

Town Board
Minutes

1982

APPOINTMENTS

Usual appointments made for 1982

1, 2, 3, 4, 13

ASSOCIATION OF TOWNS

Authorization given to attend - delegate and alternate named

6

Authorization to advance money approved

13

Town Clerk and Councilman Wohlhueter make report

15, 16

ASSESSMENT BOARD OF REVIEW

Letter to Roseanne Truckenbrod re reappointment

6

Roseanne Truckenbrod reappointed to Board

10

APPROPRIATIONS

Highway and General Fund

9, 10

112, 113, 114, 115

AUDIT

Annual Audit of Supervisor, Town Clerk and Town Justice made

10

State Audit received and legal notice to be published

25

Letter received relative to Town Board's questions on audit

37

ASSESSMENT LITIGATION

Letter and resolution received from Leg. Marie Richardson

12

assessment settlement reached with WBUF for 9,500

55

Notices of Complaint received from National Fuel and New York Telephone

57

Notices of Complaint received from National Fuel Gas, Inland Steel and

Scholtz Home and John Falkides

Simplified litigation to be held in Akron

86

Supervisor Hubert reports on meeting re National Fuel Litigation

86

New York State Electric and Gas file petition on Assessment

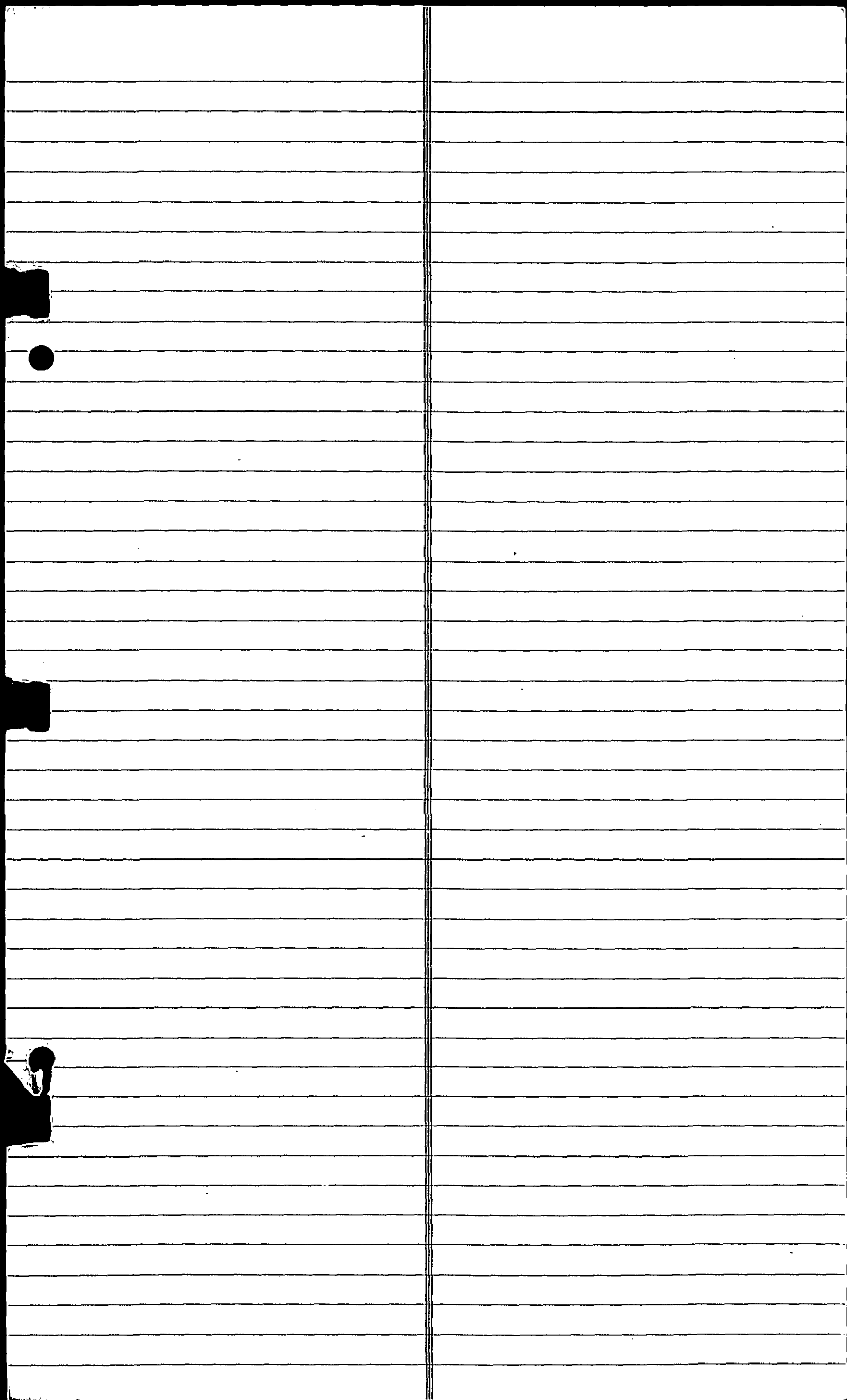
87

Letter received from Erie County re meeting

93

Petition received from New York Telephone

97



ABSTRACT

Abstract #3 corrected	30
Abstract #4 corrected	
Abstract #6 corrected	55
Abstract #7 corrected	69
Abstract #11 Corrected	106

ASSESSOR

Permission granted to attend seminar on April 7	31
---	----

AMVETS

25 flags donated to Town of Boston	41
------------------------------------	----

BUFFALO (CITY OF SESQUI)

Letter and Calendar of Events received - referred to Chamber and Historian	1
Letters sent to Boston Organizations re float	10

BANK

Chase Manhattan designated as offical bank	2
--	---

BUDGET

1982 Water District #2 Budget amended	10
Letter received from Senator Kennedy re 1982-83 State Budget	44
1983 Preliminary Budget presented and approved	89, 90, 91
Orgranization requesting copy will be supplied with one	91
Public Hearing held on budget and budget for 1983 approved	98, 99, 100, 101, 102, 103,

BIRTHDAYS

Mrs. Endresses 95th - Resolution	11, 14
Louise Endress wished a Happy Birthday	51

BINGO INSPECTOR

Letter received from Patchin Fire Co re Bingo Inspector	
---	--

BUILDING INSPECTOR

Permission granted to attend seminar April 26-28	30
Permission granted to attend seminar October 25-26	92
Permission granted to attend seminar March 24-83	116
Permission granted to attend seminar April 24-27-83	116

BOY SCOUTS

Scouts participate in meeting	44
-------------------------------	----

BOSTON VALLEY INDUSTRIES

Site Plan received and letter from Drainage and Planning no objections	51
--	----

CONCORD AGRICULTURE DISTRICT

Resolution adopted by County received - map requested

1

CONSERVATION ADVISORY COUNCIL

Robert Burley and Robert Emerling appointed	13
Members push for passage of Bottle Bill	14
Officers named	26
Nancy Aldridge appointed	39
Study-to-be-made-of-Park-and-Ride	42
Council advises Town Board no need for tree cutting ordinance in Boston	42
Copy of Bylaws presented to Board for their study	43
CAC-to-meet-with-J.Tocke-re-Park-and-Ride	45
Bylaws adopted	52
Letter read re park and ride - resolution adopted	70
Permission granted for Karen to attend seminar	92
R. Burley attends meeting in Ellicottville	106
K. Klinczar reports on seminar	109
CABLE TV	
Supervisor Hubert removes self from Committee to negotiate	13, 14
Cable TV Franchise submitted to International	25
Special Meeting held and franchise signed	35A, 36A
Letter read from Coy James re Cable TV	37
Supervisor reports on Cable TV and thanks extended to Committee	37
Boston residents of Boston Colden and Mills St petition for Cable TV	55
Mike Perley, Deputy Town Attorney advises on status of Cable TV	55
Order Granting Certificate of Confirmation received from State of NY	57
Perley advises that approximately 2,000 home to receive Cable	58
Town Clerk Klein appointed Complaint Officer	69
S. Hubert and M. Perley present update	91
Supervisor sends letter to International and receives answer	95, 97
Ground-breaking set for December 17th at 10:00 AM	111

COMMUNITY DEVELOPMENT BLOCK GRANTS

Letter and resolution received re distribution

37

CHEESE

Cheese distribution reported on

38

COMPLAINTS

Northside Drive neighborhood complain of residence that was moved in

49, 50

Low water pressure on West Hill

49, 50

Heppner and Koller, Herman Hill Road complain of noise Boston Valley Coll.

62, 83

Thornwood Drive residents complain of construction equipment at 6022 Thornwood

62, 82, 89

Zerbowski complains of North Boston Garage

62, 82, 89

John Koza complains of Warren Collision Shop and Home for Handicapped

68, 69, 80

Miles Jones complains of conditions at cottage near his home on LuDon

80, 86

Reed Garver complains re plane landing on Cole Road

85

Complaint lodged re flagman at Sewer Construction in North Boston

85

Gordon Gill complains of clogged pipe at Crestwood Circle turnaround

97, 106

Gert Bobseine complains re dumpster at McDonalds

108

CETA

Supervisor questions placement of CETA Workers in Boston

59

Letter received re placement of workers

62

DRAINAGE COMMITTEE

Summary for 1981 to be submitted	6
Paul Whittemore and Charles Decker appointed	6
Summary submitted	11
Fire Company (Boston) to recommend member after their monthly meeting	14
Lyle Zahler appointed to committee	16
Officers named	27
Louis Placzewski resigns	34
Richard Hayden appointed	34
Ed Walla sends letter re remedial work on Eckhardt Road	53
Drainage Committee request Capital Improvement Fund - Denied	104

DOG CONTROL OFFICER

Discussed second Deputy Dog Control Officer	34, 38
Position of Deputy created - Claude Fagnan appointed	45

DEEDS

Town Attorney reports deeds filed	45
Deed filed on North Boston Stadium	52

DRAINAGE PROJECTS

Anthony Gulf and Valley View Lane Projects to be completed

42

DOG ENUMERATOR

Lois McGlynn appointed to do west side of Boston

86

DWI

Stop program agreement tabled for more answers - Passed

103, 106

EQUALIZATION RATE

Tentative rate for 1982 set at 8.96	7
Objection to be withdrawn at discretion of Town Attorney	15, 16, 26
Final rate set at 8.96	40

EMERGENCY SQUAD

List of officers for 1982 received	12, 17
Public Hearing for contract set	106
Contract hearing held and accepted	110
Letter received from E. Sue Hinkey resigning as Dispatcher	110

ERIE COUNTY LEGISLATURE

Letter from Marie Richardson re Legislative session	12, 28, 32, 40
	54, 57, 62, 83, 87, 105,
	108, 110
Resolution received re interest earned on sales tax	83
Letter received from Legislators re takeover of City Services	83

ERIE COUNTY HEALTH DEPARTMENT

Conference to be held on lead poisoning and iron deficiency	32
Rabies Clinic to be held in Boston on 9-22-82 - noon to 4 PM	57
Notice received on permit for food sales to public	58

ERIE AND NIAGARA COUNTIES REGIONAL PLANNING BOARD

Notice of Seminars received

29

Request made that notice of Seminar be sent to Planning Bd. & Appeals Board 29

FIRE COMPANIES

List of line and executive officers received from Patchin	1
James Cunningham appointed Fire Police for Boston	85
Contract for dispatcher signed with Hamburg	89
Fred Kutz resigns as Fire Police	93
Letter received re Computer Game "Firebugs"	108

FIRE INSPECTOR

Charles Decker appointed inspector - no salary	42
--	----

FLOAT

\$50.00 prize won in Colden parade	55
Amvets Auxiliary donate \$50.00	59
Edie Schramm thanks board for serving on float committee	69

FLAG

Herbert Berlin has flag pole to donate. town will accept	69
90 flags contributed by Amvets National Service Foundation	69

FEDERAL REVENUE SHARING

Public Hearing to be held on 9-15-82

69

Public Hearing held

83, 84,

154

GAS DRILLING

Letter received re drilling on county property	41
Conservation Advisory Council to get study on gas drilling	41
Letter received from CAC re gas drilling on County property	60
Letter received from Phelps Dodge Fule Development Corp drilling on Feddick	80

HIGHWAY

Letter from Trojan Industries advising of Factory Outlet	1
Agreement signed to spend Item #1 monies	6, 7
Letter from Leg. Richardson re Eckhardt Road	7
Letter received advising that old Route 219 will be turned over to County	7
Highway Supplies bids to be opened 3-3-82	9
Letter from Ted Nowak for job well done during snowstorms	10
Snow Removal Contract approved	13
Change of name for Route 219 referred to Planning Board	14
Bids for highway supplies received	18, 19, 20, 21, 22, 23, 24
Resolutions passed re speed zones and signal light on Old 219	25
Decision to accept County Roads tabled to spring	26
Request for stop sign in Creekside Subdivision received	26
Order received advising of discontinuance of maintenance Boston State Road.	28
Letter from State to County received re Boston State Road	28
Dean Watkins suggests name be change to Post Road or Highway (Boston State Rd.)	28
Traffic Light at North Boston Fire Hall out of order	29
TE Form to be filed for speed zone from Herman Hill east on Boston State Road	30
Traffic Safety Committee makes recommendations to Town Board	30
Request for 35MPH zone in hamlet of Boston to be withdrawn	31
Planning Board recommends name stay Boston State Road	31
TE9 forms sent to NYSDOT	32
Hgh. Supt. requests no dead limbs, stumps or vines for pickup by chipper	33
Hgh. Supt. asked to check stop sign on Abbott Road	33
Highway Bids accepted	35, 36
Chamber recommends that former Route 219 stay Boston State Road - County notified	36
Questions asked re Eckhardt Road	37, 38
Permit signed prohibiting left turn at Abbott and Boston State Road	38, 40
Road turnbacks to be studied	38
Re-establishment orders received from the NYSDOT for Boston State Road	40
Notice of Restricted Highways received	40, 41
Bids to be received for a new sander	42
Highway Supt. to attend school in Ithaca	42
Traffic Safety Committee to tour roads with County representatives	42
Bids opened on sander --- tabled	50
Request made by Wooldridge and Best that Valley Circle deadend be renamed	51
Town granted \$21,387.00 in CHIPS Program	54
Request for renaming of Valley Circle dead end referred to Planning Board	55
Sander bid awarded to Nuttall	55
Jean Errington requests lower speed on Boston State Road	58
Bids to be opened for front end loader	59, 69
Short spur of Valley Circle Lane changed to Valley Circle Place	60, 69
Pinecrest terrace residents granted permission to hold annual street picnic	60
Letter sent to Mel Kase re repair of Pfarnher Road and Heinrich Road	70
Resolution passed on lower speed on Boston State Road	80
State to submit final report on traffic signal at 219 and 391	81, 83
Highway Supt. asked bid awarding for loader be tabled	82
Highway Supt. granted permission to attend Highway Seminar	82
September 30 set to open bids for salt and cinders for 1982-82 winter season	82, 91
Letter received from state re Traffic Safety Committees concerns	85
Letter received re lower speed zone on Boston State Road	87
Hamburg Town Board advises of Parking Limitations	88
Notice received on revisions of traffic signals at 219&277 & 219&391	88, 97
Bid Bond received from Trogan for Four Wheel Drive Bid	93
Gas pumps to be purchased for Highway Department and checked by Weights & Measures	106,
Request received from W. Zmuda for lower speed on Omphalius	108

HISTORICAL SOCIETY

Contract to be renewed	25
Public Hearing held - Contract entered into	29
Advises that only letters on their letterhead are official	32
Dean Watkins requests permission to attend Preservation Conference - Denied	34
Public Hearing set for contract	106
Contract hearing held and accepted	111

INSURANCE

Planning Board expresses concern over coverage	14, 31, 56
Meeting held to discuss coverage	45
Vote held on purchase of Public Official Liability Insurance - Tied	60
E. Holfoth hired as consultant to bid insurance	60, 70
Notice of Claim against Boston received - Mark U. Scanlon	62
Bids let for Insurance	106
Insurance Coverage awarded	110, 111



197





KENNEDY SEMINAR

Town Officials authorized to attend seminar

25 , 30

K

1

2

3

4

5

K

LAWSUITS

Highway Supt. to give testimony in Doyka vs Town of Boston

37

LANDFILL

Residents of the West Hill area request information	45,46, 47, 48
Letter from Pettits opposing Landfill	51
Town-Board-passes-resolution-opposing-landfill	51
West Hill residents voice concern	53
Marie Richardson supports Board on position on landfill	57



MEETINGS

Town Board Meeting dates set	4
Audit Meeting set for 1-20-82	5
Boy Scouts to participate in May 19th meeting	42
July 14th and August 11th set for summer meetings	55
July 14th meeting adjourned in memory of Ted Nowak	61
End of year meeting set for December 30, 1982 at 4:00 P. M.	108

MONIES

Supervisor and Tax Collector authorized to invest monies	5
Supervisor authorized to lend funds from one account to another	6
Public Hearing to be held to consider how to spend money in inactive Youth Acct. Public Hearing held	59 66, 67, 68

MILEAGE

Mileage set at .20	5
--------------------	---

MASTER PLAN

Lawsuit to be instituted against Gary Templin	51
Contract to be signed with Economic Consultants for completion of MP	106



MC

1

2

3

4

5

1773

NEWSPAPERS

Suburban Press and Hamburg Sun named official papers	4
Boston Signal requests news articles	54

NATIONAL FUEL (UNDERGROUND STORAGE)

Representative will be at Town Board on 2-3-82 relative to underground storage	9
Representative appears at meeting	13
Lease-signed	25

NIAGARA FRONTIER TRANSIT AUTHORITY

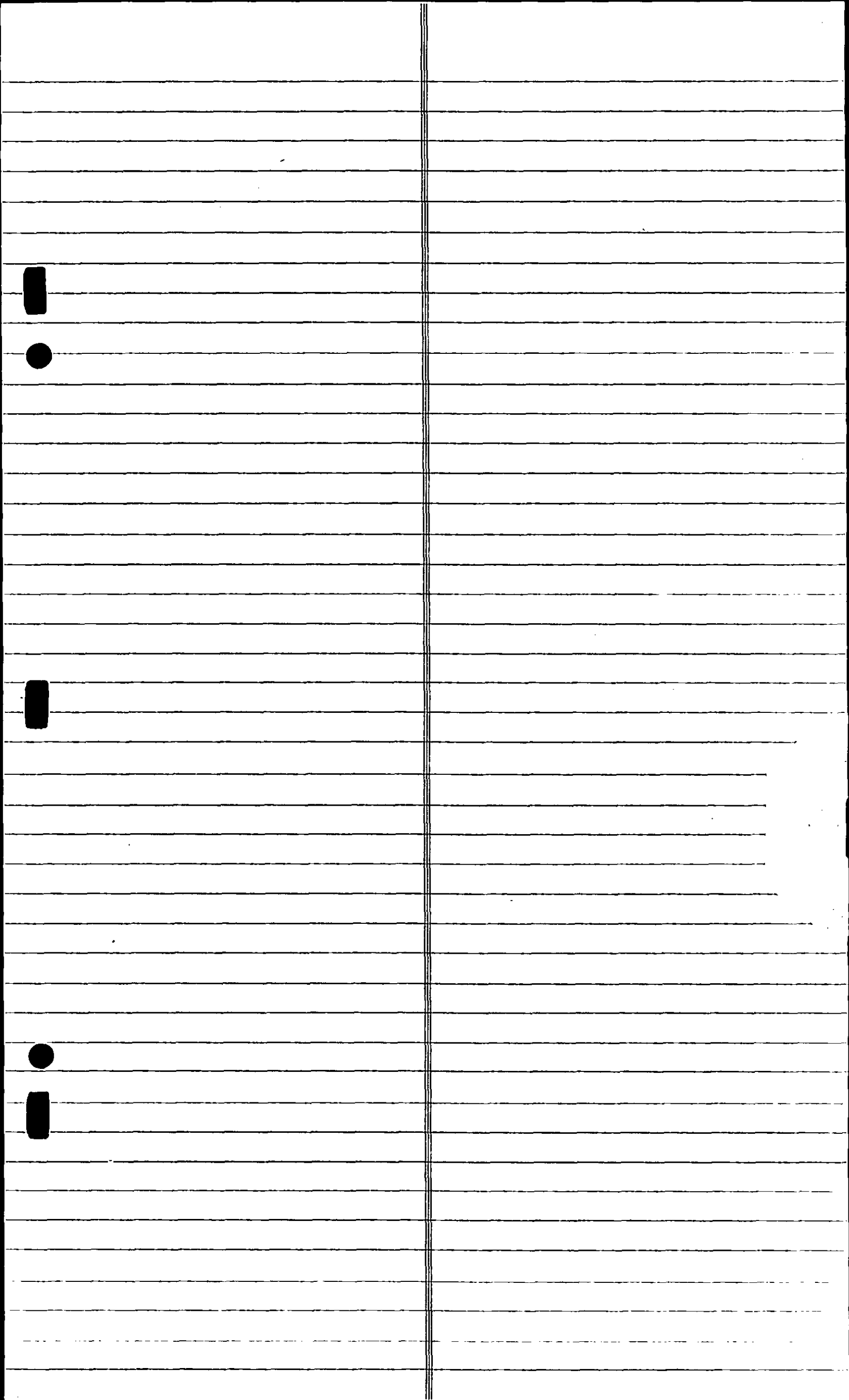
Supervisor advised that after June 1st no bus service	42
Bus Service will be extended to fir of year	51, 54
Public meeting to be held re bus route in Boston	59
Miles Jones advises of bus times	85
Bus-to-run-until-3-21-84	106

NEW YORK STATE DEPARTMENT OF LABOR

Letter received re violations at Town Hall and Highway Garage	87
---	----



0



PETTY CASH FUNDS

Funds set up	5
Town Attorney's fund closed out	6

POLICE

Bids to be opened on State Police Building on March 8, 1982	10
Bids opened and tabled	30
Lease-with-NYState-to-be-negotiated	30
Notice received Greg Stromecki completed Police Training	31
Resolution - State Police Building - Lease signed	33
SEQR_Report_on_new_building--unlisted-negative-declaration	34
Bids accepted for building	35
Supervisor reports on additional police activity after building done	38
Boston Police appointed	38
Capital Project set up for Police Building	41
Bond-Resolution-passed-for-building	44
Glen Diemer granted 60 day leave of absence	45
Flat rate of \$125.00 a month granted to chief	52
ECS_Electric_contract_in_error_changed_from_20,700_to_20,850	69
Letter of thanks received from Chase Bank for help after truck crash	70
Change order approved for electical work on the State Police Building	81
Gregory Stromecki granted permission to attend Legal and Firearms Course	82
Change Order approved for vent pipe	93,94
Bid awarded to Charles G. Decker, Inc. for drainage work at new building	103
State Police Building accepted with contingency	108
Letter received from Nussbaumer & Clarke re accepting Police Building	111
Constables appointed for 1983	

PERMITS

Special Use Permit renewed for William Kummer	12
Request from Gerald Burger for renewal of Special Use Permit tabled	12
Special-Use-Permit-renewed-for-Gerald-Burger	15
Flying Knights model aircraft permit renewed	25
Application-received-from-Gregory-Gerwitz-to-build-an-addition	32,33
Calspans Trailer Permit renewed	38
Request-for-Soil-Removal-Permit-for-Gernold-and-Kreitzbender-tabled	41
Inspections to be made	44
Soil Removal Permits granted to Kreitzbender and Logel - Gernold denied	51
Gernold granted Soil Removal Permit	58
Building permit approved for Faith United Church	85
Phelps Dodge Fuel Development Corp - Hearing to be held for Special Use Permit	85
Six month permit granted to Trippi for trailer	85
Permit-granted-to-Comcast-for-Receiving-antenna-at-WBUF--Cole-Road	88
Public Hearing held on Phelps Dodge request for Special Use Permit	94,95, 107
Request received and approved for B-Kwik Market	97
SEQR-review-received-re-Phelps Dodge	108

PLANNING BOARD

Thomas Finger reappointed	14
Officers appointed	26
Annual Report received	26
Donald Genzel resigns as member of Planing Board	31
Leo Constantine approved as Vice-President	55
Barbara Moore expresses interest in serving on Planning Board	59
Letters received from Barbara Moore and Larry Clerc for posttion	70
Victor Hoffman requests appointment	86
Two Planning Board members granted permission to attend Seminar	86
Lawrence Clerc appointed -- to expire 2-1-87	95

POLLING PLACES

Places for 1982 designated	44
----------------------------	----

PUBLIC SERVICE COMMISSION

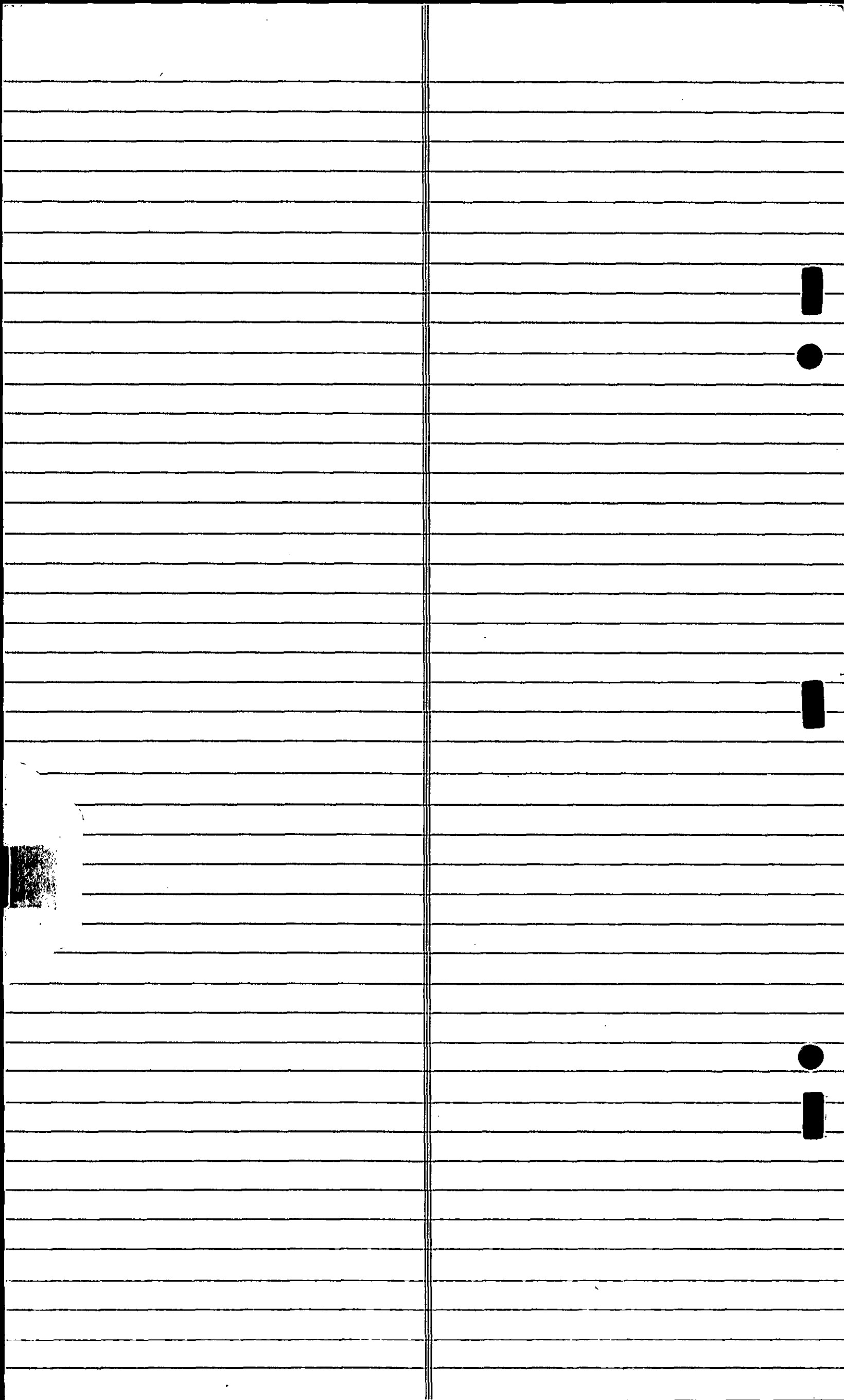
Notice received on hearing for National Fuel rate increase- Town Opposes	25
Notice received on hearing for NYSE&G - Town Opposes	29
Letter received relative to opposition to rate increase	32, 33
	62

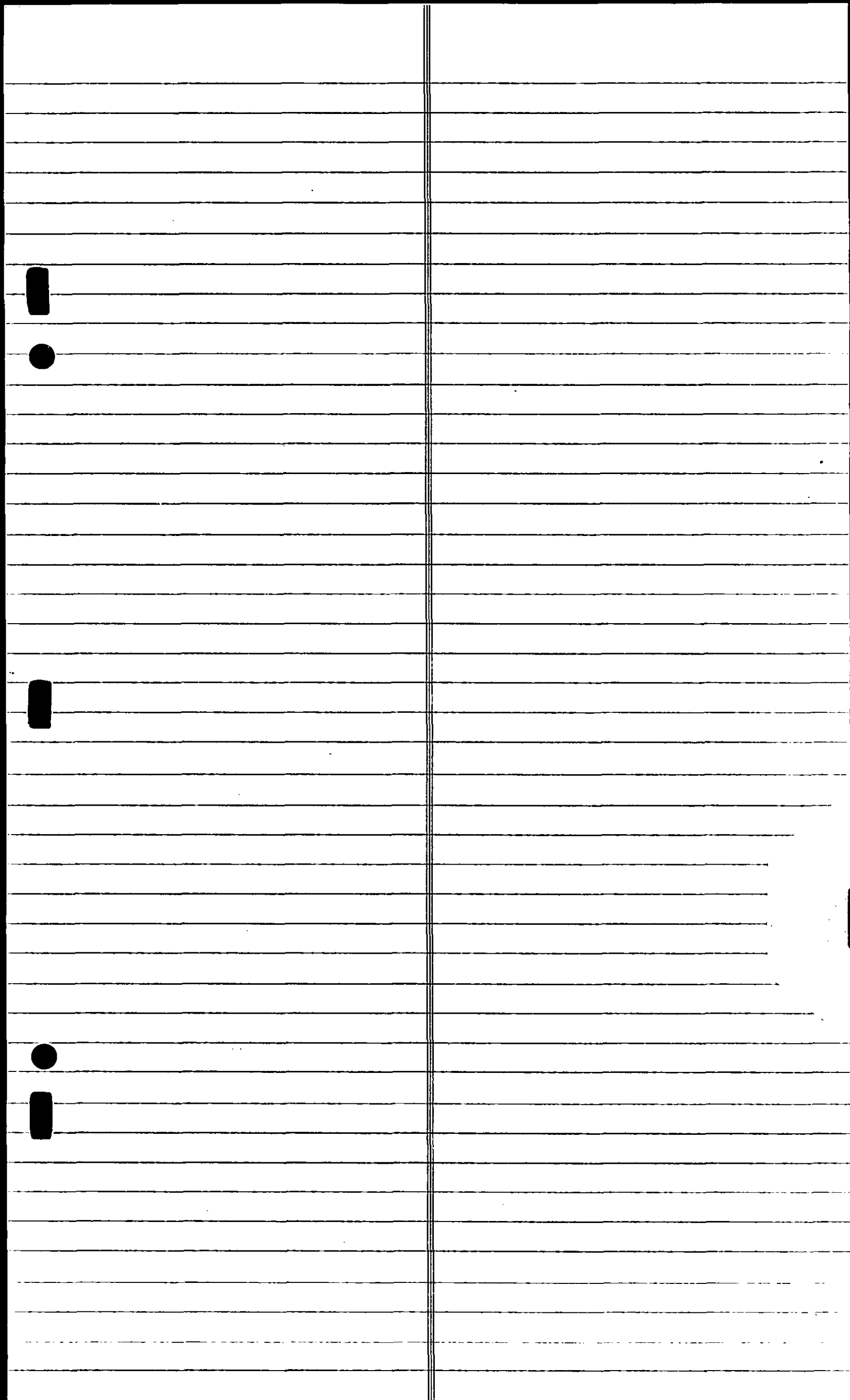
PROJECT UP-GRADE

Request use of Town Hall office space - tabled	33, 39
--	--------

PARK AND RIDE

Supervisor to enter into negotiations with State	88
--	----





RUSTIC SUBDIVISION

Hydrant charges will be assessed against 1983 taxes	6, 7
Mr. Doll withdraws expansion plans	7
Bill received for Hydrant charges	17, 28, 41

RECREATION

1981 Gymnastics Report received	10
Boston resident questions bidding on supplies	17, 24
State Aid Approved	26
Pat Burger appointed Recreation Dir. for Summer	26
Gerald O'Brien appointed Baseball Director	26
Paul Becker appointed chairman of Recreation Advisory Council	31
1981-82 Ski Report received	31
Thank you letter received re skating rink	32
Memo received from Remy Orffeo re State Aid Loss	34
Remy Orffeo requests patio be used for storage	39
\$300.00 given for franchise fee for Quad Team	41
Salaries and amount of payment and method of payment set	52
Feasibility meeting to be held re Soccer Team	60
Thank you letter received from Remy Orffeo for help on Summer Rec.	107

REVENUE SHARING

Letter from Assemblyman Kennedy re State RS	12
---	----

RESOLUTIONS (MISCELLANEOUS)

Lake Erie Access	17, 32, 44
City Income Tax	17, 32
Defending officials in a lawsuit	33
Clara Klein's 96th Birthday	34
Father Kamler	45

SENIOR CITIZENS

State Aid received

1

SEWERS (BOSTON)

Notice received O & M aid for 1979 denied

28

Letter received requesting return of O&M overpayment for 1974-76

28, 40

Citizens questions the loss of State Aid

29, 33

Pinecrest residents request fence around Sewer #4

55

Letter received denying State Aid for 1981

93

Agreement signed for takeover of sewers by county #3

97

SOUTHEAST CORPORATION

Letter of thanks for contribution

108

SEWER DISTRICT #3 (COUNTY)

Letter received re BV-2 Interceptor bids

1

Letter received from Legislator Richardson

7

Bids-to-be-let-on-BV-2

12

Copies of letters to Malcolm Pirnie received

15

Easement can be signed

15

Easement through Town Park - authorized Supervisor to sign

33

Letter received from Good Shepherd re charge

37

Letter-to-be-sent-supporting-resolution-for-more-sewer-funds

49

Sewer Rate set

69

SALARIES

1982 Salaries set

4, 5

Mode of payment of salaries set

5

STREET LIGHTING

New contract received and proposal for replacement of lights

33

Jean Errington requests street lights on Wildwood

58

Contract with NYSE&G tabled

89

Street light proposal for front of State Police Building received

93

SUPERVISOR

Use of signature stamp authorized	5
Supervisor and Bookkeeper to attend Financial Management meeting	17
Request made for four year term - Tabled	52
Permission granted to attend Supervisors Seminar	

SOUTHTOWN COMMITTEES

Councilman Zimmerman authorized to serve on Solid Waste Committee	6
---	---

SOUTHERN EXPRESSWAY (ROUTE 219)

Letter from Nowak and Federal Highway Administration re Rice Road	7
Letter from State re Rice Road	15
Letter from Nowak re funding	49
News release from Congressman Kemp re Rice Road funding	62
Letter received re signal light at 219 and 391 intersection	83
Information meeting to be held 10-14-82 re Rice Road Interchange	85
Letter to be sent to J. Kemp for funding of Rice Road	103

STATE PRICING

Letter from Division Tire and Auto Parks advising awarded contract	28
--	----

STATE FUNDING

Letter from Kennedy re Special Municipal Aid Act of 1982	49
Letter from Volker and Stachowski re aid to municipalities	54
Answer received from Governor re Municipal Aid	57

TRAILER PARKS

Town Clerk authorized to send notices for fees	5
Inspections to be made 1-20-82	10
Letter from Attorney re meeting on Boston Hills	12
Sprague owner requests extension of permit fee payment date - extension granted	12, 15
Letter to be sent to Boston Hill for payment of license fee	15
No license fee received from Boston Hill Park	25, 29, 33
	41
Fee received from Sprague's Trailer Park	41
Legal proceedings to be initiated against J. Falkides	44
Fee received from Boston Hills Mobile Home Park	50, 58
Request for Lot 67 tabled	88
Letter received from Falkides - Lot #67 approved	105
Time to be set to check trailer court	111

