 for 1984.

five (5) ayes

Carried

At 8:20 P. M. a Public Hearing was held to consider entering into a contract with the Boston Emergency Squad. The Legal Notice was read by the Town Clerk. Supervisor Zimmerman advised that the money amount would stay the same, but the Town would pick up the \$825.00 if it is needed to make up to the \$2,000.00 for communications. Karen Klinczar asked what the amount was for 1981 and Supervisor Zimmerman stated \$8,555.00. A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski to close the Public Hearing.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Wohlhueter to enter into a contract with the Boston Emergency Squad in the amount of \$8,855.00 for 1982 with the stipulation that if the communications budget runs over \$1,175.00 the Town would pick up \$825.00 to make up to the \$2,000.00 mark.

five (5) ayes

Carried

A letter and Certificate of Abandonment of Highway was received from Attorney Willard J. Magavern, Jr. A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski to approve the abandonment of public highway and authorize the execution of the certificate by the Town Board for a paper street located on the Meadow Drive subdivision map filed in the Erie County Clerk's Office under Cover No. 2171 and known as Parkside Avenue.

five (5) ayes

Carried

A letter was received from the County of Erie relative to the transfer of County roads to the Town. Supervisor Zimmerman stated that his concern is the road be brought up to specification. The matter was turned over to the Town Attorney, Highway Superintendent and Traffic Safety Committee for their study and recommendation.

Supervisor Zimmerman stated the Capital Improvements Committee had interviewed five firms for the State Police Building and after meeting with the five had chosen Nussbaumer and Clarke, Inc. as the engineers. A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski authorizing Supervisor Zimmerman to sign a contract with Nussbaumer and Clarke, Inc. for the State Police Building with fees as follows: (1) Test borings and a new topographical survey, fee not to exceed \$2,500.00; (2) plans and specs - take bids on the job and make recommendations \$10,500.00; weekly inspection of the job while it is being constructed not to exceed \$2,000.00.

five (5) ayes

Carried

Town Clerk Klein presented the SEQR Reports on the Webber-Fittry rezoning request and the Fisher property rezoning request. All reports were given a Negative Declaration. Following the presentation by Town Clerk Klein and discussion by the Board, it was decided to table the Fisher rezoning until January 20, 1982 so people who expressed an interest at the rezoning hearing can be notified.

A motion was made by Councilman Faulring and seconded by Councilman Wittmeyer to rezone the Fittry-Webber property from RRB and R-2 to Business B-1.

five (5) ayes

Carried

LEGAL NOTICE

TOWN OF BOSTON

PLEASE TAKE NOTICE that a Public Hearing will be held by the Town Board of the Town of Boston at the Boston Town Hall, 8500 Boston State Road, Boston, New York, on December 16, 1981 at 8:15 P.M., Eastern Standard Time for the purpose of considering and entering into separate Fire Protection Contracts with the North Boston Volunteer Fire Company, Inc.; Patchin Fire and Community Association, Inc.; and the Boston Fire Company, Inc. for the furnishing of Fire Protection each in the amount of \$28,900.00 per annum for the year 1982, \$34,900.00 per annum for the year 1983 and \$39,900.00 per annum for the year 1984.

All persons interested in the matter shall be heard at such time and place.

Town Board, Town of Boston
Herbert H. Klein, Town Clerk

Dated: November 19, 1981 11:26

LEGAL NOTICE

TOWN OF BOSTON

PLEASE TAKE NOTICE that a Public Hearing will be held by the Town Board of the Town of Boston at the Boston Town Hall, 8500 Boston State Road, Boston, New York on December 16, 1981 Eastern Standard Time, at 8:20 P.M. for the purpose of considering and entering into a contract with the BOSTON EMERGENCY SQUAD, INC. for the furnishing of Fire Protection Service in the sum of \$8,855.00 per annum for a term of one year.

All persons interested in the matter shall be heard at such time and place.

Town Board, Town of Boston
Herbert H. Klein, Town Clerk

Dated: November 19, 1981 11:26

Councilman Wittmeyer thanked the Fire Companies and Emergency Squad for the fine job they had done in the year and asked their continued good work in the future.

Councilman Wittmeyer thanked Councilman Samulski for the fine job he has done as Councilman and stated he would be missed.

A letter was read from the Planning Board advising that the starting time of their meeting would be 7:30 P. M. The letter was received and filed.

A motion was made by Supervisor Zimmerman and seconded by Councilman Samulski reappointing Ditmar Bock as a member of the Conservation Advisory Council. Term to expire December 15, 1984.

five (5) ayes

Carried

Supervisor Zimmerman thanked all who had helped him during his term of office as Supervisor.

A motion was made by Councilman Wittmeyer and seconded by Councilman Samulski to adjourn at 8:45 P. M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

Special Meeting
December 30, 1981

Town Hall
9:00 A.M.

Present were Councilman Milton Wittmeyer, Councilman Esther Faulring, Councilman Don Wohlhueter, Councilman Alfred Samulski, Supervisor David Zimmerman, Town Attorney Charles Maxwell and Highway Superintendant Clarence Kreitzbender.

A motion was made by Councilman Samulski and seconded by Councilman Wohlhueter that the minutes of the December 16, 1981 Regular Meeting be approved.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the General Fund and Special District Bills, in the amount of \$13,248.43 be paid.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Samulski that the Highway Bills in the amount of \$8,088.76 be paid.

five (5) ayes

Carried

A motion was made by Councilman Samulski and seconded by Councilman Wittmeyer to make the following appropriation of funds from surplus revenue from non property tax distributed by County and General Fund transfer of appropriations.

APPROPRIATION OF FUNDS FROM
SURPLUS REVENUE FROM
NON PROPERTY TAX DISTRIBUTION BY COUNTY

A 1120	42,576.45	to
A 3510.2		3,301.45
4540.4		6.13
5010.4		74.98
5182.4		1,753.40
7110.1		11,147.68
7110.2		5,592.51
7110.4		8,665.96
7310.1		6,802.22
7310.2		65.00
7550.4		21.27
7620.1		214.50
8020.1		46.01
8540.4		16.18
9010.8		.06
9030.8		218.99
9030.8		292.56
9040.8		3,142.31
9055.8		40.99
9060.8		874.25
9901.8		300.00

GENERAL FUND TRANSFERS OF APPROPRIATIONS

	FROM
A 1110.4	358.16
1355.2	1,000.00
1355.4	281.42
1420.1	400.00
1420.4	287.78
1440.4	175.07
1450.4	1,508.35
1920.4	150.00
1990.4	10,000.00
1995.4	749.80
3310.4	198.29
3410.4	100.00
3510.4	144.57
3620.4	631.38
4020.4	18.00
4570.4	1,300.00
5132.4	419.99
6410.4	1.70
7020.4	150.00
7310.4	7,067.47
7510.2	500.00
7510.4	147.29
7620.4	1,084.42
8010.4	371.17
8020.4	1,212.27
8090.4	281.99

A 1010.4	TO
1110.1	351.71
1220.1	16.00
1220.2	140.30
1220.4	79.00
1410.1	98.85
1410.4	221.30
1450.1	319.65
1450.2	1,439.00
1620.1	2,156.00
1620.2	227.24
1620.4	325.00
1640.4	36.46
1670.4	2,926.73
1910.4	369.54
1930.4	6,650.00
1950.4	779.87
3120.2	432.08
3120.4	9,415.38
4540.4	245.34
	2,309.67

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to make the following Highway Fund Transfers of Appropriation.

HIGHWAY FUND TRANSFERS OF APPROPRIATIONS

	FROM	TO
DR 9010.8	.92	
DR 9055.8	11.67	
DE 5150.2	4,525.00	
DE 5151.2	4,925.00	
DE 5152.2	1.65	
DE 5154.2	239.00	
DE 5155.2	164.56	
DE 5165.2	360.85	
DE 5157.2	74.48	
DE 5158.2	90.05	
DE 5159.2	285.86	
DE 5162.2	5,602.72	
DR 5110.4		16,281.76
DM 5130.2	2,880.40	
DM 9045.8	9,245.00	
DM 9501.9	10,000.00	
DM 5130.4		20,764.45
DR 5110.4		1,360.95
DS 5140.4	3,112.30	
DS 9010.8	.92	
DS 9055.8	11.67	
DS 5142.1		3,124.89

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to make the following transfers of appropriations in Water District No. 2 and appropriation of Fund Balances for Special Districts as follows:

TRANSFER OF APPROPRIATIONS - SPECIAL DISTRICTS

DISTRICT	FROM	TO
WATER DISTRICT NO. 2	SW-2-8340.4 150.00	
	SW-2-1930.4	150.00

APPROPRIATION OF FUND BALANCES - SPECIAL DISTRICTS

DISTRICT	FROM	TO
SEWER DISTRICT NO. 1	Approp. Fund Bal. 763.04	
	SS-1-8130.4	731.52
	SS-1-9040.8	31.52
SEWER DISTRICT NO. 2	Approp. Fund Bal. 624.14	
	SS-2-8130.4	554.08
	SS-2-9030.8	.60
	SS-2-9040.8	69.46
SEWER DISTRICT NO. 3	Approp. Fund Bal. 579.02	
	SS-3-8130.4	533.59
	SS-3-9030.8	.12
	SS-3-9040.8	45.31
SEWER DISTRICT NO. 4	Approp. Fund Bal. 536.48	
	SS-4-8130.4	447.82
	SS-4-9030.8	.84
	SS-4-9040.8	87.82
LIGHT DISTRICT	Approp. Fund Bal. 486.23	
	SL-1-5182.4	486.23

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Samulski to transfer \$23,695.39 from Highway Item 1 to Highway Item 1A.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Samulski to transfer \$8,574.57 from General Fund surplus per capita state aid to Highway Item 1A.

five (5) ayes

Carried

A letter was read from Harry Strack advising that the Constables, in accordance with the by-laws, chose Harry Strack to remain as Chief for the Year 1982. A motion was made by Supervisor Zimmerman and seconded by Councilman Wittmeyer appointing Harry Strack, Leo Stromecki, Robert Lorek, Glenn Diemer, Gregory Stromecki and Albert Schieber Constables, for a term ending December 31, 1982, and that Harry Strack be named as Chief.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Samulski that insurance coverage for 1982 be as follows:

Automobile and General Liability	Travelers Insurance Co. Al Dye - Agent
Health - For full time Highway employees, Lee Pfarner, Jerome Orffeo, Clarence Kreitzbender, William Kleis and Herbert Klein	Blue Cross and Blue Shield of Western New York
Workman's Compensation for Town, Firemen and Emergency Squad	State Insurance Fund
Disability for full time Highway employees, Lee Pfarner, Jerome Orffeo, Joyce Carr and Jean Kleis	State Insurance Fund
Accidental Policy on Constables and Emergency Squad	Hartford Accident & Indemnity Corp. Wilbur Lehning - Agent
General Liability on Emergency Squad	Utica Mutual Insurance Company Jacob Hauck Insurance, Agent

Supervisor Zimmerman expressed his thanks to members of the Boston Cable TV Committee, Joseph Terrizzi, Gary Walters and Councilman Samulski, and read a letter of recommendation from the committee that Comax Telcom Corporation d/b/a International Cable of West Seneca be granted a franchise to provide cable television service to the Town of Boston. Supervisor Zimmerman made a motion that the Board accept the recommendation of the committee and appoint Deputy Town Attorney Michael Perley, Supervisor-elect Jerome Hubert and Councilman Alfred Samulski to a committee to negotiate a franchise with International Cable and for them to report to the Town Board their progress in securing a franchise. Councilman Wittmeyer stated for the record that he had received a phone call last evening from Global, inquiring whether the Board would act on it this morning and he assured them that they would not act on it. Following a discussion on whether the Board would be locked into a franchise with International, Supervisor Zimmerman and Councilman Samulski stated the motion being considered was to enter into negotiations with International for a franchise and if the committee and Board were not satisfied in those negotiations, they could withdraw and negotiate with Global. Councilman Wohlhueter seconded the motion.

five (5) ayes

Carried

A motion was made by Supervisor Zimmerman and seconded by Councilman Samulski to adjourn at 9:22 A.M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

CERTIFICATE OF ABANDONMENT OF HIGHWAY

I, the undersigned Town Superintendent of Highways of the Town of Boston, in the County of Erie, hereby certify, that the town highway, hereinafter designated, has not been opened or worked for more than six years last past, and that the same has been abandoned by the public, and is no longer used as a public highway; to wit, the town highway in the Town extending from the south line of Meadow Drive to the south line of lands shown on map filed in the Erie County Clerk's Office under Cover No. 2171 known as Parkside Avenue, more particularly described as Sub Lot #19 as shown on map filed in the Erie County Clerk's Office under said Cover No. 2171

Dated, this 16th day of December, 1981

Charles J. McKeon
Town Superintendent of Highways
Town Board of the Town of Boston

David B. Zimmerman
Supervisor

Alfred T. Smith
Town Councilman

Frank J. Sullivan
Town Councilman

Edith M. Sullivan
Town Councilman

Gordon Wolfheart
Town Councilman

TOWN OF BOSTON



TOWN OF BOSTON
GENERAL AMBULANCE SERVICE CONTRACT
FOR
AMBULANCE SERVICE WITH BOSTON EMERGENCY SQUAD, INC.

THIS AGREEMENT made this 16th day of December, 1981, between the Town of Boston, Erie County, New York, hereinafter designated as "party of the first part" and the Boston Emergency Squad, Inc., a New York membership corporation of Boston, New York, hereinafter designated as "party of the second part".

W I T N E S S E T H:

WHEREAS, prior hereto private ambulance and first aid service previously furnished to the residents of the Town of Boston was discontinued, and thereafter the Boston Emergency Squad, Inc., a membership corporation was formed and personnel trained to furnish said ambulance service to the residents of the Town of Boston; and

WHEREAS, the Town of Boston, through the said Town Board, party of the first part, duly authorized a contract with the party of the second part, for furnishing of general ambulance service and first aid to persons within the boundaries of the Town of Boston upon the terms and provisions herein set forth.

NOW, THEREFORE, the party of the first part does hereby engage the party of the second part for the year 1982, from January 1, 1982 to December 31, 1982, to furnish general ambulance service and first aid to sick or injured persons found within the boundaries of the Town of Boston, pursuant to the provisions of Sections 122 and 122-b of the General Municipal Law of the State of New York, in manner following to wit:

1. The Boston Emergency Squad, Inc. party of the second part, shall at all times during the period of this agreement, be subject to call for the providing and furnishing of general ambulance service and first aid assistance for the purpose of transporting sick or injured persons found within the boundaries of the Town of Boston, Erie County, New York to a hospital, sanitarium or other place for the treatment of such illness or injury as such person may require.

2. Said party of the second part shall respond and attend upon such sick or injured persons as soon as practicable, without delay, with available trained personnel and equipment, and shall proceed diligently in every way reasonably calculated to assist and transport said sick or injured person found within the boundaries of the municipality to a hospital, sanitarium or other place for the treatment of such illness or injury.

3. The said party of the second part further agrees to adequately supply sufficiently trained and experienced personnel for the services required as set forth in Paragraph "1" herein.

4. This contract is entered into between the parties pursuant to the provisions of Sections 122 and 122-b of the General Municipal Law of the State of New York, and all terms, provisions and conditions of said statute are herein incorporated by reference as though fully stated in this agreement.

5. In consideration for the furnishing of general ambulance service and first aid assistance, as herein specified, the party of the first part shall pay and the party of the second part shall receive the annual sum of \$8,855.00 per year, and the party of the first part covenants and agrees to pay the said annual sum to the party of the second part on or before April 1st in each contract year.

6. In arriving at a determination of the annual payment for the furnishing of ambulance service, the Town of Boston shall consider as a proper expense any reimbursement paid to a member of the Emergency Squad for wage or economic loss incurred in responding as a witness to a court subpoena resulting from his duties as a member of the Emergency Squad and any reasonable charges for outside legal advice in connection therewith upon prior approval of the Town Board.

7. The Town of Boston, party of the first part, further agrees to furnish to the party of the second part, without, charge, a proper and adequate ambulance motor vehicle or vehicles, adequately equipped, for the exclusive operation and use of the party of the second part in carrying out the terms and conditions of this agreement. The said party of the first part further agrees, without charge, to furnish adequate structure or garage for the storage of said vehicle and equipment while same is in custody of the party of the second part and further the Town Board assumes the cost of utilities of said structure.

8. The Town of Boston, party of the first part, further agrees to defray the expense of and to pay the cost of insurance indemnifying against liability for the operation of said ambulance and equipment incidental to the furnishing of such ambulance service, and any premium or premiums for compensation of the members and personnel of the party of the second part for medical expense, loss of wages, compensation benefits or other claims arising by reason of the injury to or death of a member of the said Boston Emergency Squad, Inc., sustained while answering, attending upon or returning from any such call, or while engaged in any other volunteer duty within the terms of this agreement and, in case of the party of the second part shall be compelled or required to pay any such claim, the party of the first part shall reimburse the party of the second part the amount paid within thirty (30) days after the making of such payment.

The Town of Boston further agrees to effect and pay the expense of the following insurance for the benefit of the party of the second part and its members as follows:

- (a) Automobile Non ownership coverage to the extent of \$500,000.
- (b) Comprehensive General Liability Insurance including incidental malpractice coverage to the extent of \$500,000.
- (c) Fidelity Bond coverage of President and Treasurer of the party of the second part to the extent of \$5,000.
- (d) Medical Equipment Floater in the amount of \$5,000 subject to \$100 deductible.

9. The party of the second part agrees to furnish the Town Board of the Town of Boston a written itemized statement of its disbursements and expenses no later than September 10th of each year during the term of this agreement. It is further agreed by the party of the second part that no monies paid hereunder to the party of the second part shall be used for the purchase of radio equipment except upon the prior approval of the Town Board of the Town of Boston.

10. This agreement shall continue for a period of one (1) year from January 1, 1982 and from year to year thereafter unless either party shall determine to terminate this agreement by notifying the other party, in writing, before the 20th day of September, that it elects to terminate the contract on December 31st of that year; thereafter the contract may be amended or terminated and a new contract entered into in lieu thereof, pursuant to the procedural directives of the Town Law of the State of New York,

IN WITNESS WHEREOF, the parties have duly executed and delivered this agreement the day and year mentioned.

David G. Zimmerman
Supervisor, David G. Zimmerman

Milton I. Wittmeyer
Councilman, Milton I. Wittmeyer

Don A. Wohlhueter
Councilman, Don A. Wohlhueter

SEAL

Esther M. Faulring
Councilman, Esther Faulring

Attest:

Herbert H. Klein
Herbert H. Klein, Town Clerk

Alfred Samulski
Councilman, Alfred Samulski

The Town Board of the Town of
Boston, New York

BOSTON EMERGENCY SQUAD, INC.

By Larry Steward
President

Attest:

Herbert H. Klein
Herbert H. Klein, Town Clerk

TOWN OF BOSTON



TOWN OF BOSTON
FIRE PROTECTION DISTRICT
CONTRACT FOR FIRE PROTECTION
WITH PATCHIN FIRE COMPANY, INC.

THIS AGREEMENT, made this 16th day of December, 1981, between the Town Board of the Town of Boston, Erie County, New York, hereinafter designated as party of the first part, and Patchin Fire Company, Inc. hereinafter designated as party of the second part.

W I T N E S S E T H :

WHEREAS, there has been duly established in the said Town of Boston a fire protection district known as the "Town of Boston Fire Protection District" embracing the entire geographical limits of said Town, and

WHEREAS, following a public hearing duly called, the said Board, the party of the first part, duly authorized a contract with the party of the second part for fire protection to said district upon the terms and provisions herein set forth, and whereas, the previous contract between the parties was duly terminated, effective December 31, 1981.

NOW THEREFORE, the party of the first part does engage the party of the second part to furnish fire protection to said district and party of the second part agrees to furnish such protection in manner following, to wit:

1. The party of the second part shall at all times during the period of this agreement be subject to call for attendance upon any fire occurring in such district, and when notified by alarm or telephone call from any person within the district of a fire within the district, such company shall respond and attend upon the fire without delay with one or more companies and with suitable ladder, pumping and hose apparatus of the party of the second part. Upon arriving at the scene of the fire, the firemen of the party of the second part attending shall proceed diligently and in every way reasonable calculated to the extinguishment of the fire, and the saving of life and property in connection therewith.

2. The term of this agreement shall be for a period of three (3) years, commencing January 1, 1982 and terminating December 31, 1984, payable in three annual installments, on or before the 15th day of March of each year, for and in consideration of the furnishing of aid and equipment by the party of the second part, as aforesaid, the party of the first part shall pay to the party of the second part the following stipulated amounts:

- (A) For the year 1982, the sum of \$28,900.00
- (B) For the year 1983, the sum of \$34,900.00
- (C) For the year 1984, the sum of \$39,900.00

3. The party of the first part shall also pay Workmen's Compensation premiums and any and all claims authorized by law for medical expenses, loss of wages, compensation, benefits or other claims arising by reason of injury to or death of a fireman, or of a member of the fire department emergency relief squad, a fire police squad, a fire patrol, sustained while answering, attending upon, or returning from any such call, or while engaged in any other Firematic duty, and in case the party of the second part shall be compelled or required to pay any such claims, the party of the first part shall reimburse the party of the second part the amount paid within thirty (30) days after making such payment.

4. It is hereby mutually understood and agreed that in further consideration of the agreement herein the party of the second part shall not sponsor or conduct a voluntary fund solicitation within the fire district during the term of this agreement without prior approval of the Town Board.

5. All monies to be paid under any provision of this agreement shall be a charge upon the said Fire Protection District to be assessed and levied upon the taxable property in said District and collected with the town taxes.

6. This agreement has been adopted, after Public Hearing, pursuant to the provisions of Section 184 of the Town Law.

IN WITNESS WHEREOF, the parties have duly executed and delivered this agreement the day and year above mentioned.

David G. Zimmerman
Supervisor, David G. Zimmerman

Milton I. Wittmeyer
Councilman, Milton I. Wittmeyer

Don A. Wohlhueter
Councilman, Don A. Wohlhueter

SEAL

Attest:

Herbert H. Klein
Herbert H. Klein, Town Clerk

Esther Faulring
Councilman, Esther Faulring

Alfred T. Samulski
Councilman, Alfred Samulski

Town Board of the Town of Boston, New York

Attest:

Herbert H. Klein
Herbert H. Klein, Town Clerk

PATCHIN FIRE COMPANY, INC.

By Frederic T. Frisell
President

TOWN OF BOSTON



TOWN OF BOSTON
FIRE PROTECTION DISTRICT
CONTRACT FOR FIRE PROTECTION
WITH BOSTON FIRE COMPANY, INC.

THIS AGREEMENT, made this 16th day of December, 1981, between the Town Board of the Town of Boston, Erie County, New York, hereinafter designated as party of the first part, and Boston Fire Company, Inc. hereinafter designated as party of the second part.

W I T N E S S E T H :

WHEREAS, there has been duly established in the Said Town of Boston a fire protection district known as the "Town of Boston Fire Protection District" embracing the entire geographical limits of said Town, and

WHEREAS, following a public hearing duly called, the said Board, the party of the first part, duly authorized a contract with the party of the second part for fire protection to said district upon the terms and provisions herein set forth, and whereas, the previous contract between the parties was duly terminated, effective December 31, 1981.

NOW THEREFORE, the party of the first part does engage the party of the second part to furnish fire protection to said district and the party of the second part agrees to furnish such protection in manner following, to wit:

1. The party of the second part shall at all times during the period of this agreement be subject to call for attendance upon any fire occurring in such district, and when notified by alarm or telephone call from any person within the district of a fire within the district, such company shall respond and attend upon the fire without delay with one or more companies and with suitable ladder, pumping and hose apparatus of the party of the second part. Upon arriving at the scene of the fire, the firemen of the party of the second part attending shall proceed diligently and in every way reasonable calculated to the extinguishment of the fire, and the saving of life and property in connection therewith.

2. The term of this agreement shall be for a period of three (3) years, commencing January 1, 1982 and terminating December 31, 1984, payable in three annual installments, on or before the 15th day of March of each year, for and in consideration of the furnishing of aid and equipment by the party of the second part, as aforesaid, the party of the first part shall pay to the party of the second part the following stipulated amounts:

- (A) For the year 1982, the sum of \$28,900.00
- (B) For the year 1983, the sum of \$34,900.00
- (C) For the year 1984, the sum of \$39,900.00

3. The party of the first part shall also pay Workmen's Compensation premiums and any and all claims authorized by law for medical expenses, loss of wages, compensation, benefits or other claims arising by reason of injury to or death of a fireman, or of a member of the fire department emergency relief squad, a fire police squad, a fire patrol, sustained while answering, attending upon, or returning from any such call, or while engaged in any other Firematic duty, and in case the party of the second part shall be compelled or required to pay any such claims, the party of the first part shall reimburse the party of the second part the amount paid within thirty (30) days after making such payment.

4. It is hereby mutually understood and agreed that in further consideration of the agreement herein the party of the second part shall not sponsor or conduct a voluntary fund solicitation within the fire district during the term of this agreement without prior approval of the Town Board.

5. All monies to be paid under any provision of this agreement shall be a charge upon the said Fire Protection District to be assessed and levied upon the taxable property in said District and collected with the town taxes.

6. This agreement has been adopted, after Public Hearing, pursuant to the provisions of Section 184 of the Town Law.

IN WITNESS WHEREOF, the parties have duly executed and delivered this agreement the day and year above mentioned.

David G. Zimmerman
Supervisor, David G. Zimmerman

Milton I. Wittmeyer
Councilman, Milton I. Wittmeyer

Don A. Wohlhueter
Councilman, Don A. Wohlhueter

SEAL

Attest:

Herbert H. Klein
Herbert H. Klein, Town Clerk

Esther M. Faulring
Councilman, Esther Faulring

Alfred T. Samulski
Councilman Alfred Samulski

Town Board of the Town of Boston, New York

Attest:

Herbert H. Klein
Herbert H. Klein, Town Clerk

BOSTON FIRE COMPANY, INC.