TOWN PARK

North Boston granted permission to use for Water Ball Competition - 6-27-82	7
Ice Skating Rink rules set up	10
Permission granted to Democratic Club to hold Easter Egg Hunt	15
Permission granted to Good Shepherd Lutheran Church to have picnic	15
Permission granted to Lion's Club to use Town Park	29
Permission granted to Amvets to use Town Park	29
Permission granted to St. Martin's Church to use Town Park	33
B. Hopkins questions condition of ball diamonds	41
Boston Youth Baseball granted permission to use Town Park for Picnic	44
Boston Historical Society granted permission to use Town Park for Country Fair	50
Edwards and Moncreiff retained as engineers for Town Park Water Project	51
Barbara Zak and Emergency Squad granted permission to use Town Park 8-15-82	58, 69

TRASH PICKUP

Bids to be let on March 3, 1982	9
Bids opened on trash pickup - tabled	24
Contract for Spring and Fall awarded to Southtowns for \$10,788.90	31

TRAFFIC SAFETY COMMITTEE

Harry Strack appointed Chairman

Report received re problems on roads in Boston

70

TOWN HALL

Permission granted to National Head Injury Foundation to use Town Hall 10-28-82

80, 97

TAXES

Letter from County of Erie advising of moneys paid to Town of Boston in 1981

28

Letter and resolution received re distribution of sales tax interest

37, 41

Town Board in opposition to formula that would be detrimental to Town of Boston

40, 49

Senior Citizen exemption to be raised - Public Hearing to be held

70, 84

Report on Tax Collections from County of Erie

80

93.75% of County taxes collected

95

TELEPHONES--(TOWN-HALL)

Inside public telephone to be taken out--outside one to stay for a time

57

TOWN PROPERTY

Lease executed for rental of land for farming purposes

103

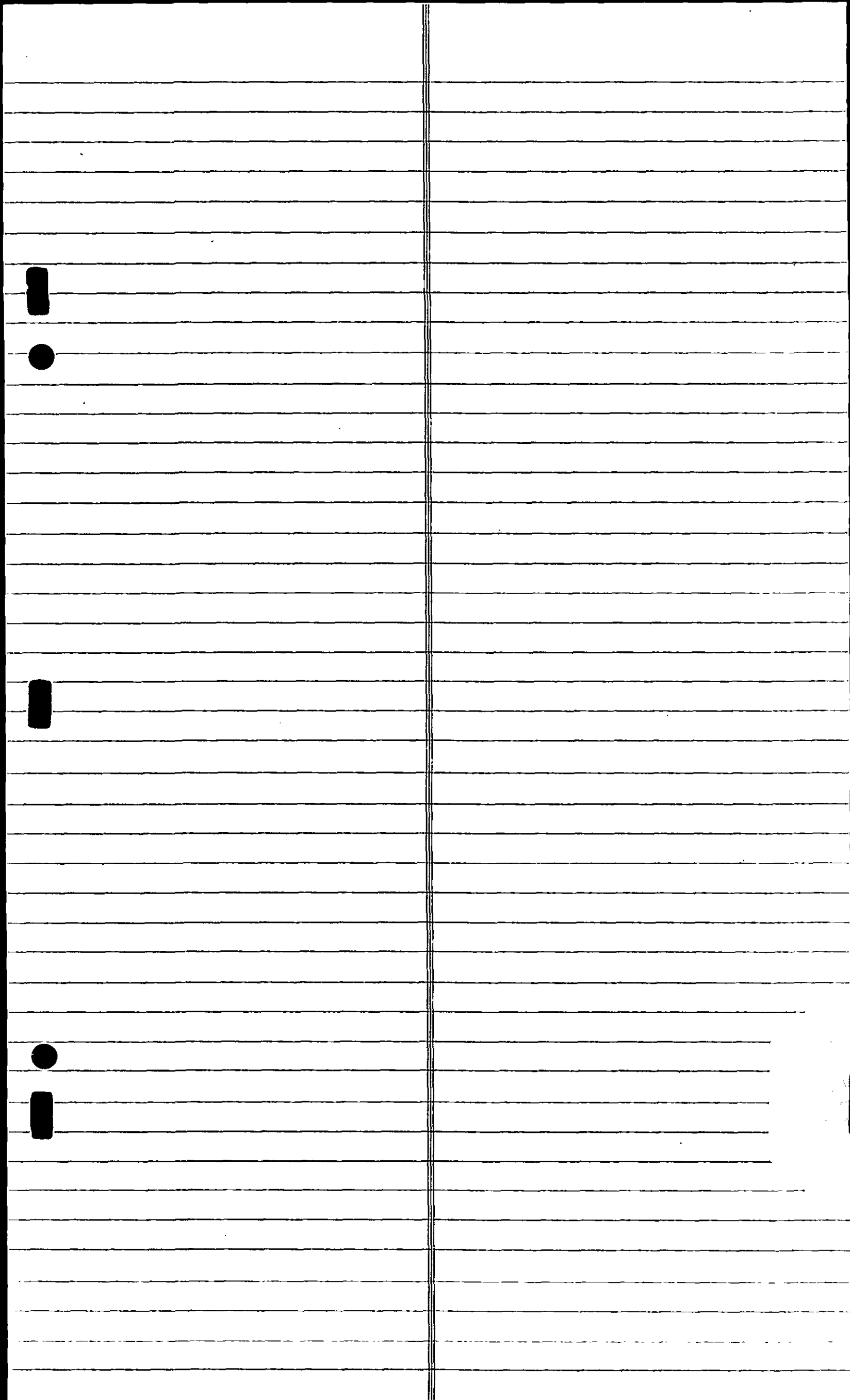
UTILITIES

Townof Wales opposes rate increase - resolution received

38

New York Telephone requests rate increase

Resolution passed re Natural Gas Costs



VOUCHERS

New law passed no longer need certification on vouchers

85

V



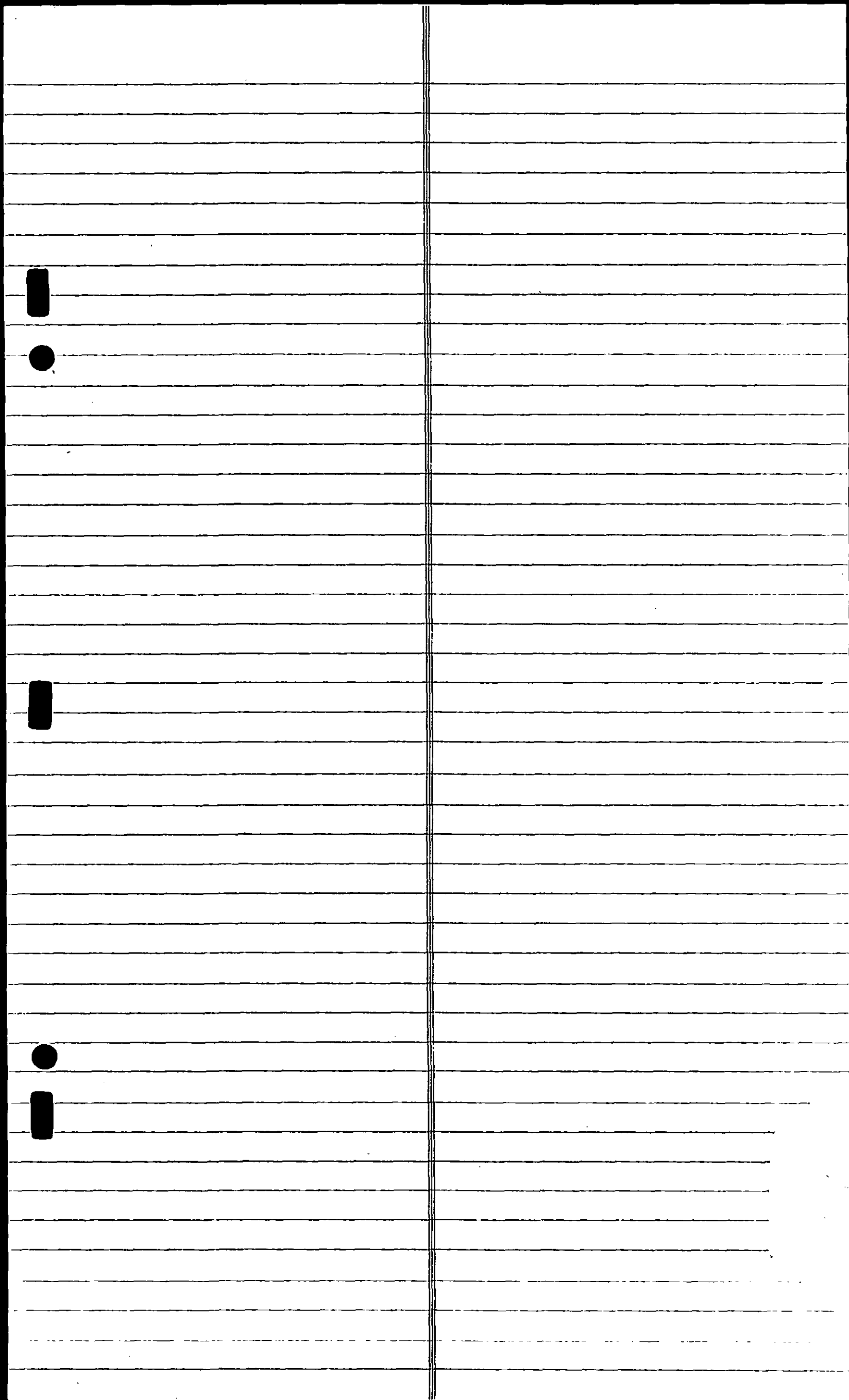
WATER (ERIE COUNTY WATER AUTHORITY)

New rules for the sale of water received	28
Low water pressure on Hywood and plans for help	54
Letter from ECWA re modifications to Brown Hill Water Tank	54
Letter from ECWA re easement to Boston I Station	54
Letter and answer re Eden Site I Booster Station	58, 59
Moncreiff to be asked for cost quote on bidding tank repairs	59
Resolution and letter received from Eden re Booster Station	62
Moncreiff retained to prepare specs on Booster Station	80
Repair of Brown Hill tank awarded to Great Lakes Mechanical, Inc.	81
Letter received re delinquent water bills	93
Joseph Czora approved to receive water from Orchard Park #17	97
Hydrant on Zimmerman Road to be moved	103
Resolutions passed for collection of delinquent water bills by County	106
Resolution passed for collection of delinquent water bills Orchard Park #17	108

WEBBER BUSINESS COMPLEX

Issued Negative Declaration of Non-Significance - Building Permits can be issued	58
--	----

W



X

1

2

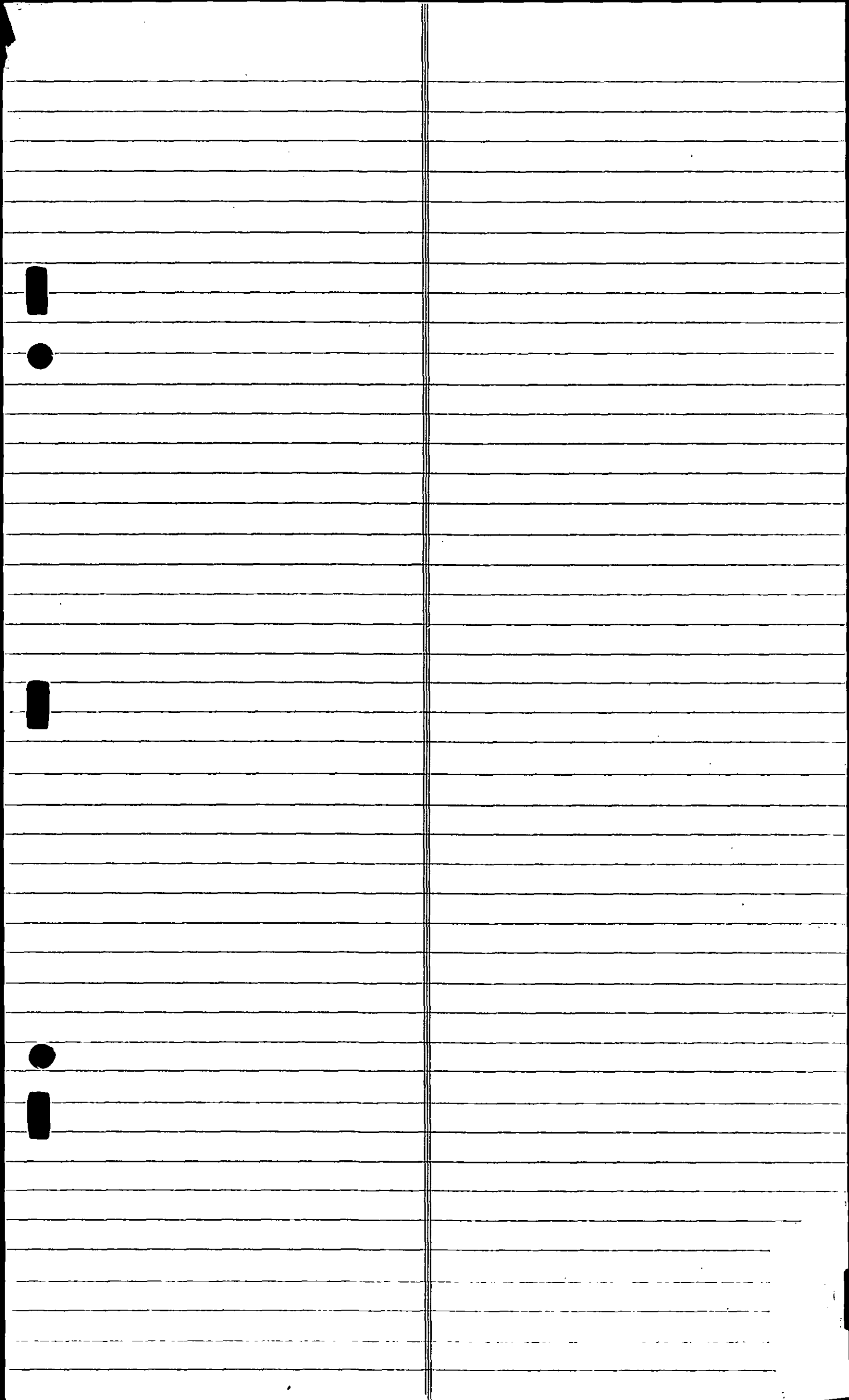
3

4

5

YOUTH PROGRAM

Letter received advising that 1970 figures for state aid will be used	40, 49, 58
Letter received advising that 16 year old can serve on board	60
Public Hearing held to consider money in old account earned by Youth	66, 67, 68
Supervisor authorized to apply for State Aid	81
Letter from secretary requesting higher rate of pay for field trip - denied	82
League for Handicapped request consideration for funds in old account	87
Nancy Lee resigns as Youth Employment Clerk	



ZONING

Application to rezone the Fisher Estate discussed and again tabled	8,9
Request to rezone Fisher Estate denied	16
Rudy and Werner Blesy request land be rezoned from I-1 to Agriculture	51, 59
Jackson Health Resort requests rezoning of property on Omphalius	51
Mr. Fred Baetz requests info on Health resort	55
Resort request for rezoning referred to the Planning Board	56
Rezoning hearing set for Jackson Health Resort	59
Rezoning hearing held for Jackson Health Resort	63, 64, 65, 66, 72, 73, 74, 75, 75A, 76, 77, 78, 79
Memorandum of Law received re Jackson Health Report	82
S. Westcott requests rezoning of property at 7061 Boston State Road	85, 95, 104
Letter received from Moore re Jackson rezoning request	87
Questions re Jackson request	88
Jackson zoning request denied	95

ZONING BOARD OF APPEALS

H. Eglantine Berger asks not to be reappointed	34
Dean Watkins requests appointment - tabled	39
Officers approved	45
Express concern for no insurance for those serving on board	70
Dolores Fahst requests appointment to Zoning Board of Appeals	70
Paul Woodhouse appointed to Zoning Board - expire 4/1/87	96

Regular Meeting
January 6, 1982

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Esther Faulring, Councilman Don Wohlhueter, Supervisor Jerome Hubert, 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 December 30, 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 Faulring and seconded by Councilman Wohlhueter that the General Fund and Special District Bills in the amount of \$2,088.67 be paid.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that the Highway Bills in the amount of \$4,478.57 be paid.

five (5) ayes

Carried

A letter and Calendar of Events were received from the City of Buffalo relative to their Sesquicentennial Celebration in 1982. Supervisor Hubert directed Town Clerk Klein to send a copy of this to the Boston Chamber of Commerce and Historian Jehle as it was felt that a float should be entered in the Sesqui parade on June 6, 1982 and ask for their comments as to how Boston might participate.

A letter was read from Trojan Industries advising the Board of a factory outlet to service their Western New York customers. Highway Superintendent Kreitzbender advised the Board that he had no Trojan equipment. The letter was received and filed.

A letter was read from the New York State Office for the Aging advising the Board that State Aid in the amount of \$2,000.00 had been approved to provide for Recreation for the Elderly programs. Period of Aid is January 1, 1982 to December 31, 1982. The letter was received and filed.

A resolution adopted by the Erie County Legislature relative to the Concord Agricultural District was read. In answer to a question from Supervisor Hubert, Building Inspector Decker stated that the Planning Board has a proposed map of the District, but not an actual map. Supervisor Hubert directed Town Clerk Klein to write for a map so there will be one available should residents inquire about the District.

A list of Line Officers and Executive Officers for 1982 for the Patchin Volunteer Fire Company was received.

A letter was read from Charles Alessi, Erie County Department of Environment and Planning answering a letter from the Town Board relative to the County Sewer Interceptors. Supervisor Hubert advised that the former Town Board had written letters because of their concern that bids had not been let for BV-2 and after receiving an answer from the State advising that the County was responsible for the hold up, a letter had been sent to them and this was their answer. Reed Garver asked what section of Boston BV-1 would serve and Councilman Zimmerman stated it would serve Sewer District 3 and 4.

Supervisor Hubert advised the audience that the Town Government is one of the few remaining self governing units where the people have much more to say than other governmental units. He stated that the Board would be happy to answer any questions the people may have.

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer appointing Joyce Carr as Court Clerk. Term to expire December 31, 1983.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring appointing Joyce Carr, Jean Kleis and Lucille Genzel as Deputy Town Clerks. Terms to expire December 31, 1983.

five (5) ayes

Carried

A motion was made by Supervisor Hubert and seconded by Councilman Wittmeyer appointing Jean Kleis as Bookkeeper to Supervisor. Term to expire December 31, 1983.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer appointing Herbert H. Klein as Registrar of Vital Statistics. Term to expire December 31, 1983.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring appointing Joyce Carr as Deputy Registrar of Vital Statistics. Term to expire December 31, 1983.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter appointing Jean Kleis as Sub Registrar of Vital Statistics. Term to expire December 31, 1983.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring appointing Charles Maxwell as Town Attorney. Term to expire December 31, 1983.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer appointing Michael Perley as Deputy Town Attorney. Term to expire December 31, 1983.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter appointing Jerome Hubert as Commissioner of Police. Term to expire December 31, 1983.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman appointing Charles G. Decker as Building Inspector and Enforcement Officer of Town Ordinances. Term to expire December 31, 1982.

five (5) ayes

Carried

A motion was made by Supervisor Hubert appointing Damien Wiktor as Recreation Supervisor. No second received, motion withdrawn.

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring appointing Remy Orffeo as Recreation Supervisor. Term to expire December 31, 1982. Voting was as follows:

Councilman Wittmeyer	Voting	<u>aye</u>
Councilman Zimmerman	Voting	<u>aye</u>
Councilman Faulring	Voting	<u>aye</u>
Councilman Wohlhueter	Voting	<u>aye</u>
Supervisor Hubert	Voting	<u>no</u>

four (4) ayes

One (1) no

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer appointing Randy Burgwardt as Youth Service Leader. This is a temporary appointment.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Supervisor Hubert appointing Thomas Booth, Ann Schunk, Roberta Vanderhoff and Teresa Hartman as Youth Center Recreation Attendants. These are temporary appointments.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring appointing Richard Michaels as Youth Counselor. This is a temporary appointment.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring appointing Nancy Lee as Youth Service Clerk. This is a temporary appointment.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman appointing Reed Garver as Sewer Maintenance Man PT. Term to expire December 31, 1982.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer appointing Robert Steiner Dog Control Officer and Constable. Term to expire December 31, 1982.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring appointing Marjorie Steiner as Deputy Dog Control Officer. Term to expire December 31, 1982.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter appointing James Jehle as Historian. Term to expire December 31, 1982.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter appointing the following as Fire Police. Term to expire December 31, 1982:

North Boston
Paul Duffett
John Klaybor
Randy Seufert
Paul Woodhouse

Boston
Richard Swack, Captain
Glenn Trevett, Lieutenant
Al Erker
Cliff Johnson
Joe Lowry
George McDonald
Gordon Stephens
Leo Stromecki
Lyle Zahler

Patchin
Joseph Coyle
William Ferguson
William Janker
Livingston Lasso
Bernard Liebler
Stephen Plewik
Fred Kutz

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring appointing Eugene Ruchalski as General Foreman for the Highway Department. Term to expire December 31, 1982.

five (5) ayes

Carried

A motion was made by Supervisor Hubert and seconded by Councilman Zimmerman appointing Michael Czechowski and Doris Follman as Cleaners PT. Terms to expire December 31, 1982.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Supervisor Hubert appointing Jerome Orffeo and Lee Pfarner as Laborers. Terms to expire December 31, 1982.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter appointing Herbert Boltz as Bingo Inspector. Term to expire December 31, 1982.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring appointing Phyllis Barrett, Head, Evelyn Hinkey and Florence Coyle as Emergency Squad Dispatchers. Terms to expire December 31, 1982.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter appointing Lucille Genzel as Secretary to Boards and Committees. Term to expire December 31, 1982.

five (5) ayes

Carried

Supervisor Hubert asked that Committee appointments be tabled to a later date until he can talk to the committee members.

Supervisor Hubert appointed Town Board Liaisons as follows:

Chamber of Commerce:	Councilman Esther Faulring
Planning Board:	Councilman David Zimmerman
Youth Service:	Councilman Don Wohlhueter
Conservation Advisory Council:	Councilman Don Wohlhueter
Recreation:	Councilman Milton Wittmeyer
Traffic Safety:	Councilman Milton Wittmeyer
Fire Companies:	Councilman Milton Wittmeyer
Emergency Squad:	Councilman David Zimmerman
Codification:	Councilman Milton Wittmeyer
Senior Citizens:	Councilman Esther Faulring
Capital Improvements:	Councilman David Zimmerman
Street Lighting:	Councilman Esther Faulring
Drainage:	Councilman Don Wohlhueter

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

five (5) ayes

Carried

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

five (5) ayes

Carried

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

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring setting 1982 salaries as follows:

1982 SALARIES

Supervisor - Jerome A. Hubert	\$11,988.00
Councilman - Milton I. Wittmeyer	3,240.00
Esther M. Faulring	3,240.00
Don A. Wohlhueter	3,240.00
David G. Zimmerman	3,240.00
Town Justice - Robert W. Tills	7,760.00
Town Clerk - Herbert H. Klein	17,723.00
Highway Superintendant - Clarence S. Kreitzbender	20,218.00
Assessor - William H. Kleis, Jr.	12,247.00
Town Attorney - Charles P. Maxwell	8,000.00
Deputy Town Attorney - Michael Perley	2,400.00
Bookkeeper to Supervisor - Jean Kleis	5.00 per hour
Deputy Town Clerk, Court Clerk - Joyce Carr	5.00 per hour
Secretary to Board & Committees, Deputy Town Clerk - Lucille Genzel	4.00 per hour
Election Inspectors:	
Registration Days	28.50
Primary Day	35.00
Chairman of District for Year	5.00
Election Day	55.00
School Attendance	9.00

Cleaner PT - Michael A. Czechowski	4.00 per hour
Cleaner PT - Doris Follman	4.25 per hour
Laborer - Jerome Orffeo	5.00 per hour
Laborer - Lee Pfarner	6.48 per hour
Dog Control Officer - Robert Steiner	3,452.00
Emergency Squad Dispatchers:	
Phyllis Barrett, Chairman	2,514.00
Florence Coyle	2,332.00
Evelyn Hinkey	2,332.00
Clerk PT - Nancy Lee	480.00
Recreation Supervisor - Remy Orffeo	3,240.00
Youth Service Supervisor - Randy Burgwardt	118.00 per month
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	300.00
Building Inspector - Charles G. Decker	5500.00
Bingo Inspector - Herbert M. Boltz	13.00 per inspection
Highway Department:	
Working Foreman - Eugene Ruchalski	7.56 per hour
Motor Equipment Operators	5.85 - 7.38 per hour
Motor Equipment Operators PT	5.75 - 6.75 per hour
Laborers	3.80 - 5.40 per hour
Sewer Operator PT - Reed Garver	
Sewer District #1	1,450.00
Sewer District #2	2,490.00
Sewer District #3	1,710.00
Sewer District #4	3,180.00
Youth Center Recreation Attendants - Tuesday Nights - Remy Orffeo	
Randy Burgwardt	58.50 monthly
Thomas Booth	13.00 per night
Teresa Hartman	13.00 per night
Teresa Hartman	12.00 per night

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter setting the payment of salaries on a monthly basis except the Supervisor, Town Clerk and Highway Superintendent which are bi monthly; Deputy Town Clerk, Supervisor's Bookkeeper, Highway Employees and two laborers which are bi weekly.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer authorizing the Supervisor to invest surplus monies and authorizing the Town Clerk-Tax Collector to invest the daily tax receipts.

five (5) ayes

Carried

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

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer setting the rate paid by the Town of Boston for authorized mileage use at \$.20 per mile.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer setting the Annual Audit Meeting on January 20, 1982.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Supervisor Hubert directing the Town Clerk to send notices for the collection of Trailer Park fees.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter setting Petty Cash funds as follows: Supervisor \$30.00; Town Police \$20.00; Town Justice \$25.00 and Town Clerk \$200.00.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to close out the \$300.00 petty cash fund of the Town Attorney.

five (5) ayes

Carried

A letter was read from the Association of Towns advising of the events at the annual meeting in New York City. A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter authorizing the attendance of Charles Pettit and Harold Dodge, Planning Board Members and Town Justice Tills and Town Clerk Klein at the Association of Towns Meeting in New York City from February 14-17, 1982 with all appropriate expenses to be paid by the Town and to name Town Clerk Klein as a delegate and Town Justice Tills as an alternate.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to sign an agreement with the County of Erie to spend Item #1 Funds.

five (5) ayes

Carried.

A motion was made by Councilman Zimmerman and seconded by Supervisor Hubert to allow lending of funds from one account to the other.

five (5) ayes

Carried

The Supervisor's Monthly Financial Report was received.

The Town Justice Monthly Report was received.

Councilman Wohlhueter advised that the Drainage Committee had met and they would be submitting a summary report to the Town Board.

Upon a request from Councilman Zimmerman a motion was made by Supervisor Hubert and seconded by Councilman Wohlhueter authorizing Councilman Zimmerman to serve as a member of the Southtowns Solid Waste Steering Committee.

five (5) ayes

Carried

The Police Department's monthly report was received.

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

The Dog Control Officer's Monthly Report was received.

The Town Clerk was directed to send a letter to Roseanne Truckenbrod asking if she would be interested in being reappointed to the Assessment Board of Review.

The Conservation Advisory Council's Annual Report was received.

Supervisor Hubert stated the appointment of members to fill vacancies would be tabled to the February meeting.

A motion was made by Councilman Wohlhueter and seconded by Supervisor Hubert appointing Paul Whittemore and Charles Decker as members of the Drainage Committee. Terms to expire December 31, 1984 and December 31, 1982 respectively.

five (5) ayes

Carried

It was noted by Supervisor Hubert that Edward Snow did not want to be reappointed to the Drainage Committee.

Town Clerk Klein reported that at a meeting in December a letter from Joseph V. McCarthy, Attorney for Rustic Development relative to hydrant charges had been referred to the Town Attorney, Assessor and himself to find a method to collect hydrant charges from the Rustic Subdivision residents. Town Clerk Klein advised that a resolution will have to be passed to include the tax account numbers and charges and then this resolution would go before the Erie County Legislature for approval and then added to the Subdivision residents tax bills. He noted that it is too late this year to do this and would write a letter to Mr. McCarthy to advise him that the Town will be unable to take over the hydrant charges until next year.

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to adjourn at 8:40 P. M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

Regular Meeting and
Annual Audit Meeting
January 20, 1982

Town Hall
8:00 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Esther Faulring, Councilman Don Wohlhueter, Supervisor Jerome Hubert, Town Attorney 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, 1982 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 \$11,086.23 be paid.

five (5) ayes Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that the Highway Bills in the amount of \$4,966.74 be paid.

five (5) ayes Carried

A letter was read from County Legislator Marie Richardson relative to the Boston Valley Extension to Erie County Sewer District #3 and advising the Board that the County accepts the Town Board's request that Eckhardt Road rehabilitation be a priority over North Boston Road. Supervisor Hubert explained that Eckhardt Road is an access road to the Expressway. The letter was received and filed.

A letter was read from the New York State Department of Transportation advising that an order issued October 16, 1978 for restricted highways on roads affected by the construction of the Southern Expressway has now been cancelled. The letter was received and filed.

A letter from Congressman Nowak and a copy of a letter from the Federal Highway Administration relative to the Rice Road Interchange were read. Supervisor Hubert directed Town Clerk Klein to send a letter to Commissioner Hennessey of the New York State Department of Transportation requesting to know what the State's plans are in light of the cutoff of Federal Discretionary Funds for the Rice Road Interchange.

A letter was read from W. Richard Doll, President of Community Creators, Inc. withdrawing expansion plans for the Rustic Subdivision.

A letter was received from Joseph V. McCarthy, Attorney for Rustic Subdivision relative to the hydrant charges. The letter was received and filed.

Town Clerk Klein reported that the 1982 tentative Equalization Rate has been set at 8.96, up from 8.92. Supervisor Hubert referred this to the Town Assessor and Town Attorney and asked that they check it. He further advised that when an Equalization rate goes up the taxes will go down.

A letter was read from the New York State Department of Transportation to Philip Frandina of the County Highway Department advising that old Route 219 will be a County highway and it will be necessary for the County to maintain the speed zones and traffic signals. Supervisor Hubert stated that the road has not officially been turned over and we should wait until a letter is received advising of the takeover. He also noted that the County does not have a signal crew so it is possible the Town will have to take over the traffic signals. Councilman Wittmeyer stated he felt now would be a good time to request a traffic control device in front of the Town Hall from the County. Councilman Zimmerman stated the Board would have to get permission to put the light up and Councilman Wittmeyer stated the Town could maintain it once it was up.

A copy of the Agreement for the Expenditure of Highway monies between Highway Superintendent Kreitzbender and the County of Erie was received.

Karen Klinczar asked about the hours for the ice skating rink and Supervisor Hubert stated he would talk on this later.

Upon a written request by the North Boston Fire Company, a motion was made by Supervisor Hubert and seconded by Councilman Faulring granting permission to the North Boston Fire Company to use the Boston Town Park on June 27, 1982 for Water Ball competition contingent on the receipt of a Certificate of Insurance.

The rezoning application of Mrs. Jean Kyne, Administrator for the Kenneth Fisher Estate was brought before the Board. Town Clerk Klein read the SEQR Negative Declaration. He reported that a public hearing had been held on this rezoning request on September 16, 1981.

Mr. Robert Burley, 8137 Boston State Road stated that the water from the proposed mall would all go north and he did not feel the sluice could take it. Supervisor Hubert explained that nothing could be done until the stipulations set forth in the SEQR Report for drainage were taken care of. He stated that what the Board is doing tonight is just rezoning the property and pointed out that in 1958 this property was zoned business and in 1963 rezoned to RRB. Supervisor Hubert also noted that the back portion of the property is zoned business and all a person need do is put in a parking lot on the front portion and build the mall where it is zoned business. He stressed that all the Board is doing tonight is considering the rezoning request and after that the Board would want plans and they would want to make sure that all problems connected with the mall would be taken care of. He stated that he felt sure a public hearing would be held for any plans of buildings that would go in that area.

Mrs. Gawlick, 8228 Boston State Road stated that a petition had been presented at the Public Hearing for the rezoning and the opposition still stands. Supervisor Hubert again reiterated that the only consideration for tonight is the rezoning.

Town Clerk Klein stated that all who had signed the petition were advised of the meeting tonight. Mrs. Gawlick stated a lot of those people who signed the petition could not get out at night and Town Clerk Klein stated the only one he had heard from was Mr. Hess who had asked to see a copy of the SEQR Report. Town Clerk Klein also pointed out to Mr. Burley that the SEQR Report calls for the increase in the size of culverts to mitigate the problem.

Bob Burley asked if the purchaser was buying the entire parcel. Councilman Wittmeyer stated yes and Mr. Burley asked why he was not asking to have it all rezoned. Councilman Wittmeyer stated he felt it was the Planning Boards decision to rezone the piece closest to the bicycle shop. Building Inspector Decker stated he only asked to have that portion rezoned.

Supervisor Hubert stated that before anything can be done plans will have to be submitted and possibly the economy is such that it cannot support a mall, but we have to look to the future.

Mr. Rutecki, 8159 Boston State Road asked if a collision shop could go in there and Town Attorney Maxwell stated that before a business permit can be issued it must come before the Town Board for approval even if it is zoned business. He noted that it is possible the Board will make a change in the zoning ordinance this year so collision shops will have to be in an Industrial Zoned area. Supervisor Hubert stated that the way this parcel is zoned now, a trade school, dog kennel, or an apartment house could be put in there. Town Attorney Maxwell read from the Zoning Ordinance which stated all building permit applications in a Business Zoning must be submitted to the Town Board and must explain the planned use.

Karen Klinczar asked if this rezoning request could be tabled until the completion of the Master Plan. Supervisor Hubert stated yes it could.

Alfred Samulski stated he felt the rezoning should be deferred until the developer can state what is going to be done on the property.

Jean Kyne stated that no one will buy the property until the Board decides what it is going to do. Councilman Wittmeyer stated that it is true that the sale of the property is contingent on the rezoning and if it isn't rezoned the sale will not go through.

Supervisor Hubert pointed out that prior to the public hearing Mr. Reeve had stated it would be costly to submit plans. Alfred Samulski stated that if he is interested he should be willing to submit plans.

Karen Klinczar pointed out that she felt this request was parallel to the situation across the street and that had been denied.

Supervisor Hubert pointed out that all the Board is considering is the rezoning.

Mrs. Van Lare who lives across the street from the area asked if the water would bother her and Councilman Wittmeyer stated no if the ditches are properly handled and Supervisor Hubert stated the ditches would be one of the stipulations before they could build.

Mrs. Hess asked Supervisor Hubert if he would change his mind if he lived in her

house and he stated he would be for the zoning as he is looking to the future and we will need small shops.

Mr. Warren stated what is the difference if he can already put the parking lot in front and build in the back. What is the hassle?

Councilman Zimmerman stated he was not against the rezoning but would like to talk to Mr. Reeve to get an idea what he would like to put in there. Councilman Wohlhueter stated he felt the same and would like to talk to Mr. Reeve.

Councilman Wittmeyer stated he did not think that Mr. Reeve would be able to tell them what he was going to do as he is buying it for speculation. Councilman Wohlhueter stated if he can't give them anything further then they will go ahead and make a decision.

Councilman Faulring stated she is not against the rezoning.

Bob Burley asked why Mr. Reeve has not been to any of the meetings and it was pointed out that he was at the first meeting and Town Clerk Klein stated that Mrs. Kyne is present and it is her request to have the property rezoned as she is trying to sell the property as the executor of the Fisher Estate.

Town Clerk Klein stated that if this is going to be tabled he hopes it is not forever as he would like to see it approved or denied. He also advised that a person who had signed the petition was really not against it, but had commented that she did not feel anyone would ever build a residence on Old Route 219.

Supervisor Hubert asked that this rezoning request be tabled to February 17th and in the meantime meet with Mr. Reeve.

Councilman Wittmeyer asked that it be made a part of the record that he will abstain on the voting as Terrison Realty is handling the sale and although he has no part in this sale and will receive no commission he is an employee of Terrison Realty.