By Edward W. Shor
President

TOWN OF BOSTON



TOWN OF BOSTON
FIRE PROTECTION DISTRICT
CONTRACT FOR FIRE PROTECTION
WITH NORTH BOSTON FIRE COMPANY, INC.

THIS AGREEMENT, made this 16th day of December, 1981, between the Town Board of the Town of Boston, Erie County, New York, hereinafter designated as party of the first part, and North Boston Fire Company, Inc. hereinafter designated as party of the second part.

W I T N E S S E T H :

WHEREAS, there has been duly established in the said Town of Boston a fire protection district known as the "Town of Boston Fire Protection District" embracing the entire geographical limits of said Town, and

WHEREAS, following a public hearing duly called, the said Board, the party of the first part, duly authorized a contract with the party of the second part for fire protection to said district upon the terms and provisions herein set forth, and whereas, the previous contract between the parties was duly terminated, effective December 31, 1981.

NOW THEREFORE, the party of the first part does engage the party of the second part to furnish fire protection to said district and party of the second part agrees to furnish such protection in manner following, to wit:

1. The party of the second part shall at all times during the period of this agreement be subject to call for attendance upon any fire occurring in such district, and when notified by alarm or telephone call from any person within the district of a fire within the district, such company shall respond and attend upon the fire without delay with one or more companies and with suitable ladder, pumping and hose apparatus of the party of the second part. Upon arriving at the scene of the fire, the firemen of the party of the second part attending shall proceed diligently and in every way reasonable calculated to the extinguishment of the fire, and the saving of life and property in connection therewith.

2. The term of this agreement shall be for a period of three (3) years, commencing January 1, 1982, and terminating December 31, 1984, payable in three annual installments, on or before the 15th day of March of each year, for and in consideration of the furnishing of aid and equipment by the party of the second part, as aforesaid, the party of the first part shall pay to the party of the second part the following stipulated amounts:

- (A) For the year 1982, the sum of \$28,900.00
- (B) For the year 1983, the sum of \$34,900.00
- (C) For the year 1984, the sum of \$39,900.00

3. The party of the first part shall also pay Workmen's Compensation premiums and any and all claims authorized by law for medical expenses, loss of wages, compensation, benefits or other claims arising by reason of injury to or death of a fireman, or of a member of the fire department emergency relief squad, a fire police squad, a fire patrol, sustained while answering, attending upon, or returning from any such call, or while engaged in any other firematic duty, and in case the party of the second part shall be compelled or required to pay any such claims, the party of the first part shall reimburse the party of the second part the amount paid within thirty (30) days after making such payment.

4. It is hereby mutually understood and agreed that in further consideration of the agreement herein the party of the second part shall not sponsor or conduct a voluntary fund solicitation within the fire district during the term of this agreement without prior approval of the Town Board.

5. All monies to be paid under any provision of this agreement shall be a charge upon the said Fire Protection District to be assessed and levied upon the taxable property in said District and collected with the town taxes.

6. This agreement has been adopted, after Public Hearing, pursuant to the provisions of Section 184 of the Town Law.

IN WITNESS WHEREOF, the parties have duly executed and delivered this agreement the day and year above mentioned.

David H. Zimmerman
Supervisor, David H. Zimmerman

Milton I. Wittmeyer
Councilman, Milton I. Wittmeyer

Don A. Wohlhueter
Councilman, Don A. Wohlhueter

Esther M. Faulring
Councilman, Esther Faulring

Alfred T. Samulski
Councilman Alfred Samulski

Town Board of the Town of Boston, New York

SEAL

Attest:

Herbert H. Klein
Herbert H. Klein, Town Clerk

Attest:

Herbert H. Klein
Herbert H. Klein, Town Clerk

NORTH BOSTON FIRE COMPANY, INC.

By Frank L. Forney III
President

TOWN BUDGET

For 198 2

Town of Boston
in
County of Erie

Villages Within or Partly Within Town

Village of _____

Village of _____

CERTIFICATION OF TOWN CLERK

I, Herbert H. Klein, Town Clerk, certify
that the following is a true and correct of the 198 2 budget of the Town of
Boston as adopted by the Town Board on the
_____ day of _____, 19 _____.

Signed

Herbert H. Klein
Town Clerk

Dated

November 4, 1981

WILLIAMSON LAW BOOK Co.

LEGAL AND MUNICIPAL PUBLISHERS

2011 EAST MAIN STREET • ROCHESTER, NEW YORK 14609
AREA CODE 716 — 288-6028

SUMMARY OF TOWN BUDGET

CODE	FUND	APPROPRIATIONS AND PROVISIONS FOR OTHER USES	LESS ESTIMATED REVENUES	LESS UNEXPENDED BALANCE	AMOUNT TO BE RAISED BY TAX
A	GENERAL	\$ 410,891.51	\$ 277,800.	\$ 126,888.73	\$ 6,202.78
B	GENERAL OUTSIDE VILLAGE				
DR	HIGHWAY : REPAIRS AND IMPROVEMENTS	135,200.00	41,632.		93,568.00
DB	BRIDGES				
DM	*MACHINERY	66,300.00	24,000.		42,300.00
DS	*SNOW AND MISC.	128,200.00	77,500.		50,700.00
DE	IMPROVEMENT PROGRAM				
CD	COMMUNITY DEVELOPMENT				
CF	FEDERAL REVENUE SHARING				
L	PUBLIC LIBRARY FUND				
V	DEBT SERVICE FUND	104,615.00	104,615.		-00-
S	SPECIAL DISTRICTS: (LIST EACH SEPARATELY)				
	Light	9,605.28	237.70		9,367.58
	Water #1	50,944.16	3,500.00		47,444.16
	Water #2	41,830.00	1,000.00		40,830.00
	Sewer #1	2,926.00	700.00	2,226.00	-00-
	Sewer #2	8,305.37	1,000.00	4,000.00	3,305.37
	Sewer #3	3,268.86	600.00	1,500.00	1,168.86
	Sewer #4	7,218.73	500.00	1,500.00	5,218.73
	Fire Protection	115,683.64	534.54		115,149.10
	Refuse & Garbage	11,011.08	492.65		10,518.43
	TOTALS	\$1,095,999.63	\$534,111.89	\$136,114.73	\$425,773.01

* If town contains a village check one of the following:

- ☐ Village is not exempt from Machinery and Snow and Miscellaneous Taxes.
☐ Village is exempt from Machinery and Snow and Miscellaneous Taxes.
☐ Village is exempt from Machinery Taxes but not Snow and Miscellaneous Taxes.
☐ Village is exempt from Snow and Miscellaneous Taxes but not Machinery Taxes.

GENERAL FUND APPROPRIATIONS
General Government Support

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
TOWN BOARD						
Personal Services	A1010.1	10,176.00	12,000.00	12,960.00	12,960.00	12,960.00
Equipment	A1010.2					
Contractual Exp.	A1010.4	188.86	100.00	200.00	200.00	200.00
TOTAL	A1010.0	10,364.86	12,000.00	13,160.00	13,160.00	13,160.00
JUSTICES						
Personal Services	A1110.1	6,500.00	7,200.00	7,760.00	7,760.00	7,760.00
Equipment	A1110.2					
Contractual Exp.	A1110.4	1,146.47	1,000.00	1,000.00	1,000.00	1,000.00
TOTAL	A1110.0	7,646.47	8,200.00	8,760.00	8,760.00	8,760.00
TRAFFIC VIOLATIONS BUREAU						
Personal Services	A1130.1					
Equipment	A1130.2					
Contractual Exp.	A1130.4					
TOTAL	A1130.0					
SUPERVISOR						
Personal Services	A1220.1	17,467.57	19,372.00	21,088.00	21,088.00	21,088.00
Equipment	A1220.2		100.00	200.00	200.00	200.00
Contractual Exp.	A1220.4	1,367.66	1,000.00	1,000.00	1,000.00	1,000.00
TOTAL	A1220.0	18,835.23	20,472.00	22,288.00	22,288.00	22,288.00
DIRECTOR OF FINANCE						
Personal Services	A1310.1					
Equipment	A1310.2					
Contractual Exp.	A1310.4					
TOTAL	A1310.0					
COMPTROLLER						
Personal Services	A1315.1					
Equipment	A1315.2					
Contractual Exp.	A1315.4					
TOTAL	A1315.0					
INDEPENDENT AUDITING AND ACCOUNTING						
Contractual Exp.	A1320.4					
TAX COLLECTION						
Personal Services	A1330.1					
Equipment	A1330.2					
Contractual Exp.	A1330.4					
TOTAL	A1330.0					
BUDGET						
Personal Services	A1340.1					
Equipment	A1340.2					
Contractual Exp.	A1340.4					
TOTAL	A1340.0					

GENERAL FUND APPROPRIATIONS
GENERAL GOVERNMENT SUPPORT

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
PURCHASING						
Personal Services	A1345.1					
Equipment	A1345.2					
Contractual Exp.	A1345.4					
TOTAL	A1345.0					
ASSESSORS						
Personal Services	A1355.1	10,800.00	11,340.00	12,247.00	12,247.00	12,247.00
Equipment	A1355.2	460.00	1,000.00	1,000.00	1,000.00	1,000.00
Contractual Exp.	A1355.4	551.20	800.00	800.00	800.00	800.00
TOTAL	A1355.0	11,811.20	13,140.00	14,047.00	14,047.00	14,047.00
DISCOUNT ON TAXES						
Contractual Exp.	A1370.4					
TOWN CLERK						
Personal Services	A1410.1	23,573.30	25,978.00	28,623.00	28,623.00	28,623.00
Equipment	A1410.2	2,031.52				
Contractual Exp.	A1410.4	3,150.43	4,000.00	4,000.00	4,000.00	4,000.00
TOTAL	A1410.0	28,755.25	29,978.00	32,623.00	32,623.00	32,623.00
ATTORNEY						
Personal Services	A1420.1	7,040.00	10,000.00	10,400.00	10,400.00	10,400.00
Equipment	A1420.2					
Contractual Exp.	A1420.4	373.22	600.00	600.00	600.00	600.00
TOTAL	A1420.0	7,413.22	10,600.00	11,000.00	11,000.00	11,000.00
PERSONNEL						
Personal Services	A1430.1					
Equipment	A1430.2					
Contractual Exp.	A1430.4					
TOTAL	A1430.0					
ENGINEER						
Personal Services	A1440.1			1,000.00	1,000.00	1,000.00
Equipment	A1440.2					
Contractual Exp.	A1440.4	2,724.30	2,500.00	2,500.00	2,500.00	2,500.00
TOTAL	A1440.0	2,724.30	2,500.00	3,500.00	3,500.00	3,500.00
ELECTIONS						
Personal Services	A1450.1	4,030.00	3,148.00	3,308.00	3,308.00	3,308.00
Equipment	A1450.2			3,500.00	3,500.00	3,500.00
Contractual Exp.	A1450.4	2,637.80	2,600.00	300.00	300.00	300.00
TOTAL	A1450.0	6,667.80	5,748.00	7,108.00	7,108.00	7,108.00
BOARD OF ETHICS						
Personal Services	A1470.1					
Equipment	A1470.2					
Contractual Exp.	A1470.4					
TOTAL	A1470.0					

GENERAL FUND APPROPRIATIONS
General Government Support

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
PUBLIC WORKS						
ADMINISTRATION						
Personal Services	A1490.1					
Equipment	A1490.2					
Contractual Exp.	A1490.4					
TOTAL	A1490.0					
BUILDINGS						
Personal Services	A1620.1	1,459.44	2,000.00	2,550.00	2,550.00	2,550.00
Equipment	A1620.2	2,275.02	2,000.00	2,000.00	2,000.00	2,000.00
Contractual Exp.	A1620.4	11,611.70	13,400.00	13,400.00	13,400.00	13,400.00
TOTAL	A1620.0	15,346.16	17,400.00	17,950.00	17,950.00	17,950.00
CENTRAL GARAGE						
Personal Services	A1640.1					
Equipment	A1640.2					
Contractual Exp.	A1640.4	7,020.67	3,200.00	4,500.00	4,500.00	4,500.00
TOTAL	A1640.0	7,020.67	3,200.00	4,500.00	4,500.00	4,500.00
CENTRAL COMMUNICATIONS SYSTEM						
Personal Services	A1650.1					
Equipment	A1650.2					
Contractual Exp.	A1650.4					
TOTAL	A1650.0					
CENTRAL STOREROOM						
Personal Services	A1660.1					
Equipment	A1660.2					
Contractual Exp.	A1660.4					
TOTAL	A1660.0					
CENTRAL PRINTING AND MAILING						
Personal Services	A1670.1					
Equipment	A1670.2					
Contractual Exp.	A1670.4	3,042.80	3,020.00	3,100.00	3,100.00	3,100.00
TOTAL	A1670.0	3,042.80	3,020.00	3,100.00	3,100.00	3,100.00
CENTRAL DATA PROCESSING						
Personal Services	A1680.1					
Equipment	A1680.2					
Contractual Exp.	A1680.4					
TOTAL	A1680.0					
SPECIAL ITEMS						
Unallocated Ins.	A1910.4	10,268.00	11,000.00	25,000.00	25,000.00	25,000.00
Municipal Assn. Dues	A1920.4	451.00	600.00	600.00	600.00	600.00
Judgments and Claims	A1930.4	76.81	25.06	259.51	259.51	259.51
Contigent Account	A1990.4		10,000.00	10,000.00	10,000.00	10,000.00
Seminars		3,134.85	4,200.00	4,200.00	4,200.00	4,200.00
TOTAL		139,30.66	25,825.06	40,059.51	40,059.51	40,059.51
TOTAL GENERAL Govt. Support	A1999.0	148,852.44	152,183.06	178,095.51	178,095.51	178,095.51

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
PUBLIC SAFETY						
PUBLIC SAFETY ADM.						
Personal Services	A3010.1					
Equipment	A3010.2					
Contractual Exp.	A3010.4					
TOTAL	A3010.0					
POLICE AND CONSTABLE						
Personal Services	A3120.1	264.00	288.00	312.00	312.00	312.00
Equipment	A3120.2	1,295.00		465.00	465.00	465.00
Contractual Exp.	A3120.4	5,909.53	7,000.00	7,000.00	7,000.00	7,000.00
TOTAL	A3120.0	7,468.53	7,288.00	7,777.00	7,777.00	7,777.00
JAIL						
Personal Services	A3150.1					
Equipment	A3150.2					
Contractual Exp.	A3150.4					
TOTAL	A3150.0					
TRAFFIC CONTROL						
Personal Services	A3310.1					
Equipment	A3310.2					
Contractual Exp.	A3310.4	3,631.82	1,000.00	1,000.00	1,000.00	1,000.00
TOTAL	A3310.0	3,631.82	1,000.00	1,000.00	1,000.00	1,000.00
ON STREET PARKING						
Personal Service	A3320.1					
Equipment	A3320.2					
Contractual Exp.	A3320.4					
TOTAL	A3320.0					
FIRE FIGHTING						
Personal Services	A3410.1					
Equipment	A3410.2					
Contractual Exp.	A3410.4	100.00	100.00	150.00	150.00	150.00
TOTAL	A3410.0	100.00	100.00	150.00	150.00	150.00
CONTROL OF DOGS						
Personal Services	A3510.1	4000.00	4,400.00	4,752.00	4,752.00	4,752.00
Equipment	A3510.2		1,300.00	1,300.00	1,300.00	1,300.00
Contractual Exp.	A3510.4	1,895.21	1,800.00	1,800.00	1,800.00	1,800.00
TOTAL	A3510.0	5,895.21	7,500.00	7,852.00	7,852.00	7,852.00
CONTROL OF OTHER ANIMALS						
Personal Services	A3520.1					
Equipment	A3520.2					
Contractual Exp.	A3520.4					
TOTAL	A3520.0					
EXAMINING BOARDS						
Personal Services	A3610.1					
Equipment	A3610.2					
Contractual Exp.	A3610.4					
TOTAL	A3610.0					

GENERAL FUND APPROPRIATIONS

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
PUBLIC SAFETY (CONTD.)						
**SAFETY INSPECTION						
Personal Services	A3620.1	3,720.00	4,500.00	4,860.00	4,860.00	4,860.00
Equipment	A3620.2					
Contractual Exp.	A3620.4	326.78	1,000.00	640.00	640.00	640.00
TOTAL	A3620.0	4,046.78	5,500.00	5,500.00	5,500.00	5,500.00
CIVIL DEFENSE						
Personal Services	A3640.1					
Equipment	A3640.2					
Contractual Exp.	A3640.4					
TOTAL	A3640.0					
DEMOLITION OF UNSAFE BUILDINGS						
Personal Services	A3650.1					
Equipment	A3650.2					
Contractual Exp.	A3650.4					
TOTAL	A3650.0					
SCHOOL ATTENDANCE OFFICER						
Personal Services	A3660.1					
Equipment	A3660.2					
Contractual Exp.	A3660.4					
TOTAL	A3660.0					
TOTAL PUBLIC SAFETY	A3999.0	21,142.34	21,388.00	22,279.00	22,279.00	22,279.00
HEALTH						
*BOARD OF HEALTH						
Personal Services	A4010.1					
Equipment	A4010.2					
Contractual Exp.	A4010.4					
TOTAL	A4010.0					
*REGISTRAR OF VITAL STATISTICS						
Personal Services	A4020.1					
Equipment	A4020.2					
Contractual Exp.	A4020.4	6.00	25.00	25.00	25.00	25.00
TOTAL	A4020.0	6.00	25.00	25.00	25.00	25.00
LABORATORY						
Personal Services	A4025.1					
Equipment	A4025.2					
Contractual Exp.	A4025.4					
TOTAL	A4025.0					
AIR POLLUTION						
Personal Services	A4060.1					
Equipment	A4060.2					
Contractual Exp.	A4060.4					
TOTAL	A4060.0					

*Town with Village - See explanation (1) on last page for charges to town - area outside of villages

**Town with Village - See explanation (2) on last page for charges to town - area outside of villages

GENERAL FUND APPROPRIATIONS

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
HEALTH (CONTD.)						
INSECT CONTROL						
Personal Services	A4068.1					
Equipment	A4068.2					
Contractual Exp.	A4068.4					
TOTAL	A4068.0					
NARCOTIC GUIDANCE COUNCIL						
Personal Services	A4210.1					
Equipment	A4210.2					
Contractual Exp.	A4210.4					
TOTAL	A4210.0					
NARCOTICS CONTROL						
Personal Services	A4220.1					
Equipment						
Contractual Exp.	A4220.4					
TOTAL	A4220.0					
JOINT HOSPITAL						
Contractual Exp.	A4525.4					
AMBULANCE						
Personal Services	A4540.1	6,156.00	6,648.00	7,178.00	7,178.00	7,178.00
Equipment	A4540.2	1,449.00				
Contractual Exp.	A4540.4	15,143.11	13,205.00	16,210.00	16,210.00	16,210.00
TOTAL	A4540.0	22,798.11	19,853.00	23,388.00	23,388.00	23,388.00
MEDICAL HEALTH CENTER AND/OR PHYSICIAN						
Personal Services	A4560.1					
Equipment	A4560.2					
Contractual Exp.	A4560.4					
TOTAL	A4560.0					
Mental Health Counseling						
Personal Services	A4570.1					
Equipment	A4570.2					
Contractual Exp.	A4570.4	1,300.00	1,300.00			
TOTAL	A4570.0	1,300.00	1,300.00			
TOTAL HEALTH	A4999.0	24,104.11	21,178.00	23,413.00	23,413.00	23,413.00
TRANSPORTATION						
SUPT. OF HIGHWAYS						
Personal Services	A5010.1	17,334.00	18,720.00	20,218.00	20,218.00	20,218.00
Equipment	A5010.2					
Contractual Exp.	A5010.4	324.45	280.00	280.00	280.00	280.00
TOTAL	A5010.0	17,658.45	19,000.00	20,498.00	20,498.00	20,498.00
GARAGE						
Personal Services	A5132.1					
Equipment	A5132.2					
Contractual Exp.	A5132.4	3,520.64	4,500.00	5,630.00	5,630.00	5,630.00
TOTAL	A5132.0	3,520.64	4,500.00	5,630.00	5,630.00	5,630.00

GENERAL FUND APPROPRIATIONS

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
TRANSPORTATION (CONTD.)						
STREET LIGHTING Contractual Exp.	A5182.4	11,425.26	12,000.00	13,500.00	13,500.00	13,500.00
AIRPORT						
Personal Services	A5610.1					
Equipment	A5610.2					
Contractual Exp.	A5610.4					
TOTAL	A5610.0					
JOINT AIRPORT						
Contractual Exp.	A5615.4					
OFF STREET PARKING						
Personal Services	A5650.1					
Equipment	A5650.2					
Contractual Exp.	A5650.4					
TOTAL	A5650.0					
Personal Services	.1					
Equipment	.2					
Contractual Exp.	.4					
TOTAL	.0					
TOTAL TRANSPORTATION	A5999.0	32,604.35	35,500.00	39,628.00	39,628.00	39,628.00
ECONOMIC ASSISTANCE AND OPPORTUNITY						
SOCIAL SERVICES ADM.						
Personal Services	A6010.1					
Equipment	A6010.2					
Contractual Exp.	A6010.4					
TOTAL	A6010.0					
SOCIAL SERVICES HOME RELIEF						
Contractual Exp.	A6140.4					
SOCIAL SERVICES BURIALS						
Contractual Exp.	A6148.4					

GENERAL FUND APPROPRIATIONS

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
ECONOMIC ASSISTANCE AND OPPORTUNITY (CONTD.)						
CETA (TITLE 2)						
Personal Services	A6220.1					
Equipment	A6220.2					
Contractual Exp.	A6220.4					
Fringe Benefits	A6220.8					
TOTAL	A6220.0					
CETA (TITLE 3)						
Personal Services	A6230.1					
Equipment	A6230.2					
Contractual Exp.	A6230.4					
Fringe Benefits	A6230.8					
TOTAL	A6230.0					
CETA (TITLE 4)						
Personal Services	A6240.1					
Equipment	A6240.2					
Contractual Exp.	A6240.4					
Fringe Benefits	A6240.8					
TOTAL	A6240.0					
CETA (TITLE 6)						
Personal Services	A6260.1					
Equipment	A6260.2					
Contractual Exp.	A6260.4					
Fringe Benefits	A6260.8					
TOTAL	A6260.0					
CETA (TITLE 7)						
Personal Services	A6270.1					
Equipment	A6270.2					
Contractual Exp.	A6270.4					
Fringe Benefits	A6270.8					
TOTAL	A6270.0					
CETA (TITLE 8)						
Personal Services	A6280.1					
Equipment	A6280.2					
Contractual Exp.	A6280.4					
Fringe Benefits	A6280.8					
TOTAL	A6280.0					
PUBLICITY						
Personal Services	A6410.1					
Equipment	A6410.2					
Contractual Exp.	A6410.4	1,111.60	500.00	500.00	500.00	500.00
TOTAL	A6410.0	1,111.60	500.00	500.00	500.00	500.00

GENERAL FUND APPROPRIATIONS

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
ECONOMIC ASSISTANCE AND OPPORTUNITY (CONTD.)						
INDUSTRIAL DEVEL. AGENCY						
Contractual Exp.	A6460.4					
*VETERANS SERVICES						
Personal Services	A6510.1					
Equipment	A6510.2					
Contractual Exp.	A6510.4					
TOTAL	A6510.0					
PROGRAMS FOR AGING						
Personal Services	A6772.1					
Equipment	A6772.2					
Contractual Exp.	A6772.4					
TOTAL	A6772.0					
TOTAL ECONOMIC ASSISTANCE AND OPPORTUNITY	A6999.0	1,111.60	500.00	500.00	500.00	500.00
CULTURE - RECREATION						
RECREATION ADM.						
Personal Services	A7020.1					
Equipment	A7020.2					
Contractual Exp.	A7020.4		150.00	150.00	150.00	150.00
TOTAL	A7020.0		150.00	150.00	150.00	150.00
*PARKS						
Personal Services	A7110.1	14,086.42	10,800.00	15,000.00	15,000.00	15,000.00
Equipment	A7110.2	502.79	3,000.00	6,000.00	6,000.00	6,000.00
Contractual Exp.	A7110.4	4,474.74	3,000.00	5,000.00	5,000.00	5,000.00
TOTAL	A7110.0	19,063.95	16,800.00	26,000.00	26,000.00	26,000.00
*PLAYGROUNDS AND REC- REATION CENTERS						
Personal Services	A7140.1					
Equipment	A7140.2					
Contractual Exp.	A7140.4					
TOTAL	A7140.0					
JOINT REC. PROJECT	A7145.4					
BEACH AND POOL						
Personal Services	A7230.1					
Equipment	A7230.2					
Contractual Exp.	A7230.4					
TOTAL	A7230.0					
MARINA AND DOCKS						
Personal Services	A7230.1					
Equipment	A7230.2					
Contractual Exp.	A7230.4					
TOTAL	A7230.0					

*Town with Village - See explanation (2) on last page for charges to town - area outside of villages.