A letter, brochures, Storage Grant and Underground Storage Agreement were received from National Fuel relative to Underground Gas Storage Rights beneath Town of Boston property. It was further advised that a representative of National Fuel would be at the Town Board meeting on February 3, 1982 to explain the easements to store gas. This material was referred to Town Attorney Maxwell for his review.

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring authorizing Town Clerk Klein to advertise for bids for Highway Supplies to be opened on March 3, 1982 at 7:45 P. M. and the Spring and Fall Trash Pickup to be opened on March 3, 1982 at 8:00 P. M.

five (5) ayes Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to correct the minutes of the Town Board meeting on December 30, 1981 as follows:

Highway Transfer of Appropriations
Tyopgraphical Errors

From DE 5165.2 to DE 5156.2 and From DE 5162.2 to DE 5161.2

General Fund Appropriations of Surplus Revenues

From A9901.8 to A9901.9

A 1120 Non Property Tax Distribution by County

2448.49

A1110.4	74.00	A1220.1	11.50	A1220.4	1.55
A1410.1	12.00	A1410.4	23.55	A1420.4	662.56
A1620.4	56.96	A3120.4	18.00	A7310.4	696.39
A7620.4	826.29	A8020.4	35.00	A9030.8	1.71
A9055.8	28.98				

Correction of Earlier Transfer of Appropriations

From A9110.4 262.00 to A1420.4 262.00

APPROPRIATIONS OF FUND BALANCES AS FOLLOWS:

Sewer District #2 Fund Balance	1,138.00	
	SS-1-8130.4	1,138.00

Sewer District #3 Fund Balance

191.00

SS-3-8130.4

191.00

five (5) ayes

Carried

The Condensed 1981 Annual Fiscal Report of past Supervisor David G. Zimmerman was presented. A motion was made by Supervisor Hubert and seconded by Councilman Wittmeyer that the Annual Fiscal Report for 1981 as presented by past 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.

five (5) ayes

Carried

A written annual report as well as the dockets of Justice Tills for 1981 were presented to the Board for audit. A motion was made by Councilman 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.

five (5) ayes

Carried

Town Clerk Klein distributed a written annual report of receipts for 1981 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 Wohlhueter and seconded by Councilman Faulring that the 1981 Annual Report for the Town Clerk be accepted.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Supervisor Hubert to amend the 1982 Water District #2 Budget as follows: Increase appropriation from \$41,830.00 to \$41,980.00 with amount to be raised by tax increased from \$40,830.00 to \$40,980.00.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter authorizing the Town Clerk to advertise for bids for the State Police Building to be opened on March 8, 1982 at 4:00 P. M. at the Boston Town Hall.

five (5) ayes

Carried

Supervisor Hubert thanked Jerry Orffeo and the volunteers who had worked on the Ice Skating Rink. He stated that there had been problems with hockey players and so a time had been set aside to play hockey on Tuesday and Thursday and on Saturday and Sunday before 1:00. It was further decided that the park would be closed at 10:00 P. M. Karen Klinczar asked if there were any plans for future development of the rink such as benches, etc. Supervisor Hubert stated no not at this time.

Town Clerk Klein stated that a letter had been sent to the Town Historian, Churches, Fire Companies, Emergency Squad, Welcome Wagon and Lions Club relative to a float for the City's Sesqui Parade. The Chamber of Commerce has agreed to chair the committee.

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman reappointing Roseanne Truckenbrod as a member of the Assessment Board of Review. Term to expire October 1, 1986.

five (5) ayes

Carried

A thank you note was received from Ted Nowak for the fine job done by the Highway Department during the recent snowstorms.

Town Attorney Maxwell asked that he be advised when the Town Board makes the inspection of the Trailer Courts as he would like to make the inspection with them. He discussed the litigation now in progress with the owner of the Boston Hills Mobile Home Park and stated it is because of the trailer parked near the road where a trailer had never been placed before and the Building Inspector had placed a stop order on it. He further noted that no one lived in the trailer when the order was issued, but they had moved in at a later date. Town Clerk Klein stated that the trailer park fees have not been paid at this time. Town Attorney Maxwell stated that he would like to see pictures of the trailers taken for the record. Following discussion it was decided to make an inspection of both trailer parks on January 30, 1982 at 10:00 A. M. weather permitting.

The 1981 Gymnastics Report from Mary Alice Tocke was received.

The Drainage Committee Annual Report was received.

RESOLUTION - MRS. ENDRESS - 95th BIRTHDAY

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to adjourn at 9:20 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 20th day of January, 1982 at 8:00 P. M., Eastern Standard Time, there were present:

Jerome Hubert	Supervisor
Milton Wittmeyer	Councilman
David Zimmerman	Councilman
Esther Faulring	Councilman
Don Wohlhueter	Councilman

Councilman Zimmerman presented the following resolution and moved its adoption:

WHEREAS, Mina C. Endress will on January 27, 1982, celebrate her 95th Birthday, and

WHEREAS, Mrs. Endress was born in Buffalo, New York on January 27, 1887 the daughter of John and Barbara Massing and moved to the Town of Boston in 1905, upon her marriage to Charles Endress and became the mother of two sons, Elton and Carl, and

WHEREAS, Mrs. Endress and her late husband operated a farm for many years on Back Creek Road until their retirement in the early 1950's, and

WHEREAS, Mrs. Endress is noted for her preparation of delicious meals and baked goods and at one time served as a cook for special occasions for former State Attorney General Hamilton Ward in Albany during 1927-29, and

WHEREAS, Mrs. Endress is a faithful Christian who was active in the former Community Church in Patchin and is now a member of the Hamburg Methodist Church where she gave of her time and talent as a member of the Women's Quilting Group, and

WHEREAS, Mrs. Endress was active in many community organizations including being a charter member of the North Boston Volunteer Firemen's Ladies Auxiliary, North Boston Fruit and Flower Club, the Boston Grange, helped organize the North Boston Home Bureau and Boston Senior Citizens Group as well as a member of the Senior Citizens Kazoo Band, and

WHEREAS, Mrs. Endress is known as Grandma Endress to all who know her.

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Boston congratulates Mrs. Mina Endress on her 95th Birthday and wishes her continued good health and happiness, and

BE IT FURTHER RESOLVED, that Thursday, January 27, 1982 is hereby proclaimed
- Grandma Endress Day in the Town of Boston in honor of her 95th Birthday.

Seconded by Supervisor Hubert and put to a vote which resulted as
follows:

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

AYES: 5 NOES: 0 ABSENT: 0

Herbert H. Klein
Herbert H. Klein, Town Clerk

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Esther Faulring, Councilman Don Wohlhueter, Supervisor Jerome Hubert, 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 20, 1982 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 Zimmerman that the General Fund and Special District Bills in the amount of \$5,385.41 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 \$14,583.31 be paid.

five (5) ayes

Carried

A resolution passed by the Erie County Legislature relative to assessment litigation was received from Legislator Marie Richardson. Town Clerk Klein explained that at the present litigation is at the towns expense and the resolution is asking that a study be made by the county to see if they can or should join in sharing the cost of the litigation. He further noted that Assemblyman Kennedy has received requests from two towns in his district to sponsor State Legislation to allow the county and school districts to share in this cost. The resolution was received and filed.

A letter was received from the Boston Emergency Squad advising of their officers for 1982. The letter was received and filed.

A letter was read from the County of Erie Department of Environment and Planning advising that bids would be opened for Southtowns #3 Sewer Contract BV-2 on March 16, 1982. The letter was received and filed.

A letter was received from Legislator Marie Richardson advising of action taken at the January 21st session of the Erie County Legislature. The letter was received and filed.

A letter was read from Assemblyman Kennedy relative to State Revenue Sharing. Supervisor Hubert explained that the formula has been changed as the Revenue Sharing used to be 18% of the State Personal Income Tax and then was changed to 8% of the total revenues taken in by the State and now the Governor is proposing a freeze on last years 8% which will actually mean less money. He stated in the last two years over \$50 thousand dollars that should have come to the town government has been lost and he will be sending a letter to the Governor and Legislator opposing the 8% freeze.

Upon a written request by William Kummer a motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to renew the Special Use Permit of William Kummer, 8863 Boston State Road to conduct a retail pool supply business under the same conditions as previously issued. Permit to expire December 1, 1984.

five (5) ayes

Carried

A letter was read from Willard A. Genrich, Attorney for John Falkides owner of the Boston Bills Trailer Park requesting a meeting with the Town Board and/or Town Attorney Maxwell. Town Attorney Maxwell stated he would call Mr. Genrich and set up an appointment to talk to Mr. Falkides and his Attorney.

Town Clerk Klein stated he had received a call from William Sprague owner of Sprague's Trailer Park asking for an extension to April of the Trailer Park Fee as due to the payment of back taxes he is short of funds. Town Attorney Maxwell stated that this extension can be allowed.

A written request was received from Gerald Burger requesting his Special Use Permit to keep a horse on Old Orchard be renewed. Councilman Wittmeyer stated he had heard that they no longer owned the horse. Supervisor Hubert asked that

the renewal request be tabled and directed the Building Inspector to check to see if they still own the horse. .

RESOLUTION - SNOW REMOVAL CONTRACTS 1981-82

Mr. Richard Anderson, National Fuel Gas representative explained to the Town Board that DEC Regulations mandate that Nation Fuel must acquire storage rights from 100% of the owners whose property lies within the bounds of their underground storage areas and that some storage areas include Town of Boston property and subdivision roads. Mr. Anderson pointed out that this covers 42 acres and the lease would be paid at \$84.00 per year or a one time payment of \$1,050.00. Mr. Carl Schmidt, Lower East Hill Road asked if the signing of a lease for storage rights also gave surface rights and Mr. Anderson stated no.

Mr. Richard Sage, Rice Road, pointed out that he had signed a lease ten years ago and received \$75.00 and now they are offering people \$50.00. Mr. Anderson advised that the amount paid depends on the size of the property.

Town Attorney Maxwell asked Mr. Anderson why there was a lull in their getting storage right leases signed when they started in 1972. Mr. Anderson stated that it is a very volatile issue and at that time 70% of the leases had to be signed, but now the DEC has changed it to 100% so they had to step up their negotiations.

Town Attorney Maxwell also asked if the Town would be able to drill for gas on the Town Park area and Mr. Anderson read from the lease which stated written consent was needed.

Mr. Anderson stated he would be sending a new instrument to be signed as the amount of acreage in the lease is incorrect. He further thanked the Town Board for allowing him to speak at their meeting. Supervisor Hubert advised that the signing of the lease would be tabled to a future date.

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer authorizing Councilman Wohlhueter to attend the Association of Towns meeting in New York City on February 15-17 and also to advance payment to officials attending the Association of Towns Meeting as follows:

Councilman Wohlhueter	\$220.00	Town Clerk Klein	\$230.00
Charles Pettit	\$275.00	Harold Dodge	\$275.00
		Town Justice Tills	\$155.00

five (5) ayes

Carried

The Supervisor's Monthly Report was received.

Upon the recommendation of Supervisor Hubert, the following Committee appointments were made:

Traffic Safety: Milton Wittmeyer, Clarence Kreitzbender and Harry Strack
 Codification: Herbert Klein, Charles Maxwell, Charles Decker, William Kleis, Mike Perley and Charles Pettit
 Street Light: Esther Faulring, Clarence Kreitzbender
 Youth Service: Ann Ferguson, Richard Lee, Nancy Boltz, Harry Strack, Clayton Schunk, Bob Williams and Steve Calos
 Senior Citizens: Joseph Mertzluft, Henry Seufert, Mildred Seufert, John Walters, Michael Czechowski, H. Eglantine Berger, Ruth Garrison, Harold Rockwood
 Recreation: Jean Yuhas, Christine Jusiak, Nancy Kulik, Paul Becker, Dr. Charles Matlach, Richard LeRoy, Henry Enser
 Community Development
 Advisory Committee: Edward Snow, Anna Golabek, Delores Ballachino, Peg Hartman, Dennis Kramer, Karen Penfold, Howard Frank
 Capital Improvements: James Smolinski, Paul Becker, Barbara Lorenz, Maurice Emerling, Robert Randall, Milton Wittmeyer, Francis Wurtz
 Insurance: Herbert H. Klein, Milton Wittmeyer, Don A. Wohlhueter and William Hubert

A motion was made by Councilman Wohlhueter and seconded by Supervisor Hubert appointing Robert Burley and Robert Emerling to the Conservation Advisory Council. Terms to expire December 15, 1984.

five (5) ayes

Carried

Upon a request of Supervisor Hubert, a motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to remove Supervisor Hubert from the Cable TV Negotiating Committee and replace him with Joseph Terrizzi who had served on the

Cable TV Committee from the beginning and Supervisor Hubert would stay on as advisor.

five (5) ayes

Carried

Remy Orffeo asked Supervisor Hubert if he was going to take himself off the Cable TV Committee and he stated yes. Remy asked why he would take himself off a committee that would generate \$20,000.00 to \$30,000.00 in revenues in the Town. Supervisor Hubert stated Mr. Terrizzi has the expertise and has been on from the beginning. He stated he planned to stay on top of this and felt that those on the committee were excellent people. Mr. Orffeo stated he still felt there should be an elected official rather than all appointed. Supervisor Hubert stated he would still stay on top of it.

Supervisor Hubert directed the Town Clerk to send a letter to the Planning Board asking them to study and present their views on a new name for Old Route 219 south from Route 277 in North Boston. The Board felt that the Town of Concord would also have to be contacted on this as the county would like the same name all the way to Springville.

A letter was read from the Boston Fire Company advising that they could not recommend a name to the Drainage Committee until after their February meeting.

Town Clerk Klein stated he had received a call from Mrs. Endress thanking the Town for remembering her on her 95th Birthday and thanking everyone who had sent cards.

The Town Justice Monthly Report was received.

The Boston Police Department Monthly Report was received.

The Dog Control Officers Monthly Report was received.

A letter was received from the Planning Board expressing concern for Insurance coverage on board members. Following discussion by the Town Board it was decided that the Insurance Committee would meet with Ernie Holfoth to set up a meeting with all boards to discuss this concern.

A motion was made by Councilman Zimmerman and seconded by Supervisor Hubert to reappoint Thomas Finger to the Planning Board. Term to expire February 1, 1989.

five (5) ayes

Carried

A letter and a copy of a letter to Assemblyman Kennedy were received from the Conservation Advisory Council relative to the "Bottle Bill" and expressing their desire that the bill be passed.

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to adjourn at 8:34 P. M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

[Handwritten mark]

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 February, 1982 at 7:30 P. M., Eastern Standard Time, there were present:

Jerome A. Hubert	Supervisor
Milton Wittmeyer	Councilman
David G. Zimmerman	Councilman
Esther Faulring	Councilman
Don A. Wohlhueter	Councilman

Supervisor Hubert 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 1981-82 Snow Removal Contract between the County of Erie and the Town of Boston.

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

Supervisor Hubert	Voting <u>aye</u>
Councilman Wittmeyer	Voting <u>aye</u>
Councilman Zimmerman	Voting <u>aye</u>
Councilman Faulring	Voting <u>aye</u>
Councilman Wohlheuter	Voting <u>aye</u>

AYES: 5

NOES: 0

ABSENT: 0

Herbert H. Klein
Herbert H. Klein, Town Clerk

Regular Meeting
February 17, 1982

Town Hall
8:00 P.M.

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

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the minutes of the February 3, 1982 Regular Meeting be approved.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the General Fund and Special District Bills in the amount of \$6,359.06 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 \$10,044.64 be paid.

five (5) ayes

Carried

A letter was read from the New York State Department of Transportation relative to funding for the Rice Road Interchange. The letter was received and filed.

Copies of letters were received from the Erie County Water Authority to Malcolm Pirnie, Inc. relative to sewer and waterline involvements in the East Eden Interceptor and Laterals, Boston Laterals and Boston Valley Interceptor Contract No. BV-3. The letters were received and filed.

Upon a written request from the Boston Democratic Club, a motion was made by Supervisor Hubert and seconded by Councilman Faulring that the Democratic Club be granted permission to use the Town Park on Saturday, April 10, 1982 at 1:00 P. M. for an Easter Egg Hunt contingent upon receipt of a Certificate of Insurance filed with the Town Clerk.

five (5) ayes

Carried.

A letter was received from Mrs. Gerald Burger advising that the horse on their property is still owned by Laurel Burger. A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Special Use Permit of Gerald Burger, to keep a horse on their property on Old Orchard be renewed for one (1) year to January 23, 1983 under the same conditions as originally granted.

five (5) ayes

Carried

Upon a written request of William Sprague, a motion was made by Supervisor Hubert and seconded by Councilman Faulring to extend the date to pay the trailer park license of Sprague Trailer Park to April 30, 1982 with no further extensions.

five (5) ayes

Carried

Town Clerk Klein advised that he had not received an application for a Trailer Park license from the Boston Hill Mobile Home Park. Town Attorney Maxwell advised that a letter be sent to Mr. Falkides, owner and advise if there is not payment forthcoming that the Board could consider the question of a hearing to revoke his license for failure to comply with the ordinance. Supervisor Hubert stated he would meet with Town Attorney Maxwell to draw up the letter.

Upon a written request from Good Shepherd Lutheran Church, a motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter granting permission to Good Shepherd Lutheran Church to use the Town Park on July 11, 1982 from 10:00 AM to 5:00 P. M. contingent upon receipt of the Certificate of Insurance by the Town Clerk.

five (5) ayes

Carried

Town Clerk Klein reported on the Association of Towns Meeting in New York City and stated that he had been appointed Chairman of the Nominating Committee. He further advised of the resolutions presented to the body and noted they had all passed.

Town Attorney Maxwell advised that the easement on the Sewer District #3 line going through town property should be checked, if it is okay can be approved.

Upon the recommendation of Town Attorney Maxwell, a motion was made by Councilman

Wohlhueter and seconded by Councilman Zimmerman authorizing Town Attorney Maxwell to use his discretion to withdraw the objection to the tentative Equalization Rate as the rate was raised and results in a savings to the Town of Boston Taxpayers.

five (5) ayes

Carried.

Councilman Wohlhueter reported on the State Fire Code seminar he attended at the Association of Towns meeting in New York City. He stated that there were objections to the code and as it is not all drawn up there were no copies available.

Building Inspector Decker advised that he had attended a Public Hearing in Buffalo on February 16, 1982 relative to this Fire Code. Councilman Wittmeyer expressed concern for the owners of older buildings and how they would be able to conform to a Fire Code. Town Clerk Klein advised that someone from the State will be at the Kennedy Seminar in March to talk on the Fire Code.

A motion was made by Councilman Zimmerman and seconded by Supervisor Hubert appointing Lyle Zahler as a member of the Drainage Committee. Term to expire December 31, 1984.

five (5) ayes

Carried

The request to rezone the Fisher property was again brought before the Board. Mr. Hess, 8192 Boston State Road reminded the Board that at the Public Hearing on September 6, 1981, he had presented a petition against the rezoning signed by those that would be most effected by this rezoning. Mr. Hess asked what control the Board would have after the rezoning and Supervisor Hubert explained that the Board would have to approve what is going in. Town Clerk Klein explained the procedure that must be taken to get approval for buildings. Mr. Hess stated that he had questioned people and they do not feel a shopping plaza is needed.

Mrs. Rutecki, Boston State Road stated all the plans seem to be vague, what is going there and who is financing the project.

Mrs. Gawlick, Boston State Road stated she agreed with Mr. Hess and asked what the rezoning would do to the neighborhood and the property values. She stated that no one she has talked to is in favor of the rezoning.

Mr. Hess asked Mr. Reeve what he proposed to do after the rezoning and Mr. Reeve stated that would come later, the rezoning was what was being requested. Mr. Hess stated he would like more definite plans presented.

Councilman Zimmerman asked if the rezoning could be done contingent on a plot plan and Town Attorney Maxwell stated no it has to be a yes or a no.

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to deny the rezoning request of Jean Kyne, executor of the Kenneth Fisher Estate from RRB to Business B-1 and from Business B-1 to Agriculture. The vote was as follows:

Councilman Wittmeyer	Abstain
Councilman Zimmerman	Yes
Councilman Faulring	No
Councilman Wohlhueter	Yes
Supervisor Hubert	Yes

Three (3) ayes

One (1) no

One (1) Abstention

Supervisor Hubert explained that he had voted for the denial because of the vagueness of future plans.

Councilman Wittmeyer advised that in the future the tax base will have to be looked at seriously. Town Clerk Klein pointed out the changes that have taken place in the North Boston Plaza since it had been built. Mrs. Gawlick asked that the Town be let to grow in one area and not spot zone.

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to adjourn at 8:52 P. M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

Regular Meeting
March 3, 1982

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Don Wohlhueter, Supervisor Jerome Hubert, Town Attorney Charles Maxwell and Highway Superintendent Clarence Kreitzbender.

Absent was Councilman Esther Faulring.

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the minutes of the February 17, 1982 Regular Meeting be approved.

four (4) ayes

Carried

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

four (4) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Supervisor Hubert that the General Fund and Special District Bills in the amount of \$25,874.85 be paid.

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the Highway Bills in the amount of \$10,055.53 be paid.

four (4) ayes

Carried

A letter was received from County Legislator Richardson advising of action taken at the February 18th session of the Erie County Legislature. The letter was received and filed.

A letter and resolution relative to state support for access to Lake Erie were received from County Legislator Richardson.

RESOLUTION - LAKE ERIE ACCESS

A letter and hydrant bill were received from Joseph V. McCarthy, Attorney for Richard Doll, Woodlee Court developer. Town Attorney Maxwell stated that in September these charges will have to be assessed against the property owners in this area and cannot be paid until then. The letter and bill was received and filed.

A letter was received from Comptroller Regan advising of a meeting to better acquaint local officials with pilot tests in the Financial Management System. Supervisor Hubert advised that he and his bookkeeper would be attending the March 22nd meeting at the Erie Community College City Campus.

A letter and resolution were received from Legislators Meier and Paxon opposing a city income tax for commuters to the city.

RESOLUTION - CITY INCOME TAX

Mr. Henry Enser, Liebler Road, Boston asked if the Audit Report is back and if it is was there anything in the report about not letting competitive bids for recreation supplies. Supervisor Hubert stated that yes it was in the report. Mr. Enser stated that as it is in the report bids should be let whether it is for \$500.00 or \$3,500.00. Mr. Remy Orffeo, Recreation Supervisor stated that he spent considerable time with the auditor going over this and he was under the impression that different organizations order under recreation, as long as their bid does not exceed \$3,500.00 they were not compelled to bid. Remy Orffeo stated he did get informal bids on supplies by calling suppliers. He stated he was looking at baseball supplies now and in two months recreation supplies. Mr. Enser stated that he felt that at the start of the season there is enough purchased to warrant competitive bids and also asked about State Contract prices. Town Clerk Klein stated he had attended a seminar in New York City on state contract buying and would send and get prices on the state contract. Mr. Enser stated that he felt all supplies should be bought at once and Remy pointed out the problem of storage. He advised that the baseball supplies would run about \$1,800.00 to \$2,000.00.

At 7:45 P. M. bids were opened for Highway Supplies.
The Legal Notice was read by the Town Clerk. Bids
were received as follows:

Chautauqua Pipe and Tank, Inc.
Cemetery Road
Portland, New York 14769

Non-Collusive Bidding Certificate

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 3, 1982 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: January 26, 1982

Herbert H. Klein, Town Clerk
Town of Boston

SIZE	GAUGE	PLAIN GALV.	FAC	PLAIN CORLIS ALUM.
12"	16	4.20	4.78	5.36
15"	16	5.23	6.75	7.07
18"	16	6.25	8.03	8.43
21"	16	7.21	9.26	9.82
24"	14	11.10	12.51	13.78
30"	14	12.36	15.52	17.14
36"	12	22.52	24.75	27.38
42"	12	26.35	28.89	32.84
48"	12	30.06	33.02	37.46
54"	12	33.89	37.16	42.08
60"	10	54.01	58.17	65.50
66"	10	59.70	66.81	67.74
72"	10	65.35	73.06	73.85

Bands for Corrugated Steel Pipe including bolts same as 1' of pipe thru 54", 60" and larger same as 1 1/2' of pipe.

Bands for Aluminum Pipe 7" wide same as 1' of pipe, 12" wide same as 1 1/2' of pipe and 24" wide same as 3' of pipe.

Chemung Supply Corporation
Couning Road - Rt. 14 - Box 527
Elmira, New York 14902

Non Collusive Bidding Certificate

DIAMETER	GAUGE	PLAIN GALVANIZED PRICE PER FOOT	ASPHALT COATED PRICE PER FOOT
12"	16	\$ 3.99	\$ 4.79
15"	16	4.97	5.93
18"	16	5.93	7.09
21"	16	6.88	8.23
24"	16	7.86	9.39
30"	14	11.74	13.73
36"	14	14.03	16.42
42"	12	22.39	25.44
48"	12	25.54	29.04
54"	12	28.71	32.52
60"	10	39.57	44.19
66"	10	43.48	48.55
72"	10	47.39	52.94

Bands 12" thru 54" are priced the same as one foot of pipe. Bands 60" and larger are priced at two foot of pipe.

Buffalo Crushed Stone, Inc.
8615 Wehrle Drive
Williamsville, New York 14221

Non Collusive Bidding Certificate

☒ CRUSHED STONE For Stone Delivery Add \$2.30 Per Ton
☐ BITUMINOUS CONCRETE

APPROXIMATE QUANTITIES IN TONS	PRODUCT DESCRIPTION	PRODUCT CODE	LIST PRICE PER TON F.O.B. ABOVE PLANT	LESS TRADE DISC.	UNIT PRICE	LESS CASH DISC. 30 DAYS FROM INV. DATE	NET PRICE PER TON F.O.B. ABOVE PLANT	PLUS TRUCK- ING	NET DELIVERED PRICE
	Bank Run Screen						5.15		
	1A Stone						5.90		
	#1 Stone						5.40		
	#2 Stone						5.00		
	1 & 2 Mix						5.00		
	#3 Stone						4.75		
	3A Stone						4.75		
	1" Cr						4.50		
	2" CR						3.90		
	3" CR						3.90		
	6" CR						3.90		
	2A Stone						4.75		

Gernatt Asphalt Products, Inc.
Taylor Hollow Road
Collins, New York 14034

Non Collusive Bidding Certificate

Estimated Quantity	Item	Unit	f.o.b. our plant	f.o.b. your project	Disc. if paid by 15th prox.
	Mason Sand				
	Concrete Sand	ton	\$ 3.05		net
	Crusher Sand				
	Sand for Ice Control	ton	\$ 2.40		net
	#1A Crushed Gravel	ton	\$ 4.20		net
	#1 Crushed Gravel	ton	\$ 4.20		net
	#1 Round Gravel	ton	\$ 3.50		net
	#2 Crushed Gravel	ton	\$ 4.20		net
	#1&2 Crushed Gravel	ton	\$ 4.20		net
	#3 Gravel(If available)	ton	\$ 4.20		net
	Oversize Gravel				
	Bank Run Gravel	ton	\$ 2.15		net
	Crusher Run(NY Item 304)	ton	\$ 3.60		net
	Sidewalk Blend				
	#1ST	ton	\$ 4.45		net

Estimated Quantity	State Item#	Description	Unit	f.o.b. our plant	f.o.b. your project	Disc. if paid by 15th prox
	403.11	Type 1 (dense base)	ton			
	403.12	Type 2 base	ton			
	403.13	Type 3 (dense) binder	ton	\$ 24.05*		net
	403.14	Type 4 binder	ton	\$ 23.25*		net
	403.15	Type 5 shim	ton			
	403.16	Type 6 top (1A)	ton			
	403.17	Type 6F top(1AF)	ton	\$ 26.20*		net
	403.18	Type 7 top (1AC)	ton			
	403.19	Type 7F top (1ACF)	ton	\$ 26.80*		net
	403.20	Type 9F top	ton			
	403.21	Truing & level	ton			

NOTE: *Prices are based on asphalt f.o.b. the refinery at \$180.00 per ton. If the price of asphalt exceeds this amount at the time of black top shipment, the NYSDOT escalator clause will be used.

Estimated Quantity	Item	Unit	f.o.b. our plant	f.o.b. your project	Disc. if paid by 15th prox.
	Mason Sand				
	Concrete Sand	ton	\$ 3.35		net
	Sand for Ice Control	ton	\$ 2.70		net
	#1A Crushed Gravel	ton	\$ 5.45*		net
	#1 Crushed Gravel	ton	\$ 4.45		net
	#2 Crushed Gravel	ton	\$ 4.45		net
	#1&2 Crushed Gravel				
	#3 Gravel(If available)	ton	\$ 4.45		net
	Oversize Gravel				
	Bank Run Gravel	ton	\$ 2.30**		net
	Crusher Run(NY Item 304)	ton	\$ 4.05		net
	Sidewalk Blend				
	Cold Patch (Surface Mix)	ton	\$ 29.25***		net
	Cold Patch (Shoulder Mix)	ton	\$ 19.90***		net
	*If available.				

NOTE: ** Advance notice required for special loading arrangements at the Rt. 39 deposit.

*** The NYSDOT escalator clause will be used if the price of asphalt exceeds \$180.00 per ton at the time of cold patch shipment.

Hanover Sand & Gravel, Inc.
Alleghany Road
Silver Creek, New York 14136

No Non-Collusive Bidding Certificate

Effective 3/15/82	PRICE PER TON	
	F. O. B.	DELIVERED
Creek Run Gravel or Fill	2.80	
Top Soil	5.30	
No. 1 and 2 Stone	5.30	
No. 1	5.50	see
Grit	3.00	
Special Crushed Gravel	4.20	note
Special Crushed Stone	6.80	below.
No. 1 A Stone	5.30	↓
No. 1 B Stone	5.30	
-1 Slag	6.80	
# 2 or # 3 Slag	7.30	

Lane Metal Products
Box 711
Bath New York 14810

Non Collusive Bidding Certificate

Diameter	Gauge	Plain Galvanized	Price Per Foot
12"	.052	Yes	3.91
15"	.052	"	4.87
18"	.052	"	5.79
21"	.052	"	6.74
24"	.052	"	7.68
30"	.064	"	11.37
36"	.064	"	13.60
42"	.064	"	15.84
48"	.064	"	18.07
54"	.079	"	24.38
60"	.109	"	36.13
66"	.109	"	39.71
72"	.109	"	43.28

Buffalo Slag Company, Inc.
500 Como Park Boulevard
Cheektowaga, New York 14225

Non Collusive Bidding Certificate

N.Y. SIZE NO.

1A Slag
1 Slag
1ST Slag
2 Slag
3A Slag
1 & 2 Mixed
-2" C/R Slag
Run of Bank
3 & 4 Slag
-3" C/R Slag
Screenings

F.O.B. TRUCKS, WOODLAWN, PLT. #81

\$ 6.90 per net ton
6.35 " " "
6.35 " " "
4.70 " " "
4.70 " " "
5.35 " " "
3.90 " " "
2.50 " " "
4.75 " " "
3.90 " " "
4.45 " " "

The above materials are available at our Woodlawn Plant, #81, Town of Hamburg, Erie County.

N.Y. SIZE NO.

1A Stone
 # 1 Stone
 Stone Quarry Run
 # 1 & 2 Stone
 # 2 Stone
 # 3A Stone
 # 1" C/R Stone
 2" C/R Stone
 Yard Clean Up

F.O.B. TRUCKS, CHEEKTOWAGA PLANT #21

\$ 6.90 per net ton
 6.10 " " "
 5.10 " " "
 5.55 " " "
 5.15 " " "
 5.15 " " "
 4.15 " " "
 3.90 " " "
 2.90 " " "

The above materials are available at our Cheektowaga Plant, #21, Tn. of Cheektowaga Erie County.

<u>ITEM NO.</u>	<u>TYPE NO.</u>	<u>F.O.B. TRUCKS, CHEEKTOWAGA PLANT #51</u>	<u>F.O.B. TRUCKS, WOODLAWN PLT. #50 (if available)</u>
403.12	Type 2 - 1A Base	\$21.20 net per net ton	\$ 24.30 net per net ton
403.13	Type 3 - 2A Binder	24.30 " " " "	25.55 " " " "
403.14	Type 4 - 1A Binder	21.00 " " " "	23.35 " " " "
403.16	Type 6 - 1A Top	26.15 " " " "	27.55 " " " "
403.18	Type 7 - 1A Top	26.55 " " " "	28.30 " " " "

SIZEF.O.B. TRUCKS, FRANKLINVILLE, PLT #36

Concrete Sand	\$ 3.00 net per net ton
Mason Sand	5.85 " " " "
Road Grit	2.00 " " " "
1A Crushed Gravel	2.00 " " " "
1 Crushed Gravel	3.80 " " " "
2 Crushed Gravel	3.60 " " " "
1&2 Crushed Gravel	3.65 " " " "
Item 4	2.50 " " " "

The above materials are available at our Franklinville Plant #36, Franklinville, NY.

Midland Asphalt Corporation
 640 Young Street
 Tonawanda, New York 14150

Non Collusive Bidding Certificate

<u>ITEM</u>	<u>TOTAL PRICE PER GALLON</u>
AC-5	.98
MC-30, 70, 250, 800 or 3000	1.25
RS-1	.7725
RS-2	.7725
CRS-2	.7725
HFRS-2	.7725

The items listed below will be furnished, heated, hauled and applied through an approved Midland Mix-Paver or Stabilization plant.

<u>ITEM</u>	<u>TOTAL PRICE PER GALLON</u>
HFMS-2	.8575
MS-2	.8575
CMS-2	.8575

Spencer & Haley, Inc.
10292 Elton Road
Delevan, New York 14042

Non Collusive Bidding Certificate

Estimated Quantity	Item	Unit	F.O.B. our Plant	F.O.B. your Project	Disc. if paid by 10th prox
	#1 Crushed Gravel	ton	\$4.25		
	#1A Crushed Gravel	ton	4.25		
	#2 Crushed Gravel	ton	3.85		
	#3 & 4 Crushed Gravel	ton	3.75		
	#1 & 2 Crushed Gravel	ton	4.20		
	Mason Sand	ton	5.75		
	Concrete Sand	ton	3.25		
	Filter Sand	ton	no bid		
	Road Grit	ton	2.40		
	Item 4 Item 304.02	ton	2.90		
	B/R Gravel		no bid		
	Medium Stone Fill		no bid		
	Gabion—Minus 8"	ton	4.50		

Western Bituminous Products, Inc.
P. O. Box 153
1655 Union Road
West Seneca, New York 14224

Non Collusive Bidding Certificate

	per gallon
1. Asphalt Emulsion (Anionic and Cationic for surface treating)	\$.7725
2. Asphalt Emulsion (Mixing Grades)	.8075
3. All grades of MC asphalts	1.25
4. Road Tars (RT-3 thru RT -10)	1.29
5. AEPM Emulsion for Dust control and Prime	
6. Liquid Calcium Chloride	.53
7. 64-P Asphalt	.98
Alternates:	
1. Pugmill mixer add to above	\$.05 per gallon
2. Mix-paver " " "	.05 " "
3. For hand patching less than 1000 gallons per day add \$50.00 per hour truck time over 1000 gallons per day no additional charge.	

Krantz Asphalt Company, Inc.
710 Elk Street, Buffalo, NY 14210

Non Collusive Bidding Certificate

Item	Price per gallon
Asphalt Emulsions	
RS - 1	\$.7725
RS - 2 (70-BC)	.7725
CRS - 1	.7725
CRS - 2 (66-B)	.7725
Medium Curing Asphalts (MC) All grades	1.25
Rapid Curing Asphalts (RC) (if available)	1.25
Asphalt Binder, AC - 5 (64-P)	.98
Dust Oil	

Republic Steel
148 Meadow Run
Hamburg, New York

Non Collusive Bidding Certificate

Plain Galvanized Lok-Cor Pipe as follows:

12"dia. 16ga.	3.90/LF
15"dia. 16ga.	4.85/LF
18"dia. 16ga.	5.90/LF
21"dia. 16ga.	6.75/LF
24"dia. 16ga.	7.65/LF
30"dia. 14ga.	11.55/LF
36"dia. 14ga.	14.15/LF
42"dia. 12ga.	22.25/LF
48"dia. 12ga.	24.95/LF
54"dia. 12ga.	30.00/LF
60"dia. 10ga.	45.60/LF
66"dia. 10ga.	49.30/LF
72"dia. 10ga.	53.15/LF

Prices are F.O.B. Highway garage, Town of Boston.