GENERAL FUND APPROPRIATIONS

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
CULTURE - RECREATION (CONTD.)						
GOLF						
Personal Services	A7250.1					
Equipment	A7250.2					
Contractual Exp.	A7250.4					
TOTAL	A7250.0					
SKI FACILITY						
Personal Services	A7260.1					
Equipment	A7260.2					
Contractual Exp.	A7260.4					
TOTAL	A7260.0					
BAND CONCERTS						
Contractual Exp.	A7270.4					
*YOUTH PROGRAM						
Personal Services	A7310.1	22,027.40	17,381.00	24,725.00	24,725.00	24,725.00
Equipment	A7310.2	66.79	300.00	300.00	300.00	300.00
Contractual Exp.	A7310.4	16,221.92	22,310.00	19,911.00	19,911.00	19,911.00
TOTAL	A7310.0	38,316.11	39,991.00	44,936.00	44,936.00	44,936.00
JOINT YOUTH PROJECT						
Contractual Exp.	A7320.4					
*LIBRARY						
Contractual Exp.	A7410.4					
MUSEUM						
Personal Services	A7450.1					
Equipment	A7450.2					
Contractual Exp.	A7450.4					
TOTAL	A7450.0					
HISTORIAN						
Personal Services	A7510.1	250.00	280.00	300.00	300.00	300.00
Equipment	A7510.2		500.00	300.00	300.00	300.00
Contractual Exp.	A7510.4	18.72	250.00	200.00	200.00	200.00
TOTAL	A7510.0	268.72	1,030.00	800.00	800.00	800.00
HISTORICAL PROPERTY						
Personal Services	A7520.1					
Equipment	A7520.2					
Contractual Exp.	A7520.4	1,600.00	1,800.00	1,800.00	1,800.00	1,800.00
TOTAL	A7520.0	1,600.00	1,800.00	1,800.00	1,800.00	1,800.00
CELEBRATIONS						
Personal Services	A7550.1					
Equipment	A7550.2					
Contractual Exp.	A7550.4	421.00	500.00	500.00	500.00	500.00
TOTAL	A7550.0	421.00	500.00	500.00	500.00	500.00

*Town with Villages - See explanation (1) on last page for charges to town - area outside of villages.

GENERAL FUND APPROPRIATIONS

ACCOUNT	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
CULTURE - RECREATION (CONTD.)						
ADULT RECREATION						
Personal Services	A7620.1			780.00	780.00	780.00
Equipment	A7620.2					
Contractual Exp.	A7620.4	3,917.47	4,000.00	3,710.00	3,710.00	3,710.00
TOTAL	A7620.0	3,917.47	4,000.00	4,490.00	4,490.00	4,490.00
TOTAL CULTURE- RECREATION	A7999.0	63,587.29	64,271.00	78,676.00	78,676.00	78,676.00
HOME AND COMMUNITY SERVICES						
*ZONING						
Personal Services	A8010.1					
Equipment	A8010.2					
Contractual Exp.	A8010.4	95.17	400.00	100.00	100.00	100.00
TOTAL	A8010.0	95.17	400.00	100.00	100.00	100.00
*PLANNING						
Personal Services	A8020.1		500.00	700.00	700.00	700.00
Equipment	A8020.2					
Contractual Exp.	A8020.4	1,341.55	3,200.00	3,000.00	3,000.00	3,000.00
TOTAL	A8020.0	1,341.55	3,700.00	3,700.00	3,700.00	3,700.00
HUMAN RIGHTS						
Personal Services	A8040.1					
Equipment	A8040.2					
Contractual Exp.	A8040.4					
TOTAL	A8040.0					
ENVIRONMENTAL CONTROL						
Personal Services	A8090.1					
Equipment	A8090.2			100.00	100.00	100.00
Contractual Exp.	A8090.4	50.00	800.00	600.00	600.00	600.00
TOTAL	A8090.0	50.00	800.00	700.00	700.00	700.00
**REFUSE AND GARBAGE						
Personal Services	A8160.1					
Equipment	A8160.2					
Contractual Exp.	A8160.4					
TOTAL	A8160.0					
COMMUNITY BEAUTIFICATION						
Personal Services	A8510.1					
Equipment	A8510.2					
Contractual Exp.	A8510.4					
TOTAL	A8510.0					
NOISE ABATEMENT						
Personal Services	A8520.1					
Equipment	A8520.2					
Contractual Exp.	A8520.4					
TOTAL	A8520.0					

*Town with Village - See explanation (1) on last page for charges to town-area outside of village.

**Town with village - See explanation (2) on last page for charges to town-area outside of village.

GENERAL FUND APPROPRIATIONS

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
HOME AND COMMUNITY SERVICES (CONTD.)						
DRAINAGE						
Personal Services	A8540.1					
Equipment	A8540.2					
Contractual Exp.	A8540.4					
TOTAL	A8540.0					
SHADE TREES						
Personal Services	A8560.1					
Equipment	A8560.2					
Contractual Exp.	A8560.4					
TOTAL	A8560.0					
CEMETERIES						
Personal Services	A8810.1					
Equipment	A8810.2					
Contractual Exp.	A8810.4					
TOTAL	A8810.0					
AGENCY-PREV. OF CRUELTY TO CHILDREN						
Contractual Exp.	A8820.4					
TOTAL HOME AND COMMUNITY SERVICES	A8999.0	1,486.72	4,900.00	4,500.00	4,500.00	4,500.00
UNDISTRIBUTED						
EMPLOYEE BENEFITS						
State Retirement	A9010.8	17,535.00	20,519.00	23,500.00	23,500.00	23,500.00
Fire and Police Retirement	A9015.8					
Social Security	A9030.8	8,159.60	10,000.00	12,000.00	12,000.00	12,000.00
Workmens Comp.	A9040.8	4,298.71	4,800.00	7,500.00	7,500.00	7,500.00
Life Insurance	A9045.8					
Unemployment Ins.	A9050.8					
Disability Ins.	A9055.8	12.89		200.00	200.00	200.00
Hospital and Medical Insurance	A9060.8	2,677.32	3,100.00	4,800.00	4,800.00	4,800.00
Total Employee Benefits	A9199.0	32,683.52	38,419.00	48,000.00	48,000.00	48,000.00

GENERAL FUND APPROPRIATIONS

ACCOUNT	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
UNDISTRIBUTED (CONTD.)						
DEBT SERVICE PRINCIPAL						
Bond Anticipation Notes	A9730.6					
Budget Notes	A9750.6					
Tax Anticipation Notes	A9760.6					
Revenue Anticipation						
Notes	A9770.6					
TOTALS	A9899.6					
INTEREST						
Bond Anticipation Notes	A9730.7					
Budget Notes	A9750.7					
Tax Anticipation Notes	A9760.7					
Revenue Anticipation						
Notes	A9770.7					
TOTAL	A9899.7					
INTERFUND TRANSFERS						
TRANSFER TO:						
Other Funds	A9901.9		10,800.00	10,800.00	10,800.00	10,800.00
Capital Project Fund	A9950.9	7,254.00	5,000.00	5,000.00	5,000.00	5,000.00
CONTRIBUTIONS TO						
OTHER FUND	A9961.9					
TOTAL	A9990.0	7,254.00	15,800.00	15,800.00	15,800.00	15,800.00
TOTAL GENERAL FUND						
APPROPRIATION						
Budgetary Provisions						
for other uses	A962					
TOTAL APPROPRIATIONS						
AND PROVISION FOR						
OTHER USES						
(Transfer Total						
"Adopted" to Page 1)	A9999.0	332,826.37	354,139.00	410,891.51	410,891.51	410,891.51

GENERAL FUND ESTIMATED REVENUES

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
LOCAL SOURCES						
OTHER TAX ITEMS						
Real Property						
Taxes Prior Years	A1020					
Federal Payments						
In Lieu of Taxes	A1080					
Other Payments						
In Lieu of Taxes	A1081					
Interest and						
Penalties on Real						
Property Taxes	A1090	2,717.96	2,000.00	3,000.00	3,000.00	3,000.00
* Non-Property Tax						
Distribution by						
County	A1120	92,992.44	65,00.00	105,000.00	105,000.00	105,000.00
DEPARTMENTAL INCOME						
Tax Collection Fees						
(Not Interest on Taxes)	A1232					
Clerk Fees	A1255	696.60	2,000.00	1,000.00	1,000.00	1,000.00
* Police Fees	A1520					
Public Pound Charges-						
Dog Control Fees	A1550	792.00	800.00	500.00	500.00	500.00
* Safety Insp. Fees	A1560					
Charges For Demolition						
of Unsafe Buildings	A1570					
* Health Fees	A1601					
Hospital Income	A1635					
Ambulance Charges	A1640					
Parking Lot and Garages	A1720					
On Street Parking Fees	A1740					
Airport Fees & Rentals	A1770					
Airport Commissions						
And Concessions	A1774					
Airport Sales of						
Supplies	A1776					
Repayments of						
Home Relief	A1840					
Repayments of Burials	A1848					
Park and Recreation						
Charges	A2001	6,009.00	6,500.00	7,000.00	7,000.00	7,000.00
Recreation Concessions	A2012					
Beach or Pool Fees	A2025					
Auditorium Charges	A2035					
Marina and Docks	A2040					
Golf Fees	A2050					
Ski Facility Charges	A2060					
Skating Rink Fees	A2065					
Museum Charges	A2090					
* Zoning Fees	A2110	300.00	300.00	400.00	400.00	400.00
* Planning Board Fees	A2115	250.00	250.00	200.00	200.00	200.00

*Town with Villages - See explanation (3) on last page for crediting these revenues to town - area outside villages.

GENERAL FUND ESTIMATED REVENUES

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
LOCAL SOURCES (CONTD.)						
DEPARTMENTAL INCOME						
Garbage Removal and Disposal Charges	A2130					
Sale of Cemetery Lots	A2190					
Charges for Cemetery Services	A2192					
Tax and Assessment Services for Other Governments	A2210					
Narcotics Control Services for Other Governments	A2290					
USE OF MONEY AND PROPERTY						
INTEREST AND EARNINGS	A2401	20,243.49	13,000.00	16,400.00	16,400.00	16,400.00
Rental of Real Property	A2410	1,270.00				
Rental of Real Property, Other Governments	A2412					
Rental of Equipment, Other Governments	A2416					
Commissions	A2450	31.59				
LICENSES AND PERMITS						
Bus. & Occup. Lic.	A2501					
Games of Chance Lic.	A2530					
Bingo Lic.	A2540	1,654.68		1,500.00	1,500.00	1,500.00
Dog Licenses	A2544	9,301.95	7,500.00	8,000.00	8,000.00	8,000.00
Permits, Other	A2590	2,885.00	2,500.00	3,000.00	3,000.00	3,000.00
Building Permits	A2555	1,275.63	1,000.00	2,000.00	2,000.00	2,000.00
FINE AND FORFEITURES						
Fines & Forfeited Bail	A2610	7,260.20	7,500.00	8,000.00	8,000.00	8,000.00
Fines & Pen. Dog Cases	A2611					
Forfeiture of Deposits	A2620					
SALES OF PROPERTY AND COMPENSATION FOR LOSS						
Sales of Scrap and Excess Materials	A2650	35.00				
Minor Sales, Other	A2655					
Sales of Real Property	A2660					
Sales of Equipment	A2665					
Insurance Recoveries	A2680	87.79				

GENERAL FUND ESTIMATED REVENUES

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
LOCAL SOURCES (CONTD.)						
MISCELLANEOUS						
Refunds of Prior						
Years Expenses	A2701					
Gifts and Donations	A2705					
Endowment and Trust						
Fund Income	A2755					
CETA - TITLE 2	A2762					
CETA - TITLE 3	A2763					
CETA - TITLE 4	A2764					
CETA - TITLE 6	A2766					
CETA - TITLE 7	A2767					
CETA - TITLE 8	A2768					
Other Unclassified						
Revenues (specify)						
Refund of Current Expense	A2770	204.40				
	A2770					
INTERFUND REVENUES						
Interfund Revenues	A2801					
TOTAL ESTIMATED						
Revenues From						
Local Sources	A2999	148,007.73	108,350.00	156,000.00	156,000.00	156,000.00

GENERAL FUND ESTIMATED REVENUES

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
STATE AID						
Per Capita	A3001	111,025.00	97,500.00	100,000.00	100,000.00	100,000.00
Mortgage Tax	A3005	15,153.05	11,000.00	11,000.00	11,000.00	11,000.00
Loss of Railroad Tax Revenue	A3007					
Loss of Public Utility Valuations	A3017					
Navigation Law Enforcement	A3315					
Snowmobile Law Enforcement	A3317					
Insect Control	A3468					
Narcotics Guidance Council	A3484					
Social Services	A3660					
Programs for Aging	A3801	1,750.00	1,500.00	2,000.00	2,000.00	2,000.00
Youth Programs	A3820	9,396.56	8,000.00	8,800.00	8,800.00	8,800.00
TOTAL ESTIMATED Environment Conservation REVENUES FROM	0389	228.02				
STATE AID	A3999	137,552.63	118,000.00	121,800.00	121,800.00	121,800.00
FEDERAL AID						
Civil Defense	A4305					
Public Works Employ- ment Antirecession	A4750					
Programs For Aging	A4772					
Emergency Disaster Assistance	A4960					
Total Estimated Federal Aid	A4999					
INTERFUND TRANSFER Interfund Transfer	A5031	6,482.88				
TOTAL ESTIMATED Revenues-General Fund (Transfer to page 1)	A5000	292,043.24	226,350.00	277,800.00	277,800.00	277,800.00
ESTIMATED UNEXPENDED BALANCE						
ESTIMATED GENERAL Fund Unexpended Balance (Transfer Total "ADOPTED" To Page 1)		93,741.42	123,764.16	126,888.73	126,888.73	126,888.73

HIGHWAY FUND APPROPRIATIONS
REPAIRS AND IMPROVEMENTS (ITEM 1)[illegible]

HIGHWAY FUND APPROPRIATIONS (CONTD.)
REPAIRS AND IMPROVEMENTS (ITEM 1)

ACCOUNT	CODE	ACTUAL LAST YEAR 19 <u>80</u>	BUDGET THIS YEAR AS AMENDED 19 <u>81</u>	BUDGET OFFICERS ESTIMATIVE BUDGET 19 <u>82</u>	PRELIMINARY BUDGET 19 <u>82</u>	ADOPTED 19 <u>82</u>
		UNDISBURSED				
DEBT SERVICE PRINCIPAL						
Bond Anticipation Notes	DR9730.6					
Budget Notes	DR9750.6					
Tax Anticipation Notes	DR9760.6					
Revenue Anticipation						
Notes	DR9770.6					
TOTAL	DR9899.6					
INTEREST						
Bond Anticipation Notes	DR9730.7					
Budget Notes	DR9750.7					
Tax Anticipation Notes	DR9760.7					
Revenue Anticipation						
Notes	DR9770.7					
TOTAL	DR9899.7					
BUDGETARY PROVISIONS For Other Uses	DR962					
TOTAL APPROPRIATIONS And Budgetary Provisions for Other Uses (Transfer Total "ADOPTED" to Page 1)	DR9900.0	123,785.34	127,550.00	135,200.00	135,200.00	135,200.00

HIGHWAY FUND APPROPRIATIONS
MACHINERY (ITEM 3)

ACCOUNT	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
MACHINERY						
Personal Services	DM5130.1					
Equipment	DM5130.2	13,096.97	14,300.00	10,000.00	10,000.00	10,000.00
Contractual Exp.	DM5130.4	35,912.65	32,000.00	36,300.00	36,300.00	36,300.00
TOTAL	DM5130.0	49,009.62	46,300.00	46,300.00	46,300.00	46,300.00
			UNDISTRIBUTED			
EMPLOYEE BENEFITS						
State Retirement	DM9010.8					
Social Security	DM9030.8					
Workmens Comp.	DM9040.8					
Liability Insurance	DM9045.8	13,175.00	15,000.00			
Unemployment Ins.	DM9050.8					
Disability Ins.	DM9055.8					
Hospital and Medical Ins.	DM9060.8					
TOTAL EMPLOYEE Benefits	DM9199.0	13,175.00	15,000.00			
INTERFUND TRANSFERS						
Transfer to:						
Other Funds	DM9901.9	26,437.50	23,025.00	20,000.00	20,000.00	20,000.00
Capital Project Fund	DM9950.9					
Contribution to Other Funds	DM9961.9					
TOTAL INTERFUND Transfers	DM9799.0	26,437.50	23,025.00	20,000.00	20,000.00	20,000.00

HIGHWAY FUND APPROPRIATIONS (CONTD.)
MACHINERY (ITEM 3)

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
		UNDISTRIBUTED				
DEBT SERVICE PRINCIPAL						
Bond Anticipation Notes	DM9730.6					
Budget Notes	DM9750.6					
Tax Anticipation Notes	DM9760.6					
Revenue Anticipation						
Notes	DM9770.6					
TOTAL	DM9899.6					
INTEREST						
Bond Anticipation Notes	DM9730.7					
Budget Notes	DM9750.7					
Tax Anticipation Notes	DM9760.7					
Revenue Anticipation						
Notes	DM9770.7					
TOTAL	DM9899.7					
BUDGETARY PROVISIONS						
For Other Uses	DM962					
TOTAL APPROPRIATIONS						
And Budgetary						
Provisions For						
Other Uses (transfer						
Total "ADOPTED" To						
Page 1	DM9900.0	62,184.62	84,325.00	66,300.00	66,300.00	66,300.00

HIGHWAY FUND APPROPRIATIONS
SNOW AND MISCELLANEOUS (ITEM 4)

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
MISCELLANEOUS (BRUSH AND WEEDS)						
Personal Services	DS5140.1					
Contractual Exp.	DS5140.4	574.15	3,200.00	1,600.00	1,600.00	1,600.00
TOTAL	DS5140.0	574.15	3,200.00	1,600.00	1,600.00	1,600.00
SNOW REMOVAL (TOWN HIGHWAYS)						
Personal Services	DS5142.1	61,076.26	56,870.00	61,500.00	61,500.00	61,500.00
Contractual Exp.	DS5142.4	48,461.18	44,000.00	44,000.00	44,000.00	44,000.00
TOTAL	DS5142.0	110,111.59	100,870.00	105,500.00	105,500.00	105,500.00
SERVICES FOR OTHER GOVERNMENTS						
Personal Services	DS5148.1					
Contractual Exp	DS5148.4					
TOTAL	DS5148.0					
UNDISTRIBUTED						
EMPLOYEE BENEFITS						
State Retirement	DS9010.8	8,287.50	8,850.00	8,600.00	8,600.00	8,600.00
Social Security	DS9030.8	3,783.29	3,750.00	4,100.00	4,100.00	4,100.00
Workmens Comp.	DS9040.8	2,712.97	2,700.00	5,000.00	5,000.00	5,000.00
Life Insurance	DS9045.8					
Unemployment Ins.	DS9050.8	1,345.09				
Disability Ins.	DS9055.8	91.00	100.00	100.00	100.00	100.00
Hospital and Medical Insurance	DS9060.8	2,413.12	2,500.00	3,300.00	3,300.00	3,300.00
TOTAL EMPLOYEE Benefits	DS9199.0	18,632.97	17,900.00	21,100.00	21,100.00	21,100.00
INTERFUND TRANSFERS						
Transfer to:						
Other Funds	DS9901.9					
Capital Project Fund	DS9950.9					
Contribution to Other Funds	DS9961.9					
TOTAL INTERFUND Transfers	DS9699.0					

HIGHWAY FUND APPROPRIATIONS (CONTD.)
SNOW AND MISCELLANEOUS (ITEM 4)

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 80	BUDGET THIS YEAR AS AMENDED 19 81	BUDGET OFFICERS TENTATIVE BUDGET 19 82	PRELIMINARY BUDGET 19 82	ADOPTED 19 82
		UNDISTRIBUTED				
DEBT SERVICE PRINCIPAL						
Bond Anticipation Notes	DS9730.6					
Budget Notes	DS9750.6					
Tax Anticipation Notes	DS9760.6					
Revenue Anticipation Notes	DS9770.6					
TOTAL	DS9899.6					
INTEREST						
Bond Anticipation Notes	DS9730.7					
Budget Notes	DS9750.7					
Tax Anticipation Notes	DS9760.7					
Revenue Anticipation Notes	DS9770.7					
TOTAL	DS9899.0					
BUDGETARY PROVISIONS For Other Uses	DS962					
TOTAL APPROPRIATIONS And Budgetary Provisions For Other Uses (Transfer Total "ADOPTED" To Page 1)	DS9900.0	128,744.56	121,970.00	128,200.00	128,200.00	128,200.00

HIGHWAY FUND APPROPRIATIONS
IMPROVEMENT PROGRAM

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
IMPROVEMENT PROGRAM (PROJECT # _____)						
Construction Exp.	DE5150.2					
Principal On Notes	DE5150.6					
Interest On Notes	DE5150.7					
Transfer to Other Fund	DE9901.9					
TOTAL PROJECT # _____						
IMPROVEMENT PROGRAM (PROJECT # _____)						
Construction Exp.	DE5151.2					
Principal On Notes	DE5151.6					
Interest On Notes	DE5151.7					
Transfer to Other Fund	DE9901.9					
TOTAL PROJECT # _____						
IMPROVEMENT PROGRAM (PROJECT # _____)						
Construction Exp.	DE5152.2					
Principal On Notes	DE5152.6					
Interest On Notes	DE5152.7					
Transfer to Other Fund	DE9901.9					
TOTAL PROJECT # _____						
TOTAL APPROPRIATIONS (Transfer Total "ADOPTED" To Page 1)						

HIGHWAY FUNDS - ESTIMATED REVENUES AND ESTIMATED UNEXPENDED BALANCE
REPAIRS AND IMPROVEMENTS (ITEM 1)

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>80</u>	BUDGET THIS YEAR AS AMENDED 19 <u>81</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>82</u>	PRELIMINARY BUDGET 19 <u>82</u>	ADOPTED 19 <u>82</u>
LOCAL SOURCES						
Non-Property Tax						
Distribution by						
County	DR1120	38,300.00	38,300.00	38,300.00	38,300.00	38,300.00
Interest and Earnings	DR2401					
Interfund Revenues	DR2801					
Interfund Transfers	DR5031					
Miscellaneous (Specify)	DR					
STATE AID						
Mileage and Valuation						
Aid	DR3507	2,551.37	2,600.25	16,332.00	16,332.00	16,332.00
FEDERAL AID						
Public Works						
Employment						
Antirecession	DR4750					
TOTAL ESTIMATED						
Revenues (Transfer						
Total "ADOPTED" To						
Page 1)		40,851.37	40,900.25	41,632.00	41,632.00	41,632.00
TOTAL ESTIMATED						
Unexpended Balance						
(Transfer Total						
"ADOPTED" To Page 1)						

HIGHWAY FUNDS - ESTIMATED REVENUES AND ESTIMATED UNEXPENDED BALANCE

MACHINERY (ITEM 3)

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
LOCAL SOURCES						
Non-Property Tax Distribution by County	DM1120	41,000.00	41,000.00	20,000.00	20,000.00	20,000.00
Interest and Earnings	DM2401	2,854.01	2,000.00	4,000.00	4,000.00	4,000.00
Rental of Equipment, Other Governments	DM2416					
Interfund Revenues	DM2801					
Interfund Transfers	DM5031	26,437.50	10,000.00			
Miscellaneous (Specify)	DM					
	DM					
FEDERAL AID						
Public Works						
Employment						
Antirecession	DM4750					
TOTAL ESTIMATED Revenues (Transfer Total "ADOPTED" To Page 1)		70,291.51	53,000.00	24,000.00	24,000.00	24,000.00
TOTAL ESTIMATED Unexpended Balance (Transfer Total "ADOPTED" To Page 1)						

HIGHWAY FUNDS - ESTIMATED REVENUES AND ESTIMATED UNEXPENDED BALANCE

BRIDGES (ITEM 2)

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
LOCAL SOURCES						
Non-Property Tax						
Distribution by						
County	DB1120					
Interest and Earnings	DB2401					
Interfund Revenues	DB2801					
Interfund Transfers	DB5031					
Miscellaneous (Specify)						
	DB					
	DB					
FEDERAL AID						
Public Works						
Employment						
Antirecession	DB4750					
TOTAL ESTIMATED						
Revenues (Transfer						
Total "ADOPTED" To						
Page 1)						
TOTAL ESTIMATED						
Unexpended Balance						
(Transfer Total						
"Adopted" To Page 1)						

HIGHWAY FUNDS - ESTIMATED REVENUES AND ESTIMATED UNEXPENDED BALANCE

SNOW AND MISCELLANEOUS (ITEM 4)

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
LOCAL SOURCES						
Non-Property Tax Distribution By County	DS1120	49,500.00	49,500.00	49,500.00	49,500.00	49,500.00
Services For Other Governments	DS2302	30,342.00	25,000.00	28,000.00	28,000.00	28,000.00
Interest and Earnings	DS2401					
Interfund Revenues	DS2801					
Interfund Transfers	DS5031	26,437.50				
Miscellaneous (Specify)						
	DS					
	DS					
FEDERAL AID						
Public Works						
Employment						
Antirecession	DS4750					
TOTAL ESTIMATED Revenues (Transfer Total "ADOPTED" To Page 1)		106,279.50	74,500.00	77,500.00	77,500.00	77,500.00
TOTAL ESTIMATED Unexpended Balance (Transfer Total "ADOPTED" To Page 1)						

HIGHWAY FUNDS - ESTIMATED REVENUES AND ESTIMATED UNEXPENDED BALANCE

HIGHWAY IMPROVEMENT PROGRAM

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
LOCAL SOURCES						
Non-Property Tax						
Distribution	DE1120					
Interest and Earnings	DE2401					
Interfund Revenues	DE2801					
Interfund Transfers	DE5031					
Miscellaneous (Specify)						
	DE					
	DE					
STATE AID						
Highway Improvement Program	DE3521	13,342.00	22,290.00			
FEDERAL AID						
Public Works Employ- ment Antirecession	DE4750					
TOTAL ESTIMATED Revenues - Highway Improvement Program (Transfer Total "ADOPTED" To Page 1)		13,342.00	22,290.00			
TOTAL ESTIMATED Unexpended Balance Highway Improvement Program (Transfer Total "ADOPTED" To Page 1)						