Add 15% to above prices for asphalt coating.

Add 12% to above prices for arching.

Upon the request of Highway Superintendent Kreitzbender the bids were received and referred to the Highway Superintendent for study and a recommendation.

At 8:00 P. M. Bids were opened for the Trash Pickup. The Legal Notice was read by the Town Clerk. Bids were received as follows:

C.I.D. Refuse Service
P. O. Box 152
Hamburg, NY 14075

Non Collusive Bidding Certificate

Spring & Fall Pickup \$11,449.00
Spring Pickup Only \$ 7,987.00

Southtowns Sanitation Service, Inc.
P. O. Box 1957
Blasdell, New York 14219

Non Collusive Bidding Certificate

Spring & Fall Pickup \$10,788.90
Spring Pickup Only \$ 6,238.95

Supervisor Hubert asked that the awarding of the bid be tabled to the next meeting so they can be studied by the Board.

The meeting returned to the matter of competitive bidding and Councilman Wohlhueter stated he was confused by the Audit Report which states competitive bidding is necessary for supplies over \$3 000.00 and during discussion \$3,500.00 has been used. The Board agreed that \$3,500.00 was the correct amount and Town Clerk Klein stated he would like to go over the audit and then ask the auditor for clarification of items they have questions on. Councilman Wohlhueter stated he could see bids for large expenses, but did not feel every small expenditure should be put up for bids. Mr. Enser pointed out that he felt the town should get the best price possible. Mr. Orffeo stated price is not all and pointed out dependability is also important. He stated that the bus bids would probably be let this year as the cost will be over the \$3,500.00 limit. Mr. Enser asked if he could come in and look at vouchers for recreational supplies and Town Clerk Klein stated yes it is public record.

Mr. Enser also questioned a contract that had been presented at the baseball meeting and when asked by Councilman Wittmeyer what contract, he stated the one that states they are responsible for anyone on the park when they are playing baseball. Mr. Orffeo stated it was the suggestion of the auditor to have a contract with the baseball, bowling and softball so Assistant Town Attorney Perley had been asked to draw it up. He stated that the contract is not

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 bids 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 3, 1982 at 8:00 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: January 22, 1982. Herbert H. Klein, Town Clerk
2-11 Town of Boston

definite and is still being worked out. Mr. Enser stated it was asinine to stick liability on the Baseball Association when they were just volunteers. Town Clerk Klein read from the audit and ask what the difference was between the Little Loop Football and the Baseball Association. Mr. Enser pointed out the Football is incorporated. Mr. Klein stated that the matter of insurance is for their own protection. He stated the Town has liability, but in lawsuits all parties get named. Councilman Wohlhueter stated the Board was not trying to stick the Association with any type of insurance, but was only trying to protect the coaches. Supervisor Hubert advised Mr. Enser they would keep him informed on the progress of the contract. Assistant Town Attorney Perley stated that the contract he had drawn up was not cast in stone and no contract that is signed will prevent anyone from being sued. Burton Hopkins stated the Town has to protect the people.

Karen Klinczar asked how many children the baseball program served and was advised about 450.

Town Clerk Klein advised that the 1982 Trailer Park license for the Boston Hills Trailer Park was still not renewed and Town Attorney Maxwell stated he would meet with Supervisor Hubert to draft the necessary letter.

A motion was made by Councilman Zimmerman and seconded by Supervisor Hubert to renew the license of the Flying Knights to operate model aircraft at the County Park property on Feddick Road under the same conditions as was granted in the original license. The license will expire May 1, 1983.

four (4) ayes

Carried

A letter was read from the County relative to the speed zones and signal lights on the Hamburg-Springville Road (formerly Route 219).

RESOLUTION - SPEED ZONES

RESOLUTION - SIGNAL LIGHTS

A motion was made by Supervisor Hubert and seconded by Councilman Zimmerman authorizing the Supervisor to sign a lease with National Fuel for an Underground Storage Grant at a one time payment of \$1,050.00.

four (4) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter authorizing Councilman Faulring, Supervisor Hubert, Councilman Wittmeyer, Councilman Zimmerman, Building Inspector Decker, Town Clerk Klein, Assessment Board of Review member Pike and Assessor Kleis to attend the Kennedy-Sheffer Seminar in Albany from March 28-30 with all appropriate expenses to be paid by the Town and the cost of those driving not to exceed the cost of the fare being paid to go by chartered bus.

four (4) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer authorizing the Town Clerk to advertise for a Public Hearing to consider a contract with the Boston Historical Society on March 17, 1982 at 8:15 P. M.

four (4) ayes

Carried

The Audit Report for the Town of Boston received from the State Department of Audit and Control was read by the Town Clerk. Supervisor Hubert directed the Town Clerk to publish the legal notice which advises that the Audit report is in the Clerk's Office for anyone interested.

A letter and Cable TV Franchise were received and Supervisor Hubert stated this has been submitted to International who are reviewing this and our negotiator Michael Perley will meet with them on Friday. Supervisor Hubert stated they were trying to move right along on the Cable TV.

The Supervisor's Monthly Report was received.

Supervisor Hubert advised that he had received a notice from the Public Service Commission holding a public hearing to grant a rate increase to National Fuel. He stated he would send a letter to the PSC opposing the rate increase.

The Tax Collector's Monthly report was received.

The Town Justice Monthly Report was received.

Town Attorney Maxwell stated that he had withdrawn the complaint filed with the New York State Equalization and Assessments on the equalization rate.

Councilman Wohlhueter stated that the Youth Service Board would be meeting after the Town Board Meeting to elect officers and to set future meeting dates.

Councilman Wittmeyer stated that Chief Harry Strack had been appointed Chairman of the Traffic Safety Committee.

Councilman Wittmeyer stated that the Recreation Advisory Board will be meeting March 8, 1982 at 7:00 P. M. to elect officers.

Councilman Zimmerman stated that there will be a meeting of the Capital Improvements Committee on March 8, 1982 at 8:00 P. M. and on March 8, 1982 at 4:00 PM bids will be accepted for the State Police Building.

The Police Department's Monthly Report was received.

The Building Inspector's Monthly Report was received.

The Dog Control Officers Monthly Report was received

The State Aid Application for recreation was approved as follows:

\$4,639.14	Recreation
\$4,247.10	Youth Service

A letter was received from Gene Ruchalski, past Director of the Little League Baseball thanking the Town for their assistance while he was director.

A Youth Service Report for November, December, January and February was received from Randy Burgwardt.

Upon the Written recommendation of Recreation Director Remy Orffeo, a motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter appointing Mrs. Pat Burger as Summer Recreation Director and Gerald O'Brien as Baseball Director with the Summer Recreation Director to be paid in quarter payments on June 1, 1982, July 1, 1982, August 1, 1982 and September 1, 1982 and the Baseball Director into half payments on August 1, 1982 and September 1, 1982. Voting was as follows:

Councilman Wittmeyer	Voting	aye
Councilman Zimmerman	Voting	aye
Councilman Wohlhueter	Voting	aye
Supervisor Hubert	Voting	no

three (3) ayes

one (1)no

One (1) Absent

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer approving the appointment of the Planning Board Officers as follows:

Chairman - Charles Pettit; Vice Chairman - Donald Genzel; Secretary - Charles Decker.

four (4) ayes

Carried

The Planning Board's Annual Report was received.

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman approving the appointment of the Conservation Advisory Council Chairman as follows: Karen Klinczar, Chairman.

four (4) ayes

Carried

Councilman Wittmeyer stated that the Traffic Safety Committee would wait until Spring before taking any action on the turn back from the County of the Town of Heinrich Road and Pfarner Road as they want to check the condition of the roads and have them brought up to standard. Town Clerk Klein was directed to send a letter to the county advising them of this.

Town Clerk Klein stated he had received a request for stop signs in the Creekside Subdivision. This matter was referred to the Traffic Safety Committee.

A motion was made by Councilman Wohlhueter and seconded by Supervisor Hubert to approve the appointment of the Drainage Committee Officers as follows:
James Carr - Chairman; Walter Zelasko - Vice Chairman; William McGee - Secretary.

four (4) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to adjourn at 9:06 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 3rd day of March, 1982 at 7:30 P. M., Eastern Standard Time, there were present:

Jerome A. Hubert	Supervisor
Milton Wittmeyer	Councilman
David G. Zimmerman	Councilman
Don A. Wohlhueter	Councilman

Councilman Wohlhueter presented the following resolution and moved its adoption:

WHEREAS, Lake Erie represents a valuable water and recreational resource to all residents of New York State, and

WHEREAS, Residents of Erie County have spent millions of dollars on constructing sewer plants to protect Lake Erie from pollution thereby ensuring the lake will be a valuable asset, and

WHEREAS, present economic conditions mean more residents must seek recreational activities within Erie County, and

WHEREAS, the New York State Department of Environmental Conservation will stock over 800,000 fish in Lake Erie off the New York State shoreline in 1982, representing an eighty-five percent increase over the 1981 program; and

WHEREAS, due to the increased value of Lake Erie as a fishing and recreational resource there is a demand for more public boat launch ramps along Lake Erie in Erie County, and

WHEREAS, the New York State Office of Parks and Recreation owns seven boat launch ramps along Lake Ontario and the Niagara River in Erie and Niagara Counties and is seeking federal funding assistance to construct an eighth boat launch ramp at Buckhorn Island State Park in the Town of Grand Island, New York, and

WHEREAS, there are no State owned and operated boat launch ramps along Lake Erie in Erie County thus creating an imbalance in the New York State Park System.

NOW, THEREFORE, BE IT RESOLVED, that appropriations be included in the 1982 New York State budget for studies to be carried out by New York State Office of Parks and Recreation which would determine a location for a boat launch site between Cattaraugus Creek and the Erie Basin Marina, and be it further

RESOLVED, that copies of this resolution be forwarded to all New York State Legislators serving Erie County, the Commissioner of the NYSOPR, the Commissioner of the ECDEP and the Chairman of the Erie County Fishery Advisory Board.

Herbert H. Klein
Herbert H. Klein, Town Clerk

Seconded by Supervisor Hubert and put to a vote which resulted
as follows:

Supervisor Hubert	Voting	<u>aye</u>
Councilman Wittmeyer	Voting	<u>aye</u>
Councilman Zimmerman	Voting	<u>aye</u>
Councilman Wohlhueter	Voting	<u>aye</u>

AYES: 4

NOES: 0

ABSENT: 1

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 3rd day of March, 1982 at 7:30 P. M., Eastern Standard Time, there were present:

Jerome A. Hubert	Supervisor
Milton Wittmeyer	Councilman
David G. Zimmerman	Councilman
Don A. Wohlhueter	Councilman

Supervisor Hubert presented the following resolution and moved its adoption:

WHEREAS, On Tuesday, February 23, 1984, the Buffalo Common Council adopted a resolution requesting the State Legislature to grant authority for the City to impose a payroll tax on all persons working within the City of Buffalo, and

WHEREAS, this proposal would allow Buffalo to tax the earnings of non-city residents who happen to be employed with the City, and

WHEREAS, this plan would have a significant, and negative, impact on the economy of our area, on intermunicipal cooperation and, most importantly, on the tens of thousands of suburban residents who not only work in Buffalo, but who spend much money in that City,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Boston hereby registers its opposition to the imposition of a commuter payroll tax on those persons who live outside Buffalo but work in the City, and be it further

RESOLVED, that this Board hereby requests State Assemblyman Richard Kennedy and Senator Dale Volker to oppose passage of legislation designed to allow the City of Buffalo to enact a payroll tax on nonresidents of the City.

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

Supervisor Hubert	Voting _____ aye _____
Councilman Wittmeyer	Voting _____ aye _____
Councilman Zimmerman	Voting _____ aye _____
Councilman Wohlhueter	Voting _____ aye _____

AYES: 4 NOES: 0 ABSENT: 1

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 3rd day of March, 1982, at 7:30 P. M. Eastern Standard Time, there were present:

Jerome A. Hubert	Supervisor
Milton Wittmeyer	Councilman
David G. Zimmerman	Councilman
Don A. Wohlhueter	Councilman

Councilman Zimmerman presented the following resolution and moved its adoption:

BE IT RESOLVED to request permits from the County of Erie to allow the Town of Boston to maintain lights at the North Boston Fire Hall, Patchin Fire Hall and Boston Fire Hall.

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

Supervisor Hubert	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Zimmerman	Voting	aye
Councilman Wohlhueter	Voting	aye

AYES:	4	NOES:	0	ABSENT:	1
-------	---	-------	---	---------	---

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 3rd day of March, 1982 at 7:30 P. M., Eastern Standard Time, there were present:

Jerome A. Hubert
Milton Wittmeyer
David G. Zimmerman
Don A. Wohlhueter

Supervisor
Councilman
Councilman
Councilman

Councilman Zimmerman presented the following resolution

and moved its adoption:

BE IT RESOLVED that the Town Board of the Town of Boston hereby petitions the County of Erie for the continuation of the speed zones in the Town of Boston as follows:

Between 0.6+ miles north of Boston Cross Road and 300 feet + south of Boston Colden Road at 40 MPH

Between 0.2+ miles north of Patchin Road and 250 feet + north of Liebler Road at 40 MPH

Between 0.4+ miles east of Route NY 277 and 0.4 miles southeast of Abbott Road at 45 MPH

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

Supervisor Hubert	Voting _____ aye
Councilman Wittmeyer	Voting _____ aye
Councilman Zimmerman	Voting _____ aye
Councilman Wohlhueter	Voting _____ aye

AYES: 4 NOES: 0 ABSENT: 1

Herbert H. Klein
Herbert H. Klein, Town Clerk

Regular Meeting
March 17, 1982

Town Hall
8:00 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Don Wohlhueter, Supervisor Jerome Hubert, Town Attorney Charles Maxwell and Highway Superintendent Clarence Kreitzbender.

Councilman Esther Faulring was absent.

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman that the minutes of the March 3, 1982 meeting be approved.

four (4) ayes

Carried

A motion was made by Supervisor Hubert and seconded by Councilman Wittmeyer that the General Fund and Special District Bills in the amount of \$6,820.36 be paid.

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the Highway Bills in the amount of \$8,228.29 be paid.

four (4) ayes

Carried

A letter and a copy of the Amendments to the Erie County Water Authority's Rules for the Sale of Water and the Collection of Rents and Charges were received from the Erie County Water Authority. The letter and amendments were received and filed.

A letter and Hydrant Charge bill were received from Joseph V. McCarthy, Attorney for Richard Doll, Woodlee Court developer. The letter and bill were received and filed.

An Official Order was received from the New York State Department of Transportation advising of the discontinuance of state maintenance on State Highway No. 527 (former Route 219). The letter was received and filed.

A copy of a letter the New York State Department of Transportation to Erie County Deputy Commissioner Frandina relative to S.H. No. 527 (former Route 219) was received. The Town Clerk was directed to send a copy of this letter to the Traffic Safety Committee. The letter was received and filed.

A letter was read from Dean L. Watkins, Preservation Chairman of the Boston Historical Society recommending the name Boston Post Road or Highway be used for former Route 219. Supervisor Hubert asked that the letter be received and filed for future reference.

A letter was read from the Erie County Finance Department advising of moneys paid to the Town of Boston during 1981. Town Clerk Klein stated this statement would be in his office for anyone interested. The letter was received and filed.

A letter was read from Division Tire and Auto Parts, Inc. advising that Firestone Tire and Rubber Company has been awarded the contract for the State of New York and they are a representative of Firestone. Supervisor Hubert directed the Town Clerk to send a letter to get state prices for tires.

A letter was read from Legislator Marie Richardson advising of action taken at the March 4, 1982 session of the Erie County Legislature. The letter was received and filed.

A letter was received from the New York State Department of Environmental Conservation advising the Board that the O & M Aid application for Sewer Districts #2, #3 and #4 for fiscal year January 1, 1979 to December 31, 1979 has been denied because the level of operation and maintenance performed at the treatment facilities was not acceptable. Supervisor Hubert stated that a letter had been sent explaining that these districts are being maintained until the new Sewer District comes in. He further advised that they want the Town to spend money on something that will be obsolete in two years. Supervisor Hubert advised that a strong letter of opposition to this decision was sent with a copy sent to Assemblyman Kennedy.

A letter was received from the New York State Department of Environmental Conservation advising of an overpayment of O & M Aid on Sewer Districts #2, #3 and #4 in 1974-76. Supervisor Hubert asked that a letter be sent to the Department of Environmental Conservation asking for an itemized statement.

At 8:15 P. M. a Public Hearing was held to consider entering into a contract with the Boston Historical Society. The Legal Notice was read by the Town Clerk. Town Clerk Klein explained that the contract is being renewed as last year \$1,000.00 was added to the contract to help with the steeple repair and are now going back to the original \$1,800.00 contract. Dean Watkins asked that the \$1,000.00 be left in so the money could be used for insulation and storm windows. Supervisor Hubert stated this was not in the budget and the request could be submitted next year.

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that the Public Hearing be closed.

four (4) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to enter into a contract with the Boston Historical Society, Inc. for the preservation of historical places and objects in the amount of \$1,800.00 per annum for the year 1982.

four (4) ayes

Carried

A notice of Seminars sponsored by the Erie and Niagara Counties Regional Planning Board was received. Town Clerk Klein asked that anyone who is interested contact him. The notice was received and filed.

A notice was received from the Public Service Commission relative to a hearing for a rate increase request by New York State Electric & Gas Corporation. Supervisor Hubert directed that a letter be sent opposing a rate increase and also to advise that other methods should be used to raise money.

Mr. Henry Enser asked if the Town was losing State Aid because the sewer districts are not being maintained. Town Clerk Klein explained that the cost to the taxpayer to repair the sewers would be much more than any aid we would receive. He further explained that O & M Aid was at one time at 33 1/3% and has gone as low as 10% and is now at 16%.

James Carr reported that the Traffic Light at the North Boston Fire Hall is not operating properly and should be checked before the state turns it over.

Remy Orffeo asked that copies of the notice on Seminars be sent to members of the Zoning Board of Appeals. The notice will also be sent to the Planning Board members.

Town Clerk Klein reported that the 1982 License Fee for the Boston Hill Mobile Home Park has not been received. Town Attorney Maxwell stated that Mr. Falkides is here and he should be asked what his intention is on this, whether he intends to pay this fee. Supervisor Hubert asked Mr. Falkides to respond. Mr. Falkides responded "we are waiting for clarification on this matter". Town Attorney Maxwell asked "On what Mr. Falkides." "A clarification on what?" Mr. Falkides stated "a legal clarification." Town Attorney Maxwell asked "are you saying this litigation that we are involved in, is that what you are waiting on". Mr. Falkides responded, "that is at least part of it." Town Attorney Maxwell stated "may I suggest why don't you pay it and if you are right on litigation as to the fees that the Town would be happy to refund it. Is that agreeable to you." Mr. Falkides stated, "let me consult with my attorney". Town Attorney Maxwell stated "all right, would you get back to us." Mr. Falkides stated "sure" and Town Attorney Maxwell asked "when". Mr. Falkides stated "as soon as I can reach him." Town Attorney Maxwell asked "within a week". Mr. Falkides responded, "I have not talked to him all week so I don't know, but I will call him." Town Attorney Maxwell asked "within a week I presume" and Mr. Falkides responded "I would think within a week." Town Attorney Maxwell stated "okay, thank you."

Upon a written request by the Boston Amvets a motion was made by Councilman Zimmerman and seconded by Supervisor Hubert granting permission to the Boston Amvets to use the Town Park on August 1, 1982 for their annual Country Western Jamboree contingent on receipt a Certificate of Insurance by the Town Clerk.

four (4) ayes

Carried.

Upon a written request from the Lion's Club a motion was made by Supervisor Hubert and seconded by Councilman Zimmerman granting permission to the Lions

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 March 17, 1982 at 8:15 P.M. Eastern Standard Time, for the purpose of considering and entering into a contract with the BOSTON HISTORICAL SOCIETY, INC. for the preservation of historical places and objects in the amount of \$1,800.00 per annum for the year 1982.

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: March 2, 1982

Club to use the Town Park from July 27th to July 31 for their Octoberfest contingent upon receipt of a Certificate of Insurance.

four (4) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to file a TE 9 Form for a 40 MPH speed zone on former Route 219 from Herman Hill - Zimmerman Road to a point 0.4+ miles east of that intersection.

four (4) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to correct Abstract #3 - March 3, 1982 as follows:

Voucher #165 - From A8020.4	\$52.00	
To: A8540.4	\$10.00	Drainage
A8090.4	\$22.00	Environmental Conservation
A8020.4	\$20.00	Planning

four (4) ayes

Carried

A motion was made by Supervisor Hubert and seconded by Councilman Wohlhueter granting permission to Chief Harry Strack and Highway Superintendent Kreitzbender to attend the Kennedy Seminar in Albany from March 29 to 31, 1982 with all appropriate expenses to be paid by the Town.

four (4) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman authorizing the Supervisor to execute a lease as negotiated with the State of New York for the New York State Police Building based on \$22,500 annual rental for a ten year term and to authorize the Supervisor and Town Attorney to negotiate any further increase that can be secured from the State of New York,

four (4) ayes

Carried

A bid summary which is attached to these minutes for bids opened on March 8, 1982 at 4:00 P. M. for the State Police Building were received from Nussbaumer and Clarke, Inc. Town Clerk Klein stated that he had received Certificates of Non Collusion from E.C.S. Electric and Householder Heating. Supervisor Hubert asked that the awarding of the bid be tabled until the lease has been negotiated.

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer granting permission to the Building Inspector to attend a seminar sponsored by the Finger Lakes Building Officials Association from April 26-28, 1982 at the Rochester Marriott Inn. All appropriate expenses to be paid by the Town.

four (4) ayes

Carried

Councilman Wittmeyer reported that the Traffic Safety Committee had met with Trooper Hennigan and after a tour of the town the following was decided:

- 1 - Water condition at Boston State Road and Liebler Road which was causing an icy condition. Highway Superintendent Kreitzbender will take care of this.
- 2 - Recommend to the Board that pedestrian crossing lines be drawn across the road in front of the Town Hall where a lot of small children come into the park. He stated that they are asking for a light to be installed, warning signs for pedestrian crossing be placed on both sides of the crossing sign and that a double yellow line be put on the road from Liebler Road to Patchin Road.
- 3 - Asking for a speed limit on former 219 from the Concord Line to the Hamburg Line to 40 MPH as the speed goes up and down along the entire route in Boston.
- 4 - Off Zimmerman onto Shero Road there is four lanes and then drops into two lanes at a sharp curve which has no signs of warning. He noted that Highway Superintendent Kreitzbender has already put up the signs.
- 5 - Request a no parking sign be put on the north side of Patchin Road 60' from the intersection with Boston State Road.
- 6 - In the Creekside Subdivision requesting a stop sign be installed on Southside Drive at the intersection of Ripple Drive; Yield signs on the north and south ends of Elmtree; and Yield sign on Ripple and Northside.
- 7 - Requesting that the Yield signs at Ripple and 391 and Meadow and 391 be replaced with stop signs.

A motion was made by Supervisor Hubert and seconded by Councilman Wohlhueter authorizing the Highway Superintendent to place a stop sign on Southside Drive at the intersection of Ripple Drive; Yield signs on the North and South ends of Elmtree and Yield sign on Ripple at Northside.

four (4) ayes

Carried

Councilman Wittmeyer stated that the Recreation Advisory Council had met and Paul Becker was appointed Chairman.

There was discussion relative to the proposed request for a 40 MPH speed zone on Boston State Road and Town Clerk Klein noted that a request made last fall for a 35 MPH speed zone in the hamlet of Boston is being studied by the New York State Department of Transportation and that request should be withdrawn if the Board is going to request a 40 MPH zone for all of Boston State Road.

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter authorizing the Assessor and Town Attorney to attend a seminar at the Holiday Inn in Hamburg on April 7. All appropriate expenses to be paid by the Town.

four (4) ayes

Carried

A letter was read from Harry Strack, Police Chief advising that Gregory Stromecki had satisfactorily completed Police Training and recommended he be appointed a patrolman. Supervisor Hubert asked that this appointment be tabled to a future

TOWN OF BOSTON, NEW YORK
CONSTRUCTION OF STATE POLICE ZONE HEADQUARTERS BUILDING

BID SUMMARY - GENERAL CONTRACT

Alternate 1 - Substitute metal interior door frames for wood
Alternate 2 - Omit brick quoins on building exterior corner
Alternate 3 - Install prefinished panelling in lieu of plaster veneer

	ENGINEER'S ESTIMATE	KIRST CONSTRU- TION, INC.	ADAPTIVE BUILDERS, INC.	EDWAY CONSTRU- TION CO., INC.	CONCEPT CONSTRU- TION CORP.	NAI CONSTRU- TION CO., INC.	NORCON GROUP, INC.	HALLOCK & MIGLIORE CONST. CO., INC.
Materials		\$ 74,359.50	\$ 66,000.00	\$ 70,000.00	\$ 95,994.00	\$ 63,200.00	\$ 67,225.60	\$ 85,600.00
Labor		74,359.50	90,000.00	86,564.00	63,995.00	103,100.00	100,838.40	83,034.00
Total	\$164,000.00	\$148,719.00	\$156,000.00	\$156,564.00	\$159,989.00	\$166,300.00	\$168,064.00	\$168,634.00
Alt. 1		- \$178.00	+ \$400.00	\$0.00	+ \$100.00	\$0.00	+ \$60.00	+ \$100.00
Alt. 2		+ \$900.00	+ \$1,000.00	+ \$600.00	+ \$500.00	+ \$280.00	+ \$775.00	+ \$250.00
Alt. 3		- \$1,400.00	+ \$680.00	+ \$4,960.00	+ \$910.00	+ \$450.00	- \$775.00	+ \$1,300.00
Bid Security		5% - Hartford Acc. & Indemnity	5% Travelers	5% Travelers	5% Reliance Ins. - NY	5% Aetna Ins. Co.	5% Travelers	5% Peerless Ins. Co.

	BURGIO & CAMPOFELICE, INC.	STELLAR CONSTRU- TION CO., INC.	BISON DRYWALL & INSULATION CO., INC.	TRANSCON ASSOC., INC.	WALDEMAR TIEDEMANN, INC.	GEO. HERMAN & ASSOC., INC.	WRIGHT ASSOC. BLDG. CORP.
Materials	\$100,500.00	\$101,667.00	\$ 81,376.00	\$100,000.00	\$100,800.00		\$ 95,745.00
Labor	69,000.00	70,919.00	98,577.00	81,147.00	88,000.00		150,299.00
Total	\$169,500.00	\$172,586.00	\$179,953.00	\$181,147.00	\$188,800.00	\$214,995.00	\$246,044.00
Alt. 1	+ \$500.00	+ \$207.00	+ \$475.00	+ \$50.00	+ \$200.00	- \$86.00	- \$87.00
Alt. 2	+ \$700.00	+ \$1,000.00	+ \$280.00	+ \$280.00	+ \$380.00	\$ 0.00	+ \$500.00
Alt. 3	+ \$3,350.00	- \$507.00	+ \$1,891.00	+ \$500.00	+ \$4,000.00	+ \$3,143.00	+ \$550.00
Bid Security	5% Fireman's Fund	5% Fireman's Fund	5% Aetna	5% Fidelity & Dep	5% Fireman's Fund	5% - St. Paul Fire & Marine	5% Reliance Ins.-NY

Regular Meeting
April 7, 1982

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Esther Faulring, Supervisor Jerome Hubert, Town Attorney Charles Maxwell and Highway Superintendent Clarence Kretzbender.

Councilman Don Wohlhueter was absent.

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the minutes of the March 17, 1982 meeting be approved.

four (4) ayes Carried

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

four (4) ayes Carried

A motion was made by Councilman Faulring and seconded by Councilman Zimmerman that the General Fund and Special District Bills in the amount of \$17,708.60 be paid.

four (4) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Highway Bills in the amount of \$5,370.10 be paid.

four (4) ayes Carried

A letter was received from the New York State Public Service Commission relative to the Town Board's letter opposing the rate increase requested by National Fuel Gas. The letter was received and filed.

A thank you letter was received from Patricia Rosinski for making available an ice rink this winter. Mrs. Rosinski especially thanked Jerry Orffeo for the excellent work he did in maintenance of the rink and ask that a budget appropriation be made in the future for supervision of the rink. The letter was received and filed.

The Boston Historical Society sent a letter stating that only correspondence on Historical Society stationery should be accepted as official correspondence of the Society. The letter was received and filed.

A letter was read from the Erie County Department of Public Works Division of Highways stating that the TE9 Forms for speed limits on Boston State Road have been sent to the New York State Department of Transportation. The letter was received and filed.

Letters were read from Erie County Legislator Marie Richardson advising of actions taken at the March 18th and April 1st sessions of the Erie County Legislature. The letters were received and filed.

Letters were read from Senator Volker, Senator Stachowski and Assemblyman Sheffer relative to the Town Boards resolutions on rate increase by National Fuel now before the PSC, payroll commuter tax proposed by Buffalo and a boat launch site on Lake Erie. The letters were received and filed.

A letter was read from the Erie County Health Department on a conference on Prevention of Lead Poisoning and Iron Deficiency Anemia in children at the Executive Motor Inn, 4243 Genesee Street on April 22, 1982. The Town Clerk stated the brochure would be posted on the bulletin board in the entrance hall.

A resolution adopted by the Town of Cheektowaga opposing the rate increase requested by National Fuel Gas was read. The resolution was received and filed.

An application for a building permit was received from Gregory Gerwitz to build an addition to a business at 7440 Boston State Road was presented by the Town Clerk. The addition 36 feet by 44 feet would include an area for auto repair work and the second floor would provide a residence. Building

Inspector Decker reported the plans provide for fire proofing separating the garage from the residence. Councilman Zimmerman inquired about septic system approval. Mr. Gerwitz reported he had enough room to build a septic system as required by the Health Department. A motion was made by Councilman Zimmerman and seconded by Supervisor Hubert approving a request from Gregory Gerwitz for a permit to build an addition to his business including a residence contingent upon the approval for a septic system by the Health Department.

Town Clerk Klein reported that he has not received an application and fee for the 1982 trailer park license for Boston Hills Trailer Park. Town Attorney Maxwell reported he received a letter yesterday from Mr. Falkides's attorney and that he would make copies, distribute them to the board members and then sit down and discuss the matter.

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer granting St. Martin's Lutheran Church use of the Town Park and Lion's Club Shelter on Sunday, July 25th from 9:30 A.M. to 6:00 P. M. The Certificate of Insurance was filed with the request.

four (4) ayes

Carried

A letter was read from the New York State Department of Environmental Conservation including copies of the audit reports covering Sewer Districts 2, 3 and 4. Since the reports do not indicate why the claims are not allowable, the Town Clerk was directed to write the DEC requesting that information.

A letter was read from Project Up-Grade requesting use of office space in the Town Hall for servicing the Southtowns area in helping recovering alcoholics, former offenders and former drug addicts find their way back into the mainstream of society through employment in the private sector. Supervisor Hubert tabled the request so that he could get more information as to whether they need an office or just desk space and what kind of hours they would be maintaining.

New York State Electric and Gas Corporation sent a new street lighting contract for the at large district as well as a proposal for replacement of defective mercury vapor lights with high pressure sodium lights. The proposal was tabled and referred to the Town's legal staff for review.

The Supervisor's Monthly reports were received.

Supervisor Hubert informed the Board that the easement requested by Erie County Sewer District #3 through the Town Park has been moved 30 feet further to the west which now makes it 60 feet from the Lion's Shelter. Supervisor Hubert was satisfied with the location of the easement as not to hinder any future addition to the Lion's Building. A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer authorizing Supervisor Hubert to sign the easement for Sewer District #3.

four (4) ayes

Carried

RESOLUTION - DEFENDING OFFICIALS IN A LAWSUIT

The Town Clerk presented a report on the collection of taxes for the month of March.

The Town Justice Monthly Report was received.

Highway Superintendent Kreitzbender requested that no dead limbs, stumps or vines be placed for pickup by the highway department as the chipper will not chip them and he has no place to dump them.

RESOLUTION - STATE POLICE BUILDING

Town Attorney Maxwell reported that the executed lease with the State of New York for the State Police Building has been received in today's mail. The State has agreed to all the changes made in the original lease the state submitted to us. The primary lease for ten years calls for a rental payment of \$22,500 per year. There are two five year options. The first five year option calls for an annual rental of \$25,000 and the second five year option calls for an annual rental of \$28,000.00.

Councilman Wittmeyer asked Highway Superintendent Kreitzbender to check into the stop sign on Abbott Road at Boston State Road as it had been knocked down. He also informed the Board that he was working on possible insurance for the coaches and as soon as he got some figures from the insurance company, a meeting would be called for all town officials.

The Police Department's Monthly Report was received and filed.

The Building Inspector's Monthly report was received and filed.

The Dog Control Officers' monthly report was received and filed.

On the appointment of a second deputy Dog Control Office, Supervisor Hubert stated that the duties would be to issue summonses, to fill in during vacation of the Dog Control Officer or the Deputy if the situation calls for additional help, patrol the town two days per month to pick up any loose or stray dogs. The salary would be \$1,300.00 a year. Councilman Zimmerman asked that this appointment be tabled until the next meeting as it seemed the salary was high for the amount of work to be done and that he would like an opportunity to discuss it with the Board Members and with the person that is going to do it. The appointment was tabled until the next meeting.

A letter was received from Dean Watkins requesting permission to attend a Preservation League Conference in Albany April 16-18, 1982. Supervisor Hubert stated he discussed this request with Town Attorney Maxwell and since Mr. Watkins was not an appointed Town official, the town had no legal right to finance the cost of this seminar for Mr. Watkins and that we would have to deny his request.

A letter was read from H. Eglantine Berger announcing she was not interested in being reappointed to the Zoning Board of Appeals. She became a charter member of this Board in 1958. Supervisor Hubert stated he sent Mrs. Berger a thank you letter and directed the Town Clerk to send Mrs. Berger a letter of thanks on behalf of the entire Town Board.

A letter of resignation from Louis Palczewski as a member of the Drainage Committee was read. The Town Clerk was directed to send Mr. Palczewski a thank you letter for his service.

The Patchin Volunteer Fire Company sent a letter requesting the appointment of Richard Hayden to replace Louis Palczewski on the Town's Drainage Committee as the representative of the Patchin Fire Company. A motion was made by Supervisor Hubert and seconded by Councilman Wittmeyer appointing Richard Hayden to the Drainage Committee to fill the unexpired term of Louis Palczewski. Term to expire December 31, 1983.

four (4) ayes

Carried

A memo was read from Recreation Supervisor Remy Orffeo advising the Board that the State is basing the 1982 State Aid payment for Youth Activities on the 1980 census which would mean a loss to the Town of Boston of \$828.00 for the year 1982 and the 1982 budget was prepared on the figure we received last year. He recommended that the Board pass a resolution opposing the state using the 1980 census for this allocation. Councilman Zimmerman stated it seems to him that this state uses whatever year it benefits them. For State Revenue Sharing they use 1970 figures now they use 1980 figures for the recreation allocation. Councilman Zimmerman made a motion and seconded by Councilman Faulring that the Town Board oppose the using of the 1980 census figures for the allocation for state youth aid and request using the 1970 figures because the state is using the 1970 census figures for distribution of the State Revenue Sharing Aid and that the Town Clerk advises appropriate town officials of the Board's feelings.

four (4) ayes

Carried

RESOLUTION - CLARA KLEIN'S 96TH BIRTHDAY

Town Clerk Klein advised the Board that as part of the SEQR review he had informed the Boston Conservation Advisory Council, Boston Drainage Committee, Boston Planning Board, Erie County Department of Environment and Planning, Erie County Department of Highways and the New York State Department of Environmental Conservation. The Boston Planning Board responded that they had considered the EAF submitted to them and there was nothing further they could add to this report. Charles Alessi of the Environment and Planning noted that accommodations were being made to construct the county sewer near the proposed building to negate damaging the improved area around the trooper station at a later date. Michael Alspaugh, Environmental Coordinator for the County addressed the approval for a septic system and a curb cut permit from the county highway department and agreed the Town Board should be lead agency. The New York State Department of Environmental Conservation advises of no special concerns or approval needed for this project and identifies it as an unlisted action. The Town Clerk advised the Board as a result of those comments and the EAF that was prepared that this project was being called an unlisted negative declaration and there is no further review

necessary. Town Clerk Klein reported that the architect, Nussbaumer & Clarke, Inc. recommended the low bidders of Kirst Construction, Inc. for the General in the amount of \$148,719.00, Duffett Plumbing and Heating, Inc. for the Plumbing in the amount of \$13,240.00, Householder Heating Corporation for the HVAC in the amount of \$6,966.00 and E.C.S. Electric in the amount of \$20,700.00 for electrical be accepted. A motion was made by Councilman Zimmerman and seconded by Supervisor Hubert to accept the low bids as recommended by Nussbaumer & Clarke, Inc and authorize the Supervisor to sign contracts for construction of the State Police Building as follows:

General - Kirst Construction, Inc.
Post Office Box 171
North Boston, New York 14110

Bid - \$148,719.00
and accept Alternate 1 - Deduct \$178.00
Alternate 2 - Deduct \$900.00
Alternate 3 - Deduct \$1,400.00
for a total contract of \$146,241.00

Plumbing - Duffett Plumbing and Heating, Inc.
4181 Legion Drive
Hamburg, New York 14075

Bid - \$13,240.00

HVAC - Householder Heating Corporation
65 Riley Street
Buffalo, New York 14209

Bid - \$6,966.00

Electrical-E.C.S. Electric
P. O. Box 80
Cheektowaga, New York 14225
Bid - \$20,700.00

four (4) ayes

Carried

Highway Superintendent Kreitzbender recommended that the following bids for highway supplies be accepted:

Corrugated pipe - Republic Steel Drainage Products Division

Gernatt Asphalt Products in Springville

\$403.12 to \$403.19 includes Blacktop Base, Binder and Topping

Springville Gernatt Plant

Sand for ice control, gravel, bank run gravel, cold patch, cold patch shoulder mix
#59W

Gernatt Chaffee Plant

Sand for ice control in case Springville plant is out

Buffalo Slag Company

Same items in case Springville plant breaks down. Within 10 to 15 cents of each other.

Buffalo Slag Company - Franklinville Plant

1A crushed gravel, crushed gravel, #2 crushed gravel, 1 and 2 crushed gravel,
crusher run

Buffalo Slag Company - Woodlawn Plant

#1 slag, #3A slag, #2 crusher run, 3 and 4 slag, screenings

Road Asphalt - All three companies - Midland, Western Bituminous, Kranz Asphalt

All three companies bid indential so the Highway Superintendent takes the option of buying from whom can deliver on the day he needs it.

A motion was made by Councilman Zimmerman and seconded by Supervisor Hubert to accept the Highway Superintendents recommendations for low bids and he reserves the option to buy the road oil in the summer time.

four (4) ayes

Carried

The Boston Chamber of Commerce advised that the Chamber supports retaining the name Boston State Road as the name for former Route 219 in Boston. A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that we notify the County that we would like to retain the name of Boston State Road for the former Route 219.

four (4) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring to adjourn the meeting at 8:32 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, in said Town, on the 7th day of April, 1982, at 7:30 o'clock P.M., Eastern Standard Time.

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

PRESENT:	Jerome A. Hubert	Supervisor
	Milton I. Wittmeyer	Councilman
	Esther M. Faulring	Councilman
	David G. Zimmerman	Councilman

ABSENT:	Don A. Wohlhueter	Councilman
---------	-------------------	------------

The following resolution was offered by Supervisor _____

Hubert _____, who moved its adoption, seconded by _____
Councilman Faulring _____, to wit:

WHEREAS, the Town of Boston, Erie County, New York was empowered by Special Legislation of the New York State Legislature to construct, finance and lease an office building in the Town of Boston for the primary use of the New York State Police and said legislation authorizes construction and leasing of said building to said State Police, and

WHEREAS, said Special Legislation aforesaid provided that a resolution of the Town Board of the Town of Boston be adopted approving the aforesaid purposes of said Special Legislation.

NOW, THEREFORE, it is

RESOLVED, that the Town of Boston, Erie County, New York, set aside land now owned by the said Town of Boston for the site of said construction and leasing of an office building for the use of the New York State Police, which land shall be approximately 188 feet in frontage, commencing

ing at the intersection of the southerly lands of the Town of Boston and the westerly right-of-way of Boston State Road and running thence northerly along said right-of-way, 188 feet together with a depth therefrom westerly of 240 feet, which Town lands are to provide the building site for the State Police Building and its facilities, and

BE IT FURTHER RESOLVED, that the Town of Boston, Erie County, New York, execute said lease as now proposed, copies of which are incorporated herein by reference, and that same be executed by the Supervisor of the Town of Boston on behalf of said Town of Boston, and that said building and facilities be constructed according to the plans and specifications prepared by Nussbaumer & Clarke, Inc., and, it is

FURTHER RESOLVED, that awards for the construction of said building be made to the various contractors who were the lowest responsible bidders and in accordance with the recommendations of the architects for said Town, and it is

FURTHER RESOLVED, that the said Town of Boston appropriate and expend Town monies therefore, borrow money, authorize and issue Bond Anticipation Notes or Serial Bonds of the Town to pay for the cost thereof in accordance with the provisions of the New York State Local Finance Law, and it is

FURTHER RESOLVED, that the actions, purposes and directives aforesaid shall not be subject to a referendum either permissive or mandatory.

THIS RESOLUTION shall take effect immediately upon the adoption thereof.

The question of the adoption of the foregoing resolution was duly put to a vote, on roll call, subscribed by the members voting in affirmance thereof, which resulted as follows:

Supervisor Hubert

Voting aye

Jerome C. Hubert
Signature

Councilman Wittmeyer

Voting aye

Wm. L. Wittmeyer
Signature

Councilman Faulring

Voting aye

Edith M. Faulring
Signature

Councilman Zimmerman

Voting aye

Donald H. Zimmerman
Signature

AYES:

Four

NOES:

None

ABSENT:

One

Herbert K. Allen

TOWN CLERK, TOWN OF BOSTON

STATE OF NEW YORK)
COUNTY OF ERIE) ss.:

I, the undersigned, Clerk of the Town of Boston, Erie County, New York, DO HEREBY CERTIFY:

That I have compared the foregoing copy of the minutes of the meeting of the Town Board of the Town of Boston, including the resolutions contained therein, held on the 7th day of April, 1982, with the original thereof on file in my office, and that the same is a true and correct copy of said original 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 7th day of April, 1982.

Herbert K. Kline
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 April, 1982 at 7:30 P. M., Eastern Standard Time, there were present:

Jerome Hubert	Supervisor
Milton Wittmeyer	Councilman
David Zimmerman	Councilman
Esther Faulring	Councilman

Absent: Don A. Wohlhueter Councilman

Councilman Wittmeyer presented the following resolution and moved its adoption:

WHEREAS, Clara L. Klein will on April 10, 1982, celebrate her 96th Birthday, and

WHEREAS, Mrs. Klein was born in East Hamburg, New York on April 10, 1886, the daughter of Stephen and Ida Hoag and moved to the Town of Boston in 1913, upon her marriage to Louren Klein and became the mother of two children, a son, Norbert and a daughter, Beatrice, and

WHEREAS, Mrs. Klein graduated from New York State Normal School in June, 1907 and taught grades 1 - 8 in the Ellicott School District prior to her marriage in 1913 and thereafter substituted in various schools, and

WHEREAS, Mrs. Klein and her late husband operated a farm for many years on the Boston State Road in North Boston until their retirement in the 1950's and

WHEREAS, Mrs. Klein is a faithful Christian who is a member of St. James United Church of Christ in Hamburg, and

WHEREAS, Mrs. Klein was active in many community organizations including the North Boston Fruit and Flower Club, the Hamburg Grange and the Boston Senior Citizens.

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Boston congratulates Mrs. Clara Klein on her 96th Birthday and wishes her continued good health and happiness, and

BE IT FURTHER RESOLVED, that Saturday, April 10, 1982 is hereby proclaimed Clara Klein Day in the Town of Boston in honor of her 96th Birthday.

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

Supervisor Hubert

Voting aye

Councilman Wittmeyer

Voting aye

Councilman Zimmerman

Voting aye

Councilman Faulring

Voting

AYES: 4

NOES: 0

ABSENT: 1

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, in said Town, on the 7th day of April, 1982, at 7:30 o'clock P.M., Eastern Standard Time.

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

PRESENT:	Jerome A. Hubert	Supervisor
	Milton I. Wittmeyer	Councilman
	Esther M. Faulring	Councilman
	David G. Zimmerman	Councilman

ABSENT:	Don A. Wohlhueter	Councilman
---------	-------------------	------------

The following resolution was offered by _____

Councilman Wittmeyer, who moved its adoption, seconded by _____

Supervisor Hubert, to wit:

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

WHEREAS, the Town Board of the Town of Boston, Erie County, New York, wishes to adopt the protective provisions set forth in the public officers Law of the State of New York, Section 18 thereof, relating to legal defense of any Town of Boston Public Official, employee or appointee in any civil action or proceeding arising out of any alleged act or omission which occurred or is alleged in the civil action to have occurred while the employee was acting, or, in good faith, purporting to act within the scope of his public employment or duties, excluding any action or proceeding which may be brought by or on behalf of the Town.

NOW, THEREFORE, be it

RESOLVED, that pursuant to the provisions of the Public Officers Law, Section 18, the Town of Boston, Erie County, New York, shall provide for the legal defense and indemnification of any public officer, employee

or appointee of the Town of Boston in any civil action or proceeding arising out of any alleged act or omission which occurred or is alleged in the civil complaint to have occurred while the public officer, employee or appointee was acting, or in good faith purporting to act, within the scope of his public employment or duties provided, however, such defense shall not be provided where such civil action or proceeding is brought by or on behalf of the Town, as plaintiff, and it is

FURTHER RESOLVED, that the said public officer, employee or appointee of the Town aforesaid shall be represented by the Town Attorney or an Attorney employed or retained by the Town for the defense of said public officer, employee or appointee of the Town.

THIS RESOLUTION shall take effect immediately upon the adoption thereof.

The question of the adoption of the foregoing resolution was duly put to a vote, on roll call, subscribed by the members voting in affirmance thereof, which resulted as follows:

Supervisor Hubert

Voting aye

Hubert
Signature

Councilman Wittmeyer

Voting aye

Wittmeyer
Signature

Councilman Faulring

Voting aye

Faulring
Signature

Councilman Zimmerman

Voting aye

Zimmerman
Signature

AYES: Four

NOES: None

ABSENT: One

Herbert H. Klein
Town Clerk, Town of Boston

STATE OF NEW YORK)
COUNTY OF ERIE) ss.:

I, the undersigned, Clerk of the Town of Boston, Erie County, New York, DO HEREBY CERTIFY:

That I have compared the foregoing copy of the minutes of the meeting of the Town Board of the Town of Boston, including the resolutions contained therein, held on the 7th day of April, 1982, with the original thereof on file in my office, and that the same is a true and correct copy of said original 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 on this 7th day of April, 1982.

Herbert H. Klein
Town Clerk

u

I hereby waive any Notice of a Special Meeting of the Town Board of the Town of Boston held this 16th day of April, 1982 at 4:00 P. M. held to consider the authorization of the Supervisor to sign a contract with International Cable TV for Cable Service in the Town of Boston.

Jerome A. Hubert
Supervisor Jerome A. Hubert

Milton Wittmeyer
Councilman Milton Wittmeyer

David G. Zimmerman
Councilman David G. Zimmerman

Esther M. Fauring
Councilman Esther Fauring

Don A. Wohlhueter
Councilman Don A. Wohlhueter

Special Meeting
April 16, 1982

Town Hall
4:00 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Esther Faulring and Supervisor Jerome Hubert.

Town Attorney Charles Maxwell arrived at 4:05 P. M. Councilman Don Wohlhueter and Highway Superintendent Clarence Kreitzbender were absent.

A proposed franchise agreement between the Town of Boston and Hamburg Cablevision, Inc. D/B/A International Cable was presented to the Boston Town Board by Deputy Town Attorney Michael Perley. Mr. Perley explained the proposed franchise to the Board and pointed out that this franchise is the culmination of two months of negotiation with the Franchise Committee and International Cable.

Deputy Town Attorney Perley pointed out that three changes have been made since the franchise was typed. (1) 16.7 deleted (2) 19.8 delete the last sentence as is a duplication (3) 20.5.9 add "after sixty (60) days following the date of termination.

Supervisor Hubert asked if the Franchise Committee was all in agreement with the contract and Mr. Perley stated yes they are. Supervisor Hubert also asked Mr. Perley if he as Deputy Town Attorney felt this was the best contract that there could be and Mr. Perley stated yes he did. Mr. Perley also stated he would like to thank Gary Walters who although was not a member of the negotiating committee, provided technical guidance during their meeting. He also stated that Mr. Joseph Terrizzi and Mr. Alfred Samulski had put in a lot of time on this agreement and it was a committee effort all the way.

Councilman Wittmeyer asked for further explanation on the franchise renewal. Mr. Perley stated that this is from State regulation and Councilman Wittmeyer asked if they were looking at after ten years they can remove the Cable TV from town and Mr. Perley stated yes. He further noted that at that time the Town Board might feel that the Cable operator has not met all the requirements of the franchise. Mr. Gilbert of International Cable stated that under New York State Law a franchise cannot be granted for more than ten years.

Councilman Zimmerman asked about the hookup and Mr. Hunt stated there would be a free hookup during the initial hookup.

Supervisor Hubert asked when the proposed starting date would be after the franchise was signed. Mr. Gilbert stated that this agreement would be sent to Albany today and should get confirmation the 19th of May and then the employee agreements will be negotiated and this takes time and installation should be started at a maximum six months from now.

Councilman Wittmeyer asked if Coy James cable would cause a holdup and Town Attorney Maxwell stated his franchise was revoked for inability to furnish service. Town Clerk Klein stated minutes show on February 5, 1969 following a Public Hearing his franchise was revoked.

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to authorize the Supervisor to sign the franchise agreement with Hamburg Cablevision, Inc. D/B/A/ International Cable as presented by the Cable Commission.

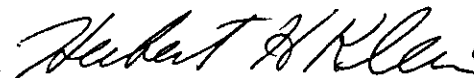
four (4) ayes

Carried

Supervisor Hubert stated a lot of work had been done on this franchise and they did a good job.

Mr. Gilbert stated of all the franchises they have done, this has been the toughest.

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to adjourn at 4:22 P. M.



Herbert H. Klein
Town Clerk

F R A N C H I S E

A franchise granting to Hamburg Cablevision, Inc., a wholly owned subsidiary of Comax, Inc., d/b/a International Cable, permission to construct, operate and maintain a distribution system for television, radio and other electronic signals throughout the Town of Boston in setting terms and conditions.

WHEREAS, the Town of Boston has advertised for bids for the operation of a cable television system in the municipality pursuant to the Rules of the New York State Commission on Cable Television, and

WHEREAS, a cable television system proposal and franchise application was lawfully received from Hamburg Cablevision, Inc., and

WHEREAS, Hamburg Cablevision, Inc.'s technical ability, financial condition and character were considered and approved in a full public proceeding affording due process culminating in a public hearing on November 18, 1981,

and

WHEREAS, plans for constructing and operating the cable television system were considered and found adequate and feasible in a full proceeding affording due process, and

WHEREAS, the proposed franchise shall comply with the New York State Commission on Cable Television standards and FCC franchise standards, and

WHEREAS, this franchise is non exclusive,

NOW, THEREFORE, the Town of Boston hereby ordains and grants to Hamburg Cablevision, Inc., its successors, heirs and assigns, a franchise to construct, own and operate a cable television system pursuant to the following terms and conditions.

I N D E X

SECTION 1	DEFINITIONS
SECTION 2	GRANT OF AUTHORITY
SECTION 3	COMPLIANCE WITH APPLICABLE LAWS
SECTION 4	TERRITORIAL AREA INVOLVED
SECTION 5	LIABILITY AND INDEMNIFICATION
SECTION 6	CONSTRUCTION BOND
SECTION 7	LINE EXTENSION
SECTION 8	RIGHTS RESERVED BY THE TOWN BOARD
SECTION 9	FILING AND COMMUNICATION
SECTION 10	REPORTS
SECTION 11	TRANSACTIONS AFFECTING OWNERSHIP
SECTION 12	FRANCHISE RENEWAL
SECTION 13	FRANCHISE FEE
SECTION 14	RATES
SECTION 15	SYSTEM REQUIREMENTS
SECTION 16	PHYSICAL FACILITIES
SECTION 17	CONSTRUCTION STANDARDS
SECTION 18	POPULATION DENSITY, HEAD-END AND DRAWINGS
SECTION 19	OPERATION AND SYSTEM MAINTENANCE
SECTION 20	SECURITY FUND
SECTION 21	NEW YORK STATE COMMISSION ON CABLE TELEVISION
SECTION 22	EFFECTIVE DATE

SECTION 1 - DEFINITIONS

For the purpose of this franchise, the following terms, phrases, words and their derivatives shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future; words used in the plural number include the singular number; and words used in the singular include the plural number. The word "shall" is always mandatory and not merely directory.

- 1.1 "Boston Community" means all of the territory within its present and future boundaries of the Town of Boston.
- 1.2 "Acceptance Date" - acceptance date shall be the date the franchise (International Cable) signs this agreement with the Town Board.
- 1.3 "FCC" means the Federal Communications Commission.
- 1.4 "State Commission" means the New York State Commission on Cable Television.
- 1.5 "Franchise" means the cable television system operator (Hamburg Cablevision, Inc.) a wholly owned subsidiary of Comax, Inc., d/b/a International Cable.
- 1.6 "CATV System" and/or "System" means a system of cables, amplifiers, towers, microwave links, waveguides, laser beams, optical fibers, satellites, dish antennas, converters, conductors, equipment, or facilities, designed and constructed for the purpose of producing, receiving, amplifying, storing, processing or distributing audio, video, digital, or other forms of electronic or electrical signals.
- 1.7 "Subscriber" means any person(s), firm, corporation or other legal entity who, or which, elects to receive, for any purpose, a service provided by the Franchise by means of, or in connection with, the CATV System.
- 1.8 "Residential Subscriber" means a subscriber who receives service in an individual dwelling unit where service is not utilized in connection with a business, trade or profession.
- 1.9 "Commercial Subscriber" means a subscriber who receives service in a place of business where the service may be utilized in connection with a business, trade or profession.
- 1.10 "Agency Subscriber" means an educational, governmental, public service, or charitable entity who receives service.
- 1.11 "Programmer" means any person, firm, corporation or legal entity who or which produces or otherwise provides program material for transmission by video, audio, digital or other signals, either live or from recorded tapes, to subscribers by means of the CATV System.

- 1.12 "Channel" means a designated frequency band in the electromagnetic spectrum which is capable of carrying video, audio, digital or other electronic signals, or some combination thereof.
- 1.13 "Local Origination Channel" means any channel programmed by the Franchise including automated program services.
- 1.14 "Public Access Channel" means any channel available to the general public for programming on a first-come, first-served nondiscriminatory non-commercial basis.
- 1.15 "Educational Access Channel" means any channel designated for use by local educational authorities.
- 1.16 "Governmental Access Channel" means any channel designated for use by local governmental agencies.
- 1.17 "Leased Access Channel" means any channel available for lease, at fair and nondiscriminatory rates, on a first-come, first-served, nondiscriminatory basis.
- 1.18 "Private Channel" means any channel which is available only to subscribers who possess special equipment to receive signals at that channel's frequency.
- 1.19 "Combination Channel" means any combination usage of any of the groups in 1.13, 1.14, 1.15 and 1.16 above, on one channel, until programming demands and time limitations warrant expansion into one or more of the single purpose channels.
- 1.20 "Converter" means an electronic device which allows for reception and selection of signals distributed over the cable on frequencies that are not receivable on the ordinary television receiver's first twelve channels.
- 1.21 "Broadcast Signal" means a television or radio signal that is transmitted over the air and is received by a cable system by antenna, microwave, satellites, or direct connection to a broadcasting station.
- 1.22 "Cablecast Signal" means a non-broadcast signal that is transmitted by a cable communication system.
- 1.23 "Basic Programming" means programming delivered to subscribers over the CATV system for a fee or charge over and above the fee or charge for basic subscriber service.
- 1.24 "Premium Programming" means programming delivered to subscribers over the CATV System for a fee or charge over and above the fee or charge for basic subscriber service.
- 1.25 "Special Programming" means programming other than premium programming for which an additional fee may, or may not, be charged.
- 1.26 "Section" means any section, subsection, line or provision of this franchise.
- 1.27 "Person" means any individual, trustee, partnership, association, corporation or other legal entity.

- 1.28 "Effective Date" - see 21.1
- 1.29 "Gross Revenue" means all revenue received by the Franchisee from its operations of the Boston franchise from any source (determined on the accrual basis according to generally accepted accounting principles), excluding income from the lease of any real property, interest or other income from investments or deposits, refundable deposits and bad debts. Copyright and royalty payments shall not be deducted from gross revenues.

SECTION 2 - GRANT OF AUTHORITY

- 2.1 There is hereby granted by the Boston Town Board to International Cable, the nonexclusive right and privilege to construct, erect, operate, and maintain in, on, upon, along, across, above, over, and under streets, roads, alleys, bridges, public ways and public places now laid out or dedicated, and all extensions thereof, and additions thereto in the Boston community, poles, wires, cables, underground conduits, manholes, and other cable television conductors and fixtures necessary for the maintenance and operation in the Boston community of a CATV system, and the interception, sale, and redistribution of television, radio, digital and other electronic signals.
- 2.2 The right to use and occupy said public ways and places for the purposes set forth herein shall not be exclusive, and the Town reserves the right to grant similar use of said streets, alleys, bridges and roads, and public ways and places to any person at any time during the period of this franchise, and any renewals thereof.
- 2.3 The rights and privileges of this franchise shall continue for a period of ten (10) years from its acceptance date.
- 2.4 The Franchisee shall apply for a Certificate of Confirmation from the New York State Commission on Cable Television within thirty (30) days of the acceptance date of the franchise between the Town and International Cable. Copies of those applications shall be provided to the Town.
- 2.5 The Franchisee shall file a listing of the proposed signals to be carried with the Federal Communications Commission within thirty (30) days after receipt of the New York State Commission on Cable Television Certificate of Confirmation. Copies of these filings shall be provided to the Town.
- 2.6 The Franchisee shall apply for all other mandatory construction permits within thirty (30) days after receipt of the New York State Commission on Cable Television Certificate of Confirmation, excepting therefrom private residential easements to be obtained by the Franchisee which shall be sought within one (1) year of said date. Copies of these applications shall be provided to the Town.
- 2.7 The Franchisee shall commence construction of the CATV System in the Boston community within ninety (90) days of receipt of all necessary operating approvals excepting private residential easements and shall complete construction of one hundred per cent (100%) of the proposed franchise within six (6) months of the date of commencement, provided, however, the Franchisee may apply to the Town Board for extensions of time based upon inability to secure private residential easements and any other factor beyond the control of the Franchisee.

- 2.8 The Franchisee shall notify the Town Clerk, in writing, of the date of commencement of construction on or before said date.

SECTION 3 - COMPLIANCE WITH APPLICABLE LAWS AND ORDINANCES

The Franchisee shall at all times during the term of this franchise, or any renewals thereof, be subject to all lawful exercise of the police power within the Boston Community and to such reasonable regulations as shall be hereinafter provided.

SECTION 4 - TERRITORIAL AREA INVOLVED

This franchise relates to the present territorial limits of the Town of Boston, County of Erie and to any area added thereto during the term of this franchise.

SECTION 5 - LIABILITY AND INDEMNIFICATION

- 5.1 By its acceptance of this franchise, the Franchisee specifically agrees that it will pay all damages and penalties which the Town may be legally required to pay as a result of the granting of this franchise. These damages and/or penalties shall include, but not be limited to, damages arising out of the installation, operation, or maintenance of the cable system authorized herein, whether or not any act or omission complained of is authorized, allowed, or prohibited by this franchise.
- 5.2 By its acceptance of this franchise, the franchisee specifically agrees that it will pay all expenses incurred by the Town Board in defending itself with regard to all damages and/or penalties mentioned in Subsection 5.1. These expenses shall include all out-of-pocket expenses, such as attorneys fees, and shall also include the reasonable value of any services rendered by the Town Board or the officials or employees it represents.
- 5.3 By its acceptance of this franchise, the franchisee specifically agrees that it will maintain, throughout the term of this franchise, and any renewals thereof, liability insurance insuring the Town Board and the franchise with regard to all damages and/or penalties mentioned in Subsection 5.1 in the minimum amounts of:
- 5.3.1 One million dollars (\$1,000,000.00) for bodily injury or death to any one person with the limit, however, of three million dollars (\$3,000,000.00) for bodily injury or death resulting from any one accident.
- 5.3.2 Two hundred fifty thousand dollars (\$250,000.00) for property damage resulting from any one accident and five hundred thousand dollars (\$500,000.00) aggregate.
- 5.4 A certificate evidencing the insurance coverage as herein provided shall be delivered by the Franchisee to the Town Board within thirty (30) days after the effective date and prior to the commencement of construction.

SECTION 6 - CONSTRUCTION BOND

- 6.1 Within thirty (30) days after the effective date and prior to the commencement of any construction, the Franchisee shall post with the Town Board a construction bond in favor of the Town Board in the amount of one hundred thousand dollars (\$100,000.00) as security for the faithful construction by it of all provisions of this franchise, and compliance with all orders and permits, and the payment by the Franchisee of any claims, liens and taxes due the municipalities by reason of the construction of the CATV System. The bond shall be in such form as may be approved by the Town Board, licensed security should be sufficient.
- 6.2 The Franchisee's construction bond may be forfeited at the discretion of the Town Board for failure to perform under any one or more of the following conditions:
 - 6.2.1 If one hundred percent (100%) of the proposed system is not built and energized within six (6) months from the date of commencement of construction or any extension thereof granted by the Town Board.
 - 6.2.2 If the Franchisee fails to begin construction of the CATV System within six (6) months of receipt of the Certificate of Confirmation from the New York State Commission on Cable Television.
 - 6.2.3 If the Franchisee fails to provide insurance as provided in Section 5.
 - 6.2.4 If the Franchisee fails to build and energize the system as herein provided.
 - 6.2.5 If the franchise is cancelled by reason of default of the Franchisee.
- 6.3 The Franchisee's construction bond may be cancelled or released upon completion of one hundred percent (100%) of the proposed franchise.

SECTION 7 - LINE EXTENSION

- 7.1 The Franchisee will offer cable television service throughout the Boston Community not serviced by the initially proposed system. Cable television will not be denied to any subscriber who is willing and able to make contribution in the aid of construction as may be determined by the applicable rules and regulations of the New York State Commission on Cable Television and the FCC.

SECTION 8 - RIGHTS RESERVED BY THE TOWN BOARD

- 8.1 The right is hereby reserved by the Town Board to propose in concert with the Franchisee such additional terms as it shall find necessary, in the exercise of its police power, provided that such terms shall be reasonable and not materially in conflict with the rights herein granted.
- 8.2 The Town Board shall have complete access to all records and books maintained by the Franchisee, and upon twenty-four hour (24) notice, may properly request that the Franchisee present said records.

- 8.3 The Town Board shall have the right, during the life of this franchise, to install and maintain free of charge, upon the poles owned by the Franchisee, any wire and pole fixtures necessary for a police, fire or civil defense alarm system, on the condition that such wire and pole fixtures do not interfere with the system operation.
- 8.4 The Town Board or its officially designated representatives shall have the continuing right to observe and review all construction or installation work performed subject to the provisions of this franchise and to make such inspections as it shall find necessary to insure compliance with the terms of this franchise, other pertinent provisions of law and the existence of generally used and widely accepted improvements in the system.
- 8.5 The Town shall have the right of intervention in any lawsuit or proceeding to which the Franchisee is party.
- 8.6 Except for proceedings allowed under Article 78 of the Civil Practice Law and Rules of the State of New York, the Franchisee shall have no recourse whatsoever against the Town, its officers, agents, advisors, employees or associates for any loss, cost, expense or damage arising out of any provision or requirement of this franchise or because of the enforcement of the franchise.
- 8.7 The Franchisee shall not be relieved of its obligation to comply with any of the provisions of this franchise by reason of any failure of the Town Board to enforce prompt compliance. Continuing administration of the provisions of this franchise shall be the responsibility of the Town Board.
- 8.8 If any section, subsection, sentence, clause or phrase of this franchise is held to be unconstitutional, such unconstitutionality shall not affect the validity of the balance of the franchise, and any portion in conflict is hereby repealed. However, in the event that the courts, FCC and/or State Commission declares any section, subsection, sentence, clause or phrase invalid, then such section, subsection, sentence, clause or phrase will be renegotiated and subject to court, FCC, State Cable Commission approval if required.
- 8.9 The Town Board shall designate the officer of the Town who shall be responsible for the continuing administration of the franchise.

SECTION 9 - FILING AND COMMUNICATIONS WITH REGULATORY AGENCIES

- 9.1 Copies of all petitions, applications and communications affecting this franchise submitted by the franchisee to the FCC; the Securities and Exchange Commission, New York State Commission on Cable Television, or any other federal, state or local regulatory commission or agency having jurisdiction in respect to any matters affecting cable communications authorized pursuant to this franchise for the Boston Community shall also be submitted simultaneously to the Town Board.

SECTION 10 - REPORTS

- 10.1 The Franchisee shall submit an annual report. Said report shall include, but not necessarily be limited to, the following: capital expenditures, operating expenses, revenues, profit and loss statements, sources and uses of capital and a statement of its properties devoted to CATV operations by categories, giving its investment in such properties on the basis of original cost, less applicable depreciation. The State Commission's annual financial report may be submitted to partially fulfill this requirement. These reports shall be prepared by a Certified Public Accountant. There shall be submitted along with them, such other reasonable information as the Town Board shall require with respect to the Franchisee's priorities and expenses related to its operations within the Boston Community. Said report shall be due on or before January 31, 1983, and January 31st of each and every year thereafter during the term of this franchise. The substitution of the Franchisee's Internal Revenue Service statement is not considered sufficient to satisfy this requirement.
- 10.2 The Franchisee shall maintain a file of all correspondence received concerning complaints, suggestions, recommendations and other such materials as are received during the term of the franchise. Said materials shall be made available to the Town Board and the public, upon request, during normal working hours. Said material shall be retained for a minimum period of twelve (12) months after date of receipt.
- 10.3 The Town Board shall reserve the right to examine any officer or employee of the Franchisee, under oath, with respect to the correctness, completeness or accuracy of any company record of report, upon presenting written notification.
- 10.4 The Franchisee shall keep on file with the Town Board a current list of its stockholders and bondholders.
- 10.5 The Town Board shall have the right to check the Franchisee's complaint and repair log at any time during normal business hours.
- 10.6 The Town Board, or its officially designated representatives, shall have complete access of all records and books maintained by the Franchisee upon twenty-four (24) hours notice.

SECTION 11 - TRANSACTIONS AFFECTING OWNERSHIP OF THE FRANCHISE

- 11.1 The Franchisee shall not transfer this franchise to any other person, firm, company, corporation or entity without the prior approval of the Town Board.
- 11.2 Prior approval of the Town Board shall be required where ownership or control of more than twenty-five percent (25%) of the right of control of the Franchisee is acquired by a person or entity, none of whom already controls or owns ten percent (10%) or more of such right of control, singularly or collectively. By its acceptance of this franchise, the Franchisee specifically

grants and agrees that any such acquisition occurring without prior approval of the Town Board shall constitute a violation of this franchise by the Franchisee.

SECTION 12 - FRANCHISE RENEWAL

- 12.1 The term of this franchise shall be for one ten (10) year period and may be renewed for one additional five (5) year period at the option of the cable operator, provided that the Boston Town Board determines that the cable operator has substantially complied with all requirements of the franchise agreement and has provided good and reliable service.

SECTION 13 - FRANCHISE FEE

- 13.1 As compensation for the franchise granted herein and in consideration of permission to use the streets and public ways of the Boston Community for the construction, maintenance, reconstruction and operation of a cable communication system in the Boston Community, the Franchisee shall pay to the Town an annual amount equal to the maximum percentage of the Franchisee's gross annual revenues allowable by the FCC and the New York State Commission on Cable Television (presently three percent (3%) exclusive of any fee owed to the State Commission) and any subsequent increase in the maximum granted therein.
- 13.1.1 The Franchisee shall pay to the State Commission all those fees as are established by said Commission and said fees shall have priority over any and all fees due to the Town. The date of said payment to the State Commission shall be as determined by the State Commission.
- 13.2 The Town Board may deposit all such revenues received from the Franchisee in the General Fund.
- 13.3 Payment due the Town Board under this Section shall be computed semi-annually for the preceding six month period based upon the fiscal half-year. Each semi-annual payment shall be due and payable no later than thirty (30) days after the date indicated. Each payment shall be accompanied by a report showing the basis for the computation and such other relevant facts as may be required by the Town Board.
- 13.4 No acceptance of any payment by the Town Board shall be construed as an accord that such payment is in fact the correct amount, nor shall such acceptance of payment be construed as a release of any claim the Town Board may have for further or additional sums payable under the provisions of this franchise. All amounts paid shall be subject to audit by the Town Board or its designees at no cost to the Franchisee.

SECTION 14 - RATES

- 14.1 The initial schedule of rates to be utilized by the Franchisee is attached hereto and shall be referred to as Appendix "A" and made a part hereof. The schedule of rates shall include installation and monthly service charges for providing basic subscriber services to residential and commercial subscribers. In addition, rates for additional services which will be offered initially may be included for information purposes only.
- 14.2 Changes in basic subscriber service rates shall be adopted by the Franchisee, with approval by the Town Board, only after a public hearing which shall be held under the jurisdiction of the Town Board, which shall be announced by written notice in the designated official town newspaper at least thirty (30) days before the date of the public hearing. Such request shall be a matter of public record and shall be accompanied by written justification for the change using a format provided by the Town Board. Any such amendment on rates shall not take effect without the prior approval of the State Commission.
- 14.3 The Franchisee may require subscribers to pay for each month of service in advance at the beginning of each month. Advance payment programs may be made available by the Franchisee at subscriber's option.
- 14.4 The Franchisee may make a charge to subscribers for the installation of service outlets and for the reconnection of service outlets. The rates for such connections and reconnection shall be as defined in Appendix "A". The Franchisee may waive all or a portion of such charges for connection or reconnection, but only on a non-discriminatory basis.
- 14.5 The Franchisee shall make no charge for disconnection of any installation or outlet if the subscriber fails to pay a properly due monthly subscriber fee or any other properly due fee or charge, the Franchisee may disconnect the subscriber's service outlet. Such disconnection shall not be effected until the conditions as described in Subsection 14.10 are complied with. After disconnection, upon payment of the delinquent fee or charge and the payment of a reconnection charge, the Franchisee shall promptly reinstate the subscriber's service. Upon reconnection, the Franchisee may charge a reconnection fee as established in Appendix "A".
- 14.6 Nothing in the Section shall be construed to prohibit the reduction or waiving of charges in conjunction with promotional campaigns for the purpose of attracting subscribers, nor shall this Section be interpreted to prohibit the establishment of a graduated scale of charges and classified rate schedule to which any subscriber or programmer included within a particular classification shall be entitled.
- 14.7 In the event a subscriber terminates service in advance of any period for which a prepayment has been made, the Franchisee shall refund any portion of the unused prepayment.