FEDERAL REVENUE SHARING FUND
APPROPRIATIONS

ACCOUNT	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
<u>Parks</u>	CF7110.4		15,885.00			
<u>Recreation</u>						
Personal Services	CF7310.1					
Equipment	CF7310.2					
Contractual Exp.	CF7310.4	10,556.39				
TOTAL	CF7310.0	10,556.39	15,885.00			
<u>Drainage</u>						
Personal Services	CF8540.1					
Equipment	CF8540.2					
Contractual Exp.	CF8540.4	9,050.00	20,255.00			
TOTAL	CF8540.0	9,050.00	20,255.00			
<u>Adminstration</u>						
Personal Services	CF8686.1					
Equipment	CF8686.2					
Contractual Exp.	CF8686.4	132.56				
TOTAL	CF8686.0	132.56				
<u>Historical Property</u>						
Personal Services	CF7520.1					
Equipment	CF7520.2					
Contractual Exp.	CF7520.4		1,000.00			
TOTAL	CF7520.0		1,000.00			
TRANSFER TO OTHER FUNDS	CF9901.9					
<u>Highway Fund</u>	CF9901.9	26,437.50	10,000.00			
<u>Capital Improvement</u>	CF9901.9		15,078.93			
	CF					
	CF					
	CF					
	CF					
	CF					
	CF					
	CF					
	CF					
	CF					
	CF					
TOTAL APPROPRIATIONS		46,176.45	62,218.93			
ESTIMATED REVENUES AND ESTIMATED UNEXPENDED BALANCE						
In terest and Earnings	CF2401	1,745.94				
Federal Revenue Sharing	CF4001	46,504.00	46,078.93			
TOTAL ESTIMATED						
Revenues		48,249.94	46,078.93			
Estimated Unexpended						
Balance			16,140.00			

*Transfer to Page 1

COMMUNITY DEVELOPMENT FUND
APPROPRIATION

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>80</u>	BUDGET THIS YEAR AS AMENDED 19 <u>81</u>	BUDGET OFFICER TENTATIVE BUDGET 19 <u>82</u>	PRELIMINARY BUDGET 19 <u>82</u>	ADOPTED 19 <u>82</u>
ACQUISITION OF REAL PROPERTY						
Capital Outlay	CD8660.3	93,682.63	44,325.00			
PUBLIC WORKS, FACILITIES						
SITE IMPROVEMENTS						
Capital Outlay	CD8662.3					
CODE ENFORCEMENT						
Personal Services	CD8664.1					
Equipment	CD8664.2					
Capital Outlay	CD8664.3					
Contractual Exp.	CD8664.4					
Fringe Benefits	CD8664.8					
TOTAL	CD8664.0					
CLEARANCE, DEMOLITION REHABILITATION						
Capital Outlay	CD8666.3					
REHABILITATION-LOANS AND GRANTS						
Capital Outlay	CD8668.3	375.00				
SPECIAL PROJECTS FOR ELDERLY AND HANDICAPPED						
Capital Outlay	CD8670.3					
PAYMENTS FOR LOSS OF RENTAL INCOME						
Contractual Exp.	CD8672.4					
DISPOSITION OF REAL PROPERTY						
Personal Services	CD8674.1					
Equipment	CD8674.2					
Capital Outlay	CD8674.3					
Contractual Exp.	CD8674.4					
Fringe Benefits	CD8674.8					
TOTAL	CD8674.0					
PROVISION OF PUBLIC SERVICES						
Capital Outlay	CD8676.3					
PAYMENT OF NON-FEDERAL SHARES						
Contractual Exp.	CD8678.4					
COMPLETION OF URBAN RENEWAL PROJECTS						
Capital Outlay	CD8680.3					
RELOCATION PAYMENTS AND ASSISTANCE						
Capital Outlay	CD8682.3					

COMMUNITY DEVELOPMENT FUND
APPROPRIATIONS

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
PLANNING AND MANAGEMENT DEVELOPMENT						
Capital Outlay	CD8684.3		3,267.00			
ADMINISTRATION						
Personal Services	CD8686.1					
Equipment	CD8686.2					
Capital Outlay	CD8686.3					
Contractual Exp.	CD8686.4					
Fringe Benefits	CD8686.8					
TOTAL	CD8686.0					
MODEL CITIES ACTIVITIES						
Personal Services	CD8688.1					
Equipment	CD8688.2					
Capital Outlay	CD8688.3					
Contractual Exp.	CD8688.4					
Fringe Benefits	CD8688.8					
TOTAL	CD8688.0					
CDA CONTINGENCIES	CD8690.4					
TOTAL COMMUNITY DEVELOPMENT APPROPRIATIONS	CD9900.0	94,057.63	47,592.00			
ESTIMATED REVENUES						
COMMUNITY DEVELOPMENT Income	CD2170					
Interest and Earnings	CD2401					
Community Development Grant From County	CD2763	93,682.63	47,592.00			
Federal Aid	CD4910					
TOTAL ESTIMATED Revenues	CD5000	93,682.63	47,592.00			

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DEBT SERVICE FUND
APPROPRIATIONS

ACCOUNT	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
FISCAL AGENTS FEE	V1380.4					
DEBT SERVICE PRINCIPAL						
Serial Bonds	V9710.6	27,000.00	27,000.00	27,000.00	27,000.00	27,000.00
Bond Anticipation Notes	V9730.6	50,000.00	48,000.00	50,000.00	50,000.00	50,000.00
CAPITAL NOTES	V9740.6					
Debt Payments to						
Public Authorities	V9780.6					
TOTAL	V9899.6	77,000.00	75,000.00	77,000.00	77,000.00	77,000.00
INTEREST						
Serial Bonds	V9710.7	18,265.00	17,175.00	16,455.00	16,455.00	16,455.00
Bond Anticipation Notes	V9730.7	6,087.50	8,415.00	11,160.00	11,160.00	11,160.00
Capital Notes	V9740.7					
Debt Payments to						
Public Authorities	V9780.7					
TOTAL	V9899.7	24,352.50	25,590.00	27,615.00	27,615.00	27,615.00
TOTAL APPROPRIATIONS		101,352.50	100,590.00	104,615.00	104,615.00	104,615.00
(TRANSFER TOTAL						
"ADOPTED" TO PAGE 1)	V9900.0					
ESTIMATED REVENUES AND ESTIMATED UNEXPENDED BALANCE						
Interest and Earnings	V2401					
Interfund Transfers	V5031	101,352.50	100,590.00	104,615.00	104,615.00	104,615.00
TOTAL ESTIMATED						
Revenues	V5000	101,352.50	100,590.00	104,615.00	104,615.00	104,615.00
ESTIMATED UNEXPENDED						
Balance						

LIGHTING DISTRICT

ACCOUNT	CODE	ACTUAL LAST YEAR 19 <u>80</u>	BUDGET LAST YEAR AS AMENDED 19 <u>81</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>82</u>	PRELIMINARY BUDGET 19 <u>82</u>	ADOPTED 19 <u>82</u>
		APPROPRIATIONS				
LIGHTING DIST.						
Street Lighting	SL-1-					
Contractual Exp.	5182.4	8,801.75	9,000.00	9,600.00	9,600.00	9,600.00
Judgement & Claims	1930.4	.48	38.91	5.28	5.28	5.28
TOTAL		8,802.23	9,038.91	9,605.28	9,605.28	9,605.28
		ESTIMATED REVENUES				
Interest & Earnings	SL2401	412.16	368.74	237.70	237.70	237.70
TOTAL		412.16	368.74	237.70	237.70	237.70
		UNEXPENDED BALANCE				
ESTIMATED LIGHTING District Unexpended Balance						

LIGHTING DISTRICT

		APPROPRIATIONS				
LIGHTING DIST.						
Street Lighting	SL-2-					
Contractual Exp.	5182.4					
TOTAL						
		ESTIMATED REVENUES				
TOTAL						
		UNEXPENDED BALANCE				
ESTIMATED LIGHTING District Unexpended Balance						

*Transfer Total "Adopted" To Page 1

WATER DISTRICT APPROPRIATIONS
#1 WATER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 80	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 19 82	PRELIMINARY BUDGET 1982	ADOPTED 19 82
Judgement & Claims ADMINISTRATION	SW1930.4	2.39	212.71	64.16	64.16	64.16
Personal Services	SW8310.1					
Equipment	SW8310.2					
Contractual Exp.	SW8310.4					
TOTAL	SW8310.0	2.39	212.71	64.16	64.16	64.16
SOURCE OF SUPPLY POWER AND PUMPING						
Personal Services	SW8320.1					
Equipment	SW8320.2					
Contractual Exp.	SW8320.4					
TOTAL	SW8320.0					
PURIFICATION						
Personal Services	SW8330.1					
Equipment	SW8330.2					
Contractual Exp.	SW8330.4					
TOTAL	SW8330.0					
TRANSMISSION AND DISTRIBUTION						
Personal Services	SW8340.1					
Equipment	SW8340.2					
Contractual Exp.	SW8340.4	8,638.78	7,000.00	7,000.00	7,000.00	7,000.00
TOTAL	SW8340.0	8,638.78	7,000.00	7,000.00	7,000.00	7,000.00
		UNDISTRIBUTED				
EMPLOYEE BENEFITS						
State Retirement	SW9010.8					
Social Security	SW9030.8					
Compensation Ins.	SW9040.8					
Life Insurance	SW9045.8					
Unemployment Ins.	SW9050.8					
Disability Ins.	SW9055.8					
Hospital and Medical Insurance	SW9060.8					
TOTAL	SW9199.0					
INTERFUND TRANSFERS						
Transfer to:						
Other Funds	SW9901.9	55,940.00	48,140.00	43,880.00	43,880.00	43,880.00
Capital Project Fund	SW9950.9					
TOTAL INTERFUND Transfer	SW9699.0	55,940.00	48,140.00	43,880.00	43,880.00	43,880.00

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
		UNDISTRIBUTED				
DEBT SERVICE PRINCIPAL						
Bond Anticipation Notes	SW9730.6					
Budget Notes	SW9750.6					
Revenue Anticipation						
Notes	SW9770.6					
TOTAL	SW9899.6					
INTEREST						
Bond Anticipation Notes	SW9730.7					
Budget Notes	SW9750.7					
Revenue Anticipation						
Notes	SW9770.7					
TOTAL	SW9899.7					
BUDGETARY PROVISIONS						
For Other Uses	SW962					
TOTAL WATER DISTRICT						
Appropriations and						
Budgetary Provisions						
For Other Uses (Trans-						
fer Total "ADOPTED"						
To Page 1)	SW9900.0	43,776.41	55,352.71	50,944.16	50,944.16	50,944.16

WATER DISTRICT ESTIMATED REVENUES
#1 WATER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>80</u>	BUDGET THIS YEAR AS AMENDED 19 <u>81</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>82</u>	PRELIMINARY BUDGET 19 <u>82</u>	ADOPTED 19 <u>82</u>
METERED SALES	SW2140					
Unmetered Sales	SW2142					
Water Connection Charge	SW2144					
Interest and Penalties On Water Rents	SW2148					
INTEREST AND EARNINGS	SW2401	4,005.77	448.86	3,500.00	3,500.00	3,500.00
Sales Of Scrap And Excess Materials	SW2650					
Minor Sales, Other	SW2655					
INSURANCE Recoveries	SW2680					
Other Compensation For Loss	SW2690					
Other (Specify)	SW					
TOTAL WATER DISTRICT Estimated Revenues (Transfer Total "ADOPTED" To Page 1		4,005.77	448.86	3,500.00	3,500.00	3,500.00
		UNEXPENDED BALANCE				
ESTIMATED WATER DISTRICT Unexpended Balance (Transfer Total "ADOPTED" To Page 1)		8,638.78	1,200.00			

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WATER DISTRICT APPROPRIATIONS
#2 WATER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
ADMINISTRATION						
Personal Services	SW8310.1					
Equipment	SW8310.2					
Contractual Exp.	SW8310.4					
TOTAL	SW8310.0					
SOURCE OF SUPPLY						
POWER AND PUMPING						
Personal Services	SW8320.1					
Equipment	SW8320.2					
Contractual Exp.	SW8320.4					
TOTAL	SW8320.0					
PURIFICATION						
Personal Services	SW8330.1					
Equipment	SW8330.2					
Contractual Exp.	SW8330.4					
TOTAL	SW8330.0					
TRANSMISSION AND DISTRIBUTION						
Personal Services	SW8340.1					
Equipment	SW8340.2					
Contractual Exp.	SW8340.4	3,096.47	20,315.00	16,895.00	16,895.00	16,895.00
TOTAL	SW8340.0	3,096.47	20,315.00	16,895.00	16,895.00	16,895.00
		UNDISTRIBUTED				
EMPLOYEE BENEFITS						
State Retirement	SW9010.8					
Social Security	SW9030.8					
Compensation Ins.	SW9040.8					
Life Insurance	SW9045.8					
Unemployment Ins.	SW9050.8					
Disability Ins.	SW9055.8					
Hospital and Medical Insurance	SW9060.8					
TOTAL	SW9199.0					
INTERFUND TRANSFERS						
Transfer to:						
Other Funds	SW9901.9	18,975.00	18,625.00	24,935.00	24,935.00	24,935.00
Capital Project Fund	SW9950.9					
TOTAL INTERFUND Transfer	SW9699.0	18,975.00	18,625.00	24,935.00	24,935.00	24,935.00

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
		UNDISTRIBUTED				
DEBT SERVICE PRINCIPAL						
Bond Anticipation Notes	SW9730.6					
Budget Notes	SW9750.6					
Revenue Anticipation						
Notes	SW9770.6					
TOTAL	SW9899.6					
INTEREST						
Bond Anticipation Notes	SW9730.7					
Budget Notes	SW9750.7					
Revenue Anticipation						
Notes	SW9770.7					
TOTAL	SW9899.7					
BUDGETARY PROVISIONS						
For Other Uses	SW962					
TOTAL WATER DISTRICT						
Appropriations and						
Budgetary Provisions						
For Other Uses (Trans-						
fer Total "ADOPTED"						
To Page 1)	SW9900.0	22,071.47	38,940.00	41,830.00	41,830.00	41,830.00

WATER DISTRICT ESTIMATED REVENUES
#2 WATER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 19 81	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 19 82	ADOPTED 19 82
METERED SALES	SW2140					
Unmetered Sales	SW2142					
Water Connection Charge	SW2144					
Interest and Penalties On Water Rents	SW2148					
INTEREST AND EARNINGS	SW2401	4,005.77	200.00	1,000.00	1,000.00	1,000.00
Sales Of Scrap And Excess Materials	SW2650					
Minor Sales, Other	SW2655					
INSURANCE Recoveries	SW2680					
Other Compensation For Loss	SW2690					
Other (Specify)	SW					
TOTAL WATER DISTRICT Estimated Revenues (Transfer Total "ADOPTED" To Page 1		4,005.77	200.00	1,000.00	1,000.00	1,000.00
		UNEXPENDED BALANCE				
ESTIMATED WATER DISTRICT Unexpended Balance (Transfer Total "ADOPTED" To Page 1)						

FIRE PROTECTION DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
Judgement & Claims FIRE PROTECTION DIST.	SF1930.4	APPROPRIATIONS 12.71	304.86	83.64	83.64	83.64
Payments On Fire Contracts	SF-1- 3410.4	69,257.52	91,700.00	90,300.00	90,300.00	90,300.00
Contractual Exp.	3410.4	13,707.48		25,300.00	25,300.00	25,300.00
Compensation Insurance	3410.4					
TOTAL	(9040.8)	82,977.71	92,004.86	115,683.64	115,683.64	115,683.64
Interest & Earnings	SF-1 2401	ESTIMATED REVENUES 258.71	158.94	534.54	534.54	534.54
TOTAL		258.71	158.94	534.54	534.54	534.54
ESTIMATED FIRE Protection Dist. Unexpended Balance		UNEXPENDED BALANCE				
FIRE PROTECTION DISTRICT						
FIRE PROTECTION DIST. Payments on Fire Contracts	SF-2- 3410.4	APPROPRIATIONS				
Contractual Exp.						
TOTAL						
TOTAL		ESTIMATED REVENUES				
ESTIMATED FIRE Protection Dist. Unexpended Balance		UNEXPENDED BALANCE				

*Transfer Total "ADOPTED" To Page 1

SEWER DISTRICT APPROPRIATIONS
#1 SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
SPECIAL ITEMS						
Taxes On Sewer						
District Property						
Contractual Exp.	SS1950.4					
ADMINISTRATION						
Personal Services	SS8110.1					
Equipment	SS8110.2					
Contractual Exp.	SS8110.4					
TOTAL	SS8110.0					
SEWAGE COLLECTING SYSTEM						
Personal Services	SS8120.1					
Equipment	SS8120.2					
Contractual Exp.	SS8120.4					
TOTAL	SS8120.0					
SEWAGE TREATMENT AND DISPOSAL						
Personal Services	SS8130.1	1,250.00	1,350.00	1,450.00	1,450.00	1,450.00
Equipment	SS8130.2					
Contractual Exp.	SS8130.4	1,355.73	1,000.00	1,000.00	1,000.00	1,000.00
TOTAL	SS8130.0	2,605.73	2,350.00	2,450.00	2,450.00	2,450.00
UNDISTRIBUTED						
EMPLOYEE BENEFITS						
State Retirement	SS9010.8	274.00	285.00	298.00	298.00	298.00
Social Security	SS9030.8	76.68	90.00	96.00	96.00	96.00
Compensation Ins.	SS9040.8	40.30	50.00	82.00	82.00	82.00
Life Insurance	SS9045.8					
Unemployment Ins.	SS9050.8					
Disability Ins.	SS9055.8					
Hospital and Medical Insurance	SS9060.8					
TOTAL	SS9199.0	390.98	425.00	476.00	476.00	476.00
INTERFUND TRANSFERS						
Transfer To:						
Other Funds	SS9901.9					
Capital Project Fund	SS9950.9					
Total Interfund Transfer	SS9699.0					

SEWER FUND APPROPRIATIONS (CONTD.)

#1

SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 19 81	BUDGET OFFICERS TENTATIVE BUDGET 19 82	PRELIMINARY BUDGET 19 82	ADOPTED 19 82
		UNDISTRIBUTED				
DEBT SERVICE PRINCIPAL						
Bond Anticipation Notes	SS9730.6					
Budget Notes	SS9750.6					
Revenue Anticipation						
Notes	SS9770.6					
TOTAL	SS9899.6					
INTEREST						
Bond Anticipation Notes	SS9730.7					
Budget Notes	SS9750.7					
Revenue Anticipation						
Notes	SS9770.7					
TOTAL	SS9899.7					
BUDGETARY PROVISIONS						
For Other Uses	SS962					
TOTAL SEWER DIST.						
Appropriations And						
Budgetary Provisions						
For Other Uses						
(Transfer Total						
"ADOPTED" To Page 1)		2,996.71	2,775.00	2,926.00	2,926.00	2,926.00

SEWER DISTRICT ESTIMATED REVENUES

#1

SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
Sewer Rents	SS2120					
Sewer Charges	SS2122					
Interest And Penalties On Sewer Rents	SS2128					
Interest And Earnings	SS2401	949.09	500.00	700.00	700.00	700.00
Sales of Scrap And Excess Materials	SS2650					
Minor Sales, Other	SS2655					
Insurance Recoveries	SS2680					
Other Compensation For Loss	SS2690					
State Aid For Oper- ation and Maintenance Of Sewage Disposal Plant	SS3901		400.00			
Other (Specify)						
TOTAL SEWER DIST. Estimated Revenues (Transfer Total "ADOPTED" To Page 1)		949.09	900.00	700.00	700.00	700.00
ESTIMATED SEWER DIST. Unexpended Balance (Transfer Total "ADOPTED" To Page 1)		16,000.00	1,875.00	2,226.00	2,226.00	2,226.00
		UNEXPENDED BALANCE				

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SEWER DISTRICT APPROPRIATIONS
#2 SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 19 82	ADOPTED 1982
SPECIAL ITEMS						
Taxes On Sewer						
District Property						
Contractual Exp.	SS1950.4					
ADMINISTRATION						
Personal Services	SS8110.1					
Equipment	SS8110.2					
Contractual Exp.	SS8110.4					
TOTAL	SS8110.0					
SEWAGE COLLECTING SYSTEM						
Personal Services	SS8120.1					
Equipment	SS8120.2					
Contractual Exp.	SS8120.4					
TOTAL	SS8120.0					
SEWAGE TREATMENT AND DISPOSAL						
Personal Services	SS8130.1	2,140.00	2,310.00	2,490.00	2,490.00	2,490.00
Equipment	SS8130.2					
Contractual Exp.	SS8130.4	5,360.02	5,000.00	5,000.00	5,000.00	5,000.00
TOTAL	SS8130.0	7,500.02	7,310.00	7,490.00	7,490.00	7,490.00
UNDISTRIBUTED						
EMPLOYEE BENEFITS						
State Retirement	SS9010.8	462.00	487.00	510.00	510.00	510.00
Social Security	SS9030.8	131.16	153.00	165.00	165.00	165.00
Compensation Ins.	SS9040.8	69.01	70.00	140.00	140.00	140.00
Life Insurance	SS9045.8					
Unemployment Ins.	SS9050.8					
Disability Ins.	SS9055.8					
Hospital and Medical Insurance	SS9060.8					
TOTAL	SS9199.0	662.17	710.00	815.00	815.00	815.00
INTERFUND TRANSFERS						
Transfer To:						
Other Funds	SS9901.9					
Capital Project Fund	SS9950.9					
Total Interfund Transfer	SS9699.0					

SEWER FUND APPROPRIATIONS (CONT'D.)

#2

SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET DEBT DEFS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
		UNDISTRIBUTED				
DEBT SERVICE PRINCIPAL						
Bond Anticipation Notes	SS9730.6					
Budget Notes	SS9750.6					
Revenue Anticipation Notes	SS9770.6					
TOTAL	SS9899.6					
INTEREST						
Bond Anticipation Notes	SS9730.7					
Budget Notes	SS9750.7					
Revenue Anticipation Notes	SS9770.7					
TOTAL	SS9899.7					
BUDGETARY PROVISIONS For Other Uses	SS962					
TOTAL SEWER DIST. Appropriations And Budgetary Provisions For Other Uses (Transfer Total "ADOPTED" To Page 1)		8,162.19	8,020.00	8,305.37	8,305.37	8,305.37

SEWER DISTRICT ESTIMATED REVENUES

#2

SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
Sewer Rents	SS2120					
Sewer Charges	SS2122					
Interest And Penalties On Sewer Rents	SS2128					
Interest And Earnings	SS2401	1,164.79	500.39	1,000.00	1,000.00	1,000.00
Sales of Scrap And Excess Materials	SS2650					
Minor Sales, Other	SS2655					
Insurance Recoveries	SS2680					
Other Compensation For Loss	SS2690					
State Aid For Oper- ation and Maintenance Of Sewage Disposal Plant	SS3901	467.88				
Other (Specify)						
TOTAL SEWER DIST. Estimated Revenues (Transfer Total "ADOPTED" To Page 1)		8,729.37	500.39	1,000.00	1,000.00	1,000.00
ESTIMATED SEWER DIST. Unexpended Balance (Transfer Total "ADOPTED" To Page 1)		3,000.00	4,000.00	4,000.00	4,000.00	4,000.00
UNEXPENDED BALANCE						



SEWER DISTRICT APPROPRIATIONS
#3 SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>80</u>	BUDGET THIS YEAR AS AMENDED 19 <u>81</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>82</u>	PRELIMINARY BUDGET 19 <u>82</u>	ADOPTED 19 <u>82</u>
SPECIAL ITEMS						
Taxes On Sewer						
District Property						
Contractual Exp.	SS1950.4					
ADMINISTRATION						
Personal Services	SS8110.1					
Equipment	SS8110.2					
Contractual Exp.	SS8110.4					
TOTAL	SS8110.0					
SEWAGE COLLECTING SYSTEM						
Personal Services	SS8120.1					
Equipment	SS8120.2					
Contractual Exp.	SS8120.4					
TOTAL	SS8120.0					
SEWAGE TREATMENT AND DISPOSAL						
Personal Services	SS8130.1	1,460.00	1,580.00	1,710.00	1,710.00	1,710.00
Equipment	SS8130.2					
Contractual Exp.	SS8130.4	1,600.34	1,000.00	1,000.00	1,000.00	1,000.00
TOTAL	SS8130.0	3,060.34	2,580.00	2,710.00	2,710.00	2,710.00
UNDISTRIBUTED						
EMPLOYEE BENEFITS						
State Retirement	SS9010.8	320.00	332.00	349.00	349.00	349.00
Social Security	SS9030.8	89.52	105.00	114.00	114.00	114.00
Compensation Ins.	SS9040.8	47.10	50.00	95.86	95.86	95.86
Life Insurance	SS9045.8					
Unemployment Ins.	SS9050.8					
Disability Ins.	SS9055.8					
Hospital and Medical						
Insurance	SS9060.8					
TOTAL	SS9199.0	456.62	487.00	558.86	558.86	558.86
INTERFUND TRANSFERS						
Transfer To:						
Other Funds	SS9901.9					
Capital Project Fund	SS9950.9					
Total Interfund	SS9699.0					
Transfer						

SEWER FUND APPROPRIATIONS (CONT'D.)

#3

SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OF FISCAL YEAR TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
		UNDISTRIBUTED				
DEBT SERVICE PRINCIPAL						
Bond Anticipation Notes	SS9730.6					
Budget Notes	SS9750.6					
Revenue Anticipation Notes	SS9770.6					
TOTAL	SS9899.6					
INTEREST						
Bond Anticipation Notes	SS9730.7					
Budget Notes	SS9750.7					
Revenue Anticipation Notes	SS9770.7					
TOTAL	SS9899.7					
BUDGETARY PROVISIONS For Other Uses	SS062					
TOTAL SEWER DIST. Appropriations And Budgetary Provisions For Other Uses (Transfer Total "ADOPTED" To Page 1)		3,516.96	3,067.00	3,268.86	3,268.86	3,268.86

SEWER DISTRICT ESTIMATED REVENUES

#3

SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
Sewer Rents	SS2120					
Sewer Charges	SS2122					
Interest And Penalties On Sewer Rents	SS2128					
Interest And Earnings	SS2401	638.65	300.00	600.00	600.00	600.00
Sales of Scrap And Excess Materials	SS2650					
Minor Sales, Other	SS2655					
Insurance Recoveries	SS2680					
Other Compensation For Loss	SS2690					
State Aid For Oper- ation and Maintenance Of Sewage Disposal Plant	SS3901	62.94	300.00			
Other (Specify)						
TOTAL SEWER DIST. Estimated Revenues (Transfer Total "ADOPTED" To Page 1)		2,311.50	600.00	600.00	600.00	600.00
UNEXPENDED BALANCE						
ESTIMATED SEWER DIST. Unexpended Balance (Transfer Total "ADOPTED" To Page 1)		1,500.00	2,467.00	1,500.00	1,500.00	1,500.00

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SEWER DISTRICT APPROPRIATIONS
#4
SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 80	BUDGET THIS YEAR AS AMENDED 19 81	BUDGET OFFICERS TENTATIVE BUDGET 19 82	PRELIMINARY BUDGET 19 82	ADOPTED 19 82
SPECIAL ITEMS						
Taxes On Sewer						
District Property						
Contractual Exp.	SS1950.4					
ADMINISTRATION						
Personal Services	SS8110.1					
Equipment	SS8110.2					
Contractual Exp.	SS8110.4					
TOTAL	SS8110.0					
SEWAGE COLLECTING SYSTEM						
Personal Services	SS8120.1					
Equipment	SS8120.2					
Contractual Exp.	SS8120.4					
TOTAL	SS8120.0					
SEWAGE TREATMENT AND DISPOSAL						
Personal Services	SS8130.1	2,725.00	2,945.00	3,180.00	3,180.00	3,180.00
Equipment	SS8130.2					
Contractual Exp.	SS8130.4	3,627.04	3,200.00	3,000.00	3,000.00	3,000.00
TOTAL	SS8130.0	6,352.04	6,145.00	6,180.00	6,180.00	6,180.00
UNDISTRIBUTED						
EMPLOYEE BENEFITS						
State Retirement	SS9010.8	592.00	620.00	650.00	650.00	650.00
Social Security	SS9030.8	167.04	195.00	211.00	211.00	211.00
Compensation Ins.	SS9040.8	87.86	90.00	177.73	177.73	177.73
Life Insurance	SS9045.8					
Unemployment Ins.	SS9050.8					
Disability Ins.	SS9055.8					
Hospital and Medical						
Insurance	SS9060.8					
TOTAL	SS9199.0	846.90	905.00	1,038.73	1,038.73	1,038.73
INTERFUND TRANSFERS						
Transfer To:						
Other Funds	SS9901.9					
Capital Project Fund	SS9950.9					
Total Interfund	SS9699.0					
Transfer						

SEWER FUND APPROPRIATIONS (CONT'D.)

#4

SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
		UNDISTRIBUTED				
DEBT SERVICE PRINCIPAL						
Bond Anticipation Notes	SS9730.6					
Budget Notes	SS9750.6					
Revenue Anticipation						
Notes	SS9770.6					
TOTAL	SS9899.6					
INTEREST						
Bond Anticipation Note	SS9731.7					
Budget Notes	SS9751.7					
Revenue Anticipation						
Notes	SS9770.7					
TOTAL	SS9899.7					
BUDGETARY PROVISIONS						
For Other Uses	SS962					
TOTAL SEWER DIST.						
Appropriations And						
Budgetary Provisions						
For Other Uses						
(Transfer Total						
"ADOPTED" To Page 1)		7,198.94	7,050.00	7,218.73	7,218.73	7,218.73

SEWER DISTRICT ESTIMATED REVENUES

#4

SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 80	BUDGET THIS YEAR AS AMENDED 19 81	BUDGET OFFICERS TENTATIVE BUDGET 19 82	PRELIMINARY BUDGET 19 82	ADOPTED 19 82
Sewer Rents	SS2120					
Sewer Charges	SS2122					
Interest And Penalties On Sewer Rents	SS2128					
Interest And Earnings	SS2401	658.34	300.38	500.00	500.00	500.00
Sales of Scrap And Excess Materials	SS2650					
Minor Sales, Other	SS2655					
Insurance Recoveries	SS2680					
Other Compensation For Loss	SS2690					
State Aid For Oper- ation and Maintenance Of Sewage Disposal Plant	SS3901	992.03	500.00			
Other (Specify) Disaster Aid	SS4960	723.82				
TOTAL SEWER DIST. Estimated Revenues (Transfer Total "ADOPTED" To Page 1)		2,374.19	800.38	500.00	500.00	500.00
UNEXPENDED BALANCE						
ESTIMATED SEWER DIST. Unexpended Balance (Transfer Total "ADOPTED" To Page 1)		1,000.00	3,500.00	1,500.00	1,500.00	1,500.00



REFUSE AND GARBAGE DISTRICT APPROPRIATIONS
REFUSE AND GARBAGE DISTRICT

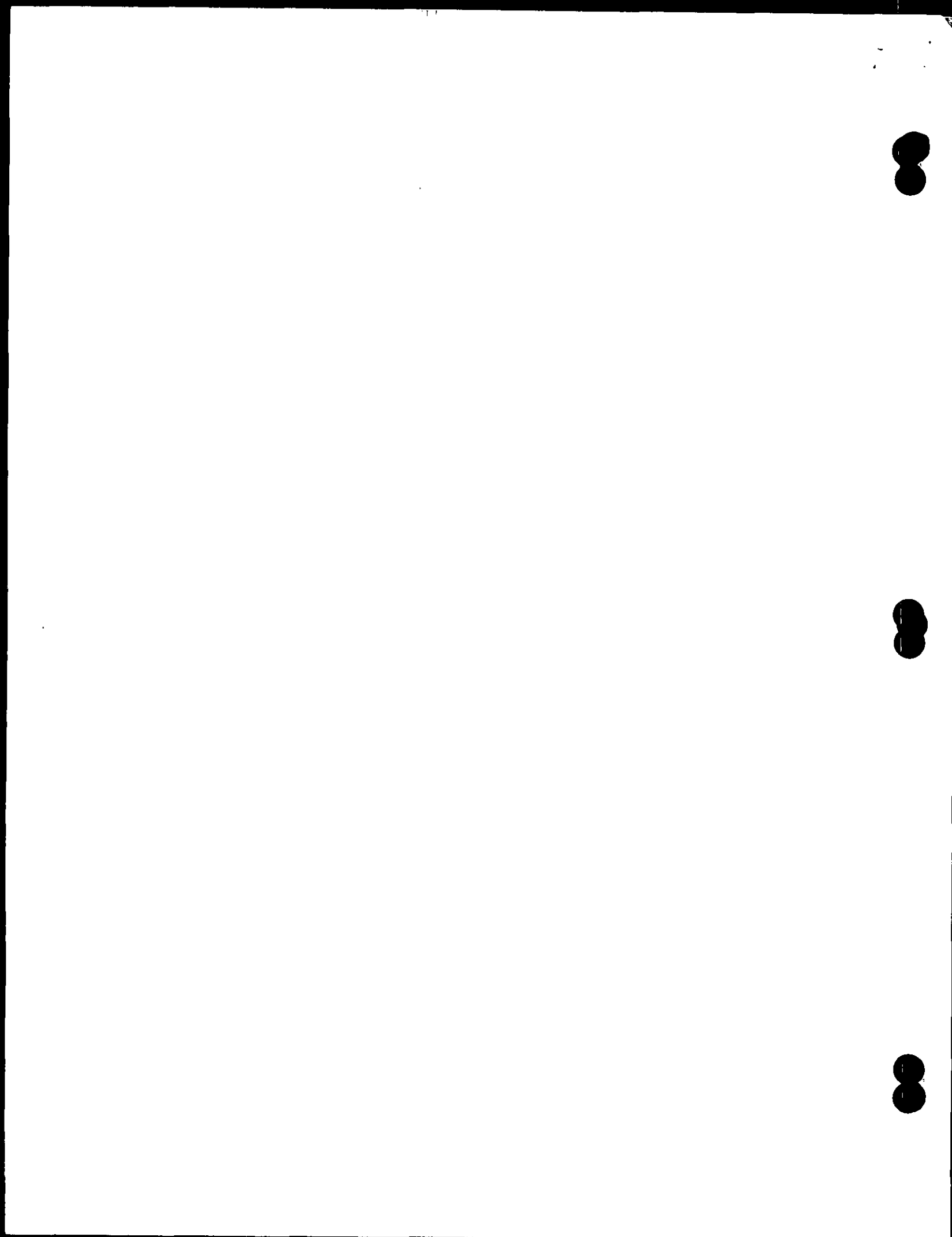
ACCOUNTS	CODE	ACTUAL LAST YEAR 1980	BUDGET THIS YEAR AS AMENDED 1981	BUDGET OFFICERS TENTATIVE BUDGET 1982	PRELIMINARY BUDGET 1982	ADOPTED 1982
Judgement & Claims REFUSE AND GARBAGE	SR1930.4	1.89	37.89	11.08	11.08	11.08
Personal Services	SR8160.1					
Equipment	SR8160.2					
Contractual Exp.	SR8160.4	10,452.74	11,000.00	11,000.00	11,000.00	11,000.00
TOTAL	SR8160.0	10,542.74 10,454.63	11,037.89	11,011.08	11,011.08	11,011.08
EMPLOYEE BENEFITS						
State Retirement	SR9010.8					
Social Security	SR9030.8					
Compensation Ins.	SR9040.8					
Life Insurance	SR9045.8					
Unemployment Ins.	SR9050.8					
Disability Ins.	SR9055.8					
Hospital and Medical Insurance	SR9060.8					
TOTAL	SR9199.0					
INTERFUND TRANSFERS						
Transfer To:						
Other Funds	SR9901.9					
Capital Project Fund	SR9950.9					
TOTAL	SR9699.0					
DEBT SERVICE PRINCIPAL						
Bond Anticipation Notes	SR9730.6					
Budget Notes	SR9750.6					
Revenue Anticipation Notes	SR9770.6					
TOTAL	SR9899.6					
INTEREST						
Bond Anticipation Notes	SR9730.7					
Budget Notes	SR9750.7					
Revenue Anticipation Notes	SR9770.7					
TOTAL	SR9899.7					
BUDGETARY PROVISIONS For Other Uses	SR962					
TOTAL REFUSE AND Garbage District Appropriations And Budgetary Provisions For Other Uses (Transfer Total "ADOPTED" To Page 1)		10,454.63	11,037.89	11,011.08	11,011.08	11,011.08



REFUSE AND GARBAGE DISTRICT ESTIMATED REVENUES

REFUSE AND GARBAGE DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>80</u>	BUDGET THIS YEAR AS AMENDED 19 <u>81</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>82</u>	PRELIMINARY BUDGET 19 <u>82</u>	ADOPTED 19 <u>82</u>
REFUSE AND GARBAGE Removal and Dis- posal Charges	SR2401r SR2130					
<u>Interest & Earnings</u>		588.89	103.89	492.65	492.65	492.65
TOTAL REFUSE AND Garbage District Estimated Revenues (Transfer Total "ADOPTED" To Page 1)		588.99	103.89	492.65	492.65	492.65
ESTIMATED REFUSE And Garbage Dist. Unexpended Balance (Transfer Total "ADOPTED" To Page 1)		UNEXPENDED BALANCE				



SCHEDULE OF SALARIES OF ELECTED TOWN OFFICERS

(ARTICLE 8 OF THE TOWN LAWS)

[illegible]

TOWN WITH VILLAGE

EXPLANATIONS

- (1) Taxes for these services must be levied on the area of the town outside villages:

Building Inspection (Section 138, Town Law)

Board of Health (Section 304 Public Health Law)

Registrar of Vital Statistics, except when combined districts coincide with a consolidated health district (Section 4124, Public Health Law)

Library (certain contract payments) (Section 256, Education Law)

Zoning and Planning (Section 261, Town Law)

- (2) Taxes for these services must be levied on the area of the town outside villages under the circumstances set forth below:

Police Department (Section 150, Town Law)

Town of Fallsburg, and towns in Suffolk County containing villages which maintain police departments with two or more full-time policemen. Department established after January 1, 1960: Town contains a village which maintains a police department of four or more policemen on an annual full-time basis.

Department established prior to January 1, 1960: Amounts in accordance with an agreement made between the town and a village within the town which maintains a full-time police department of four or more policemen.

Joint Police Department (General Municipal Law, Section 121-a)

Recreation (Article 13, General Municipal Law)

Amounts for parks, playgrounds and recreation centers established under the provisions of Article 13 of the General Municipal Law.

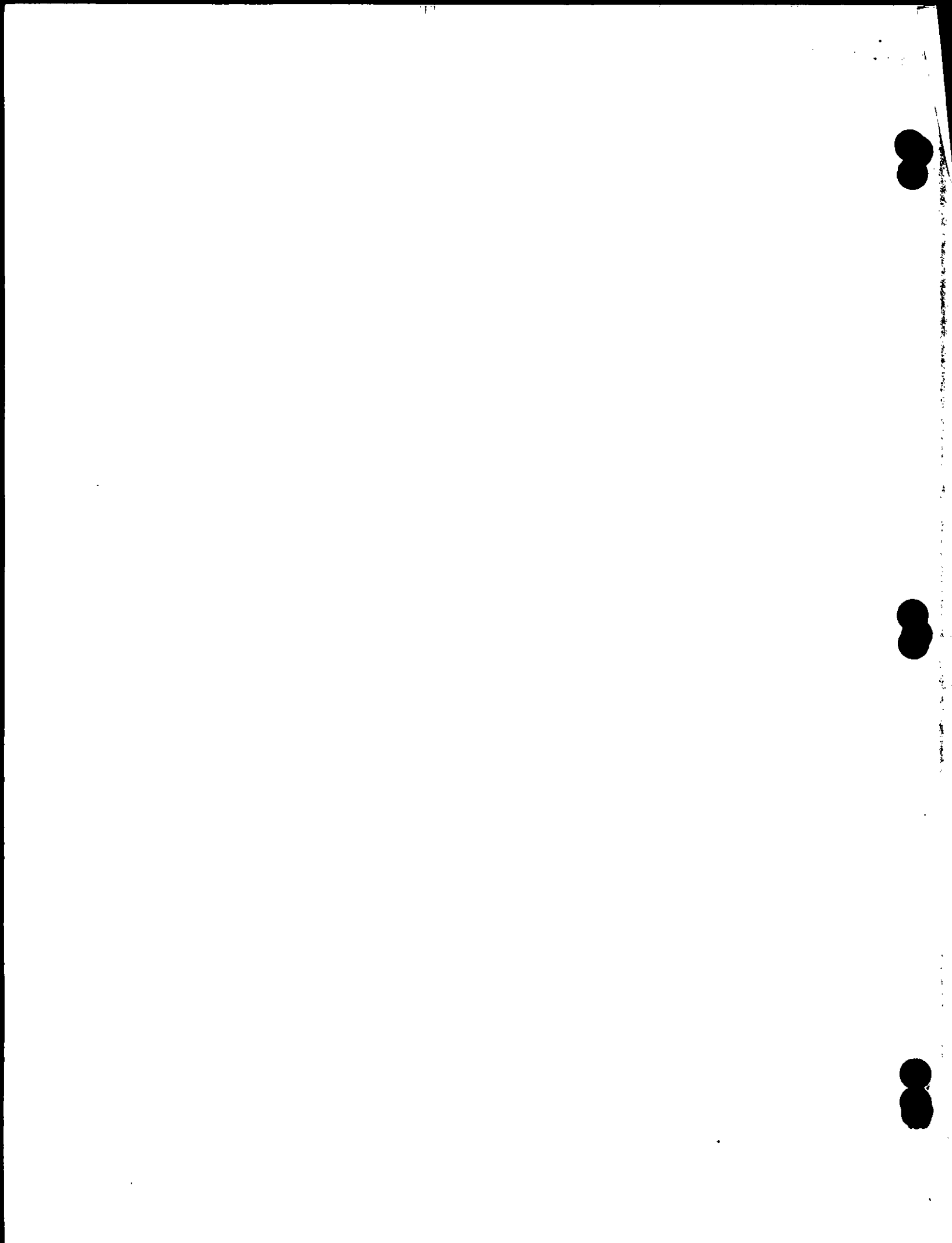
Refuse and Garbage (Section 120-w, Gen. Mun. Law; Article 12, Town Law)

The share of the cost to be paid by the town in accordance with an agreement between the town and one or more villages for joint refuse and garbage collection and disposal, unless otherwise provided.

- (3) Revenues estimated to be received from any of the functions or activities for which taxes are levied in the town outside the village must be applied to the estimate of expenditures for such function or activity (Town Law, Section 107 (2)).

Non-property tax distributed by a county must be credited to the town area outside of village if the village receives a cash distribution of non-property taxes from the county.





1 STATE OF NEW YORK

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TOWN OF BOSTON

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MINUTES OF PUBLIC HEARING held at the
Boston Town Hall, Route 219, Boston, New York, on
Wednesday, November 18, 1981, commencing at 8:00 p.m.,
before the Cable TV Committee consisting of:

GARY WALTERS,

ALFRED T. SAMULSKI, and

JOSEPH TERRIZZI.

APPEARANCES:

FOR GLOBAL CABLE:

DAVID CROLL, Vice President, and

GUY SANLORENZO, President.

FOR INTERNATIONAL CABLE:

THOMAS HUNT.

1 MR. ZIMMERMAN: It is 8 o'clock. The public hearing is
2 now open for the cable TV franchising.
3 Do you have anything you want to read?

4 MR. KLEIN: Legal Notice: Public Hearing Notice is
5 hereby given, that a public hearing will
6 be held by the Town Board, Town of
7 Boston, Erie County, New York, at the
8 Boston Town Hall, Boston, New York, on
9 the 18th day of November, 1981 at 8 p.m.,
10 Eastern Standard Time, in the matter of
11 the review of the cable TV franchising
12 for the purpose of allowing residents of
13 the Town of Boston the opportunity to
14 question the municipal officials and
15 applicants in regard to the cable service
16 that will be provided to the communities.
17 At such time all interested persons will
18 be given an opportunity to be heard.
19 Copies of the application are filed in
20 the Town Clerk's Office and may be re-
21 viewed during regular business hours.
22 Herbert H. Klein, Town Clerk. Dated
23 October 16th, 1981.

1 MR. ZIMMERMAN: At this time, I would like to introduce
2 our cable committee: Councilman
3 Samulski, Gary Walters, and Joseph
4 Terrizzi.

5 I would like to turn it over to the
6 committee and ask them to run the rest of
7 the hearing at this time.

8 MR. SAMULSKI: Thank you, Dave Zimmerman.

9 Welcome, ladies and gentlemen, to our
10 public hearing tonight. We request that
11 if you speak or you have a question, that
12 you identify yourself. Now, we have a
13 court stenographer here and we want to
14 make this as informal as possible, but
15 it's very important that we get down on
16 the record what was said here tonight.
17 So if you would, please identify yourself,
18 your name and address, prior to asking
19 a question or responding to a question.
20 Okay. That's the only thing we ask.

21 The format for tonight will be this:
22 we will have a drawing as to which fran-
23 chise application will make their pre-

1 sentation first, be it International or
2 Global. At the conclusion of both pre-
3 sentations, we will open up the meeting
4 to questions or comments.

5 We will start first with the Town
6 Board and then we will go to the Cable
7 TV Committee, and then we'll open it up
8 to the floor. Okay. And I would ask
9 that you speak loud enough so that our
10 young lady stenographer here will be
11 able to hear you.

12 Okay. If a representative of each
13 one of the franchise applicants would
14 come forward and then you will choose---
15 mix these up, make your choice, gentlemen.
16 Okay. You're second. Number one is
17 International. Good start. Okay.

18 MR. HUNT: If I get first, do I get to pick what I
19 want?

20 MR. SAMULSKI: Mr. Tom Hunt.

21 MR. HUNT: I'm Tom Hunt from International Cable,
22 and what I thought we'd do first, if we
23 can figure out how to work the lights in

1 here, is to show you a few slides.
2 We'd like to show you Cable television
3 but we didn't install an earth station
4 today, so we'll show you a little bit
5 about what we do, and I'll finish up with
6 a few comments.

7 MR. SAMULSKI: Okay.

8
9 (Whereupon, a slide demonstration was then shown
10 along with the following comments:)

11
12 MR. HUNT: International Cable is currently the
13 sixth largest cable system operating in
14 the United States, providing service to
15 approximately 95,000 homes here in the
16 Buffalo suburbs. The company has six-
17 teen franchises in Western New York, and
18 has system operating adjacent here to
19 the Town of Boston in the Town of Hamburg,
20 on Hamburg-Springville Road, not far
21 away. And that's the way we would be
22 coming into the Town of Boston. In
23 fact, we were just recently awarded the

1 franchise. It doesn't show on here.
2 We have Wheatfield up there, which we'll
3 start construction next month. We were
4 just recently awarded the neighboring
5 Town of Eden. So that doesn't show on
6 this map also.

7 The company is presently staffed by
8 over a hundred and fifty personnel,
9 operating from our main office facility
10 in West Seneca. The management team
11 operating International Cable has com-
12 bined over eighty years of cable tele-
13 vision construction and operating experi-
14 ence in New York State. The personnel
15 are scheduled for system coverage 24
16 hours a day, seven days a week.

17 International Cable has more than
18 twenty-four fully equipped trucks in its
19 repair, service, and audit department.
20 The vehicles are staffed by over thirty-
21 seven technicians and all are equipped
22 with two way radio capability. We
23 employ two live dispatchers, no tape

1 machines or answering services, around
2 the clock at our main office in West
3 Seneca. So any service problems in the
4 system can be reached within minutes of
5 the trouble call; and as an aside here,
6 I want to say that technical expertise
7 and capability and performance is, I
8 think, especially important here in Boston
9 where we all know that already a number
10 of people that in the valley really get
11 very little or very poor reception.
12 And we anticipate the reception quality
13 is going to be extremely important to
14 you.

15 The company has always been a
16 leader in cable television in the area.
17 Specifically, International was first to
18 offer Sabres home games. We also just
19 made a deal this year for Stallion games,
20 home box office, New York City channels.
21 We have a computerized head end which is
22 our tower site and full remote produc-
23 tion band with live programming from

1 around Western New York. International
2 has recently increased its channel
3 capacity by adding a multitude of new
4 entertainment and information service,
5 called SUPER CABLE. The system will
6 eventually have 52 channels of program-
7 ming.

8 International Cable proposes to
9 initially construct past the great
10 majority of homes in the Town of Boston,
11 approximately 45 miles of cable system
12 passing almost two thousand homes.
13 Subscriber rates will be the same for
14 all residents of the town.

15 The proposed construction schedule
16 by International includes several miles
17 of cable in areas with underground utili-
18 ties. All new developments will require
19 underground construction. This type
20 of construction typically costs two to
21 three times as much as standard aerial
22 construction.

23 More importantly, it requires a

1 considerable amount of specialized equip-
2 ment and expertise. International
3 Cable has one of the nation's most
4 experienced and advanced underground
5 construction capabilities, with a full
6 time department manager, three two-man
7 crews, an easement department, and
8 engineering survey department. And
9 when we're talking about construction,
10 we want to say that it's very important
11 that Boston be built in a timely fashion,
12 and we understand that that's going to
13 be something that would be important to
14 you, that we---that now we're at the
15 stage of the public hearing that we can
16 go ahead and get Boston installed.

17 We have Wheatfield as a franchise
18 before us, that will be---construction
19 will start next month and finish at the
20 end of February or in March. We then
21 have Eden, and if we are awarded the
22 franchise here in Boston, we could be
23 working on Eden and Boston at the same

1 time in the spring and summer and we have
2 that capability to do it. We have
3 twenty construction---we have a--twenty
4 men in our construction department that
5 are employees of International Cable.
6 We don't go get contractors. We'll do
7 the construction ourselves and we have
8 the people on staff right now.

9 Talk about programming, Boston
10 residents will receive our full schedule
11 of locally originated programming on
12 cable channel 10. Productions include
13 Canisius College basketball, Buffalo
14 Bison baseball, little league and high
15 school sporting events, a weekly bowling
16 tournament, various parades, concerts,
17 public meetings and other local community
18 events. Local programs may be produced
19 anywhere in the community and then aired
20 on the cable system.

21 Because of our computerized head
22 end facility and microwave network, we
23 also have the ability to carry more sta-

1 tions than any other cable company in
2 the area and we have consistently been
3 able to offer more events and variety
4 because of this technical capability.
5 And there's an indication what we've been
6 doing in terms of football games and
7 bringing in out of town stations.

8 By far, the most important local
9 program, though, is the Channel 10 cover-
10 age of the Buffalo Sabres games.

11 International has exclusive rights to
12 53 Sabres games, and many people take
13 cable just to receive these games, both
14 home and away. International Cable is
15 the only company which presently has the
16 contract to carry Sabres hockey in the
17 Town of Boston. All other companies
18 must purchase the game rights from Inter-
19 national Cable.

20 Also want to say that the president
21 of our company is now an owner of the
22 Buffalo Stallions and we do have rights
23 for Buffalo Stallion games. Our first

1 one is going to be in early December,
2 and so we've now added them to the pro-
3 gramming rights that we own.

4 As mentioned earlier in the presenta-
5 tion, International Cable has expanded
6 its system to accommodate a number of new
7 satellite delivered specialty channels,
8 under the name of SUPER CABLE. Inter-
9 national has introduced the very latest
10 in cable technology: the addressable
11 descrambler, or more commonly known to
12 our subscribers as the Video-Command
13 Terminal. This space age computer
14 controlled device allows for the delivery
15 of services on an a la carte basis, so
16 the subscribers may pick and choose which
17 services they desire, without being
18 forced to take those that do not interest
19 them. We were the very first company
20 in the nation to use that instrument
21 which you saw which is produced by
22 General Instruments Corporation and we
23 are the largest user of that device in

1 the nation at this time. All of the
2 SUPER CABLE services will be offered in
3 a video magazine format which are defined
4 as connections. They are: the movie
5 connection, which consists of the pay
6 services known as the Movie Channel and
7 Cinemax. The subscriber has the option
8 of taking either one of the services or
9 both. The Sports Connection, which
10 includes both the USA network and ESPN,
11 the 24 hour sports channel. The Family
12 Connection, which includes WTBS in
13 Atlanta, Ted Turner Superstation,
14 Nikolodeon, children's programming, arts,
15 cultural programming, Christian broad-
16 casting, continuing education programming
17 and the shopper's guide, the unique
18 service which compares prices of local
19 supermarkets. The Adult Connection
20 which is prime time adult programming.
21 The subscriber has complete freedom of
22 choice to select those services which
23 appeal to him or her, giving them over

1 sixty options of premium service, far
2 more than any cable company in Western
3 New York. By the way, that's sixty-
4 three options. We've just added another
5 option, so that's over a hundred twenty
6 options at this point. This is only
7 possible with the unique capabilities of
8 a fully adjustable descrambler.