- 14.8 The Franchisee shall be responsible for maintaining all converters leased from the Franchisee by Boston Community subscribers.
- 14.9 The Franchisee shall be allowed to assess late payment charges for services at a rate of one and one-half percent (1½%) per month, cumulative, for all payments over thirty (30) days. All late charges so assessed will be itemized on the subscriber's bill. A subscriber's service shall not be terminated because of non-payment of his/her bill until one hundred twenty hours (120) after he/she has been given written notice of intent to terminate. Intention to terminate service shall not be applied until the subscriber is forty-five (45) days delinquent in the payment of his/her unpaid bill.
- 14.10 The Franchisee shall notify each of its subscribers in writing of the Franchisee's billing practices and payment requirements. Such notification shall be made at the time of the subscriber's initial installation and annually thereafter, and shall be made to all subscriber's at such time as there is a change in such practices or requirements.
- 14.11 The Franchisee shall establish a procedure for prompt investigation of any complaint received from a subscriber in connection with a bill for services rendered or any deposit required for service of an electronic device. The result of such complaint investigation shall be reported to the complainant within ten (10) working days. The Franchisee shall not disconnect services (although the subscriber may be required to pay the undisputed portion of the bill or deposit), nor shall a notice of intent to disconnect for non-payment of the disputed portion of the bill be sent pending the outcome of such investigation. The Franchisee shall notify each of its subscribers in writing of the Franchisee's practices with respect to this section. Such notification shall be made at the time of the subscriber's installation and annually thereafter and shall be made to all subscribers at such time as there is a change in such practices.
- 14.12.1 If after the completion of the complaint investigation by the Franchisee and notification of the results are sent to the complainant, there is no reconciliation reached, the matter may be referred to the Better Business Bureau for reconciliation. The subscriber, if not satisfied with the decision of the Better Business Bureau, has the right to submit the complaint directly to the State Commission. Such complaint must be filed with the State Commission not later than thirty (30) days after the receipt of the ruling issued by the Better Business Bureau. The subscriber has the right and may so elect to by-pass the Better Business Bureau and go directly to the State Commission, if the subscriber is not satisfied with the complaint investigation submitted by the Franchisee. All rulings of the State Commission shall be final.
- 14.12.2 A record of each billing dispute shall be kept on file by the Franchisee for at least two (2) years after the resolution of the complaint, and shall be identified by subscriber name and address and shall include the following information:

- A. Date of complaint
- B. Nature of complaint in detail
- C. Results of investigation of complaint
- D. Corrective action taken, if required
- E. Date of notice to subscriber

- 14.13 The Franchises shall not, as to rates, charges, services, service facilities, rules, regulations, or in any respect, make or grant any undue preference or advantage to any person, not subject any person to prejudice or disadvantage on the basis of race, creed, national origin, religion, color, sex, or age, except as may be allowed in Appendix "A".

SECTION 15 - SYSTEM REQUIREMENTS

- 15.1 The Franchisee shall design, construct and install a CATV System having a channel capacity of fifty-two (52) forward channels, twenty-five (25) of which channels shall be activated immediately. This system shall have technical capacity for non-voice, two-way transmissions. The Franchisee shall provide service to the Town of Boston equal to the service provided by the Franchisee throughout its operating system, thus making available to Boston subscribers all channels available to any subscriber in other franchise areas served by the Franchisee.

- 15.2 Subject to FCC and State Commission approval, all over-the-air broadcast signals on both the UHF and VHF frequencies presently received in the Boston community are to be carried and activated immediately and in addition to these channels, the Franchisee shall provide the following:

- 1. WGR
- 2. WIVB
- 3. WKBW
- 4. WNED
- 5. WUTV
- 6. CBLT
- 7. CFTO
- 8. CHCH
- 9. WOR
- 10. CNN
- 11. Local Origination - presently Cable 10

Subject to the applicable rules and regulations of the FCC, alterations in the above may be made only with the approval of the Town Board.

- 15.3 The Franchisee shall provide (1) access channel for public access, educational access, governmental access. In addition, one channel will be set aside specifically for educational instructions.
- 15.4 The Franchisee shall provide free basic service and initial normal installation at the following locations within the Boston Community: all public and private schools, Town Hall, Boston Free Library, fire stations, emergency squad and State Police Barracks passed by the proposed system.
- 15.4.1 The Franchisee shall provide free two-way transmission capability and initial normal installation at the following location within the Boston community: Boston Town Hall

- 15.5 The Franchisee shall provide FM Radio service.
- 15.6 Notwithstanding any other provisions of this franchise, the Franchisee shall provide full continuous service to the community of Boston.

SECTION 16 - PHYSICAL FACILITIES

- 16.1 The Franchisee will maintain an office where all notices, orders and requests may be served and delivered. The Franchisee must keep all corporate records, including financial records, programming logs, complaint files, correspondence logs and all engineering records of its Boston community operations on file in this file. All complaints arising out of the franchise with the Town of Boston shall be kept on file separate from complaints arising out of any other franchise operated by the Franchisee.
- 16.2 The Franchisee shall maintain a studio suitable for live and videotape production in formats normally found acceptable for the industry.
- 16.3 The Franchisee shall provide and maintain hardware generally used and widely accepted in the cable television industry.
- 16.4 The CATV System constructed and installed for the Boston community shall be so constructed that it shall be mechanically and/or electronically capable of interconnection with other CATV Systems.
- 16.5 The Franchisee shall provide an emergency alert system whereby upon proper notification by municipal authority, all subscribers will be notified as to the nature of the emergency.
- 16.6 The Franchisee will maintain a separate independently powered generator at its head end for the purpose of maintaining notices in the event of a natural disaster in which normal electrical service has been disrupted.
- ~~16.7 The Franchisee shall provide a direct line from the cable company's head end and to the Boston Valley Elementary School. The particular channel will provide the capability of program origination in said building which will then be transmitted to the applicant's head end station for dissemination throughout the system.~~
- 16.8 The Franchisee shall provide technical assistance upon request to public institutions and service organizations and others for the purpose of educating and training citizens of the Town of Boston in the uses and procedures associated with the utilization of the access channel (s). Any such request for assistance must be with the approval of the Town Board.
- 16.9 The Franchisee will provide a minimum of five (5) studio hours per calendar month for the Town of Boston. The use of such studio time shall be coordinated with the Franchisee. Said studio time will be free for any governmental authority of the Town of Boston.

SECTION 17 - CONSTRUCTION STANDARDS

- 17.1 Except during the initial construction period, the Franchisee will request written authorization from the Town Board or its authorized representative for all major construction, reconstruction, or relocation of any part of the CATV system, including the placement of any and all poles.

- 17.1.1 Upon receipt of authorization from the Town Board, the Franchisee, before commencing construction or reconstruction or relocation, shall secure the necessary permits and/or authorizations prescribed by local ordinances or laws, except during the initial construction.
- 17.2 All poles, cable, wires, antenna, conduit or appurtenances shall be constructed and erected in a workmanlike manner, using materials of good and durable quality. The Town Board shall not be held liable for any disturbances of Franchisee's installation resulting from the altering, repairing, or installation of streets, roads, alleys, sewers, water lines, fire alarm systems, burglar alarm systems, sidewalks, driveways, bridges or any other municipal installation. Should any installation of the Franchisee be found by the Town Board to be hazardous to the public safety, said installation shall be brought into conformance by the Franchisee at its expense.
- 17.2.1 The Franchisee shall, at its own expense, move or relocate any of its installations, at the request of the Town Board, whenever or wherever the installation is found to interfere with the municipalities' streets, roads, street grade, sewer or water installations, or other public conveniences, or any proposed changes thereof or extension thereto. The Franchisee shall also at its own expense, at the direction of the Town Board, replace and restore all damaged areas no later than seventy-two (72) hours after due notice from the Town Board, except where the Franchisee has acquired its own easement in and to.
- 17.3 This franchise shall not be construed as to deprive the municipalities of any rights or privileges which it now has, or may hereafter have, to regulate the use and control of its streets or rights or way areas.
- 17.4 All construction of the Franchisee, including installations, shall conform to all applicable federal, state and local laws, codes, regulations, rules, and ordinances and the National Electrical Safety Code. Any openings, obstructions or other safety hazard in streets, sidewalks, public ways or other municipal or public property made by the Franchisee or its agent, shall be guarded and protected at all times by the placement of adequate barriers, fences, boardings, or other protective and/or warning devices at the sole expense of the Franchisee. During the periods of dusk and darkness, said protective devices shall be clearly designated by warning lights.
- 17.4.1 The Town Board reserves the general right to see that the CATV system is constructed and maintained in a safe condition. If the Town Board at any time finds that an unsafe condition does exist, the Town Board may order the Franchisee to make the necessary corrective repairs forthwith, and not later than forty-eight (48) hours (within the limits of practicability) and if the Franchisee shall fail to make the necessary repairs, the Town Board may make them or have them made, and collect all costs and expenses thereof from the Franchisee.
- 17.5 The Franchisee shall supply the Town Board with strand maps of the proposed system, showing construction plans of the entire Boston community.

- 17.6 The Franchisee shall apply to the New York Telephone Company and the New York State Gas and Electric Company for permission to use their respective facilities in all available locations, and will secure such construction permits as may be necessary from the appropriate municipal authority. Such requests shall be complete with supporting engineering/installation documentation. Such installations shall comply with all requirements of the local municipalities and shall be in conformance with standard utility company procedures.
- 17.6.1 The Franchisee shall at the Franchisee's expense obtain and maintain all easements and rights of way required under the terms of this franchise.
- 17.7 In all sections of the Boston community where the cables, wires and other like facilities of the public utilities are placed underground, the Franchisee shall place its cables, wires, and other like facilities underground. Above ground pedestals for amplifiers, terminals, etc. will be permitted by the Franchisee upon his obtaining appropriate easements. In areas where utilities are provided, both by aerial and underground distribution systems, the Franchisee may exercise its prerogative in determining its method of cable distribution.
- 17.8 The Franchisee will restore all damage to public and private property caused by installation and operation of the CATV system within a reasonable time, not to exceed thirty (30) days, or such other time as may be fixed by the Town Board.
- 17.9 The Franchisee shall, on request of any private party holding a valid permit from the appropriate municipal authority, temporarily raise or lower its cables to permit moving of any building or other large structure, providing that the party making the request pays the expense of such raising or lowering the cables.
- 17.10 The Franchisee will construct, operate and maintain the CATV system subject to the supervision of the authority of the Town Board with all federal, state and local laws, ordinances, rules and regulations. The Town Board or its designee shall be responsible for the continuing administration of the franchise.
- 17.11 The cutting, removing and trimming of all trees on municipal property and rights of way shall be done under the supervision, control and authority of the appropriate local authority and at the expense of the Franchisee.
- 17.12 The Town Board or its officially designated representative shall assume the obligation to see that the Franchisee carries out all the provisions of this Section and arbitrate any and all disputes which might arise thereunder.
- 17.13 The Boston Town Board, or its officially designated representative shall have the right to inspect the system during the construction period and any time thereafter, to insure that it is being installed and maintained in accordance with good construction and industrial standards, as well as all federal, state and local codes. The Boston Town Board shall have the right to order corrections of any violations. Such corrections are to be at the cost of the cable operator. Except during the initial construction period no construction, reconstruction or relocation of the system or any part thereof, located on the public right of way, may commence without the cable operator first obtaining a permit from the appropriate local Town authority.

SECTION 18 - POPULATION DENSITY, HEAD-END AND DRAWINGS

- 18.1 The geographical area to be cabled, which shall in no way be affected by population density rates described in the following subsections, are illustrated on the attached map of the Town of Boston, which shall become Appendix "B".
- 18.2 The Franchisee shall maintain a studio at a distance no further from the Town of Boston than its present studio at 789 Indian Church Road, West Seneca, New York and shall provide air time at said studio in accordance with this franchise.
- 18.3 The hardware and equipment maintained in the studio and control room shall be capable of receiving, producing, and cablecasting high quality, state-of-the-art, color and black and white signals, and shall include, but not necessarily be limited to, the following types of equipment: Studio lighting, color TV cameras, tripod camera mounts, dollies, miscellaneous stage settings, video switches and other related operational equipment.
- 18.4 The tower shall be of a height sufficient to maximize signal receipt and the antennas shall be heavy duty, cut for each channel. A satellite pickup earth receiving station shall be provided.
- 18.5 A mobile equipment van shall be provided and equipped with state-of-the art hardware for on-location coverage. The mobile equipment van shall at all times be staffed by personnel trained with and in the operation of the hardware and equipment included therein.
- 18.6 The Franchisee shall provide to the Town Board three sets of "as-built" drawings and maps which shall accurately represent the system as actually constructed. Said documents shall be updated by amendment as changes and/or additions occur. Said amendments may be made once a year on the anniversary date of the acceptance of the franchise. The first set of three "as-builts" shall be provided within twelve (12) months after acceptance of the CATV system, in whole or in part, by the State Commission and/or the FCC.

SECTION 19 - OPERATION AND SYSTEM MAINTENANCE

- 19.1 The Franchisee shall render efficient service, make repairs promptly and interrupt service only for good cause and for the shortest time possible.
- 19.2 The signal of any television carried on the CATV system shall be carried without material of foreign EMF degradation in quality within the limits imposed by the technical state-of-the-art and as set forth by the FCC and State Commission. The CATV system shall be operated so that there will be no interference with over-the-air television reception, radio reception, telephone communications, microwave communications, or other installations which are not installed and in use in the Boston community.
- 19.3 The Franchisee shall maintain a log of all complaints and repair calls, keeping record therein of the time and date of the notice and time and date and natures of the response. Said log shall be retained for a period of not less than two (2) years.
 - 19.3.1 The Franchisee shall respond to any and all complaint calls within twenty-four (24) hours after being notified of said complaint.

- 19.3.2 The Franchisee shall inform all subscribers, in writing, of its complaint procedures and system failure rebate process. The Franchisee shall also notify subscribers on the existence and penalties for theft of services laws.
- 19.4 The Franchisee shall keep a toll-free telephone available twenty-four (24) hours a day, seven days a week, for repair calls and complaints.
- 19.5 When a subscriber notifies the Franchisee that he is without service because of a CATV system failure, the subscriber shall be rebated or credited a prorated share of his monthly service charge for that period of time beyond the first twenty-four (24) continuous hours of service outage. Prorate credit shall be calculated by multiplying the applicable monthly service rate by a fraction whose numerator equals the number of days (or portion thereof) of the outage and whose denominator equals the number of days in the month of the outage.
- 19.5.1 Credit to subscribers without service is not required of the Franchisee unless an affected subscriber reports such service outage, verbally or in writing, to the Franchisee. Subscribers shall have a full ninety (90) days from the date of such outage to make a claim.
- 19.5.2 The Franchisee is deemed responsible for every service outage, including Acts of God, and shall rebate or credit each affected subscriber whose claim is substantiated within ninety (90) days of the outage claim, provided said outage is reported as described in Subsection 19.5.1.
- 19.5.3 The Franchisee is not hereby restricted from seeking legal recourse to recover lost revenues due to service outages when said outage is determined to be caused by events or persons over which the Franchisee has no control.
- 19.6 The Franchisee shall not deny service or access, or otherwise discriminate against subscribers, programmers, or general citizens on behalf of race, color, religion, national origin, age or sex. The Franchisee shall adhere to the Equal Employment Opportunity requirements of the FCC. The Franchisee shall comply at all times with all other applicable federal, state, county and local laws, and all executive and administrative orders relating to discrimination.
- 19.7 Neither the Franchisee, nor any other person, agency or entity shall tap or monitor or arrange for the tapping or monitoring of any cable, line, signal, input device or subscriber outlet or receiver for any purpose whatsoever, other than the legitimate technical testing, without the prior written consent of all affected parties and the Town Board, excepting therefrom two-way intercapacity offered to the subscriber.
- 19.8 The Franchisee shall not sell, or otherwise make available, lists of the names and addresses of its subscribers, or any list which identifies by name or address, subscriber viewing habits, to any person, agency, firm or other entity, for any purpose whatsoever, without the specific written authorization of the Town Board, excepting therefrom lists made available to the Neilson and Arbitron Rating Services. ~~In the event that Franchisee sells or otherwise makes available such lists in violation of this Section, the Franchisee shall pay to the Town of Boston a penalty in the amount of~~

~~Five Hundred Dollars (\$500.00) which penalty shall be due and payable five (5) business days after notice therefor is tendered by the Town Board or its officially designated representative.~~

- 19.9 No cable, line, wire, amplifier, converter, or other piece of equipment owned or leased by the Franchisee shall be installed by the Franchisee or his agent, without first securing permission of the owner of any property involved. If such permission is later revoked, whether by the original or a subsequent owner, on request the Franchisee shall remove forthwith any of its equipment which is both visible and removable.
- 19.10 The Franchisee shall advise all subscribers about the benefits of the subscriber's retaining his/her existing outside antenna as an emergency antenna in the event the CATV service is disrupted for any reason.
 - 19.10.1 The Franchisee shall provide at cost to the subscriber an easily operated cable antenna switch by which the subscriber can switch from cable back to antenna with minimum effort by the subscriber.
- 19.11 No service or portion thereof as may result from the awarding of this franchise may be abandoned by the Franchisee during the term of the franchise without the written consent of the Town Board.
- 19.12 The failure of the Franchisee to comply with any provision of this franchise shall be and constitute a default and shall entitle the Town Board to cancel and/or suspend this franchise.
- 19.13 The Franchisee shall provide at cost to the subscriber a parental control device for use on its addressible descrambler.
- 19.14 The Franchisee shall energize, at complete capacity, those parts of the system able to be energized during the construction period.

SECTION 20 - SECURITY FUND

- 20.1 Within ten (10) days after the effective date, the Franchisee shall provide to the Town Board for deposit in a local bank a security fund in the name of the Town Board in the amount of five thousand dollars (\$5,000.00), which will remain on deposit throughout the term of this franchise and any renewals thereof, as security for the faithful performance by the Franchisee of all of the provisions of this franchise, and compliance with all orders, permits and directions by the Town Board for the purpose of securing the payment by the Franchisee of any claims, liens and taxes due the municipality which arise by reason of the construction, operations and maintenance of the CATV System, or any fees owed to the Town Board as agreed upon in this franchise.
- 20.2 Within ten (10) days after notice to it that any amount has been withdrawn from the security fund deposited pursuant to Subsection 20.1, the Franchisee shall pay to the Town a sum of money sufficient to restore such security deposit to the original amount of five thousand dollars (\$5,000.00).
- 20.3 If the Franchisee fails to pay to the Town any compensation within the time fixed herein, or fails after ten (10) days notice to pay to the appropriate municipality any taxes due and unpaid, or fails to repay to the Town, within ten (10) days any damages and/or penalties, costs or expenses which the Town shall be compelled to pay by reason of any act or default of the Franchisee in connection with this franchise, or fails after three (3) days notice by

the Town of such failure, to comply with any provision of this franchise, including those listed in Subsection 6.2, Section 6, the Town Board may immediately withdraw the amount with any interest and penalties from the security deposit. Upon withdrawal, the Town Board shall notify the Franchisee of the amount and date thereof.

- 20.4 In addition to any other rights or remedies which the Town Board may exercise under this contract or pursuant to law, there shall be forfeiture of the entire security deposit for failure of the Franchisee to comply with any one or more of the following provisions:
 - 20.4.1 In Section 5: For failure to provide the specified insurance coverage.
 - 20.4.2 In Section 11: For the transfer of the franchise without prior approval of the Town Board.
 - 20.4.3 In Section 11: For the change of ownership or control of the Franchisee without prior approval of the Town Board.
 - 20.4.4 In Section 14: For continuing to provide discriminatory rates after ten (10) days notice thereof from the Town Board.
 - 20.4.5 In Section 19: For continuing any discriminatory practice after ten (10) days notice thereof from the Town Board or its officially designated representative.
 - 20.4.6 In Section 19: For unauthorized release of the names and addresses of subscribers.
 - 20.4.7 In Section 19: For abandonment of any portion of the CATV System.
- 20.5 In addition to any other rights or remedies which the Town Board may exercise under this contract or pursuant to law, there shall be forfeiture of one hundred dollars (\$100.00) per day from the security deposit for failure of the Franchisee to comply with any one or more of the following provisions:
 - 20.5.1 In Section 2: For failure to file for approval with State and Federal authorities within sixty (60) days.
 - 20.5.2 In Section 2: For failure to file for pole and conduit permits within sixty (60) days.
 - 20.5.3 In Section 5: For failure to provide insurance certificate within thirty (30) days after the effective date, until such certificate is delivered.
 - 20.5.4 In Section 9: For failure to submit any such petition, application, or communication to the Town Board until such documentation is delivered.
 - 20.5.5 In Section 10: For failure to submit annual reports on the date specified until such reports are submitted.
 - 20.5.6 In Section 10: For failure to file a current list of stockholders and bond holders and to keep said list current and for failure to provide a

certified current list in ten (10) days after receipt of a request therefor from the Town Board or its officially designated representative.

- 20.5.7 In Section 14: For failure to list schedule of rates.
- 20.5.8 In Section 14: For levying a disconnection charge or for disconnecting a subscriber without proper notice until such notice is tendered.
- 20.5.9 In Section 14: For failure to refund a subscriber's pre-payments until such refund is provided, after sixty (60) days following the date of termination.
- 20.5.10 In Section 17: Until such construction complies with all appropriate rules, regulations, ordinances and laws as provided in Subsection 17.4, after ten (10) days notice of non-compliance from the Town Board.
- 20.5.11 In Section 17: For failure to provide the referenced maps beyond twelve (12) months, until such maps are provided.
- 20.5.12 In Section 17: For failure to correct and restore referenced damages after the first thirty (30) days have expired and until said corrections and repairs are made.
- 20.5.13 In Section 17: For any alteration to trees on municipal property without authorization and supervision by the appropriate local authority and until such authorization and supervision is secured.
- 20.5.14 In Section 19: For failure to take all reasonable and necessary steps to provide prompt repair after system shutdown to affected subscribers.
- 20.5.15 In Section 19: For failure to eliminate transmitter signals with material degradation or signal interference within forty-eight (48) hours after receipt of notice thereof, until such time as said interference is eliminated.
- 20.6 In addition to any other rights or remedies which the Town Board may exercise under this contract or pursuant to law, there shall be forfeiture of two hundred dollars (\$200.00) from the security deposit for the failure of the Franchisee to comply with the following provisions:
 - 20.6.1 For each occasion for failure to provide a program specifically promised and/or listed due to any default or neglect on the part of the Franchisee.
 - 20.6.2 For failure to provide hardware which is generally used and widely accepted in the industry, for each day said hardware is not provided.

SECTION 21 - NEW YORK STATE COMMISSION ON CABLE TELEVISION

- 21.1 All terms and conditions of this franchise shall be subject to approval by the New York State Commission on Cable Television.

SECTION 22 - EFFECTIVE DATE

- 22.1 The franchise shall be binding on the parties immediately upon affixing the signatures on the final page. The official effective date will be that date upon which the franchise is approved by the Federal Communications Commission, a construction permit is issued by the State Cable Commission and construction permit is issued by necessary utilities.

APPENDIX A

Rate Schedule

A) Standard Installation Charges:

1st set, with HBO	\$25.00
1st set, with SUPERCABLE	\$40.00
Senior Citizens	No Charge
Additional Sets	\$10.00

Non-Standard Installations: Cost plus 10%

B) Monthly Cable Service:

Domestic	\$ 8.50
Commercial	\$17.00
Each Additional Outlet	\$ 1.50

C) Reconnect Charge: \$15.00

D) Premium Services, Monthly (For Informational Purposes only)

Home Box Office	\$12.00
SUPERCABLE Descrambler/Decoder	\$ 3.50
The Movie Channel	\$10.00
Cinemax	\$ 7.50
<u>The Adult Connection</u>	
Escapade	\$ 7.00
<u>The Sports Connection</u>	\$ 2.00
USA Network	
ESPN	
<u>The Family Connection</u>	\$ 2.00
WTBS	
Nickelodeon	
ARTS	
ACSN	
CBN	
Shoppers Guide	

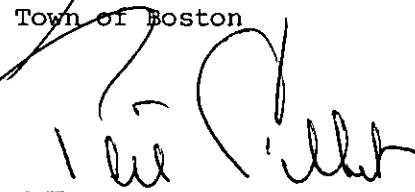
E) Studio Production:

Color	\$75.00 per hour
Black and White	\$50.00 per hour

The above charges include International Cable's equipment and personnel

IN WITNESS WHEREOF, the parties hereto set their hand and seal
this 16th day of April, 1982.


Jerome A. Hubert, Supervisor
Town of Boston


Peter Gilbert, President
Hamburg Cablevision, Inc.

MICHAEL F. PERLEY
ATTORNEY AT LAW
43 COURT STREET
BUFFALO, NEW YORK 14202
PHONE 716-853-7100

May 26, 1982

RECEIVED
TOWN OF BOSTON
TOWN CLERK
MAY 27 1982
A.M. 6,7,8,9,10,11,12,1,2,3,4,5,6 P.M.

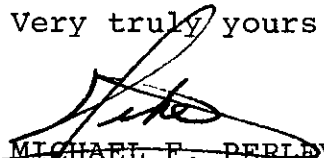
Mr. Herbert H. Klein
Town Clerk
Town of Boston
8500 Boston State Road
Boston, New York 14025

Dear Herb:

Enclosed please find signed and sealed duplicate original
of Amendment to the Town of Boston Cable Television Franchise.
This document should be kept on file with the original Franchise.

If you have any questions, please feel free to contact me.

Very truly yours,


MICHAEL F. PERLEY

MFP/pjs

Encs.

A M E N D M E N T

to

TOWN OF BOSTON

CABLE TELEVISION FRANCHISE

The following is hereby submitted as an Amendment to the Town of Boston Cable Television Franchise executed on the 16th day of April, 1982. Amended Sections read in their entirety as follows:

- 1.2 "Acceptance Date" - acceptance date shall be the date the Franchisee signs this agreement with the Town Board.
- 1.23 "Basic Programming" means the level of service offered by the Franchisee for the domestic monthly cable service as set forth in Exhibit A, Section B.
- 8.1 The right is hereby reserved by the Town Board to propose such additional terms as it shall find necessary, in the exercise of its police power, provided that such terms shall be reasonable and not materially in conflict with the rights herein granted.
- 14.9 The Franchisee shall be allowed to assess late payment charges for services at a rate of one and one-half percent (1 1/2%) per month, cumulative, for all payments over thirty (30) days. All late charges so assessed will be itemized on the subscriber's bill. A subscriber's service shall not be terminated because of nonpayment of his/her bill until eight (8) days after he/she has been given written notice of intent to terminate. Intention to terminate service shall not be applied until the subscriber is forty-five (45) days delinquent in the payment of his/her unpaid bill.
- 14.12.1 If after the completion of the complaint investigation by the Franchisee and notification of the results are sent to the complainant, there is no reconciliation reached, the matter may be referred to the Better Business Bureau for reconciliation. The subscriber, if not satisfied with the decision of the Better Business Bureau, has the right to submit the complaint directly to the State Commission. Such complaint must be filed with the State Commission not later than thirty (30) days after the receipt of the ruling issued by the Better Business Bureau. The

subscriber has the right and may so elect to by-pass the Better Business Bureau and go directly to the State Commission, if the subscriber is not satisfied with the complaint investigation by the Franchisee.

- 15.2 Subject to FCC and State Commission approval, all over-the-air broadcast signals on both the UHF and VHF frequencies presently received in the Boston community are to be carried and activated immediately, ~~and in addition to these channels~~, The Franchisee shall provide the following as its basic service:

- | | |
|---------|-------------------------|
| 1. WGR | 7. CFTO |
| 2. WIVB | 8. CHCH |
| 3. WKBW | 9. WOR |
| 4. WNED | 10. CNN |
| 5. WUTV | 11. Local Origination - |
| 6. CBLT | presently Cable 10 |

Subject to the applicable rules and regulations of the FCC, alterations in the above may be made only with the approval of the Town Board.

- 19.5 The Franchisee shall give credit to every service outage in excess of twenty-four (24) continuous hours to any subscriber who applies for it by written or oral notice. The twenty-four (24) hour period shall commence at the time the Franchisee first becomes aware of the outage. The credit shall be prorated by multiplying the applicable monthly service rate by a fraction whose numerator equals the number of days (or portion thereof) of the outage and whose denominator equals the number of days in the month of the outage. In no case shall the refund be less than twenty-four (24) hours credit.

- 19.5.1 Credit to subscribers without service is not required of the Franchisee unless an affected subscriber requests such credit verbally or in writing to the Franchisee. Subscribers shall have a full ninety (90) days from the date of such outage to make a claim.

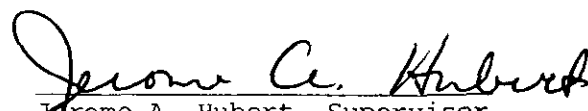
- 19.5.2 The Franchisee is deemed responsible for every service outage, including Acts of God and shall rebate or credit each affected subscriber who applies for it within ninety (90) days of an outage, provided such credit is claimed as described in Subsection 19.5.1.

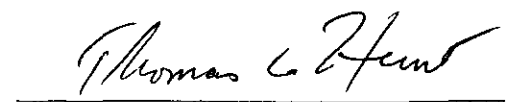
- 19.10.1 The Franchisee shall provide to the subscriber at the Franchisee's cost an easily operated cable antenna switch by which the subscriber can switch from cable back to antenna with minimum effort by the subscriber.

19.13 The Franchisee shall provide to the subscriber at Franchisee's cost a parental control device for use on its addressible de-scrambler.

IN WITNESS WHEREOF, the parties hereto set their hand and seal

this 21st day of May, 1982.


Jerome A. Hubert, Supervisor
Town of Boston


Thomas C. Hunt, Vice President
Hamburg Cablevision, Inc.

Regular Meeting
April 21, 1982

Town Hall
8:00 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Esther Faulring, Councilman Don Wohlhueter, Supervisor Jerome Hubert, Town Attorney Charles Maxwell and Highway Superintendant Clarence Kreitzbender.

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman that the minutes of the April 7, 1982 meeting be approved.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Zimmerman that the General Fund and Special District Bills in the amount of \$5,052.38 be paid.

five (5) ayes

Carried

A letter was read from Good Shepherd Lutheran Church relative to their sewer tax of \$841.21 for 1982. Also a copy of a letter from Good Shepherd to Charles Alessi of County Sewer District #3 and his answer to Good Shepherd were read. Supervisor Hubert stated at the last Board of Managers meeting he had asked why a religious organization was not afforded the same courtesy as a farm or residential property in figuring the footage charge as the water input is minimal. They questioned what if there is a school or parsonage involved. Supervisor Hubert stated they were unable to get a motion through on this, but he would be meeting with Mr. Devlin and the minister from Good Shepherd about this. The letter was received and filed.

A letter was read from the Office of the State Comptroller in answer to the Town Board's letter questioning parts of the audit. Town Clerk Klein stated he had a lengthy talk with a gentleman from the Buffalo office who had answered some of the questions and Mr. Klein stated he would inform the Board of the findings at a work session. The letter was received and filed.

A letter and a resolution were received from Legislators Paxon and Meier relative to the distribution of sales tax interest in Erie County. Town Clerk Klein was directed to call Legislator Richardson and advise her that the Boston Town Board is for the passage of this resolution. The letter and the resolution were received and filed.

A letter was received from Attorney Cornelius J. Lang requesting a representative of the town to give testimony in the Doyka vs. Town of Boston lawsuit. Supervisor Hubert stated that Highway Superintendant Kreitzbender would be the representative and Town Clerk Klein was directed to advise Attorney Lang of this.

A letter was received from Governor Carey's office acknowledging receipt of the Town Board's resolution of April 7. The letter was received and filed.

A letter and resolution were received from Legislator Richard Sliz relative to Community Development Block Grants. Supervisor Hubert explained that this is a controversy among towns and he would be attending a meeting to get more input on this. Supervisor Hubert and Town Clerk Klein explained the formula which is proposed in the distribution of Block Grant Funds. The letter and resolution were received and filed.

Mr. Coy James submitted a letter to the Town Board which he requested Town Clerk Klein read to make it a part of the record. The letter accused Town Clerk Klein, Town Attorney Maxwell and Philip Smolinski of altering minutes of a Town Board meeting in 1959 on Page 329 pertaining to a TV Franchise. Town Clerk Klein read minutes of January 8, 1969 when a public hearing was held and the Cable TV Franchise was cancelled. Mr. James advised the Board that he just wanted his letter in the record.

Mr. Harvey Reed, East Lane, questioned the stakes along Eckhardt Road. He asked if this was for sewers or was the road to be widened. Following discussion, Supervisor Hubert advised Mr. Reed he would check with the County for an answer to what they plan.

Mr. Douglas Griebel, Eckhardt Road, asked when the mess would be cleaned up from the sewer construction and Supervisor Hubert stated they had said in the spring.

A letter was received from Calspan Corporation requesting a renewal of their Special Use Permit to park a trailer on the Oscar Rabus property from June 1, 1982 to May 31, 1983. A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to renew the Special Use Permit of Calspan Corporation to operate a mobile trailer on the Oscar Rabus property under the same conditions as previously granted.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter correcting Abstract No. 4 as follows:

Voucher 244A - From \$32.00 to \$1003.81

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring authorizing the Supervisor to sign a sign permit for the prohibition of left turns by traffic from the west on Hamburg-Springville Road (CR 227) at Abbott Road.

five (5) ayes

Carried

Supervisor Hubert advised that when the State Police Building is completed the State Police will actively patrol the town as there will be more men available and the constabulary will continue to assist the State Police. Supervisor Hubert further stated he would like a vote of thanks extended to Town Clerk Klein, who suggested that Town property be used when it was made known that the State Police were looking for a site.

Supervisor Hubert stated that a TV Cable meeting was called for Friday, April 16, 1982 because the Cable Commission meets once a month and their meeting was the 19th and if it had been put off then it would have been another month. Supervisor Hubert pointed out that Mr. Gilbert of International Cable had stated the contract with Boston was the toughest one they had signed. Supervisor Hubert thanked all the people who had worked so hard to draw up the contract-Michael Perley, Alfred Samulski, Joseph Terrizzi and Gary Walters.

A letter and resolutions were received from the Wales Town Board opposing the rate increases requested by National Fuel Gas and New York State Electric & Gas Corporation.

Town Clerk Klein advised the Board that cheese has been distributed at the Town Hall Tuesday and today and there were about 75 bricks left, which will be given away until it is gone. He stated that there was good cooperation from the Senior Citizens and churches and the people coming in were very gracious-no pushing or shoving.

Highway Superintendant Kreitzbender asked about the road turnbacks that had been tabled from last winter and Councilman Wittmeyer stated he would contact Chief Strack and the three of them would go out and check.

A list of Town of Boston Police Officers was received from Chief Harry Strack and a motion was made by Supervisor Hubert and seconded by Councilman Faulring to appoint the following to the Boston Police Department:

Harry G. Strack	Chief Constable
Leo Stromecki	Lieutenant
Robert Lorek	Sergeant
Glenn Diemer	Patrolman
Gregory Stromecki	Patrolman
Al Schieber	Constable

five (5) ayes

Carried

Supervisor Hubert explained that a Deputy Dog Control Officer is needed to assist the Steiners in issuing summonses, assisting while they are on vacation, to help

Mrs. Steiner if there is a problem during the day that she cannot handle alone and to assist people in making out complaints. A motion was made by Supervisor Hubert and seconded by Councilman Wittmeyer to appoint Claude Fagnan as Deputy Dog Control Officer at a salary of \$1300.00.

Councilman Wittmeyer	Voting	aye
Councilman Zimmerman	Voting	no
Councilman Faulring	Voting	no
Councilman Wohlhueter	Voting	no
Supervisor Hubert	Voting	aye

two (2) ayes

three (3) noes

Motion Defeated

A letter was read from Remy Orffeo, Recreation Supervisor, requesting the patio at the south end of the Town Hall be enclosed for a storage facility for recreation equipment. Supervisor Hubert referred this matter to the Capital Improvements Committee.

Supervisor Hubert advised he was still trying to find a member for the Planning Board.

A letter was read from Dean Watkins requesting appointment to the Zoning Board of Appeals. A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to table this appointment to a later meeting.

five (5) ayes

Carried

A motion was made by Supervisor Hubert and seconded by Councilman Faulring appointing Nancy Aldridge as a member of the Conservation Advisory Council. Term to expire December 15, 1982.

five (5) ayes

Carried

Supervisor Hubert stated he had talked to people from Project Up-Grade, relative to office space at the Town Hall and had been advised they needed a room three days a week to interview clients and would pay \$50.00 a month. Supervisor Hubert stated that at the present time there is no room, but possibly there will be after the police move. He asked that the matter be tabled till the Fall.

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to adjourn at 8:46 P.M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

Regular Meeting
May 5, 1982

Town Hall
7:30 P.M.

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

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that the minutes of the April 16, 1982 Special Meeting and April 21, 1982 Regular Meeting be approved.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the Town Clerk's monthly report be accepted.

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 \$11,386.73 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Highway Bills in the amount of \$7,131.21 be paid.

five (5) ayes

Carried

A letter was read from the New York State Department of Environmental Conservation in reply to the Town Board's letter of April 13, 1982 relative to the DEC's request for repayment of funds by the Town for State Aid for Boston Sewer Districts. This matter was referred to Town Attorney Maxwell for his review and recommendation.