9 International Cable has greatly
10 exceeded the technical capabilities of
11 the most advanced head ends manufactured
12 or fabricated by any equipment supplier
13 in the United States. Our master control
14 facility location in Lackawanna, New
15 York, costs well over one million dollars
16 in equipment, in addition to thousands of
17 man hours of design and implementation
18 over the past six years. Specifically,
19 Master Control has four Earth Stations,
20 computer controller switching, capable of
21 receiving any geostationary orbiting
22 communications space craft.

23 Emergency alerts: all channels,

1 including SUPER CABLE, can be commanded
2 to alert video and audio status should
3 the need arise. In case of an emergency
4 in the town.

5 Total fail-safe channel switching:
6 the engineering concept applied to our
7 master control facility offers immediate
8 back-up feeds via computer video sensing,
9 restoring service to any channel in the
10 event of broadcast interruption.

11 In addition, any give signal is
12 electronically capable through computer
13 control to appear on any cable channel,
14 offering ten thousand possible signal
15 combinations weekly. This is the
16 greatest variety of programming avail-
17 ability and flexibility known to the
18 entire cable industry.

19 The system will have the most
20 sophisticated state-of-the-art
21 equipment available, capable of deliver-
22 ing 52 full television channels, plus
23 data, FM, and return two-way signals.

1 In conclusion, International Cable
2 has the experience, performance record,
3 and financial resources to construct the
4 system in the Town of Boston in a timely
5 fashion. Other towns have waited almost
6 two years for service to commence since
7 granting the franchise.

8 International owns the cable rights
9 for 53 Buffalo Sabres games and ten
10 Buffalo Stallions games and is the only
11 company that can assure the Town of
12 Boston the Sabres coverage.

13 International Cable is happy to be
14 one of the companies applying for a
15 cable television franchise here in Boston.
16 All the assets and expertise of our
17 company will be utilized to provide cable
18 service to the Town of Boston. We are
19 the sixth largest cable system in the
20 United States, but we are a local company
21 that has its entire operation here in
22 Western New York. International Cable
23 is uniquely capable of providing the Town

1 of Boston with the ultimate combination
2 for cable television; the resources and
3 expertise of a large company, and the
4 sensitivity to community needs of a
5 local company. International does not
6 make unfulfilled promises. International
7 performs. International Cable, hoping
8 to serve you here in the Town of Boston.

9 A few other things that I'd like
10 to bring out, that were not maybe that
11 well emphasized to affect you here in
12 Boston. One is the cable news network.
13 You may have heard of it as Ted Turner
14 Station. It is 24 hours a day of news
15 and information, and it's not just
16 straight hard news, but there's lots of
17 feature programming, health programming.
18 It's an excellent, excellent station.
19 We offer it on basic service. If you
20 have just our minimum service, our basic
21 service, you get cable news network and
22 we have to pay, certainly, for it and
23 that the payment that we have to make for

1 that service is included in our basic
2 monthly charge, which I'm sure we'll get
3 to, but it's \$8.50 a month. I might
4 as well tell you.

5 So, one point is that we are offer-
6 ing cable news network to everybody on
7 basic service or minimum level of service.

8 Another thing that you may have
9 heard that we carried the Leonard-Hearns
10 fight, which was very popular. We're
11 going to carry the Ali fight, which may
12 not be so popular. We're looking at
13 Cooney-Holmes, and there may be some
14 exclusive concert programming available
15 to us. These things are only capable--
16 we are only able to bring the type of
17 programming with the addressable converter
18 that we showed you the picture of, the
19 General Instrument unit. Like I say,
20 we are the largest company in the United
21 States. We have the most number of
22 those units in the field and we have
23 experience in pay review programming.

1 We have over 5600 of those units in
2 the field right now, and our engineering
3 staff and quality control staff and a
4 number of people here are geared up and
5 we have learned how to operate this.
6 It's a brand new technology and it's
7 something that makes us leaders in the
8 field. In fact, the advertising agency
9 for General Instruments Corporation wants
10 to use us in their advertisements to try
11 to sell more of these units and they're
12 coming in on Friday to our offices to
13 take pictures of our operations.

14 The final thing, really, to state
15 here, is timing, which I did earlier.
16 We have a franchise in the Town of Wheat-
17 field. Strand mapping is done.
18 Engineering is done. We're going to
19 start construction next month. We have
20 a franchise in the Town of Eden. We
21 anticipate construction in the spring.
22 If Boston moves quickly and we are awarded
23 the franchise and we're able to work out

1 a franchise agreement with either the
2 Cable Committee or the town attorney or
3 whomever is so specified, we will be able
4 to get cable in here in the spring and
5 summer. We don't have a lot of fran-
6 chises unbuilt hanging over our heads
7 with time commitments or without time
8 commitments, with moral commitments, to
9 be built; and I think that's a very
10 important consideration, and we will do
11 all the construction ourselves with our
12 own personnel and we have them on staff
13 right now. Thank you very much.

14 MR. SAMULSKI: Thank you, Mr. Hunt, very much. It's
15 now Global's turn to make their presenta-
16 tion. If you would, please.

17 MR. CROLL: Good evening, ladies and gentlemen. By
18 way of introduction, Global Cable TV is
19 a local Buffalo area cable company head-
20 quartered right here in Erie County.
21 Global presently has franchises in Orchard
22 Park, Town and Village of Lancaster,
23 Clarence, Lockport, Youngstown, Portor,

1 Albion, Medina, and Newfane. Global's
2 basic business is serving the small
3 community well.

4 Global has been very active in
5 constructing cable systems locally in
6 recent years. For the past few years,
7 we've built well in excess of a hundred
8 miles of cable plants per year, making
9 us the most active constructing cable
10 television company in the Buffalo area.
11 We've been able to use local crews to
12 keep our costs down and to maintain tight
13 quality control, which has placed us in
14 a position of being able to offer very
15 reasonable rates to our subscribers.

16 Global's leadership is characterized
17 by solid experience. Guy Sanlorenzo,
18 on my left, is the president of the
19 company. Guy has twenty years of
20 experience in building and operating
21 cable television systems. I have over
22 ten years of experience in financing
23 cable television projects, of over

1

\$200,000,000 on a national scale.

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We brought our entire staff this evening so you all could meet them.

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We have a topnotch staff of no-nonsense professionals. Gloria Hesslow is our vice president of administration. Fred Lord is marketing manager. Stu Gorenstein is our program director; and George Hirsch, who will be here shortly, is our vice president of engineering.

Because Global is not a large corporation based many miles away with a lot of corporate overhead, Global can keep its cost down and operate very efficiently. Global is the bidder this evening that has the lowest rates. Global has historically had the lowest rates in the Buffalo area and is dedicated to continuing that commitment.

Now at this point, I would like to move on to programming and this would involve a video presentation so that you can get an idea of what all these things

1 mean that both of the companies are talk-
2 ing about. First, I'd like to say that
3 we feel that Global has been somewhat of
4 a pioneer in bringing programming to the
5 Buffalo area. Global was the first
6 company to introduce four full tiers of
7 service, separate distinct tiers that one
8 could buy separately. Global was also
9 the first Buffalo area company to offer
10 on a full time basis ESPN, USA network,
11 Nickelodeon, cable news network, movie
12 channel, and many of the other programs
13 that you'll be seeing shortly on this
14 television set.

15 In short, it's easier---it's very
16 easy to make promises, but Global has
17 delivered over a year ahead of some of
18 the larger Buffalo area cable companies;
19 and where Global has really differenti-
20 ated itself has been in the area of local
21 programming. Global serves a number of
22 smaller communities and Global has been
23 able to differentiate itself in the

1 smaller communities from its larger
2 kin by offering innovative quality local
3 programming.

4 Global was the first to put on a
5 local news program where everyone from
6 the anchor to all the reporters were
7 local high school students. Global has
8 extensive coverage of the local sports
9 in the communities that it serves, and
10 covers public meetings such as this where
11 desirable. We have the most extensive
12 studio network in the Buffalo area, and
13 I think this is probably one of the keys
14 in this whole proceeding. We have an
15 extensive studio in Lockport, to the
16 north. We have one in Lancaster to the
17 east of Buffalo, and right next door in
18 Orchard Park, we're in the process of
19 building a fully outfitted studio.

20 Our basic philosophy is that no
21 more than a few related contiguous com-
22 munities should be involved in having
23 their own studio. Rather than having

1 one central studio that might serve ten
2 or twenty communities, we believe that
3 that is the meaning of local television.
4 If someone has to drive twenty miles and
5 wait in line to get into a studio to do
6 a presentation, it's an entirely different
7 feeling than if there is a local studio
8 that is right next door with a low use
9 factor from the surrounding communities,
10 i.e., a few communities that are using the
11 studio rather than a large studio many
12 miles away.

13 At this point, to show you---give
14 you a good cross section of the program-
15 ming, if we could drop the lights, we'll
16 show you a tape of Global's presentation.

17
18 (Whereupon, a video demonstration was then shown.)
19

20 MR. CROLL: I would like to move on to one of the
21 other important areas in cable television,
22 which is the technical area. Global is
23 proposing a state of the art, four hundred

1 Megahertz system for Boston, similar to
2 the system that it is building in Orchard
3 Park. The Orchard Park system is also
4 a four hundred Megahertz system. Global
5 has the most modern complex high capacity
6 systems in the Buffalo area, by a wide
7 margin. Many of the systems that have
8 been built most recently are considerably
9 different than the systems that were
10 built five years ago or ten years ago.
11 Most of Global's systems that have been
12 built most recently are considerably
13 different than the systems that were
14 built five years ago or ten years ago.
15 We've been very fortunate. Most of our
16 systems are new systems and as a result,
17 they incorporate many of the most latest
18 technological developments.

19 Boston, of course, would be inte-
20 grated into the systems. Most notably,
21 would be integrated into the Orchard Park
22 system, which is the only system con-
23 tiguous to Boston, which is a four hundred

1 Megahertz capacity system.

2 Next important area in cable tele-
3 vision is who owns the company that's
4 going to serve Boston. Who's going to
5 be responsible to the people of Boston
6 for bringing in cable television and
7 fulfilling their promises. Global is a
8 proprietorship, a partnership. It is
9 not a corporation. It is not a subsidi-
10 ary of a large company many miles away.
11 The owners of Global are personally liable
12 and responsible to fulfill our commit-
13 ments. We borrow our money personally
14 and we sign for it.

15 Boston is vitally important to us,
16 as it is one of the last opportunities
17 for us as a Buffalo area company to grow.
18 At the present time, we're an applicant
19 only in Boston, not all over the country.
20 Boston is our top priority.

21 I think, perhaps, testimony to that
22 level of commitment and importance is the
23 fact that both Guy and I are here tonight.

1 We're the owners of Global Cable, and
2 we've made it a point to be here in
3 Boston this evening to show the people
4 how serious we are about getting the
5 Boston franchise and serving Boston.
6 I believe we are the only company this
7 evening that is represented by its owners.

8 In summary, Global has a philosophy
9 of building a top quality four hundred
10 Megahertz system in the Boston community.
11 We would be committed to using local
12 employees as we have done throughout our
13 systems from the local community. We
14 would deliver first rate local program-
15 ming such as some of the programming you
16 have seen on the television tonight, and
17 we would pledge to keep corporate over-
18 head at an absolute minimum so that we
19 could continue to offer virtually the
20 same services at lower rates than the
21 other Buffalo area cable companies.
22 That would be our commitment. Thank
23 you.

1 MR. SAMULSKI: Thank you. Those were both excellent
2 presentations. You are to be commended.

3 I would ask now, if there are any
4 Town Board members who have any questions,
5 if they would address their questions
6 now. Anybody?

7 MR. ZIMMERMAN: I have just one question from, I believe,
8 probably Global. You said you would use
9 mostly local employees. Are you talking
10 Town of Boston people or Erie County
11 people or what?

12 MR. CROLL: No, Town of Boston people to be specific,
13 as I believe it is brought to light in
14 our application. Naturally people in
15 the organization that need a great deal
16 of cable television experience such as our
17 higher level people are already in place.
18 As regard to the employees that one could
19 have on a local level such as line tech-
20 nicians or clerical people, local office
21 staff, things of this nature, these
22 people would be hired from within the
23 Boston community; and in Orchard Park,

1 we are hiring people from within the
2 Orchard Park community, as I think the
3 record will show.

4 MR. ZIMMERMAN: How many people are you probably talking
5 about, total number?

6 MR. SANLORENZO: Well, two plus a part time.

7 MR. CROLL: Three in total.

8 There's quite a lot of part time work
9 that's also involved, particularly
10 producing some of the local programming;
11 and in terms of numbers of employees, I
12 think it would go higher than three.
13 So some of them would be part time.

14 MR. ZIMMERMAN: How long do you expect, if you were
15 awarded the franchise, how long would it
16 be before we would be receiving---

17 MR. CROLL: I'd like to speak directly to that point,
18 because I think there was an inference
19 earlier that different companies built
20 systems at different rapidity. We were,
21 of course, awarded unanimously the
22 nearby Orchard Park franchise, and wanted
23 to move directly to construction of the

1 franchise, but were embroiled in unfor-
2 tunate legal proceedings by the company
3 that we had been competing with for that
4 particular franchise. Once that matter
5 was dispensed with, which it was summarily
6 by the New York State Cable Commission,
7 we have, as I'm sure you will gather by
8 talking with the town fathers in Orchard
9 Park moved as fast as we can to move
10 forward with the construction.

11 We would like to come in here and
12 make promises that a cable system can be
13 built instantly, but this is not possi-
14 ble. There is a lot that has to be done
15 with the telephone company. The tele-
16 phone company basically controls poles on
17 which a cable company must go with its
18 cables. As soon as poles are turned
19 over to us as has been the record in
20 Orchard Park, we've been on those poles
21 immediately. Our crews have been there
22 as soon as the poles have been released
23 by the telephone company.

1 I think it's safe to say that a
2 community of Boston's size could easily
3 be built within a six month period, as
4 we had said in our application; and I
5 think that from the date of the award
6 of the franchise, once the New York State
7 Cable Commission has signed off and once
8 the utilities have signed off, the system
9 could be easily built within six months.

10 MR. ZIMMERMAN: Okay. Thank you. That's all I have.

11 MR. SAMULSKI: Don Wohlhueter, Councilman.

12 MR. WOHLHEUTER: As this question can be answered by
13 either one of the companies, but as you
14 service, if we were to award the franchise
15 and the contract was let, would service
16 be granted to certain areas of the town
17 as it was completed or do we have to
18 wait until the whole town was serviced
19 before we start?

20 MR. PERLOW: I believe it would be as constructed, for
21 both companies. Harry Perlow, Vice
22 President, Engineering, for International
23 Cable. And the answer is, as the system

1 is constructed, those areas would become
2 activated and could be serving homes
3 while the remaining portions of the
4 system were under construction.

5 MR. WOHLHUETER: Thank you.

6 MR. SAMULSKI: We have the same response from---

7 MR. CROLL: Yes.

8 MR. SANLORENZO: Yes.

9 MR. WOHLHUETER: I have one other question. You
10 mentioned a four hundred Megahertz.
11 What is four hundred Megahertz? I
12 don't quite understand.

13 MR. CROLL: Okay. In simple terms, what four
14 hundred Megahertz means is that when one
15 utility has the capacity with a cable to
16 go up to 52 channels or thereabouts,
17 whereas some of the older systems are
18 tethered to half that amount of channels
19 by virtue of the fact that they were
20 built in an early, of the different tech-
21 nology. Today we have reliably avail-
22 able what we call the four hundred Mega-
23 hertz technology or otherwise stated, we

1 have the ability to get 52 channels
2 through a cable; and while we might---
3 while neither of the companies here to-
4 night would probably be able to offer
5 52 channels right away because the pro-
6 gramming simply isn't available at this
7 point, or at least good enough quality
8 programming to exhibit, isn't available
9 at this time. There is a lot of
10 products being developed now for cable,
11 now that cable is becoming a reliability
12 across the country and people can develop
13 specialized programming, rather than
14 mass appeal network programming. Instead
15 of putting on All In the Family, you can
16 put on something that appeals to a narrow
17 cross section of people, and this is
18 going to spur a lot of specialized pro-
19 gramming. And that's why the capability
20 of going to 52 channels in the future is
21 a real asset.

22 MR. SAMULSKI: Any other questions from the Board members?
23 (No response.)

1 MR. SAMULSKI: Okay. We'll open it up, if you would.
2 Committee? Gary? Joe?

3 MR. TERRIZZI: Yes, I've got a couple of questions.
4 I'd like to address this---by the way,
5 I'm Joe Terrizzi from the Cable Committee.
6 I'd like to address this to both of the
7 companies. I'd like their recent past
8 history of down time. What have you
9 been experiencing as far as problems with
10 the system, systemwide, and what are the
11 experiences on repairs for individual
12 homes, or hook-ups?

13 MR. SCHWAB: Pete Schwab, Vice President, International
14 Customer Service. I'm not really sure.
15 I didn't get the whole question, but you
16 want to know what like our main problems
17 would be or our recent?

18 MR. TERRIZZI: How many times have you---your company
19 had interruptions in a service to the
20 whole system in the last twelve months,
21 for example?

22 MR. SCHWAB: In the last twelve months, it would
23 probably be a few hundred for a system

1 that's fifteen hundred miles.

2 MR. TERRIZZI: That's interruptions to the entire
3 system?

4 MR. SCHWAB: Right. Not the entire system; talking
5 about just total outages, interruptions,
6 it might be a couple streets. Might
7 be, you know, four square miles. It's
8 really rough to break that down. If
9 you're talking about the entire system,
10 no, we've never had one in twelve months.

11 MR. TERRIZZI: But you've had, you say, several hundred
12 spot interruptions, larger than one
13 individual subscriber?

14 MR. SCHWAB: Sure.

15 MR. TERRIZZI: What were most of these caused by?

16 MR. SCHWAB: Storm conditions. Let's say a power
17 problem. We run into a power outage in
18 a particular pocket where it might feed.
19 People would have, like, electric in
20 another section, but due to the cable
21 layout, they would be affected from what,
22 say, one of our power supplies. We have
23 our people on 24 hours a day standby.

1 We have crews working till midnight and
2 all the crews do have generators. So
3 within, I would say an hour easily, our
4 average is certainly within an hour on
5 any kind of an outage.

6 MR. TERRIZZI: What's your longest outage in the last
7 twelve months?

8 MR. SCHWAB: Maybe about three hours, and that was in
9 the middle of the night. That was like
10 getting one or two calls at 3 in the
11 morning and finding out that it was a
12 larger system at like 6 o'clock in the
13 morning.

14 MR. TERRIZZI: I'd like the response to those questions
15 from Global, if I could, please.

16 MR. CROLL: Okay. First I will start with an over-
17 view and then defer to George, our
18 chief engineer on the specifics. In the
19 overview, Global has suffered head ends
20 at various locations. There is no por-
21 tion of our system where we are more than
22 a modest number of amplifiers in cascade.
23 Outage is a cumulative thing. If you

1 have an outage at one point in the system,
2 everything downstream of it is in
3 trouble.

4 Now, in the Global network, we have
5 separate head ends to the south, to the
6 east and to the north. So that if an
7 outage occurs in part of our system,
8 it is usually confined fairly locally
9 and we address it locally. We do not
10 have one head end with tentacles going
11 out all over the landscape, so that if
12 you have a problem in that end, you have
13 a problem with the entire system. I
14 want to make that a very important dis-
15 tinction.

16 MR. PERLOW: Either do we.

17 MR. CROLL: And that at no point of the system are
18 we more than fifteen or twenty amplifiers
19 in cascade, which contributes to that
20 kind of a problem. George, about
21 specific down times?

22 MR. HIRSCH: We do have a---

23 MR. SAMULSKI: George, excuse me. If I may, would you

1 identify yourself?

2 MR. HIRSCH: Vice President, Operations.

3 We do have a big advantage there, in
4 fairness, because we have very low down
5 time. But it is a fact that we have
6 very small systems, which would be the
7 same thing out here in Boston. There-
8 fore, we don't have to go that far if
9 something Dave says happens, it doesn't
10 affect everybody. So this is an advan-
11 tage. So therefore, we have a very,
12 very low down time.

13 MR. TERRIZZI: Can you give us some specifics, please?
14 Would you please give us some specifics?

15 MR. HIRSCH: We have the same problems, electrical
16 problems that are out most of the time,
17 our short trunk. One trunk runs maybe
18 three trunks, very small, four block area
19 or something that will be out or a power
20 company that's out, something like this
21 here. What we try to do is get it back
22 on and through the out within an hour or
23 two hours.

1 MR. TERRIZZI: International has two live dispatchers
2 for problems. How do you handle that
3 situation?
4 MR. HIRSCH: We're on call in the different communi-
5 ties. We have people living on the
6 systems and these people are on call.
7 So that the people pick up the phone
8 when they call in. They are dispatched
9 then at that time.
10 MR. TERRIZZI: I'm sorry. I don't understand what you
11 mean by on call.
12 MR. HIRSCH: As soon as the phone call goes in, the
13 people get a hold of the fellow who is on
14 call, who is at home, either has his
15 home phone and also has a pager such as
16 this, and he's beeped and then he immedi-
17 ately goes out on the problem.
18 MR. TERRIZZI: Are you stating that you do not have a
19 recording device that answers?
20 MR. HIRSCH: No. We have people answering the phone.
21 MR. TERRIZZI: Live answering service as well?
22 MR. HIRSCH: Right.
23 MR. SAMULSKI: Okay. Thank you. Gary?

1 MR. WALTERS: I'm Gary Walters of the Cable Committee
2 in Boston. I'd like to ask Inter-
3 national a question concerning installa-
4 tion fees and that is, according to your
5 book which you gave to us, excuse me,
6 that the fact that you have listed as
7 what's first set with HBO, and gives a
8 fee of \$25. What would be the fee for
9 getting the basic service without any-
10 thing else, like such as home box office
11 or movie channel? But just the basic
12 channels?

13 MR. HUNT: We say first set with HBO, because we're
14 offering people to get HBO with no addi-
15 tional installation charge. What we
16 are going to be offering the Town of
17 Boston is a free installation. Answer
18 to that question, it is a free installa-
19 tion during the construction period,
20 which is during the period that we're
21 coming in here and doing the initial
22 construction, and we actually leave it
23 go as a standard thing we've done. We

1 leave it go, really, for several months
2 after the initial construction is complete
3 and we do a final notice to everyone to
4 know that the free installation will be
5 over; and most of the people that are
6 going to subscribe will come on during
7 the free installation period. It would
8 be after that point, it would be \$25.

9 MR. WALTERS: That's with or without?

10 MR. HUNT: With or without home box office, but
11 like I say, probably given the experi-
12 ence we've had in the last communities
13 we've built, such as North Tonawanda.
14 We built a hundred miles
15 in North Tonawanda just last year.
16 Seventy-five percent of the subscribers
17 came on during the free installation.

18 MR. WALTERS: Okay; and also, in regards to like monthly
19 fees, I notice in your book that you
20 have, that the scrambler, decoder device
21 which you use, which is the program---

22 MR. HUNT: It's an addressable descrambler, which
23 is the device we showed on the screen.

1 MR. WALTERS: You have what would be a charge of
2 3.50, and it's a monthly charge. Does
3 that include additional charge for every
4 SUPER CABLE option, such as Nikolodeon,
5 movie channel?

6 MR. HUNT: Well, the options then come down to
7 different \$2.00 charges. For example,
8 \$2.00 for sports. Family service is
9 \$2.00. You pay the \$3.50 charge, you
10 know, each month, and then you can pick
11 the options on top of that. That's why
12 it comes out to 63 different options.
13 So that descrambler costs over a hundred
14 dollars up front, and it's a device that
15 allows you to get things like the fights
16 and concerts and specialized programming.
17 So you pay for it on a monthly basis at
18 3.50 a month, and then on top of the
19 3.50 you can pick and choose any of the
20 other services.

21 MR. SAMULSKI: Can you buy one outright?

22 MR. HUNT: At this point we've decided it's not a
23 good idea, and the reason is as follows:

1 we can control it from our office and
2 we feel it's probably not a good idea to
3 sell something to a consumer, something
4 that we actually have the control to add
5 and subtract services to. We think
6 they probably prefer not to. The other
7 reason is that this is a new technology,
8 and the technology in our business has
9 been growing with leaps and bounds and I
10 would wonder that maybe in three years
11 we might not have another device that is
12 a newer technology and I don't think that
13 a consumer would want to buy something
14 and then---

15 MR. WALTERS: Well, with regard to your---the basic
16 service, let's say as an example, I
17 would take the one TV set with your
18 service and then request for the follow-
19 ing: such as the basic channels, and
20 then I would like to get like movie
21 channel, and then if I have a kid, have
22 Nikolodeon, and then possibly get a
23 fourth channel and then maybe even the

1 Sabre channel. Are these all additive
2 type charges besides the basic monthly
3 fee for a decoder?
4 MR. HUNT: Yeah. The monthly fee for the decoder
5 supplies you with music channel from
6 Warner Communications, what we didn't
7 talk about much. It's 24 hours a day
8 of music and it's very popular with
9 young people. That you automatically
10 get with the decoder. You get the cable
11 guide listings automatically with it,
12 and we're considering adding some other
13 services to it. But the services that
14 we showed you about tonight would be an
15 addition. Sometimes it's only \$2.00;
16 sports is only \$2.00 a month more, but,
17 yes, it would be in addition.

18 MR. WALTERS: So it can come up to be so much charged
19 per month and if I call up and say, hey,
20 I would like to get an additional service,
21 that's also in addition to any type of
22 decoder monthly charge for that?

23 MR. HUNT: Sure, and you know, it's typical if you're

1 going to subscribe to Escapade or the
2 movie channel or home box office, these
3 are all additional pay type services that
4 are paid for in addition to basic charges
5 and in addition to the decoder charge,
6 which like I said, includes a couple
7 services.

8 MR. WALTERS: Okay. Thank you. I would like to ask
9 you from Global, with regards to getting
10 services, you also offer for installa-
11 tion for getting a service in a new
12 town, like free installation charge?

13 MR. CROLL: Yes. If a subscriber hooks up when the
14 system is initially being built in his
15 or her area, we would make an installa-
16 tion of any service for free.

17 MR. WALTERS: Okay. What about, do you have like a
18 device where you can punch up like Inter-
19 national showed, the punch up individual
20 services or does that come right down off
21 the set and be able to tune in for it on
22 your regular TV tuner?

23 MR. CROLL: Yes. We use---I think what you're

1 alluding to is---in fact, we use the
2 same box they do, the Gerald Addressable
3 Converter, and we rent that converter
4 for \$2.00 is our price on that as
5 opposed to 3.50.

6 MR. WALTERS: I see. That's a monthly charge in it-
7 self?

8 MR. CROLL: That is a monthly charge. It is associ-
9 ated, as Tom said, only with the con-
10 verter. We also charge incrementally
11 for each pay service that you would add
12 on top of that at the rate set forth
13 in page 68 of our proposal. You know,
14 \$8 for the movie channel, et cetera.

15 MR. WALTERS: Okay. You don't plan on, at the present
16 time, such as what Mr. Samulski was
17 alluding to, selling the converter box
18 outright?

19 MR. CROLL: No. I would agree with International.
20 I think that technology is relatively
21 new. We want to maintain control and
22 maintenance over the converters. They
23 are somewhat sensitive until we have good

1 grasp on the technology, I think it
2 would probably just create more problems
3 than it would solve to sell the converter.

4 MR. WALTERS: Okay. I would like to ask another
5 question. Going back to International,
6 it's about this service which is called
7 the video season ticket which is the
8 Buffalo Sabres hockey. Now, I guess
9 just this year, where you're now offer-
10 ing selective home and away games on a
11 pay basis of a charge per year. Before
12 it was such that was a free service all
13 the time. I guess because of the Sabres
14 losing their gate, that they had sub-
15 scribed to this. What I'd like to know
16 is, first of all, let's say like you
17 come on into the service as a customer.
18 Say like in February, just prior to the
19 playoffs beginning. Would you have to
20 pay the full charge for a full year's
21 service, season service, or would it be
22 such where it would be a portion of that?

23 MR. HUNT: Let me explain that video season ticket.

1 We are the company that has the right to
2 the Sabre games, 53 Sabre games, home
3 and away. We have them this year. We
4 have them next year. The president and
5 chairman of our company is also a member
6 of the NHL Board of Governors and owner
7 of a hockey club, and we anticipate a
8 continuing relationship with the Sabres.

9 There are 20 Sabres games home and
10 away. Ten home and ten away, available
11 on basic service. There are 33 more
12 games now. Basically, Cable has been
13 offered more games and as you know,
14 there's fifteen fewer games on WGR than
15 there were last year or the last few
16 years. So Cable has offered more games,
17 but these 33 extra games are available
18 on an extra charge and they start Thanks-
19 giving weekend.

20 We have sold the rights to these
21 games at our discretion, to area cable
22 companies. Of course, we have bought
23 something that is of value, so we have

1 sold it because it is, you know, obviously
2 we bought it with the intent of selling
3 it and we have sold it to Global for the
4 Orchard Park system, not for the Boston
5 system. So they would be offering---
6 we sold it on the contingency to every-
7 body that they must offer video season
8 ticket in the same way we do, because in
9 fact, that's what our agreement with the
10 Sabres is. If you sign up for video
11 season ticket in February and you could
12 have signed up for in November, we are
13 not going to be giving you a substantial
14 price break, in answer to your question,
15 because if it's available to you in
16 November. Now, if you're a new area,
17 an area that was just built, of course,
18 there would have to be a consideration
19 because you couldn't have bought it
20 earlier. But it's a package. It's a
21 package. It's a one shot deal.

22 I think that we all know that the
23 interest in the hockey club is probably

1 going to be a lot greater in February
2 than it is right now. At least we hope
3 so, those of us that are involved in
4 their business. So there will not be--
5 there very well may be some type of a
6 price reduction, but not a straight pro
7 rata reduction.

8 MR. WALTERS: What about say if you just happen to
9 come on to the system, as a new customer?
10 Like I move into town January 15th?

11 MR. HUNT: Well, then we'd probably do a straight
12 pro rata reduction. I mean, haven't
13 even started yet, so we haven't encoun-
14 tered that. Again, if you are a new
15 subscriber, then it's not a situation
16 where it was offered to you. We're
17 offering it---in fact, people that buy
18 it on our service automatically get the
19 Ali-Hubert fight and the Hearn's Herald
20 fight coming in December 11th. You
21 know, we're offering you some extra
22 programming. And so, if you're a new
23 subscriber, yes, that would be a reduc-
tion.

1 MR. WALTERS: I'd like to ask in regards to your pick-
2 up of such as the Sabres, I know in the
3 past that you were, in your book you
4 were offering the Sabres as part of this
5 basic package. Now, are you under the
6 same set-up where you have to charge a
7 special price for it?

8 MR. CROLL: Yes, that's correct.
9 Our contract with the Sabres, via Inter-
10 national, basically constricts us to the
11 33 games being part of the pay portion,
12 if you will, and the remainder of the
13 games being on basic, and I think we
14 basically are handling it the same way.
15 International is in terms of when pro-
16 rating, someone's obviously---if someone
17 is new to the community or just in the
18 process of building, we would pro rate
19 the season based on the number of games
20 to a subscriber.

21 MR. SAMULSKI: Mr. Croll, that was purchased, if I might,
22 that was purchased for Orchard Park?

23 MR. CROLL: We purchased the Sabres for all our exist-

1 ing systems at the time we signed the
2 contract. I don't anticipate, and
3 perhaps you could pose the question
4 directly to Mr. Hunt on the record, that
5 there would be any question about our
6 ability to add Boston to that contract.
7 The Sabres, as you know, have an ex-
8 clusive arrangement with International
9 and the Sabres for Global would be a
10 trade. We would anticipate being able
11 to make the Sabres available to Boston
12 on the same basis we're making it avail-
13 able to Orchard Park.

14 MR. SAMULSKI: Gary?

15 MR. WALTERS: Okay. I've got one more question.
16 That's in regards to such as like the
17 Buffalo Stallions. I understand that
18 you're---

19 MR. HUNT: We are carrying ten games of the Stallions
20 this year, both home and away, and the
21 president and chairman of the company is
22 also an owner of the Stallions. It
23 will be on the basic service. Every

1 subscriber gets it.

2 MR. WALTERS: For this year? But what about in the
3 future?

4 MR. HUNT: We have continuing options and refusal
5 rights for future years. We haven't
6 made the arrangements with them for next
7 year.

8 MR. WALTERS: What about maybe offering the Stallions
9 service on a video season ticket service
10 for that?

11 MR. HUNT: I think the Stallions are a new commodity
12 in town and the kind of situation where
13 I think that they're looking to get
14 established. And in fact, we had first
15 talked to them, it was our recommendation
16 that they in fact make an arrangement to
17 go on basic service so that they could
18 expose what they have to the community.
19 So I don't see---I don't see something
20 like that. I mean, the Sabres have
21 been in business for ten years and it's
22 just happened. So the Stallions have
23 been in business for two, or three, I

1 here. Like I say, we have twenty people,
2 so we'll be able to do this very quickly,
3 both communities.

4 MR. HUBERT: Okay. Second question, for the benefit
5 of the people that don't have the information,
6 your minimum and maximum charge
7 for the service per month.

8 MR. HUNT: Minimum is 8.50 a month. That's basic
9 cable and that includes the cable news
10 network which I told you about. The
11 maximum charge right now is about \$50
12 a month. Very few people take it, and
13 I can tell you that two years from now,
14 the maximum may be 80, 90, and the reason
15 is that there are many, many more things
16 coming and the concept of what we're
17 offering is not to sell you the maximum,
18 to let you pick and choose those services
19 that you so desire. So that the maximum
20 right now is about 50.

21 MR. HUBERT: That would be everything you so showed
22 in your slides?

23 MR. HUNT: Right, and we have very few people that

1 take the maximum, for obvious reasons;
2 and as we get into health channels and
3 the Grand Ole Opry channel and Rockefeller
4 pay TV, you know, it's going to be more
5 than what any one person is going to
6 want. So it's more like a magazine
7 rack and you pick and choose from there.

8 MR. HUBERT: Thank you. Sir, from Global, what is
9 your minimum and maximum?

10 MR. CROLL: Okay. Our basic rate is \$8, and if you
11 were to take a logical package of
12 products, basic home box office, the
13 rental of a converter and say the movie
14 channel, a lot of people like to watch a
15 lot of movies, that it would---Global,
16 as stated in our proposal, would be 26.

17 I believe with International, that
18 product is \$32. So you have a difference
19 of about 20 percent. You have a dif-
20 ference of about \$6.

21 MR. HUBERT: Okay. Now, what is the maximum?

22 MR. CROLL: 41.

23 MR. HUBERT: Maximum is 41?

1 MR. CROLL: Right.

2 MR. HUBERT: Another question for both companies.

3 MR. SAMULSKI: If I may, Gary, just to give them fair
4 time, as part of the question was directed
5 as to how long it would take to install.
6 If you would respond to that.

7 MR. HUBERT: You've already responded to six months.
8 You said legally. I heard you.

9 MR. CROLL: I guess I'd only say this, in all the
10 communities we made legal commitments to
11 build within a certain period of time and
12 we are living by all those commitments,
13 and in fact, most communities ahead of
14 schedule.

15 MR. SAMULSKI: Okay. Jerry.

16 MR. HUBERT: Do you anticipate or when the contract is
17 made, now I'm not familiar with people--
18 when the contract is made, how long
19 before the prices start to go up on your
20 basic monthly fee and the other special
21 benefit packages?

22 MR. CROLL: Our basic is subject to the regulation
23 of this Board. That goes up when that

1 board permits a rate increase, simply
2 stated. It's not at the discretion of the
3 cable company.

4 MR. HUBERT: Town Board regulates it?

5 MR. CROLL: Regulates it.

6 MR. HUBERT: Town Board regulates the ---

7 MR. CROLL: Regulates the basic rate.

8 Under Federal law, the pay services, as
9 they are a, quote, luxury, and not as
10 much of a necessity, or at least
11 that's the reasoning I think behind it,
12 are not regulated and Home Box Office and
13 those type of companies put in rate
14 increases randomly. But, you know,
15 about every year, eighteen months.

16 MR. HUBERT: Okay. The basic one is regulated by
17 the Town Board?

18 MR. CROLL: Right.

19 MR. HUBERT: And your Home Box Office and so forth?

20 MR. CROLL: Are not.

21 MR. HUBERT: Are not? And what is the--- when do they
22 increase? You say eighteen months?

23 MR. CROLL: When our costs go up, we usually try to,

1 you know, pass them on and stay constant,
2 if you will.

3 MR. HUBERT: Sir, same thing?

4 MR. HUNT: Well, the regulation is certainly the
5 same, yes. That's right. We have
6 one increase in HBO in the last three
7 years.

8 MR. HUBERT: And you, sir?

9 MR. CROLL: We haven't raised our rates in the last
10 three years, although we're now \$2 lower
11 per pay service than International; and
12 I would be candid to say I think we've
13 got to come up a little in the foreseeable
14 future, to something like \$9.
15 International has just moved to 10 for
16 home box office.

17 MR. HUBERT: Thank you.

18 MR. SAMULSKI: Yes, ma'am?

19 SARAH LOMAN: Sarah Loman from Orchard Park. Mailing
20 address is Orchard Park. I live in
21 North Boston. What kind of movies?
22 You mentioned people like to watch a lot
23 of movies. I was concerned with what

1 type of movies are on cable TV.

2 MR. CROLL: If I understand the thrust of your ques-
3 tion, Global has never---the record will
4 show that Global has never exhibited
5 pornographic movies. Is this what
6 you're interested in?

7 I think the record will show that Inter-
8 national introduced pornographic movies
9 to the Buffalo area. Hard pornographic.
10 There will be no pornographic movies on
11 Global cable TV.

12 MR. HUNT: Wait a minute. Then he can't refer to
13 us if he's answering on behalf of his
14 company.

15 SARAH LOMAN: Excuse me. I'm not finished yet, sir.
16 I would like to know how you rate porno-
17 graphic movies?

18 MR. CROLL: I don't. The rating services do and I
19 guess what they mean by that is X.

20 SARAH LOMAN: X-rated, okay. PG and R rated movies,
21 right, I'm under the impression that
22 R rated movies now were X rated movies
23 a few years ago, and I also understand

1 the people that rate the movies are---
2 own the cablevision or in charge of all
3 the movies that go on the TV. What I'm
4 saying is, I think the people that are
5 into the TV, these are the ones that
6 rate the movies.

7 MR. CROLL: I can't respond to that intelligently
8 because I don't know who owns the "rating
9 agencies." But I'd be awfully surprised
10 if the people producing the movies were
11 allowed to own the rating agencies.

12 I just---that sounds awfully, you know---
13 MS. LOMAN: Okay.

14 MR. CROLL: Someone would cry wolf, I think.

15 MS. LOMAN: How many hours of movies, pornographic
16 or X-rated or PG, do you have?

17 MR. CROLL: We have no hours of X-rated movies, but
18 we have the movie channel, it is 24 hours.
19 Stu, you better help me out with this.
20 What type of movies does the movie
21 channel have?

22 MR. GORENSTEIN: Movie channels have all varieties
23 of movies from G to PG to R. No X-rated

1 movies.

2 MR. CROLL: But it does have R.

3 MS. LOMAN: Okay.

4 MR. GORENSTEIN: But the movies---if I may back up a
5 little bit, something in your statement
6 you made, the movies that you referred
7 to that were rated X at one point, that
8 are now rated R, if you go back you will
9 find that most of these movies have been
10 re-editted and a lot of the things that
11 may have been X-rated movies originally,
12 have been taken out of it and that's why
13 they were re-rated to an R movie.

14 MS. LOMAN: Okay. As a resident of the Town of
15 Boston, I would like to address the town
16 fathers and also the town mothers that
17 the moral fiber of our town is of concern
18 to everyone that lives here, especially
19 you as elected officials. You are
20 charged with public trust to administer
21 that which is good for the community in
22 this state of general moral behavior
23 on the onslaught of pornography and new

1 material both in movies and magazines,
2 which may I say are here in our drug
3 store, here in North Boston. Playboy
4 with it covered. Is imperative of that
5 scrutiny being made of any binding
6 cable TV franchise that will oblige
7 our town for a minimum, that will pipe
8 in unlimited supply of questionable
9 morals and values into our homes,
10 affecting our educational systems, our
11 police department and community standards;
12 and it is also---well, not my suggestion,
13 but something that I checked up out of
14 the Good Book, is you as town fathers and
15 mothers, to guard our children's souls,
16 emotions, and minds and our children are
17 to obey that which may have rule over
18 us, and submit themselves to you for
19 they watch---that means you as town
20 fathers and our town mothers, watch over
21 our souls, that they must give good
22 account to.
23 Finally, brother, and whatsoever things

1 are true, honest, just, pure, lovely,
2 of good report, those people should
3 think on these things. This is purely
4 from scripture and I think as a Bible
5 believing person, as a person with fairly
6 good morals, I do own a TV set. But I
7 don't feel either International or
8 Global cable should be allowed in the
9 Town of Boston, just for the moral fiber
10 of our community and I'm leaving it in
11 your hands, and I think that it should
12 be something that should be really
13 thought upon and discussed upon because
14 you, as God said, are responsible for
15 our children. Thank you.

16 MR. SAMULSKI: Thank you, Mrs. Loman.

17 I would ask, Tom, if you want to respond
18 to the statement that you introduced.

19 MR. HUNT: Well, I would just appreciate it if the
20 questions asked of Global, if they don't
21 answer them on our behalf. The point
22 that I believe Mr. Croll has said that
23 we introduced hard core movies into

1 Buffalo or the Western New York when we
2 have not shown hard core X-rated movies,
3 and that's that; and you know, I just
4 wanted to clarify it for the record.

5 MR. SAMULSKI: Question? Yes? Question, David?

6 DAVID PENNA: My name is David Penna. I have a
7 couple questions. First of all, as a
8 resident of the Town of Boston, it
9 concerns two primary things; one is,
10 how quickly can we get service and what
11 I'd like to---I looked at both proposals
12 and I saw a map from International that
13 showed the specific areas that they were
14 intending to serve. I didn't see that
15 same map from Global. Are you planning
16 on delivering a map to the town showing
17 what areas you will service?

18 MR. CROLL: We have a map. Would you like to---

19 MR. PENNA: I would love to.

20 MR. CROLL: Okay.

21 MR. PENNA: And next question is, what is the expected
22 completion date for both companies to
23 getting the entire town wired in, not the

1 first homes?

2 MR. CROLL: I think we both have spoken to that so
3 far rather extensively. From the date
4 the regulatory approvals are in hand,
5 six months.

6 MR. HUNT: We anticipate it will be this summer,
7 because we know that the regulatory
8 approvals can be obtained in a matter of
9 four, five months and that we can construct
10 it. So it should be this summer. But
11 I'm glad to hear Global say that it will
12 be six months from the date of approvals,
13 because they do have many franchises to
14 build, for which they've been awarded,
15 and it will be very interesting to see
16 how they will perform this miracle.
17 Thank you.

18 MR. SAMULSKI: If I may, for purposes of clarification,
19 address to International. You're say-
20 ing six months. Is it six months for
21 the shaded area or is it six months for anyone in
22 the town who may require service?

23 MR. HUNT: The shaded area and, of course, the

1 shaded area is a proposal and not an
2 agreement with you people. It's our
3 initial proposal, and we showed our hand
4 and submitted it with the application,
5 not later on.

6 MR. SAMULSKI: Same question would be directed for the
7 area indicated on the map?

8 MR. CROLL: Yes, and would hasten to add that if any
9 area outside the area indicated on the
10 map, we would be glad to adhere to the
11 state line extension policy, in terms of
12 reaching out into some of the sparser
13 areas as well.

14 MR. SAMULSKI: Okay.

15 MR. PENNA: Well, I mean in Boston it's a very
16 important point because many of the homes
17 are located in kind of, not out of the
18 way, but they're, you know, depends on
19 how you draw the map. Would there be
20 additional charges for these line exten-
21 sions?

22 MR. CROLL: Into the "non-shaded"?

23 MR. PENNA: Subscribers.

1 MR. CROLL: Into the not indicated areas, yeah,
2 would be what the state has set up as a
3 cost and aid sharing arrangement. It's
4 a very complex formula, but in essence---
5 MR. PENNA: Would this be negotiable as far as the
6 franchise agreement?
7 MR. CROLL: Yeah. It's a negotiable---all items
8 in the franchise program are negotiable.
9 Awarding of a franchise is a fluent
10 process.
11 MR. PENNA: Because I see some significant areas
12 missing here, including my house.
13 MR. SAMULSKI: Yes, ma'm?
14 JUDY PISKUN: I have a question. My name is Judy
15 Piskun. I live on Hickory Drive in
16 North Boston and not to belabor the
17 point, but International has said that
18 possibly sometime during the summer months
19 we may be able to have the cable
20 installed and Global has said that again,
21 six months. But my question is: if
22 Orchard Park is not completed yet, okay,
23 and I have many friends and relatives in

1 Orchard Park on very opposite sides of
2 the town, when is Orchard Park going to
3 be finished? In fact, I guess my
4 question is, are you going to finish
5 Orchard Park and then start us, or are
6 you going to work on us at the same time
7 or when are you going to be finished in
8 Orchard Park and start---

9 MR. CROLL: Orchard Park is rapidly being completed
10 at present. It is not conceivable that
11 Orchard Park wouldn't long since be
12 finished before the regulatory approvals
13 and everything fall into place for
14 Boston. We'd envision just bringing
15 in the crews, you know, on down and
16 continuing. They'd probably have to
17 be---

18 MS. PISKUN: So they'd be working simultaneously?
19 Is that what you're saying?

20 MR. CROLL: No. Orchard Park would be finished long
21 before Boston is through the approval
22 process.

23 MR. SAMULSKI: Just a moment please.

1 MS. PISKUN: I did have---I guess I'm not completely
2 clear, because I don't---I guess I haven't
3 gotten a complete answer. Could you
4 tell us possibly when Orchard Park will
5 be finished?

6 MR. CROLL: March.

7 MS. PISKUN: In March? Once they're finished, then
8 you plan to come down to Boston and six
9 months from now, from March?

10 MR. SANLORENZO: After you get all your documents
11 from the utility companies.

12 MR. CROLL: You see, it's not from when Orchard Park's
13 finished. It's from when the New York
14 State Cable Commission approves the fran-
15 chise, to whomever it's granted for
16 Boston, and then the phone companies
17 free the poles. That's when you can go
18 into full scale construction in Boston;
19 and what we're saying is, that as Tom
20 has said, there's probably something like
21 six months from the time this franchise
22 is culminated, to get it through the state
23 agencies, phone companies, et cetera, to

1

the start date of construction.

2

MS. PISKUN:

Okay. I guess my other question is, do you have other places pending in franchise? I guess what I'm saying, if you have another area, say north of here that you're due to put in? You're granted the franchise, would we wait until you're finished with that particular place and then start on us or once this regulatory commissioner, whatever has been established and you're given the---okay, say you were granted the bid here in Boston, would you then start?

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MR. CROLL:

No. We would commit, as I've said, to build Boston six months from the date the regulatory approvals are in place, period, end of statement. From the time the International induced a lawsuit, finally cleared at that state level and the state dismissed it, which dramatically prolonged that process in Orchard Park, and then going from that point to getting the poles cleared which you can't do

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1 until you know, basically can't go ahead
2 of the stage. We start---we finally
3 were able to get in construction in
4 September and we'll be finished in March.
5 That's a much bigger system and we'll
6 complete it in six months.

7 MS. PISKUN: Now, I know of one other question in
8 regard to service. You mentioned that
9 you would have people on call, and that
10 would service if there would be any prob-
11 lem. Okay. Is that what you're saying?
12 Like people who may have other jobs, that
13 this isn't their only concern?

14 MR. CROLL: No. There are full time employees.
15 The concept of being on call is, it
16 could be three in the morning when I
17 assume our people are asleep.

18 MS. PISKUN: And they are people right on your staff?

19 MR. CROLL: Absolutely.

20 MS. PISKUN: Okay. And International, your dis-
21 patchers are also a part of your staff?

22 MR. HUNT: Well, what we have is, we have---there
23 was a little misunderstanding, I think

1 that was represented here. We do not
2 have an answering service. We have
3 employees who are on the payroll of
4 International Cable who have cable tele-
5 vision right in front of them, who have
6 the computer readouts on exactly where
7 everybody lives and where there might be
8 a problem and who was recently hooked
9 up and all the information. So it
10 doesn't go into an answering service who
11 gets two or three calls and decides they're
12 going to call George or somebody, where-
13 ver he or she may be. We have our own
14 people and we have crews that work till
15 midnight and they're all radio dispatched.
16 No beeper. So, it's all people in our
17 offices of West Seneca that answer the
18 phone 24 hours a day.

19 MS. PISKUN: I just have one more statement.

20 MR. SAMULSKI: Last question, Judy.

21 MS. PISKUN: Okay. As an educator, it's not---and
22 I would like to pose this to the Board,
23 I don't feel it's up to the Board members

1 or the town to determine what goes on
2 the TV and what doesn't. It is up to
3 the parent to control that within their
4 home. So I hope that that's not a
5 deterrent to either one of the cable
6 companies being able to be brought into
7 the town.

8 MR. SAMULSKI: Thank you. Next question?
9 Okay.

10 MS. LOMAN: You say it's up to the parent to legislate
11 morality. I have to maybe disagree
12 with you in a way. Every law that's
13 set some standard, every citizen must
14 ultimately make the moral decision to
15 obey or disobey. Private morals or
16 private---public morals are the business
17 of the entire community and officers
18 and empowered by the community to defend
19 the welfare of the community against the--
20 any mercy, public business. It's a
21 public morality that obscenity laws are
22 to safeguard, not private morality.

23 MR. SAMULSKI: Thank you, Miss Loman. Yes, Mr. Groll?

1 MR. CROLL: I would just like to respond to the ques-
2 tion that was----finish the response to
3 the question that was posed before we
4 got onto this other subject. As far as
5 who wants to build Boston soonest, there
6 is a record, I believe International was
7 two or three times asked to come and
8 serve Boston over the past number of
9 years and they refused. We initiated
10 the process here in Boston. Came down
11 and asked Boston if they wouldn't enter-
12 tain Global coming and giving service to
13 the residents of Boston. If I'm not
14 mistaken, that had a part in getting the
15 ball rolling. We never refused to bring
16 cable to Boston. We have wanted very
17 much to bring cable to Boston.

18 MR. SAMULSKI: Okay. Question? Dave, question?

19 MR. PENNA: I just wanted to make a comment. I agree
20 with the woman over there about community
21 morals and everything, but having worked
22 with cable companies and so on, there's
23 two simple points I'd like to bring out,

1 and that is that knowing both cable
 2 companies, Global and International quite
 3 well, both of them offer services that
 4 are almost identical in terms of what
 5 they offer; and the second thing is that
 6 all of the so-called objectionable or
 7 whatever material, you know, is all
 8 tiered on a pay level so you have to make
 9 a conscious decision to pay for it before
 10 it enters into your home. It's never---
 11 there's never any question with either
 12 company and I have the best---highest
 13 respect for both of them, having worked
 14 with both companies. In relationship
 15 with both companies, neither one of them
 16 offers anything questionable without you
 17 having to dig into your pocket and pay
 18 for it.

19 MR. WALTERS: I would like to ask one fast question to
 20 both companies, and that's in regards
 21 to this problem of objectionable pro-
 22 gramming might be coming about. Do you
 23 have lockout devices available?