A letter was read from Susan S. Tyler, Deputy Director of the New York State Executive Department, Division of Budget and Senator Warren Anderson in answer to the Town Board request that the 1970 Census figures be used to determine State Aid for Youth Programs. The letters indicated the 1970 census figures would be used. The letters were received and filed.

A letter and copy of Census data were received from Assemblyman Richard L. Kennedy. This data was received and filed.

A letter was read from the State of New York Division of Equalization and Assessment advising the Town Board that the final rate of Equalization is 8.96%. The letter was received and filed.

A letter was received from Legislator Marie Richardson advising of action taken at the April 22nd session of the Erie County Legislature.

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer to oppose any sales tax formula that would be detrimental to the Town of Boston and that Legislator Richardson and County Executive Rutkowski be advised of this opposition.

five (5) ayes

Carried

Letters were received from the New York State Department of Transportation with orders for the re-establishment of speed restrictions on Boston State Road and orders for the repeal of state jurisdiction for speed control, two fire signals, a flashing signal, intersection and driveway control, parking restriction and a left turn restriction along that Highway. Supervisor Hubert stated he had contacted Mel Kase of the County Highway Department relative to signs coming off side roads and their legality. He advised that Mr. Kase would be getting back to him with an answer. The Town Clerk was directed to forward copies of the Department of Transportation letters to the Traffic Safety Committee.

Town Clerk Klein stated that approval had been received for the sign restricting left turns to Abbott Road from Boston State Road.

A notice of Restricted Highways was received from the Erie County Department of Highways. The restricted highways are as follows:

Eckhardt - NYS 391 to Heinrich
Feddick - Rice to Haag
Zimmerman - Shero to Mayer

N. Boston - Heinrich to Feddick
Feddick - Zimmerman to Haag
Zimmerman - Mayer to 391

N. Boston - Taylor to Bridge

Brown Hill - Route 219 to Zimmerman

The notice was received and filed.

A letter from Gordon C. Baker and a copy of a letter from Mr. Baker to Legislator William Paxson relative to Gas Drilling on county property were read. Supervisor Hubert stated that he could not express an opinion on gas drilling as he wasn't too familiar with it, but would review the matter. The letters were received and filed.

A resolution was received from the Town of Hamburg relative to the distribution of Interest on Sales Tax in Erie County. The resolution was received and filed.

A letter was read from Burton Hopkins requesting \$300.00 for a franchise fee for the County Quad Team. Mr. Hopkins, who was present at the meeting, explained that they need help so twenty eligible boys will be able to play baseball. A motion was made by Supervisor Hubert and seconded by Councilman Faulring to pay the franchise fee in the amount of \$300.00 for the Quad Team.

five (5) ayes

Carried

Burton Hopkins thanked the Town Board for their support and also asked about the maintenance of the baseball diamonds as the grass was quite high. Supervisor Hubert stated there were two working on the diamonds and they will be in good shape for the start of the baseball season.

Edie Schramm, on behalf of the Amvets Post 219, presented the Town Board with twenty-five flags. Supervisor Hubert expressed his thanks for the flags.

Mr. Henry Enser, Liebler Road, asked if a decision had been made on the insurance for coaches. Councilman Wittmeyer stated he had been in touch with Al Dye and a meeting would be set up with the Insurance Committee, Insurance Carrier and consultant to discuss this matter.

Karen Klinczar asked if the town would be putting up the flags. Town Clerk Klein stated that the flags will be put up for Memorial Day and taken down and then put up for the 4th of July.

Karen Klinczar asked if the letter on gas drilling could be referred to the Conservation Advisory Council as they can get a study conducted by the state and would be able to get answers on gas drilling. Supervisor Hubert graciously accepted the offer of the Conservation Advisory Council to study and make a recommendation to the Town Board.

A check in the amount of \$1,000.00 for forty (40) mobile home lots was received for Sprague's Trailer Park for 1982. A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to approve a 1982 Trailer Park Permit for 40 mobile home lots for Sprague's Trailer Park.

five (5) ayes

Carried

Town Clerk Klein stated the 1982 fee had still not been received from Boston Hills Mobile Home Park. Town Attorney Maxwell recommended that legal proceedings be initiated in the Boston Justice Court. Town Clerk Klein was directed to send a letter to the owner of the Boston Hills Mobile Home Park advising if this fee is not paid by May 17, 1982, legal action will be taken.

Town Clerk Klein advised that he had received a Soil Removal Permit from Anna Gernold and that Harold Kreitzbender would also be applying for a permit. The condition of the Gernold site was questioned and the granting of a permit was tabled to the next meeting so the Town Board can make an on site inspection of the Gernold property. They will also make a check of the Kreitzbender property.

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to create a Capital Project - State Police Building at a cost of \$250,000.00 to be funded as follows:

Miscellaneous Reserve Fund	\$ 27,057.71
General Fund	6,729.29
Federal Revenue Sharing	16,213.00
Bond Anticipation Notes	200,000.00

five (5) ayes

Carried

A letter was read from the Erie County Water Authority relative to the hydrant charges on Woodlee Court. The letter advised that if the Town would give their assurance that the arrear bills would be paid in 1983 they would not turn off the water supply to these hydrants. Town Clerk Klein was directed to send a letter

to the Erie County Water Authority advising them that this money would be included in the 1983 budget.

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer authorizing the Supervisor to go ahead and plan for the completion of the Anthony Gulf and Valley View Lane Drainage projects. A vote was taken and resulted as follows:

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

four (4) ayes one (1) absention Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to appoint Charles G. Decker as Fire Inspector with no salary. Term to expire December 31, 1982.

five (5) ayes Carried

The Supervisor's Monthly Report was received.

Supervisor Hubert advised that a Mr. Barber from Metro Bus had advised him that as of June 1st they would no longer have bus service to Boston. He stated they had advised him that the route was losing \$6,700.00 a year as there were only 10 riders. After discussion it was decided by the Board to oppose this route shutdown. Supervisor Hubert asked that before any action be taken he would like to have Metro Buses decision in writing and the Board asked that if we do not get a reply to our opposition in time that they be asked to continue the route past the June 1st deadline.

Town Clerk Klein advised that the Boy Scouts would be participating in the Town Board meeting on May 19, 1982 and the Board will take them out for dinner at the Valley View at 6:00 P. M. on the 19th.

The Tax Collectors Monthly Report was received.

The Town Justice Monthly Report was received.

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter authorizing the Town Clerk to advertise for bids to be opened on June 2, 1982 at 8:00 P. M. for a new sander for the Highway Department.

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Supervisor Hubert granting permission to Highway Superintendent Kreitzbender to attend a Highway Superintendents Seminar at Ithaca, New York on June 7-8-9, 1982. All appropriate expenses to be paid by the Town.

five (5) ayes Carried

Councilman Wohlhueter stated that at the last Conservation Advisory Council meeting they had studied the possibility of a Park and Ride facility in North Boston near the Expressway. He further noted that he is awaiting a reply from Joe Tocke who will arrange a meeting with State representatives.

Councilman Wohlhueter thanked Highway Superintendent Kreitzbender for the road patching done in his area and the brush pickup.

Councilman Wittmeyer stated that at 3:00 P. M. on May 6, 1982, the Traffic Safety Committee would be making a tour of the county roads with Leo Saniewski of the County Highway Department to check problem areas and also the Pfarner and Heinrich road area that the county will be turning back to the town.

The Boston Police Department's Monthly Report was received.

The Building Inspector's Month-y report was received.

The Dog Control Officers Monthly Report was received.

A letter was received from the Conservation Advisory Council advising the Town Board that they recommended that there is not enough need at this time for an ordinance restricting tree cutting in Town.

A letter and copy of the Conservation Advisory Council's By Laws were presented to the Town Board for their consideration. Supervisor Hubert stated that these By Laws will be acted on at the next Town Board Meeting after the Board has had a chance to review them.

Richard Waszak, Rice Road, asked about the rumor that a garbage dump will be established in the Rice Road area. Supervisor Hubert explained that this is only in the talking stages of the Southtowns Planning Group and is one of five sites under consideration. He advised that the area discussed is the Erie County Forestration Park and before anything could be done there would be Public Hearing and possibly a public referendum. When asked what his opinion of it was, Supervisor Hubert stated he did not have enough information at this time to give an opinion.

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to adjourn at 8:30 P. M.



Herbert H. Klein
Town Clerk

Regular Meeting
May 19, 1982

Town Hall
8:00 P.M.

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

Boy Scouts from Troop 490 participating as Town Officials were Michael Glogowski, Peter Schlee, Eric Curry, Paul Schlee, Donald Curry, Kevin Lenox and John Lenox.

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring that the minutes of the May 5, 1982 Regular Meeting be approved.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Supervisor Hubert that the General Fund and Special District Bills in the amount of \$9,885.62 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the Highway Bills in the amount of \$6,475.71 be paid.

five (5) ayes

Carried

A letter was read from Senator Dale Volker in answer to correspondence in support of funds to study the location for a boat launch site in Erie County. The letter was received and filed.

*

A letter was read from Assemblyman Richard Kennedy relative to the 1982-83 State Budget. The letter was received and filed.

Town Clerk Klein advised that a letter from Attorney Willard Genrich to Attorney Charles Maxwell had been received which states that a check for the 1982 Trailer Park License has been put in escrow with Mr. Falkides's attorney. Town Clerk Klein read a letter he had sent to Mr. Falkides advising that legal proceedings would be initiated if the fee was not paid. Town Attorney Maxwell asked Town Clerk Klein if he had a check for the license fee and Mr. Klein stated no he did not. Upon the recommendation of Town Attorney Maxwell a motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to commence proceedings in the Boston Justice Court against Mr. John Falkides, owner of the Boston Hills Mobile Home Park for non payment of the 1982 Trailer Park License Fee.

five (5) ayes

Carried

Upon written request of Jerry O'Brien, Director of Baseball, a motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer granting permission to the Boston Youth Baseball to use the Town Park for their annual picnic on August 7, 1982 from 9:00 A. M. to dark.

five (5) ayes

Carried

RESOLUTION - BOND - NEW YORK STATE POLICE BUILDING

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer designating the following as Polling Places for 1982:

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

five (5) ayes

Carried

Town Clerk Klein reminded the Town Board that three applications had been received for Soil Removal Permits - Gernold, Logel and Kreitzbender. Supervisor Hubert stated he would set a date for inspection of the sites and advise the Board of the date.

*A letter was received from Legislator Marie Richardson advising of action taken at the May 6th session of the Erie County Legislature. The letter was received and filed.

Town Attorney Maxwell stated that Deeds have been filed on the following:

- 1 - Meisburger to the Town of Boston
Liber 8976 at Page 53
- 2 -Weller Home Corporation to the Town of Boston
Liber 8939 at Page 137

Councilman Wohlhueter reported that the Conservation Advisory Council would meet on Thursday, May 20 at 7:30 P. M. and they would be meeting with Joseph Tocke of the New York State Department of Transportation relative to a Park and Ride area in North Boston near the Expressway.

Councilman Wittmeyer advised that on May 18, 1982 there had been an Insurance Meeting with the Consultant and Carrier and elected officials, appointed officials and coaches. He stated that the Insurance Committee would be meeting soon to make a determination on the coverage needed.

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to create the position of Deputy Dog Control Officer to patrol two days a month, to assist the Dog Control Officer when needed, fill in for the Dog Control Officer when they are on vacation and serve summonses when dog owners are delinquent, with a salary of \$100.00 a month.

five (5) ayes

Carried

The Boy Scouts who were running the Town Board Meeting were introduced by their respective Board Members.

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to appoint Claude Fagnan as Deputy Dog Control Officer. Term to expire December 31, 1982.

five (5) ayes

Carried

A letter was received from Chief Harry Strack advising that upon the request of Glen Diemer, Mr. Diemer had been granted a sixty day leave of absence. The letter was received and filed.

A motion was made by Councilman Faulring and seconded by Supervisor Hubert to approve the election of the following as officers of the Zoning Board of Appeals:

Chairman - Remy Orffeo
Vice Chairman - Christian Luno
Secretary - Joseph Santonocito

five (5) ayes

Carried

RESOLUTION - FATHER KAMLER

Residents of the West Hill request to be heard on the landfill that they have heard is being proposed for their area.

Supervisor Hubert asked Councilman Zimmerman to explain what he knows about it and then he would tell what he knows about it from March 11th on. He further stated he would then answer any questions.

Councilman Zimmerman stated that it all started when Erie County had a study for solid waste and at that time Boston was on the list and were down six or seven of a list of eight or nine. He stated that after Erie County had come up with the study the Southtowns Planning Group had selected a Site Planning Committee to study the sites and started visiting areas. He stated he did not know if the Sardinia area had been checked or what had happened in Collins, but in Hamburg one area was the Nike site and another near the Wanakah Golf Course which was a populated area and the people were against it so the Hamburg Town Board said no and at this time Boston was approached and advised that the Southtowns Planning Group would like to bring it out here.

Supervisor Hubert took over at this time and stated that a meeting was held on March 11th and prior to that date they had said that a backup for the Gowanda Waste to Energy program was needed. He stated that on March 11th, five people approached him from Southtowns Planning Group and commenced to tell him about landfills and said that they were thinking about it on Rice Road in the Erie County Reforestration which is 80 acres of 900 acres. Supervisor Hubert

stated this would be a project of the thirteen townships of the Southtowns Planning Program. He stated they gave him the pros of what this would be and that the Southtowns would have to purchase this or a private concern would have to, it would not be County owned. It would be for a twenty year period and then closed. The town would receive a fee which would be negotiable at approximately \$1.00 a ton and when asked how many tons, they stated 188,000 tons a year and would be strictly garbage. He stated another pro they gave him was that it would be a real tax base by the other people. Supervisor Hubert advised that this steering committee of the Southtowns Planning Group which consists of Supervisors from different towns, county representatives and URS Engineering representatives. He stated that the Town Board would pick their own citizens committee to regulate this. Supervisor Hubert stated he was skeptical and told them he would listen to them, but told them he wanted to know more about landfills so he had asked where he could inspect landfills and was given one in Chautauqua County and one in Cattaraugus County and also went to two on his own, the Lancaster landfill and the landfill in Sardinia. He was taken to the landfills in Cattaraugus which is ten years old and Chautauqua which is new by the steering committee, but went to Sardinia and Lancaster by himself. Supervisor Hubert stated that he looked around and then was advised they wanted to give a presentation which would use film taken during the tours. They presented this to the Town Board and asked that they take time to consider it and not to rush as it would be three or four years before the land was purchased and if the people did not want it it could be nipped in the bud. Supervisor Hubert explained what he had seen. Chautauqua - new, but papers all around - cold weather - no smell, told no rat problem. Cattaraugus - not as many papers - smell - was told skunks there. Couple of ponds for leach. Chaffee - papers - smell - unsightly. He stated he was reporting what he saw as that was what the people had hired him for and to keep them informed what is going on.

Supervisor Hubert asked if there were any questions and Mr. Bantle Green, Deanna Drive asked what would happen to the drinking water in the area and Supervisor Hubert stated from what they tell him they do not know if the area is suitable for a landfill as they have not done a study and if not suitable could not do it through Environmental Control and that only preliminary tests have been made. He stated if it was on gravel it could not be done and used an example of a site in Jamestown that was built on a gravel bed and had to be closed. Supervisor Hubert stated that this Boston Landfill is just in the talking stage.

Harold Rockwood, Rockwood Road stated that if they build ponds up there, with the heavy soil and if there is a flash flood like last year everything will go as the ponds will not hold it and it will have to go somewhere. Supervisor Hubert stated the pond in Chautauqua County had macadam put over silt clay material and the leach was piped to the pond.

Mrs. Thiel, Rice Road stated that she thought the land had been bought for a recreation park and she wanted to know what happened to it, why wasn't it being made into a park. Supervisor Hubert stated the land was donated to the County for reforestation or a park. Mrs. Thiel asked how could they change a plan like that when it was originally purchased for a park? How can they bring it out for a suggestion of a dump site when it should be a park, why don't they survey for a park. Supervisor Hubert stated he did not know.

Mrs. Rychlik asked why there aren't dumps down here and not up there. She stated they had enough of being pushed around up there, let them push around down here.

Jerry Leuthauser, Back Creek Road, stated that he was concerned about his well as the Town could not afford to give them city water and he had moved to Boston and paid a healthy tax in Boston and had moved here because he did not want to live near landfills and dumps and in his opinion and those here and the ones that hear about it, as it has not been publicized in Boston, do not want a dump.

Mr. Thiel asked if there would be any leverage on the interchange and if there was they did not want the interchange either.

Mr. Rockwood stated the interchange was promised years ago and they were sold out.

Mrs. Zwack stated their privacy was broken because they wanted the Expressway to go through and now they want a dump.

Supervisor Hubert asked if he had answered everyones question satisfactorily and that was all he had right now.

Paul Whittemore asked Supervisor Hubert of the dumps he had seen how many were on a hill above residential areas. Supervisor Hubert stated the one in Chautauqua was right on top and was windblown. The one in Cattaraugus was halfway up the east hill, the one on Hand Road he thought was flat.

Richard Waszak asked how deep was the pond and was it fenced in so it would not become a swimming hole. Supervisor Hubert stated the pond he saw was fenced with a cyclone fence and the bottom of the pond was covered with plastic so the leach could not go into the ground. Supervisor Hubert stated he could not smell the pond, but could smell it when they were pushing the garbage around.

Mrs. Rylick stated if there is a dump on Rice Road they would switch to outhouses.

Mrs. Thiel asked if they would be informed and Supervisor Hubert stated yes if it even came about a public meeting would have been called to let the people know as the Board has the choice to say they are going to think about it and to get more information about it and they said that the Board has the power to shut it off.

Councilman Wohlhueter stated he asked the question does the Town Board have the sole power to say no to this as it is now County property and he felt they could possibly overrule the Town Board as far as imminent domain or just take the land and do as they want. He stated he was assured they could not go ahead without the vote of the Town Board.

Paul Whittemore asked if this was entirely up to the Town Board or will the people have a vote in this. Supervisor Hubert stated it doesn't hurt to listen to people and this is what they were trying to do, get all the information on this and if the Town Board says they don't even want to think about it, they said the file would be closed. Supervisor Hubert stated it doesn't hurt to listen. He stated that after they had received more information it would be put out for a public referendum. Supervisor Hubert stated he would not take the responsibility, especially on something as important as far as the environment and the welfare of the Town, on his own shoulders without at least a public referendum.

Mr. Green asked if there had been any opinion formed by the Board yet. Supervisor Hubert stated he had not brought it up as he was letting everyone take their time.

In answer to a question on how would the Town benefit, Supervisor Hubert went over the facts he presented at the beginning and added he felt a Citizens Committee would probably regulate this and would mean more jobs. Mr. George Gleason, Zimmerman Road stated that this would be \$188,000.00 plus \$100,000.00 a year for upkeep on the roads in Town plus the money that goes into someones pocket.

Mrs. Zwack asked what the value of their property would be with a landfill and asked who would pay their taxes and asked if they would come out of that \$188,000.00. Supervisor Hubert stated that was a good question.

Casey Glogowski asked who they were and Supervisor Hubert stated the Southtowns Planning and Development Group which is the Southtowns. Mr. Glogowski asked what if the people say they don't want the dump as it is obvious they don't. Supervisor Hubert stated the Town has the option to stop it in the beginning and it is just in the talking stage.

Mr. Franklin, Rice Road, asked Supervisor Hubert if he had received any information on the frequency of fires on the other sites and Supervisor Hubert stated no and he had not seen fires in Chautauqua, Cattaraugus or Sardinia but had seen smoke in Lancaster.

Mrs. Zwack asked if he had seen any of these dump sites when it was warm and he stated no.

Mrs. Thiel stated she knew people who lived on Derby Road in Eden and the trucks go by and the area is infested with rats. She stated one day a truck with barrels went in and when the friend asked what was in the barrels, they would not tell her.

Mr. Franklin stated we had a beautiful town and do we want to foul it up with a dump site.

Mrs. Rychlik stated the roads could not carry a sign Beautiful Scenic Boston, New York as this would be a pitiful sight.

Mr. Casey Glogowski stated he passed the Cheektowaga Landfill everyday for four years when he was going to school and at various times there were a number of fires and papers, garbage and junk along Broadway. He stated it was always like that until it was closed down. Supervisor Hubert stated he was not an expert on landfills, but had gone and looked at the sights and reported what he saw.

George Gleason stated if the Town Board had so much time to work on landfills why didn't they start getting the exit up there that was promised before the third section was built. He stated now they are coming up with another deal that they want a dump and we do not want a dump and if it means getting the interchange then to hell with the interchange too. He stated most of the Board's members were on the Board when they promised the exit and we still don't have it and it doesn't look like we will get it. Mrs. Thiel added unless the dump is put in.

Supervisor Hubert stated the Town Board will only give the facts to the people and let them decide through a referendum.

Mr. and Mrs. Rychlik stated they didn't know about the meeting until tonight as it was kept quiet and Supervisor Hubert stated there was not supposed to be a meeting on the landfill.

Mrs. Zwack stated they were there for one purpose and that was because they did not want the dump on the hill.

Mr. Thiel stated they were trying to kill the plan in the talking stage before it gets to any planning stage.

Mr. Larry Leuthauser stated if the idea is being considered to make money for the Town even if they had to double the taxes, he didn't want it. Supervisor Hubert stated they were told to think about it. Mrs. Thiel stated that their feelings were known and Supervisor Hubert knew what to tell them.

Mr. Green stated he looked for four years before he bought his place and he liked Boston and did not want people to think of it as a place where the county dumps their crap.

Supervisor Hubert stated the people elected them and still did not trust them that they would make the best decision for the Town. He stated that looking and examining something is not bad and to get as many facts as they can as that is what they were hired for and that is what they are trying to do as he doesn't want to do anything behind their backs, but wants to know all the facts on what will benefit or harm the Town and this is what is going on now. He further stated he is looking at things because the people elected him and said do what is best for the Town. He asked that they believe him as he will look over very carefully before a decision is even made to bring it out to the people. He stated he would tell the facts and had only given a little bit because it was not a big thing.

Larry Leuthauser stated he felt the concern was that a thing like that would even be considered. Supervisor Hubert stated he was not considering anything only looking. He stated he would always look at both sides.

Paul Whittemore asked if there would be a guarantee that this would go to a referendum. Supervisor Hubert stated yes, guaranteed, or he would resign.

Town Clerk Klein stated anyone that signs the tablet being circulated would be notified anytime there will be any discussion on this matter so they do not have to worry about missing a meeting.

Mrs. Franklin asked why those who suggested Boston did not suggest other areas and Supervisor Hubert stated he was told Boston was centralized and had transportation potential.

Mr. Rockwood stated they were not centralized enough to get the interchange.

A motion was made by Supervisor Hubert and seconded by Councilman Faulring to adjourn at 9:00 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 19th day of May, 1982 at 8:00 P. M., Eastern Daylight Savings Time, there were present:

Jerome Hubert	Supervisor
Milton Wittmeyer	Councilman
David Zimmerman	Councilman
Esther Faulring	Councilman
Don Wohlhueter	Councilman

Councilman Zimmerman presented the following resolution and moved its adoption:

WHEREAS, the Reverend Raymond A. Kamler came to Boston on June 6, 1948 to assume the pastorate of St. John the Baptist Roman Catholic Church and has faithfully served the parish for the past 34 years, and

WHEREAS, Father Kamler was ordained a Priest at St. Joseph's Cathedral in Buffalo, New York on June 3, 1933 and will commemorate 49 years as a Priest, and

WHEREAS, Father Kamler will retire as the Parish Priest and continue to serve as Pastor Emeritus, and

WHEREAS, the Boston Chamber of Commerce has designated Father Kamler the recipient of the coveted award as Citizen of the Year for the Town of Boston for 1981, and

WHEREAS, Father Kamler, during his pastorate at St. John's, guided the parish through many changes including the building of a new school which was opened in 1955, renovation of the original red brick church in 1958, and building a new church which was dedicated in 1968, and

WHEREAS, Father Kamler has been a faithful servant of God, who has devoted his life to doing the work of the Lord, and

WHEREAS, Father Kamler has sheperded his flock of 450 families in proclaiming and teaching to them the word of God, rejoicing with them on joyful occasions as well as comforting them during their sorrows, thereby gaining the love and admiration of his parishioners and all whom he touched, and

WHEREAS, Father Kamler has served the Boston Volunteer Fire Company and the Boston Amvets Post 219 as their Chaplain.

NOW THEREFORE BE IT RESOLVED, that the Boston Town Board extends their hearty congratulations and best wishes to Father Kamler on his retirement as Pastor of St. John's, on his 49 years of service to God as a Priest and his 34 years as Pastor of St. John's, his 75th birthday and his designation by the Boston Chamber of Commerce as Citizen of the Year for 1981, and

BE IT FURTHER RESOLVED, that the Boston Town Board hereby proclaims June 5, 1982 as Father Kamler Day in the Town of Boston.

Seconded by Supervisor Hubert and put to a vote which resulted as follows:

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

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, in said Town, on the 19th day of May, 1982, at 8:00 o'clock P.M., Eastern Daylight Savings Time.

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

PRESENT: Jerome A. Hubert, Supervisor
Milton Wittmeyer, Councilman
Esther Faulring, Councilman
David Zimmerman, Councilman
Don Wohlhueter, Councilman

ABSENT: NONE

The following resolution was offered by Councilman Wohlhueter who moved its adoption, seconded by Councilman Faulring to-wit:

BOND RESOLUTION DATED MAY 19, 1982.

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF A NEW TOWN OF BOSTON OFFICE BUILDING FOR THE NEW YORK STATE POLICE ZONE ADMINISTRATION HEADQUARTERS IN AND FOR THE TOWN OF BOSTON, ERIE COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$250,000, AND AUTHORIZING THE ISSUANCE OF \$200,000 SERIAL BONDS OF SAID TOWN TO PAY A PART OF SUCH COST.

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

Section 1. The construction of a new Town of Boston Office Building for the New York State Police Zone Administration Headquarters in and for the Town of Boston, Erie County, New York, including equipment and apparatus necessary therefor, and the grading and improvement of the site thereof on lands owned by the Town, fronting on Boston State Road in said Town, is hereby authorized, said authorization having been granted pursuant to the provisions of Chapter 1051 of laws of 1981 of

the State of New York providing for the construction and financing by the Town of Boston of an office building for the primary use of the New York State Police and the leasing of same to the State of New York.

Section 2. The maximum estimated cost of such specific object or purpose is \$250,000 and the plan for the financing thereof is as follows:

- a) By the issuance of \$200,000 serial bonds of said Town, hereby authorized to be issued pursuant to the Local Finance Law; and
- b) By the use of \$50,000.00 Capital Improvement surplus funds of said Town available therefor and hereby appropriated for such purpose and as specified in a resolution of this Board adopted May 5, 1982.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 11(a) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five 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 in said Town 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, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The validity of such bonds may be contested only if:

- 1) Such bonds are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provision of law which should be complied with at the date of publication of this resolution are not substantially complied with and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication or
- 3) Such bonds are authorized in violation of the provisions of the Constitution.

Section 7. Upon this resolution taking effect, the same shall be published in full in The Suburban Press, an official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 8. This resolution is adopted pursuant to the provisions of Chapter 1051 of the Laws of 1981 of the State of New York, all of which is incorporated herein by reference thereto.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Jerome Hubert	VOTING	<u>Aye</u>
Milton Wittmeyer	VOTING	<u>Aye</u>
Esther Faulring	VOTING	<u>Aye</u>
Don Wohlheter	VOTING	<u>Aye</u>
David Zimmerman	VOTING	<u>Aye</u>

The resolution was thereupon duly adopted.

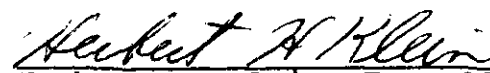
STATE OF NEW YORK)
COUNTY OF ERIE) ss.:

I, the undersigned Clerk of the Town of Boston, Erie County, New York DO HEREBY CERTIFY:

That I have compared the foregoing copy of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on the 19th day of May, 1982, with the original thereof on file in my office, and that the same is a true and correct copy of said original 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 May, 1982.


Herbert H. Klein, Town Clerk

(SEAL)

Regular Meeting
June 2, 1982

Town Hall
7:30 P.M.

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

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the minutes of the May 19, 1982 Town Board 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 Zimmerman and seconded by Councilman Wittmeyer that the General Fund and Special District Bills in the amount of \$10,836.83 with the following correction be paid:

Voucher #401 from Youth Program A7310.4 to Publicity A 6410.4
\$300.00

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the Highway Bills in the amount of \$10,836.50 be paid.

five (5) ayes

Carried

A resolution was read from the Erie County Legislature relative to State funding for sewer projects. Supervisor Hubert directed the Town Clerk to send a letter in support of the resolution, as if more money is lost for sewer funding, projects will be held up forever.

A memo was received from Assemblyman Richard Kennedy relative to the Special Municipal Aid Act of 1982. Town Clerk Klein expressed concern about a plan by Governor Carey to distribute \$50 Million of unneeded reserves in the State Insurance Fund. Mr. Klein felt this should be returned to the municipalities that contribute to the fund. Supervisor Hubert directed that a letter be sent opposing the Governor's plan to appropriate \$44.3 Million to only six cities in New York State.

A News Release was received from Representative Henry Nowak relative to funding for highway projects in the Western New York area. Supervisor Hubert asked that a letter be sent supporting Representative Nowak's endeavors.

A letter was read from Assemblyman Stanley Fink relative to the Youth Job Development Program. The letter was received and filed.

A letter was received from County Executive Rutkowski in answer to a letter from the Board relative to the Sales Tax Agreement. The letter was received and filed.

Mr. Douglas Hanny, Northside Drive asked the Town Board if something could be done about the house that had been moved in across the street from him. He pointed out problems that neighbors are having and told the Board they would like action. Building Inspector Decker stated that the Town Zoning Ordinance allows one year to start a project and three years to finish. He also advised that according to the plans submitted, the front would be bricked, new windows and aluminum siding would be put on. Mr. Hanny also asked if the town could buy the two vacant lots in the subdivision and turn them into a playground. Supervisor Hubert explained that the Town had just acquired the North Boston Stadium and was unable to purchase any more park land. Mr. Hanny also asked that the brick signs leading into Creekside Subdivision be fixed. Supervisor Hubert stated it would be taken care of.

Gary Walters, Zimmerman Road, advised that while the North Boston Firemen were having a drill recently it caused the water pressure on the West Hill to go way down. Supervisor Hubert stated it was felt that the problem was at the pumping station in Eden and that booster pumps would help, but would not alleviate all the problem.

Marian Perison, Feddick Road, stated she has seen a water truck taking water from a hydrant at the corner of Keller and Feddick on at least two occasions. Supervisor Hubert asked her to call him if she sees the truck again. Jim Carr pointed out that it is possible to get a permit from the Erie County Water Authority to take

water from hydrants.

Mrs. Dziob, Northside Drive asked if the people who had moved the house into their area could burn tar paper. It was pointed out that burning is allowed in Boston, but Town Attorney Maxwell stated burning of construction material was not allowed. Mrs. Dziob stated she did not feel it was fair to the neighborhood that the owners should be allowed such a long time to complete the house. Building Inspector Decker was asked to talk to the owner to see if they could straighten up the area and see that it was locked up.

At 8:00 P. M. bids were opened for One New Spreader for the Boston Highway Department. The Legal Notice was read by the Town Clerk. Bids were received as follows:

Nuttall Equipment Company, Inc.
128 East Main Street
Sherman, New York 14781

Bid Bond Enclosed
Non Collusive Bidding Certificate Signed
\$3,696.00
No Alternatives

Valley Truck and Equipment Company,
Trevett Road
Boston, New York 14025

Certified Check Enclosed
Non Collusive Bidding Certificate Signed
\$4,290.00
Alternate Bid #1 - Add \$202.00

Walter M. Roberts Enterprises, Inc.
829 Sheridan Drive
Tonawanda, New York 14150

Bid Bond Enclosed
Non Collusive Bidding Certificate Signed
\$4,160.00
Alternate Bid #1 - Add \$85.00

Wellington Brothers Equipment Company, Inc.
7040 Ellicott Road
Orchard Park, New York 14127

Certified Check Enclosed
Non Collusive Bidding Certificate Signed
\$3,943.00
No Alternative Bid

The bids were referred to Highway Superintendent Kreitzbender for his study and recommendation. The awarding of bids was tabled to the June 16, 1982 Town Board Meeting.

A letter was read from John Falkides owner of the Boston Hills Trailer Park relative to the annual license fee charged the trailer courts in Boston. A letter was also received from Mr. Falkides's attorney, Willard Genrich and a check in the amount of \$1,600.00 for the 1982 license fee. Town Attorney Maxwell advised that the trailer near the road is parked there illegally and this is in litigation. Supervisor Hubert stated that he had advised Mr. Falkides that after the fee was paid a meeting would be set up. Town Attorney Maxwell stated he had called Attorney Genrich and was waiting for him to return the call. A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to grant a 1982 Trailer Park License to the Boston Hills Mobile Home Park for sixty-three (63) trailers @ \$25.00 and to send a letter advising that \$25.00 is being returned as the 64th lot, the trailer near the Boston State Road is there illegally.

five (5) ayes

LEGAL NOTICE TOWN OF BOSTON

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

One New Spreader for Boston Highway Department

Said model to be in accordance with the specifications which are on file and may be obtained from the Boston Town Clerk, Town of Boston at the Boston Town Hall, 8500 Boston State Road, Boston, New York.

Sealed bids on the above pursuant to the specifications on file herein specified, 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 June 2, 1982 at 8:00 P.M. Eastern Daylight Savings Time at which time all bids will be publicly opened by the Town Board at the 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: May 12, 1982

Herbert H. Klein, Town Clerk
Town of Boston

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring granting permission to the Boston Historical Society to use the Town Park and Lion's Shelter on September 10-12, 1982 for their Annual Country Fair contingent upon a Certificate of Insurance being filed with the Clerk.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman granting a Soil Removal Permit to Martin Logel, 7784 Boston State Road and to Harold Kreitzbender, 8116 Boston State Road provided that no topsoil be removed from the site as this should be stockpiled so sufficient topsoil is available to recover the area and reseed and denying a permit to Anna Gernold, Trevett Road as the area to the southwest of the driveway has not been graded and reseeded as required in the granting of the 1981 permit which Mrs. Gernold was notified in writing on May 22, 1981.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring authorizing Deputy Town Attorney Michael Perley to institute a lawsuit against Gary Templin for his failure to complete the Town of Boston Master Plan.

five (5) ayes

Carried

Upon the written request of Werner and Rudy Blesy, a motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to set up a Public Hearing for July 14, 1982 at 8:00 P. M. to consider the request of Rudy and Warner Blesy to resone the property they own on the east side of Trevett Road from Industrial I-1 to Agriculture and to waive the rezoning fee.

five (5) ayes

Carried

A letter was read from Mr. and Mrs. Charles Wooldridge and Mr. and Mrs. Wallace Best, Valley Circle Lane requesting the dead end portion of their street be renamed. Supervisor Hubert asked that this be tabled to a later meeting so he can talk to them about the request.

The Town Board extended their congratulations to Mrs. Louise Rucker on her 98th birthday and signed a card which will be forwarded to her.

A letter was read from Bob, Betty and David Pettit opposing the proposed landfill on the West Hill.

RESOLUTION - LANDFILL

A letter was read from Legislator Marie Richardson to Mr. Raymond Gallagher, Commissioner of NFTA and from Janet Wurtz to the Boston Town Board opposing the elimination of the Metro Bus run to Boston. Supervisor Hubert stated a meeting had been held with Metro Bus representatives and they will hold off eliminating the bus route until the first of the year and in the meantime a public meeting will be set up to see if a solution can be reached to increase the number of people who ride the bus.

A letter and \$75.00 check was received from Bernie Jackson, Principal, Jackson Health Resort requesting a rezoning of property on Omphalius Road from Agriculture A-1 to Business B-1. Supervisor Hubert asked that this be tabled to June 16, 1982 as a meeting will be held on June 15th with Mr. Jackson.

A site plan was received from Woodrow Webber D/B/A Boston Valley Industries. Letters were read from the Planning Board and Drainage Committee expressing no objections to the site plan. Supervisor Hubert stated this was a change in plans and he would like it tabled until a new SEQR Study is received.

The Supervisor's Monthly Report was received.