1 MR. CROLL: Yes.

2 MR. WALTERS: In other words---

3 MR. CROLL: I was just going to say that not only
4 do you have to pay for it, but if you
5 want to be sure that different age groups,
6 even if one age group in the family or
7 one situation would be different than
8 a younger member of the family, there are
9 lockout devices that could be used when
10 the parent is out of the home so that
11 the television is incapable of receiving
12 those signals, yes.

13 MR. WALTERS: Okay. Thank you.

14 MR. SAMULSKI: Question? Yes, Jerry?

15 MR. HUBERT: Somebody's been inquiring about---with
16 our underground cable. Would this be
17 from pole to the house or which, Inter-
18 national? Or is it underground cable?
19 This is for the people.

20 MR. HUNT: No. There are several developments,
21 new developments with all utilities are
22 underground including the cable, so there
23 would not even be poles in these areas

1 and this is an area in which we have a
2 tremendous amount of expertise. Right
3 up in Hamburg there's Roundtree Village
4 right off of Southwestern. There's a
5 tremendous amount of underground. They
6 just constructed Chapel Glen in the
7 Village of Hamburg. There aren't a
8 whole lot of them, but of course, new
9 developments will end and I think all of
10 us are looking, or some of us anyway,
11 for Boston, to be a growing community.
12 New developments will be having under-
13 ground utilities. No poles at all.
14 Existing is aerial and that's the primary
15 portion of the build, and in fact, we
16 have cable on poles on Hamburg-Springville
17 Road, just a few miles up the road,
18 ready to bring in here.

19 MR. SAMULSKI: Question, sir?

20 MR. SADAK: Bill Sadak, 5891 Woodley, North Boston.
21 I think the thing that should be really
22 considered critically is the coverage in
23 terms of the map. It was mentioned

1 briefly that some homes being out in the
2 sticks, so to speak, may not have access
3 through the original proposal. There-
4 fore, there would be some additional
5 charges. Just touched on briefly.
6 What I'm concerned with, presenting a
7 question to both companies, what per-
8 centage of the homes will be covered by
9 the initial service as per the presenta-
10 tion to the Board? Is there any figures
11 on that or will it be a lot of people
12 paying extra fees to get hooked up or
13 what?

14 MR. HUNT: Do you want to go, David?
15 We've been going first a lot tonight.
16 We have the answer to this question. We
17 have the application in our lap, trying
18 to figure it out, and I'd just as soon
19 let them go first, if we may.

20 MR. SAMULSKI: I'm waiting till you're both prepared
21 and then I'll pick.

22 MR. HUNT: I'm prepared.

23 MR. SAMULSKI: This is an important question and quite

1 important because it does concern service
2 to---as we requested in our request for
3 proposal, to all residents of the Town
4 of Boston. Okay. The initial submis-
5 sions did not include all residents. So
6 it's an important question and I'm wait-
7 ing for the answer.

8 MR. CROLL: I guess as important a question as it
9 is, we're going to have to go through
10 our accounts and give you an official
11 number, okay, rather than estimate quick-
12 ly. We're going to have to give you a
13 hard number.

14 MR. SAMULSKI: When can we expect that, Mr. Croll?

15 MR. CROLL: If I'm given a little longer, I can
16 easily reach a decision.

17 MR. SAMULSKI: With your permission, I'll go ahead.
18 Go ahead, Mr. Hunt.

19 MR. HUNT: This is comical. We both submitted
20 bids to this community, which have five
21 year proformas of how much money we're
22 going to spend building the system,
23 making installations, hooking people up,

1 and they don't know how much they're
2 going to build. I have a lot of faith
3 in them. They're going to build 2000---

4 MR. SAMULSKI: Just answer the question.

5 MR. HUNT: Two thousand homes and 45 miles. It's
6 right in our application. I believe
7 the application says in excess of 1900
8 homes. All right.

9 MR. CROLL: The map that we have prepared to submit
10 tonight is about 1800 homes and about
11 41 miles. So it would appear that our
12 original proposal is somewhat lower than
13 International's. As the question was
14 put earlier, that is negotiable. I
15 would point out that our financing plan
16 covers a far greater number of homes,
17 so that we are financially---the commit-
18 ment---that the financial commitments
19 that were made for Boston, would encompass
20 almost 2600 homes, but we would be
21 negotiable on the point of whether it's
22 1800 or 2000.

23 MR. SAMULSKI: Thank you, sir. Question?

1 SUSAN MC GURN: Susan McGurn, 9929 Trevert Road in Boston.
2 Perhaps one of you gentlemen could answer
3 this for me: what percentage of the
4 total number of homes would that be?
5 What percentage would 2000 homes consti-
6 tute in the Town of Boston?

7 MR. SAMULSKI: I believe we have what? How many homes?

8 MR. CROLL: Our FP said 2600.

9 MR. SAMULSKI: I think because your proposal did indicate
10 2600.

11 MR. KLEIN: I'll go look on the census.

12 MR. SAMULSKI: We'll have that answer for you. Yes
13 sir?

14 TOM GAJEWSKI: Tom Gajewski on Colonial Drive. As
15 regards to the outlying homes and there
16 will be additional charges for pro-rated
17 charge, I don't know if it pertains to
18 me because I haven't seen the map, but
19 would that charge be something as a
20 monthly charge right along for the time
21 service or is this a one time installa-
22 tion type charge?

23 MR. CROLL: Be a one time installation type charge.

1 MR. SAMULSKI: Mr. Hunt?

2 MR. HUNT: Yes. This is under the proposed state
3 line extension policy, would be a one
4 time shared installation charge, is the
5 way it is now. I believe that at this
6 point this is a proposal and not something
7 that is firm and I would say that both
8 companies have to rely upon what the
9 State Cable Commission is going to come
10 down with in terms of a ruling. But
11 at this point, it's an installation
12 charge.

13 MR. SAMULSKI: Mr. Kelin?

14 MR. KLEIN: 2559 housing units.

15 MR. SAMULSKI: Thank you. Question? Yes ma'm?
16 Your name?

17 ANN MARIE DUFFY: I'm Ann Marie Duffy from Boston
18 State Road. It would seem to me that
19 our major difference here would be for
20 out committee and the Town Board right
21 now to demand service, full service,
22 you know, under the conditions set forth
23 in the contract. That seems to be the

1 most important question.

2 MR. SAMULSKI: Thank you.

3 MS. DUFFY: I can't see me getting service two
4 houses from the town hall and someone on
5 Batt Creek Road, a stone's throw away,
6 not getting it. It's inconceivable.

7 MR. CROLL: How would you feel if you had to pay a
8 lot more for that service?

9 MS. DUFFY: I'm willing to share that cost with my--

10 MR. CROLL: Because it would be run two or three
11 miles just to go up to that house.

12 MS. DUFFY: No. I feel that I should share the
13 cost with my neighbors.

14 MR. SAMULSKI: Thank you, Mrs. Duffy. Other questions?
15 Yes, sir?

16 BILL SAIPING: Bill Saiping. To the Committee: are
17 they requiring the companies to put out
18 a conformance and/or construction bond?

19 MR. SAMULSKI: Yes, sir. Joe?

20 MR. TERRIZZI: Like to address two questions to Tom
21 Hunt. Number one: your competition
22 has come in with a bid several dollars
23 lower than you. Are you prepared to

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MR. HUNT:

meet that price?
We think it's appropriate, Mr. Terrizzi,
to keep pricing consistent in all the
communities we serve. Maybe somewhat
a little bit different than what this
woman just proposed. That's a policy
that we think makes sense. Our price
is 50 cents a month more for basic
service. That includes Stallion games.
That includes cable news network, which
is an expensive service for us to buy.
We are not prepared to change that
pricing. On basic service, the 50 cents
differential.

MR. TERRIZZI:

I wasn't speaking only the 50 cents.

MR. HUNT:

Well, we offer HBO for \$2 a month more.
Mr. Croll candidly admitted that HBO has--
even all cable companies, a rate increase
and he said they may go to \$9. So
there's a dollar difference. We don't
intend to lower from 10 to 9 this optional
service. But just bear in mind that any-
thing other than just basic service can

1 be increased or changed at the will of
2 the cable company, and so that there is
3 no long term commitment on either com-
4 pany's part, really, for steady pricing
5 on any of those, although we did
6 indicate it's been some time since there's
7 been a rate increase. So we don't
8 anticipate lowering HBO to nine to meet
9 that bid.

10 MR. TERRIZZI: I think you partially answered this next
11 question: you charge your other system,
12 what for basic service?

13 MR. HUNT: 8.50.

14 MR. TERRIZZI: All your systems are 8.50?

15 MR. HUNT: We have a system in the City of Tonawanda
16 which right now is \$8 and we'll be going
17 to them very shortly to get them with
18 parity.

19 MR. TERRIZZI: Same question to Global. Are you charg-
20 ing in your proposal, the same amount
21 you charge other subscribers?

22 MR. CROLL: We actually are charging our subscribers
23 in all of our other existing systems at

1 the present time \$7. We have not had a
2 rate increase for four years, and we
3 hope fairly shortly, as a result, because
4 of inflation, to go to eight. So we
5 would imagine that we would be able to
6 stay at the eight for quite a period of
7 time. It's a very fresh rate increase.
8 If you look around now at the history
9 of the last couple years and make the
10 comparisons that you're talking about,
11 right now today, Global is charging seven
12 and International is charging 8.50. Now,
13 when Global moves up to eight there will
14 only be a 50 cents difference. Although
15 right now there's a dollar fifty. We're
16 a little behind in raising our rates and
17 we're presently at eight for the movie
18 channel on home box office, and Inter-
19 national is at ten. They moved up
20 sooner than we did, and widened the gap
21 to \$2, although as I have said, we can't
22 stay at eight forever. I mean, candidly,
23 in 1982 or something, we're going to

1 have to look for increasing our pay
2 rates. But I think the record will
3 consistently show that over the past
4 four years, we've always been materially
5 below International on all levels of
6 service.

7 MR. TERRIZZI: Mr. Croll, can we have the copy of the
8 map that you alluded to on several
9 occasions, as part of the record for
10 this evening?

11 MR. CROLL: Yes, you can.

12 MR. TERRIZZI: One other question: we started to
13 request an answer from International
14 regarding the sale of the Sabre games.
15 Could we have for the record the answer
16 to the question, if Global is successful
17 in bidding for the franchise, will you
18 sell the Sabre games to Global system
19 for the Town of Boston?

20 MR. HUNT: We have a situation where we cannot say
21 yes or no to that for the following
22 reason: that if we have a continuing
23 interest in a franchise as we have had

1 with North Tonawanda---for example,
2 North Tonawanda franchise was granted
3 but there were continuing problems with
4 it and the state couldn't get it approved
5 and there were problems and we eventually
6 never sold them Sabre games and we even-
7 tually took it over. We have a continu-
8 ing interest in it, then we are still a
9 competitor and on the advice of anti-
10 trust counsel, we cannot say that we
11 definitely will or will not sell the
12 Sabre games, depending upon the situation.
13 Each situation will be looked at as an
14 individual situation, as to whether we
15 might have a continuing interest in a
16 franchise and that is possible. It has
17 happened here in Western New York before.

18 MR. CROLL: In this individual situation in the Town
19 of Boston, would you or would you not
20 refuse?

21 MR. HUNT: I cannot respond to that as a competitor
22 right now, for the same reason you told
23 me it will be a restrain of trade if we

1 will happen. I think that the communi-
2 ties are very supportive of what they're
3 doing and they know that you need a
4 certain amount of revenue to run a
5 quality business; and as long as we
6 continue to be materially below the other
7 companies, I don't think that they would
8 begrudge us that rate increase. If we
9 tried to go up to International's level,
10 that might be a different story.

11 MR. SAMULSKI: Mr. Michael Perla?

12 MICHAEL PERLA: Michael Perla, Toll Road. To Global.
13 Do you offer the cable news network?

14 MR. CROLL: Yes.

15 MR. MICHAEL PERLA: As part of your basic service or
16 option?

17 MR. CROLL: Not at the present time. We offer it
18 as part of a group of services above the
19 basic tier because we fundamentally
20 believe that in basic should be sort of
21 the essential services, and there are a
22 lot of people that would rather pay extra
23 for a movie or sports or something else,

1 don't sell it. Our anti-trust counsel
2 advises that we have no yes or no answer
3 to that because we are competitors at
4 this point.

5 MR. CROLL: Can't say I understand the answer, but---

6 MR. SAMULSKI: Yes, sir, Jerry?

7 MR. HUBERT: Sir, you said you anticipate raising your
8 other ones, your other basic in the other
9 towns. Does it have to be the approval
10 of the Town Board in that town?

11 MR. CROLL: In all towns, yes.

12 MR. HUBERT: It does have to meet their approval?
13 And if they say no, we don't want it
14 raised, what happens then?

15 MR. CROLL: Then you---

16 MR. HUBERT: What do you go to next?

17 MR. CROLL: Well, you would---perhaps the state would
18 become involved. It would depend on
19 the situation. But I must say to you,
20 since we're so much lower than the other
21 cable companies in the Buffalo area, and
22 we've given more services sooner than
23 have newer plants, I don't think that

1 than news. So that we let the---
2 basically let the subscriber decide what
3 services beyond basic they subscribe to.
4 MR. PERLA: So will you outline for me then what
5 services are offered with cable news and
6 what the prices for those services are?
7 MR. CROLL: Surely. Okay. The package that we
8 offer we call our satellite services,
9 if you will. It includes the USA net-
10 work which is professional and college
11 sports. It includes ESPN, which is a
12 sports network. It includes Nikolodeon
13 which is children's programming. It
14 includes the cable news network. It
15 includes ASCN, which is educational pro-
16 gramming service. It includes MSN,
17 which is variety programming. It
18 includes Christian Broadcasting Network.
19 Includes Cinamerica, which is viewing
20 for older people. It will include
21 CBS' art programming, which is just
22 about to be introduced. Cultural pro-
23 gramming. It includes financial and

1 business news. It includes various
2 Canadian signals. There are now more
3 signals to be brought in, and a number
4 of broadcast imported signals, I guess,
5 I would say.

6 MR. PERLA: What is the charge for that, sir?

7 MR. CROLL: \$4.

8 MR. PERLA: Thank you.

9 MR. SAMULSKI: Yes, Mr. Klein? Herb Klein.

10 MR. KLEIN: Herb Klein. Am I correct in understand-
11 ing that each company or the company
12 that's awarded a franchise pays a fran-
13 chise fee to the town? And if so, what
14 does each company propose in reimbursing
15 the town?

16 MR. SAMULSKI: Mr. Hunt?

17 MR. HUNT: Yes, we pay a fee and we propose to pay
18 the town what was requested of the cable
19 committee, which I believe was 5 percent.

20 MR. CROLL: We are in the same category.

21 Could I finish answering that?

22 MR. SAMULSKI: Sure.

23 MR. CROLL: To get those services on Global, you

1 would pay \$2 for a converter plus the
2 \$4 or \$6. To get those services on
3 International, just let's keep our books
4 straight, you'd pay 3.50 for a converter,
5 \$2 for their sports, \$2 for their other
6 programming, which is in body matter,
7 or a total of 7.50 instead of a total
8 of 6.

9 MR. PERLA: Thank you, sir.

10 MR. SAMULSKI: Gentlemen, if you would just---this is
11 my question: walk with me. Walk
12 through this example with me. I have a
13 television set in my home. I have two
14 television sets, all right? The first
15 set I'm asking for basic service to my
16 home. That's \$8.50 and \$8 from Global.
17 Okay. Now I have a second set, all
18 right, and on that second set I want
19 sports network. I want the movie chan-
20 nel. I want something else on the first
21 set. Is that arrangeable? Can you do
22 something like that?

23 MR. HUNT: Basic service on the second set is at the

1 reduced rate of \$1.50 a month. The addi-
2 tional services are the same, no matter
3 which set you put them on. You can
4 have sports on one and movie channel.
5 Now---a lot of people elect to have
6 Nikolodeon, the children's programming,
7 with no commercials on one set and---

8 MR. SAMULSKI: On their TV?

9 MR. HUNT: And might have the movie channel that's
10 got 24 hours a day of movies on their TV.
11 So you can pick and choose. With us
12 for each TV, you got over a hundred and
13 twenty options of choices, of service
14 options or permutations of service, if
15 you will, per TV set.

16 MR. SAMULSKI: Okay. Likewise with Global?

17 MR. CROLL: Yes. The only---basically, is \$1.50
18 for additional sets. The other rates
19 are as they are for the primary set.

20 MR. SAMULSKI: Now, I see here \$2.50 for second or
21 additional set.

22 MR. SANLORENZO: That's the home box office.

23 MR. SAMULSKI: Okay. Or for movie channel or show time?

1 Okay. Question?

2 MR. TERRIZZI: Do you charge per line hook-up or per
3 set? If you have a set that can be
4 moved to several different locations,
5 how would you do that?

6 MR. HUNT: Well, we try to handle that on an
7 individual basis. If it's within the
8 same room, obviously we just charge one
9 time for it. If you do a line hook-up
10 in the bedroom and a line hook-up in the
11 living room and the guy tells you he's
12 got one set and got one in the closet,
13 you know, and he goes hooks it up after-
14 wards, it's a situation you just have to
15 deal on an individual basis. It's
16 based on a per set basis, though. I'm
17 a little confused. I don't want to---
18 you know---we are the higher rate here
19 and it's been brought up several times
20 and we're saying you pay for what you
21 get, and that's the way the rates are.
22 But Global mentioned a \$2 converter rate
23 which I don't see in their proposal, and

1 I'm confused about that, and I don't
2 know if anyone else was, but it's not
3 in here. So maybe they just changed
4 or---

5 MR. CROLL: We've consistently been charging \$2 for
6 converter rental. I didn't put it in
7 because it's sort of a hardware thing.
8 But not a programming thing, but we
9 certainly didn't seek to disguise it.
10 I think I've aired it pretty fully to-
11 night.

12 MR. SAMULSKI: But it is not in your proposal though.
13 Not in your response that I could find.

14 MR. CROLL: No, I guess it's not.

15 MR. WALTERS: I would like to bring up something.
16 This is not in---from the Town of Boston,
17 request for proposal. In this section
18 which is called Section 4 for reference
19 description of desired cable system and
20 in the subparagraph which is titled
21 Interconnection, and that is called the
22 applicant shall indicate his willingness
23 and technical capability to interconnect

1 with any broad band communications
2 facility operating in an adjacent territi-
3 tory during the term of the franchise.

4 Now, in going over the book which
5 was presented by the two cable companies
6 involved, International Cable said yes,
7 they would allow interconnection of
8 different services, et cetera, program-
9 ming to be a microwave, whatever. Inter-
10 national did put down in their statement
11 saying that they would seek the opinion
12 of the Town Board prior to making a deci-
13 sion to interconnect, and I was wonder-
14 ing first from Global, in that, you know,
15 as soon as you get a chance to look it
16 up there, if you could just meet---expand
17 on this statement.

18 MR. CROLL:

19 I think we've stated pretty clearly on
20 65 of our response that we also would be
21 totally willing to interconnect with other
22 systems. I would point out that to the
23 extent that we're interconnecting with
Orchard Park, we have a 54 channel inter-

1 connection channel capability to the
2 extent that International is intercon-
3 necting with some of their lower channel
4 capacity systems. It's difficult to have
5 a 54 channels going in two directions,
6 if it cannot be.

7 MR. WALTERS: That's all I have.

8 MR. SAMULSKI: Questions?

9 (No response.)

10 MR. SAMULSKI: Okay. Before we formally adjourn this
11 public hearing, I would like to thank
12 each and everyone of you for coming this
13 evening. I would like to thank Global
14 and International for---International
15 and Global for their participation.
16 I would ask that each, in summation---
17 who went first?
18 You went first? Okay. I would ask if
19 you would go first and offer something
20 in summation and you do likewise, and
21 that would conclude the meeting. If
22 you would, Mr. Croll?

23 MR. CROLL: Okay. I think just to summarize the

1 highlights of our proposal, we would very
2 much like to serve the Town of Boston
3 with top quality programming. The high-
4 lights of our proposal indicate a four
5 hundred Megahertz system which is clearly
6 interconnectible with our 400 hundred
7 Megahertz surrounding systems. We are
8 prepared to stand behind the lower rate
9 which we have bid to the town. We feel
10 that having a studio of major proportions
11 in nearby Orchard Park is something that
12 should add a lot to our proposal, because
13 of its readily---ready accessibility to
14 the residents of the Town of Boston, and
15 its lower usage, if you will.

16 We don't---we have a community in
17 Orchard Park of a much smaller proportion,
18 using that studio, and there would be a
19 great deal of time available to the
20 residents of the Town of Boston than
21 perhaps a system with eighty or ninety
22 thousand subscribers, of lesser numbers
23 of studios.

1 We, as I mentioned, Mr. Sanlorenzo and I
2 would be personally responsible for the
3 conduct of the system. We will be
4 signing the contract, and we will have
5 told you how quickly we will build the
6 system and we will personally stand
7 behind that with our net worth. Thank
8 you.

9 MR. SAMULSKI: Thank you, sir. Mr. Hunt?

10 MR. HUNT: Yes. In summary, I would say that we are
11 a large operation that has been built
12 up from a small operation. We're based
13 right here in West Seneca. We have an
14 excellent record of performance. We
15 would like to say, and we will say, that
16 we would like anyone from the Town Board,
17 from the cable committee, who is evalu-
18 ating these cable operations to contact
19 consumers who have our service. I won't
20 comment on their service. We're very
21 proud of our service. Any town official
22 from any community that we serve, which
23 are now fifteen, and use that as a basis

1 for evaluation. And I do have a letter
2 that was just written to our president
3 from the North Tonawanda Cable Television
4 Advisory Committee. It's brief, and I
5 think that it is in fact a good summary
6 of the way we perform. We perform.
7 We come up here, say we're going to build
8 the system within six months from approval,
9 unlike Orchard Park, which is approved
10 over a year ago and they just started in
11 September. We perform.

12 "Dear Mr. Gilbert: The North Tonawanda
13 Cable Television Advisory Board on
14 behalf of the North Tonawanda Common
15 Council, Mayor, and the City of North
16 Tonawanda as a whole, wish to express
17 their true and sincere thank you to you
18 and your staff for a job well done in
19 North Tonawanda in the past fourteen
20 months. We also recognize the follow-
21 ing: A, rebuilding the system in a
22 city of the size of North Tonawanda,
23 over fourteen miles of underground

1 construction.

2 B, building the studio and furnishing it
3 with what is considered to be the best
4 in the market in equipment.

5 C, supply everyone of the ten public
6 schools in the city with free cable
7 service.

8 D, the construction, completion and
9 activation of a two-way interconnected
10 studio in the North Tonawanda Senior
11 High School.

12 It is also noted that the above was done
13 in North Tonawanda in a record short
14 time, in the cable history nationwide,
15 and still done in perfection and high
16 quality.

17 The Advisory Board recognizes the incon-
18 venience that was caused to your staff
19 and crews during the aforementioned
20 project. The Advisory Board expresses
21 its appreciation to those individuals of
22 your staff and crews for the patient and
23 professional response in addressing

1 these problems where they arised."
2 Signed by every member of the North
3 Tonawanda Cable Television Advisory
4 Committee, and would like to submit that
5 in closing, and I believe Harry, our
6 vice president of engineering has just
7 one final comment.

8 MR. PERLOW: I've got one request I'd like to make of
9 the committee, if I may, in the public
10 eye: We've all heard here a lot of
11 information tonight that perhaps we
12 don't quite all understand. We've
13 heard terms like four hundred Megahertz.
14 We've counted homes. We've seen maps.
15 We've looked at slide shows, television
16 sets, what have you. I think the one
17 and single most important thing, and I
18 think we've all sort of passed it by,
19 is what are we paying for? Why are the
20 rates different? Why is there 50 cents
21 difference in the basic rates? Why are
22 there differences in the pay rates?
23 Well, I don't think it's fair for me to

1 answer that as one of the applicants.
2 I don't think it's fair for Global to
3 answer on their own behalf, but I believe
4 a third party, namely the State Cable
5 Commission, keeps very, very formal
6 records on both companies and their
7 performance.

8 I would like to submit, as part of our
9 application, call it a late submittal,
10 whatever, it's an inspection, our latest
11 inspection done October 28th, 1980,
12 North Tonawanda. There are perhaps five
13 or six of these on file in Albany on
14 both companies. I suggest you look,
15 the committee look, before a decision is
16 made here. Thank you.

17 MR. HUNT: That's it, thank you, Mr. Samulski.

18 MR. SAMULSKI: Anything further? If not, thank you
19 again.

20 Now, just to inform the public what the
21 next step is, the cable committee will
22 sit down and review what was presented
23 here tonight, what we have in response to

1 our request for proposals. We'll put
2 all this together and we'll weigh one
3 against the other, and what we're
4 interested in is the most value for the
5 Town of Boston residents for cable TV
6 service. That's what we're looking at.
7 Our recommendation will go to the Town
8 Board, who would ultimately make the
9 decision as to who the franchise will be
10 awarded to, and at that point, they enter
11 into a franchise agreement and as each
12 has said, hopefully six months from a
13 certain period we'll all have cable
14 television.

15 I assure you that the cable committee
16 will be working as rapidly as possible
17 to submit our recommendation to the Town
18 Board, so that they may go ahead with
19 the franchise procedure. Thank you
20 very much, ladies and gentlemen.

21 Oh, excuse me. We have to have a motion.
22 I make a motion that the public hearing
23 be closed.

1 UNIDENTIFIED SPEAKER: Second.
2 MR. KLEIN: Councilman Wohlhueter?
3 MR. WOHLHUETER: Yes.
4 MR. KLEIN: Councilman Faulring?
5 MS. FAULRING: Yes.
6 MR. KLEIN: Councilman Samulski?
7 MR. SAMULSKI: Yes.
8 MR. KLEIN: Supervisor Zimmerman?
9 MR. ZIMMERMAN: Yes.

10

11 (Whereupon, the hearing was then concluded at
12 10 p.m.)

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