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to retain Edwards and Moncreiff as consulting engineers for the Town Park Water Project for specs, plans, cost estimate, bid tabulation and inspection when needed at a cost not to exceed \$1,900.00. Put to a vote which resulted as follows:

Councilman Wittmeyer	Voting	aye
Councilman Zimmerman	Voting	abstaining
Councilman Faulring	Voting	aye
Councilman Wohlhueter	Voting	aye
Supervisor Hubert	Voting	aye

four (4) ayes

one (1) absention

carried

Supervisor Hubert advised the Board that he had checked into the possibility of the Supervisor being able to have a four year term as the Highway Superintendent and Town Clerk can and was advised this is possible. He suggested to the Town Board that a resolution be passed to put the question of four year terms on the ballot for the Supervisor, Town Clerk and Highway Superintendent. The Town Board asked that the matter be tabled and the Town Attorney was requested to review the law.

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer granting permission to Supervisor Hubert to attend a Supervisor's Seminar in Lake Placid on June 20-23, 1982.

five (5) ayes

Carried

The Tax Collector's Monthly Report was received.

Town Town Justice Monthly Report was received.

A letter was read from Town Attorney Maxwell advising that the Deed had been filed in the Erie County Clerk's Office in Liber 919 of Deeds at Page 406 for the North Boston Stadium. Deed, survey and title search are filed with the Clerk.

A motion was made by Supervisor Hubert and seconded by Councilman Zimmerman to set a flat rate of \$125.00 per month for expenses for the Chief of the Town of Boston Constabulary.

five (5) ayes

Carried

The Police Department Monthly Report was received.

The Building Inspector's Monthly Report was received.

The Dog Control Officers Monthly Report was received.

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to approve the Bylaws of the Boston Conservation Advisory Council which they adopted on February 15, 1973 with the following amendments:

II. MEMBERS

- B. Attendance. Any Council member who misses two (2) successive official Council meetings without a valid reason shall be notified in writing by the secretary as to his or her or their potential delinquency. Any Council member who misses three (3) successive official Council meetings shall be deemed delinquent and with the approval of the Council the secretary shall request the Town Board to terminate the appointment of the member in question. The secretary shall notify the member in question in writing as to the Council's resolve.

VII. AMENDING THE BY LAWS

- B. A vote of two-thirds (2/3) of the members present shall be necessary to approve a recommendation to the Town Board for the amendment of the By-Laws. Amendments to the By Laws must be approved by the Town Board.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter appointing the following as Summer Recreation Staff as recommended by Recreation Supervisor Remy Orffeo and setting the amount of pay and method of pay as follows:

Playground Supervisors (@ \$4.20/hr.)

William Steger
Karen Brunner

Assistant Playground Supervisors (@ \$3.50/hr.)

Debra DeCarolis
David Fluker
Debra Paulius

*The above are to be paid bi-weekly.

Arts and Crafts Director (\$750.00 session)

Ann Ruchalski

Youth Aides (\$420.00 session)

Robert Jeswald LeeAnn Sedovy
Jeff Loftus Mike Robel
Patty McGlynn Barb Wachowiak
Jackie Palikowski Collene Wesp

*The above are to be paid $\frac{1}{2}$ after 3 weeks and $\frac{1}{2}$ at the end of the session.

A letter was read from the Boston Drainage Committee relative to an inquiry from Ed Walla, Boston State Road about remedial work on Eckhardt Road. Supervisor Hubert stated he had talked to Mr. Decker and he had said there was a definite problem. Supervisor Hubert stated he would talk to the County.

Mr. Richard Waszak, Rice Road asked the Town Board what the resolution meant that the Board passed relative to the landfill. Supervisor Hubert stated that it expresses the Boards decision that they do not want the landfill. Mr. Waszak expressed concern that it did not ban the landfill.

Thomas Momberger, Zimmerman Road stated that if any of the Town Officials had been in agreement with the landfill because of monetary reasons, he would be appalled.

Mrs. Perison, Feddick Road, advised she had a paper she had received which condemned their property some years ago, so the land could be used for a park.

Mr. Arthur Ward asked if there was any possibility of the State condemning the property for a landfill and Town Attorney Maxwell stated possible, but not probable.

Mrs. Nancy Ward expressed concern that the area might be used for the disposal of sludge by the Buffalo Sewer Authority and reported that no one from Boston is on the Citizens Committee. Supervisor Hubert stated he had expressed an interest in the Committee and had been told that as we did not have sewers he could not serve.

There was concern expressed by Town residents about a sludge dump and Mr. Walters stated if it comes about a lawsuit can be filed to encompass everyone.

James Turton asked about the park and was advised there were no County funds to develop a park at this time.

The Town Board pointed out that the Southtowns Planning had said that if the Town Board decided against the landfill they would not push it.

Mr. Knight, Liebler Road, advised the Board they would be held accountable to the people and would not be in favor of four year terms.

The Town Board on the motion by Councilman Zimmerman and second by Councilman Faulring adjourned the Town Board meeting at 9:15 P. M. in memory of Clarence Schluter who served as an Assessor of the Town from June 7, 1966 to December 31, 1975. Mr. Schluter died on May 27, 1982.

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 June, 1982 at 7:30 P. M. Eastern Daylight Saving Time, there were present:

Jerome Hubert	Supervisor
Milton Wittmeyer	Councilman
David Zimmerman	Councilman
Esther Faulring	Councilman
Don Wohlhueter	Councilman

Councilman Wittmeyer presented the following resolution and moved its adoption:

WHEREAS, the Southtown's Planning Group has proposed to the Town of Boston and requested the Town Board's consideration of locating a landfill on County property off Rice Road, and

WHEREAS, the citizens of Boston have indicated their total opposition to such a proposal.

NOW THEREFORE BE IT RESOLVED, that the Boston Town Board, as representative of residents of the Town of Boston, oppose any plan to locate a landfill in the Town of Boston, and

BE IT FURTHER RESOLVED that the Boston Town Board requests the Southtowns Planning Group to terminate any further consideration for the location of a landfill in the Town of Boston.

Seconded by Supervisor Hubert and put to a vote which resulted as follows:

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

AYES:

5

NOES:

0

ABSENT:

0

Herbert H. Klein
Herbert H. Klein, Town Clerk

Regular Meeting
June 16, 1982

Town Hall
8:00 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Esther Faulring, Councilman Don Wohlhueter, Supervisor Jerome Hubert, 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 June 2, 1982 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 \$52,237.83 be paid.

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Zimmerman that the Highway Bills in the amount of \$7,354.44 be paid.

five (5) ayes

Carried

A letter was received from County Legislator Marie Richardson advising of action taken at the June 3, 1982 session of the Erie County Legislature. The letter was received and filed.

A letter was read from W. C. Hennessy, Commissioner of the New York State Department of Transportation advising the Board that the Town of Boston has been appropriated \$21,387.00 under the CHIPS (Consolidated Local Street and Highway Improvement) Program. Supervisor Hubert stated he and Highway Superintendent Kreitzbender had attended a seminar on this program and the program gave more leeway on where the funds could go for local highway and bridge maintenance. The letter was received and filed.

A letter was read from Raymond F. Gallagher, Chairman of the NFTA advising that the Boston bus service will continue until December 24 and a final determination if it will continue after that will be made in November. Supervisor Hubert advised that a Public Meeting has been set for July 20th at 7:30 P. M. and he asked that any interested persons attend to present ideas on how the service can be improved to encourage more riders.

A letter was read from the North Boston Volunteer Fire Company expressing concern over the low water pressure in hydrants on Hywood Drive. Supervisor Hubert stated this has been looked into and has been determined that new booster pumps will help the problem, but will not alleviate it. He further advised that the cost for the pumps will be \$52,000.00 and will be shared by Boston and Eden. Supervisor Hubert also stated that a letter had been sent to the Erie County Water Authority on April 15, 1982 relative to the problem and he has received no response to date, but is expecting an answer in the next two weeks.

A letter was read from Senator Volker relative to State Aid for municipalities. A letter was also read from Senator Stachowski advising the Board that the New York State Senate had restored to the 1982 Budget \$369 million in aid to municipalities that Governor Carey had sought to delete. Town Clerk Klein reported that the Governor had vetoed this bill and the Legislature will probably attempt an override. The letters were received and filed.

A letter was read from C. J. Henningson, Executive Engineer of the Erie County Water Authority relative to structure modifications that are needed on the Boston II Tank on Brown Hill Road. Supervisor Hubert stated he would meet with Mr. Henningson to discuss the matter.

A letter was read from the Erie County Water Authority requesting a solution to the problem of an access easement at the Boston I Booster Station. Supervisor Hubert referred this to Town Attorney Maxwell to try and arrive at a solution to the problem.

A letter was received from The Boston Signal requesting they be sent news articles the same as the other newspapers in the area are.

A letter and check were received from the Colden Fire Company advising that the Town's float had won \$50.00 in their parade on June 12, 1982. Supervisor Hubert stated that a lot of people had put time into the float, but he would especially like to thank Bud Decker, Edith Schramm, Earle Crawford and Tish Ryngwalski for all the time and effort they put into the planning and building of the float.

Mr. Fred Baetz, Omphalius Road asked the Town Board about the proposed Health Spa, what it would be and where the entrance would be. Supervisor Hubert explained it would be a Health Food Restaurant and Councilman Wittmeyer explained that the entrance for the proposed spa would be near the bottom of the hill. Town Clerk Klein advised that the plans are on file in his office and Mr. Baetz is welcome to come in to look at them.

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring setting July 14, 1982 at 7:30 P. M. and August 11, 1982 at 7:30 P. M. as summer Town Board Meetings.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to correct Abstract #6 as follows:

June 2, 1982 - Voucher 379 From \$44.06 to \$46.05
Typographical error

five (5) ayes

Carried

Supervisor Hubert stated he had received petitions from residents on Boston Colden Road and Mill Street requesting Cable TV Service. A letter from Supervisor Hubert to Mr. Hunt, Vice President of International Cable was read. Deputy Town Attorney Perley stated that he is waiting for engineering maps which include all areas and then will talk to Mr. Hunt to see what can be worked out.

Supervisor Hubert stated he would refer the request made at the last Town Board Meeting to change the name of the dead end portion of Valley Circle Lane, to the Planning Board for their study and recommendation. He further advised that Mr. and Mrs. Wright will also sign the letter.

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer to award the bid for the Highway Spreader opened at the June 2, 1982 meeting to Nuttall Equipment Company, Inc., Sherman, New York in the amount of \$3,696.00 as recommended by Highway Superintendent Kreitzbender.

five (5) ayes

Carried

Upon the request of Town Attorney Maxwell, a motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to approve the assessment settlement of 9,500 between the Town of Boston and WBUF and that a refund be made on only the 1981 County Tax and the 1980-81 School Tax.

five (5) ayes

Carried

Councilman Wohlhueter advised that a number of residents on Pinecrest and East Lane have approached him about all the traffic that goes down to the Sewer District #4. He asked that a fence with a gate be put up. Councilman Wittmeyer stated the Traffic Safety Committee would be out today and would check this area. Supervisor Hubert stated he would go with them.

Councilman Zimmerman asked the status of Cable TV and Deputy Town Attorney Perley stated that it will be on the Agenda for Monday's meeting in Albany and although there was a delay because of technical changes that had to be made in the Franchise, International has gone ahead seeking pole approval so there shouldn't be much delay once the Franchise is approved.

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to approve the election of Leo Constantine as Vice Chairman of the Boston Planning Board.

five (5) ayes

Carried

A letter was read from the Boston Planning Board requesting a clarification on Insurance Coverage for Public Officials who are in a decision making capacity. Town Clerk Klein read a letter from Ernie Holfoth, Consultant recommending that this Insurance be purchased at an annual premium of \$910.00. A letter was also read from Mr. Holfoth to Dye Insurance Agency relative to getting the terms of the Policy in writing. Town Clerk Klein stated that Mr. Holfoth had called today and advised him they wouldn't put it in writing. Following a discussion by the Town Board, the matter was tabled to the July 14, 1982 meeting so further clarification can be obtained. Supervisor, Zimmerman was directed to explain the Town Board's action to the Planning Board.

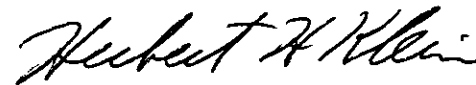
A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman granting permission to Mary Alice Tocke to attend a symposium in Niagara Falls on June 18, 1982.

five (5) ayes

Carried

Supervisor Hubert advised that the rezoning request of the Jackson Health Resort would be referred to the Planning Board for their study and recommendation.

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to adjourn at 8:51 P. M.



Herbert H. Klein
Town Clerk

Regular Meeting
July 14, 1982

Town Hall
7:30 P.M.

Present were Councilman David Zimmerman, Councilman Esther Faulring, Councilman Don Wohlhueter, Supervisor Jerome Hubert, Town Attorney Charles Maxwell and Highway Superintendent Clarence Kreitzbender. Councilman Milton Wittmeyer was absent.

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter that the minutes of the June 16, 1982 Regular Meeting be approved.

four (4) ayes

Carried

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

four (4) ayes

Carried

A motion was made by Councilman Faulring and seconded by Supervisor Hubert that the General Fund and Special District Bills in the amount of \$18,253.66 and Capital Fund Bills in the amount of \$68,750.00 be paid.

four (4) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the Highway Bills in the amount of \$7,288.33 be paid.

four (4) ayes

Carried

Letters were received from Legislator Marie Richardson advising of action taken at the June 17, 1982 and July 1, 1982 meetings of the County Legislature. The letters were received and filed.

Notice was received of a Public Hearing by the Public Service Commission to consider the request of New York Telephone for a rate increase. Supervisor Hubert asked that the Town Board go on record opposing the rate increase.

An Order Granting Certificate of Confirmation was received from the State of New York, Commission on Cable TV. Supervisor Hubert stated he had contacted Mr. Hunt of International Cable and had been advised that construction would start in September. Deputy Town Attorney Perley stated he had also talked to Mr. Hunt and had been advised of the September starting date.

A letter was read from the County of Erie Health Department advising that an Anti Rabies Dog Vaccination Clinic would be held in Boston on Wednesday, September 22, 1982 from noon to 4 PM in the Boston Police Garage.

A letter was received from the office of Governor Carey in response to the Town Board's letter on Special Municipal Aid. The letter was received and filed.

Notices of Complaint against their assessment were received from National Fuel Gas and New York Telephone (4). Town Attorney Maxwell requested copies of the Notices. The Notices were received and filed.

A letter was received from New York Telephone advising that the public telephones at the Town Hall will be disconnected due to insufficient usage and revenue. Town Clerk Klein stated he had received a call from New York Telephone advising him of this decision and they had stated they would leave the telephones in for a fee of \$30.72 per month for each phone and Town Clerk Klein told them to take them out, but after considering it turned the matter over to the Town Board to make the decision. Supervisor Hubert stated he had sent a letter to New York Telephone requesting that the outside phone be left in until the State Police Barracks is occupied. He stated the New York State Police also sent a letter requesting this. Supervisor Hubert advised that he is waiting for a decision from New York Telephone and also if they deny the request the State will pay the charge. A motion was made by Councilman Zimmerman and seconded by Supervisor Hubert to remove the inside pay telephone and leave the outside pay telephone.

four (4) ayes

Carried

A letter was read from County Legislator Marie Richardson supporting the Town Board's position on the landfill. The letter was received and filed.

A letter was read from Senator Dale Volker responding to the Town Boards concerns on funding for the Youth Development and Delinquency Program. The letter was received and filed.

Town Clerk Klein stated he had received a request from Jean Errington, 6183 Wildwood Drive requesting a lower speed on Boston State Road and street lighting on Wildwood Drive. Supervisor Hubert stated the lower speed request is already in the hands of the Traffic Safety Committee and Councilman Faulring, Street Light Committee, reported she had called New York State Electric and Gas at Lancaster and they will study the request and report the cost.

A letter was read from the Erie County Department of Health advising that all temporary food service establishments must have a permit issued by their Department whenever food is being sold or given away at organizational functions attended by the Public. Deputy Town Attorney Perley stated he contacted the Erie County Health Department relative to this and found out that this area would contact the Southtowns Division of the Erie County Health Department and he felt they would be most cooperative in coming out to make inspections. Supervisor Hubert directed a copy of this Health Department rule and a letter be sent to organizations using the Town Park so they can comply with the rule. Councilman Wohlhueter stated that he would contact the Health Department to find out if this rule would also affect the Little League Picnic.

Karen Klinczar asked how many homes in the Town of Boston would be receiving Cable TV and Deputy Town Attorney Perley stated approximately 2,000, but he would be better able to tell when he receives the final map.

Upon the written request of Barbara Zak, 6424 Willow Drive and the Boston Emergency Squad, a motion was made by Councilman Zimmerman and seconded by Councilman Faulring granting permission to Barbara Zak to hold a family reunion in the Town Park on August 15 and to use the small shelter and to the Boston Emergency Squad to use the Town Park on August 15, 1982 and have use of the Lion's Shelter.

four (4) ayes

Carried

Town Clerk Klein reported that he had received another Soil Removal Permit request from Anna Gernold and Building Inspector Decker and Councilman Wittmeyer had inspected the property and found that the land had been graded and now conformed to the Town Board's request. A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to grant a Soil Removal Permit to Anna Gernold, 9724 Trevett Road.

four (4) ayes

Carried

A letter and \$25.00 check were received from Attorney Willard Genrich, Jr., Attorney for John Falkides, Boston Hills Mobile Home Park owner for the 64th lot at the Trailer Park as this is the number of lots paid for last year. Upon the recommendation of Town Attorney Maxwell, a motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to accept the \$25.00 check for the 64th lot in the Boston Hills Mobile Home Park, but in no way validate the trailer that is parked along Boston State Road and at the present time is in litigation. Town Attorney Maxwell will send a letter to advise of this.

four (4) ayes

Carried

Letters were read from New York State Department of Environmental Conservation, County of Erie and Boston Planning Board relative to the SEQOR Review for the Woodrow Webber proposed business complex. Town Clerk Klein recommended that this project be issued as a Negative Declaration of Non-significance and listed as a unlisted SEQOR status. He further stated that Mr. Webber is now in a position to apply for building permits. A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to accept the recommendation of Town Clerk Klein to issue this SEQOR Report as a Negative Declaration of Non-significance and listed as an unlisted SEQOR status.

A letter was read from Supervisor Hubert to the Erie County Water Authority relative to the upgrading of the Eden Site I Booster station and also read was a letter from the Water Authority in answer to the Supervisors letter. Supervisor Hubert explained the situation and what would be done to alleviate the problem of low water pressure. Town Attorney Maxwell asked the Board if they had considered a feasibility study to have the Town have their own system and stated he would be glad to serve on such a committee.

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter authorizing the Supervisor to sign the necessary papers and also to take bids on the upgrading of the Eden Site I Pumping Station contingent upon the Eden Town Board approving the upgrading.

four (4)

Carried

A letter was read from Engineer Moncreiff relative to price quotes for repairing a hole and installing a new overflow structure on the Brown Hill water tank. After discussion the Board decided to table the matter so the Supervisor can get an estimate from Edwards and Moncreiff of the cost to prepare the specs and notice for bids.

Town Clerk Klein stated he was working on the SEQR Report for the Jackson Health Resort and the contacted agencies had until July 20th to respond to his letter. A motion was made by Councilman Wohlhueter and seconded by Supervisor Hubert setting August 11, 1982 at 8:00 P. M. to consider the request of Jackson Health Resort for a rezoning from Agriculture to Business B-1.

four (4) ayes

Carried

The Supervisor's Monthly Report was received.

A motion was made by Supervisor Hubert and seconded by Councilman Wohlhueter setting a Public Hearing for August 11, 1982 at 8:30 P. M. to consider how to spend approximately \$5,000.00 which is in a Youth Savings Account and has been inactive for years.

four (4) ayes

Carried

Supervisor Hubert asked Remy Orffeo who had given him authorization to place the CETA workers in the Town of Boston. Supervisor Hubert stated he had contacted Tim Murray of CETA and Mr. Murray had advised him that Mr. Orffeo had said there was no one needed for the parks although in the past there were Parks, Recreation and Office Workers. Mr. Orffeo stated that the question that was asked him was there are "x" number of job sites in town and based on the best job sites last year, he gave them the answer. He stated it was not done as the towns agent and Supervisor Hubert stated he knew and asked Mr. Orffeo to check his opinions with the Town Board in the future.

The Tax Collector's Report was received.

Town Clerk Klein stated that the Blesy rezoning request was to have been considered tonight, but he had not received the legal description so the Public Hearing cannot be held.

Town Clerk Klein reported that the Boston Amvets Post 219 Auxiliary had donated \$50.00 toward the Boston Float. Supervisor Hubert asked that a Thank You letter be sent to them.

The Town Justice Monthly Report was received.

A motion was made by Councilman Wohlhuter and seconded by Councilman Faulring authorizing Highway Superintendent Kreitzbender to draw up specs and Town Clerk Klein to advertise for bids to be opened on August 5, 1982 at 11:00 AM for the new hylift.

four (4) ayes

Carried

A letter was read from Town Attorney Maxwell relative to terms of office of Elective Officers. The letter was received and filed.

Councilman Wohlhueter reported that there will be a public meeting on the Metro Bus route in Boston on July 20, 1982 at 7:30 P. M. He also noted that the Conservation Advisory Council is still working on the Park and Ride. Supervisor Hubert advised that slingers have been posted for the public meeting.

The Boston Police Department Monthly Report was received.

The Building Inspector's Monthly Report was received.

Supervisor Hubert stated he had contacted Barbara Moore and she had been interested in being a member of the Planning Board. The Board asked that this matter be tabled to the next meeting as they would like to wait for a letter from her.

A letter was read from the Planning Board stating they had no objection to changing the name of the short spur of Valley Circle Lane to Valley Circle Place. A motion was made by Councilman Zimmerman and seconded by Supervisor Hubert authorizing Highway Superintendent Kreitzbender to get the necessary signs and for Town Clerk Klein to notify the necessary people of the change in street name of the short spur from Valley Circle Lane to Valley Circle Place.

four (4) ayes

Carried

It was reported that no letters had been received requesting appointment as a member of the Zoning Board of Appeals.

A letter was read from the Conservation Advisory Council Chairman Karen Klinczar relative to gas drilling by the County on County property. Councilman Wohlhueter stated he felt this was in limbo, but was concerned by news reports and was going to talk to Legislator Paxon to find out how it stands. Town Clerk Klein was directed to send a copy of this letter to Legislator Richardson.

A memo was read from Recreation Supervisor Orffeo advising that there will be a meeting on August 4th to study the feasibility of starting a Youth Soccer League. Mr. Orffeo stated the intent of the meeting is to see if there is any interest and to set up a structure on the order of the gymnastics program.

A memo was read from Recreation Supervisor Remy Orffeo advising that a person who has reached the age of 16 years could serve on the Youth or Recreation Boards.

A letter was read from Insurance Agent Dye to Ernest Holfoth, Insurance Consultant relative to Public Officials Liability. Town Clerk Klein stated the Insurance Committee had met with Mr. Holfoth relative to this insurance and it was the committee's recommendation that Insurance for Public Officials be purchased for \$910.00 a year. Councilman Wohlhueter stated that he felt this was a good policy as it covered all the Boards and further noted that the rate is lower than it was one year ago. Supervisor Hubert stated he had discussed this Insurance with the State Attorney at the Supervisor's seminar and felt that if records are well kept and the Board's make prudent decisions there should be no need for this insurance. He further stated we are becoming insurance poor and he believes this insurance is a waste of money. Councilman Wohlhueter stated that a number of people have expressed concern and he realizes the chances of being sued are slim, but the peace of mind for the public officials is worth the money. A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to purchase insurance in the amount of \$910.00 for Public Officials and Employees Liability. The motion was put to a vote which resulted as follows:

Councilman Zimmerman	Voting	aye
Councilman Faulring	Voting	no
Councilman Wohlhueter	Voting	aye
Supervisor Hubert	Voting	no

two (2) ayes

two (2) noes

A letter was read from Ernest A. Holfoth relative to a cost for his consultant service to advertise for bids for 1983 Insurance coverage. Town Clerk Klein and Councilman Wohlhueter, members of the Insurance Committee stated that the use of an Insurance Consultant can result in a savings to the Town for insurance costs. A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to hire Ernest Holfoth, CPCU, ARM for the Town of Boston at an annual retainer of \$5400.00 to draw up specs and serve as a consultant for the next 12 month period which starting time will be July 15 or August 1 which ever he decides.

four (4) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Supervisor Hubert to grant the request of residents of Pinecrest Terrace that a portion of Pinecrest Terrace from 4668 Pinecrest to 4727 Pinecrest be closed to thru traffic from 3 PM to 9 PM on Saturday, July 24th to hold their annual street picnic.

four (4) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Supervisor Hubert to adjourned at 9:01 P. M. in memory of Ted Nowak who in 1972 was named Citizen of the Year by the Boston Chamber of Commerce and in years previous to that had been instrumental in the conduction of bicycle races that brought much noteriety to the Town of Boston for many years and was a spirited movement in the Town of Boston.

Herbert H. Klein

Herbert H. Klein
Town Clerk

Regular Meeting
August 11, 1982

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Esther Faulring, Councilman Don Wohlhueter, Supervisor Jerome Hubert, Town Attorney Charles Maxwell and Highway Superintendant Clarence Kreitzbender.

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring that the minutes of the July 14, 1982 Regular Meeting be approved.

five (5) ayes

Carried

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

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 \$63,530.05 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Highway Bills in the amount of \$26,182.62 be paid.

five (5) ayes

Carried

A letter was read from Supervisor Denn, Town of Eden, advising the Boston Town Board that the Eden Town Board had passed a resolution, of which a copy was enclosed, for the upgrading of the Site #1 Booster Station. Supervisor Hubert advised that a letter is to be sent to the Town of Eden Town Board, relative to the cost sharing of which Boston will pay 45% and Eden 55% and after an agreement has been reached on this, we will proceed with the bidding.

A Notice of Claim in the matter of Mark U. Scanlon against the Town of Boston was read. Town Clerk Klein advised that this has been sent to the Town Insurance Carrier, Alfred W. Dye, Inc.

A letter was read from Timothy J. Murray, Assistant Director of the Erie County Summer Youth Program, advising of the reasoning behind the placement of the summer youth workers in the Town of Boston. Supervisor Hubert stated he had received a call from the CETA office and had been advised that five youths would be assigned to Boston for the last week of the program to assist in the parks. Supervisor Hubert thanked Mr. Orffeo on behalf of the Town Board if he had any part in assigning Boston these youth.

A news release was read from Congressman Jack Kemp advising of the redesignation of the Rice Road Interchange in the Town of Boston as a priority primary route. Supervisor Hubert stated that he had received information from the Route 219 Committee that a meeting had been held to discuss the feeder road and he had also received a project report from the State and County regarding the best possible feeder road from the Rice Road Interchange. Supervisor Hubert directed the Town Clerk to send a letter to Congressman Kemp to thank him for his endeavors to put this project on the front burner.

A letter was received from Legislator Marie Richardson advising the Board of action taken at the July 17 session of the Erie County Legislature. The letter was received and filed.

A letter was read from the New York State Department of Public Service acknowledging receipt of the Town Board's letter expressing opposition to the proposed increase sought by the New York Telephone Company. The letter was received and filed.

A letter of complaint was received from Kenneth and Judith Heppner and Earl and Jacqueline Koller relative to noise at the Boston Valley Collision, Larry Ovitt, Owner. Supervisor Hubert directed Building Inspector Decker to investigate the complaint and, if there are any violations, to meet with the Town Attorney and to get back to the Town Board before the next meeting.

A letter of complaint was read signed by owners and tenants of Thornwood Drive relative to construction equipment being stored and maintained at 6022 Thornwood Drive. Supervisor Hubert directed Building Inspector Decker to investigate this complaint and if there are any violations to meet with the Town Attorney and to report back before the next meeting.

Mrs. Zebrowski, Boston State Road, stated that she lived next door to the North Boston Garage and they were having a problem with unregistered vehicles, fenders, broken glass, hoods, etc. She advised that the owner of the North Boston Garage was infringing on their property. Mrs. Zebrowski stated there is an ordinance in Boston on junkyards and she would like something done. She further stated that the cars and parts are now being stored on property owned by a person only known to her as "Whitey", so although it is said this is just a temporary situation, she is not sure. Mrs. Zebrowski further stated they had had their property surveyed and the stakes were knocked down and she felt the only way to contain the vehicles and parts was to put up a solid barrier. Councilman Wittmeyer asked Building Inspector Decker if he had checked on this property since last year when an inspection had been made and Building Inspector Decker stated he did not know what he could do as the owner had a used car license. He stated that the insurance companies make the owner hold the cars for so long and this is a problem. Mrs. Zebrowski presented pictures to the Town Board. Town Attorney Maxwell stated he felt the Town had the enforcement right to go down there and prevent loose fenders and debris, causing an eyesore. He further pointed out the business has been in there for years and also prior to the zoning, but he did not feel it was a license to pull cars apart and throw debris all over the ground. Mr. Zebrowski pointed out that tires are piled up and cannot be resold, so are just junk. Town Attorney Maxwell stated he felt an inventory should be made and then he can give an opinion of what is in violation of the ordinance. Mrs. Zebrowski stated she would like a fence put up so the owner can see where the boundary line is. Town Attorney Maxwell stated we did not have the power to instruct that a fence be put up. Building Inspector Decker was directed by Supervisor Hubert to take an inventory of the situation at the North Boston Garage, confer with the Town Attorney and if it is determined there is a violation, then it will be taken before the Town Board.

At 8:00 P.M. a Public Hearing was held to consider the rezoning request of George and Lorraine Moore to rezone a portion of their property to Business B-1. The Legal Notice was read by the Town Clerk. The following were read by the Town Clerk:

1. A letter from Bernie Jackson requesting the rezoning of this property and stating the reasons.
2. Boston Planning Board letter recommending the rezoning of the Moore property and commenting on the EAF.
3. Letter that was sent to the property owners in near proximity to the proposed site.
4. The SEQOR Review letter that was sent to Joan Loring of County of Erie Department of Environment & Planning, Philip Frandina, Commissioner, Erie County Department of Public Works, Charles Alessi, Erie County Department of Environment & Planning, Steven Doleski, New York State Department of Environmental Conservation, Boston Drainage Committee, Planning Board and Conservation Advisory Council.
5. Letter was read from the Amateur Athletic Union relative to one of the Partners in the proposed Health Spa, Nick Mortellaro.
6. Zoning referral notice from Erie County was read.
7. Letter from the DEC and County of Erie Department of Planning were read.
8. The SEQOR Referral Review from Erie County.

Town Clerk Klein showed a map of the area that was being considered for rezoning.

Mr. Carl Reed, 7681 Eddy Road, asked if they would be given a map so they could see exactly where the resort will be, as it was hard for him to figure out where it will be from the legal description. He also asked where they will be pulling the people from that will use the facility. Town Clerk Klein asked Mr. Reed if he could see the map posted on the wall and Mr. Reed said he could, but would like to have one that he could study. Town Clerk Klein again described where the land is that they have requested be rezoned.

Mr. Douglas Brown, 7759 Eddy Road, stated they would like a package of material that has been professionally prepared that shows in specific detail what has been submitted to the Town. He stated he felt this package should be distributed to all who will be impacted by this rezoning. Town Clerk Klein stated that in the letter he wrote to the property owners whose lands border this, he had advised that a proposal from Jackson was on file in his office for review by all interested persons. Mr. Brown stated he did not feel it was too much to ask Foit & Albert to submit more information to allow the Town to make an intelligent decision as he did not know how many health facilities the Town has approved. Mr. Brown further pointed out the public should be provided with more information.

Mr. Victor Hoffmann, Maplelawn Drive, stated he was not in the locality, but he had a question because of a statement read by Mr. Klein about this area not receiving sewer service. He stated the ecology would not sustain a restaurant and lodge and he asked what study had been made and what proposals has been made to protect the ecology for waste removal and sanitary purposes. He noted that at the onset these people would not have a sewer system and he would like to see something on how it will be handled.

Myron Jakusz, 60-8 Provincetown Lane, Orchard Park, stated his property is adjacent to this project and he felt they were entitled to a clearer definition of what the boundaries are and what the project entails.

Thomas Makowski, 6686 Omphalius Road, stated he had a petition signed by 46 persons in the vicinity of the project and presented same to Town Clerk Klein.

Helen Gross asked if people who had not signed the petition could sign it now, as she would like to sign it.

The petition was read by Town Clerk Klein.

James Karamanos, 6591 Omphalius Road, stated he lived next to the property and asked if they would be using the easement road that goes to his property and he further stated he did not feel there should be any hunting on that property, as there are children in the area.

Thomas Kreuder, Omphalius Road, asked where they will get fresh water.

Terrell Pahl, Eddy Road, asked what the tax impact on the Town of Boston would be, what revenues will we gain from this.

Mr. Brown, Eddy Road, stated he moved out here one year ago for a lot of good reasons and he felt a part of Boston. He noted that he could not render an opinion for or against what these people are proposing, as he felt a lot more information was needed before an intelligent decision could be made. He advised the Board they had lived there longer than he, and wanted to caution the Board about taking things for granted. Mr. Brown stated he was in favor of things that have a benefit to the Town like tax impacts and things of that nature, increase in jobs, but felt every detail should be looked at as to the connotations of a Health Spa and the kind of people that will run it.

Helen Gross asked what will happen if they are not successful in their business.

Roland Jones, Omphalius Road, stated that care must be taken as, if this is rezoned and they leave, then something else can come in.

Mr. Charles Krueder, Omphalius Road, pointed out the dangers of Omphalius in the winter, when cars come down the hill and if there are cars coming in and going out, how will the cars on the hill stop.

Paul Werner, Omphalius Road, stated that he was bothered because the children who attend Hamburg School have to walk to the church parking lot for bus pickup and this is close to the entrance-exit of the resort and now it is treacherous for them to walk but with the entrance-exit there, it is almost unbelievable.

Joseph Bowers, Eddy Road, stated that they have been told there will be no water on that side of the hill because they want to preserve it, so why bring a business in there.

Mr. Jackson, developer of the project, stated that the traffic flow would be minimal. He further explained that first there would be a restaurant, later a lodging facility that will hold the people that will be staying at the place, and the minimal stay will be one week. He advised that most of the people that will be coming will be staying, but the restaurant would be opened to the public. Mr. Jackson stated the driveway was about 600' from Route 219, therefore traffic flow up the road will have no bearing on their place.

Mr. Howard Berry, Architect, talked about the sewer and water, explaining that they have looked into a sewage treatment plant to serve this size facility. He advised that this has not been designed and would not be until it was rezoned. He stated as far as the water goes it might be possible to extend the present district as the district goes to the property adjacent to their property and the Town Board has recommended they extend the water line at a cost to themselves.

Mr. Douglas Brown asked for a brief rundown of where the people are from and what business experience they have in developing Health Spas.

Supervisor Hubert stated this information is in the package that was made available for anyone that wanted to look at it. Some of those present stated they were not notified and Town Clerk Klein stated that if a person's property does not abut on

this property under consideration, then you did not receive a personal letter, but those abutting did receive notice this was available for review in his office. Mr. Brown stated he felt this was shortsighted as the impact goes far beyond adjoining properties and has a tremendous ripple-effect. Town Clerk Klein stated that a legal notice was published and that is the legality part, notice to all the public and that is all they have to do, but the Board in recent years, as a courtesy, has informed the people that about the property as they are felt to be the most interested.

Mr. Berry stated that water could come from public water lines or wells could be dug and, as it is too far to get into the sewer district, the County has been contacted about a sewage treatment plant. Mr. Hoffmann asked what contingency plan would they have if it failed and Mr. Berry stated they had not gotten that far because the property has not been rezoned. Mr. Hoffmann stated that the hill would not sustain a leach field. Mr. Barry stated anything would have to be approved by the County Health Department.

Bonnie Foit-Albert, Architect, stated they were a local firm and she lives in Orchard Park. She stated she has designed a number of restaurants. Mrs. Foit-Albert stated they would be using that portion of the property that is developed, there is a driveway, house and some paving. She stated they would not bother the stream bed. She stated the upper part of the land would be nature trails. She further explained that the lower area will be developed in three stages, first, a restaurant with health food, second phase the motel units - 16 in the initial stage and 8 in the next phase. She noted people will come and stay on the site for one week periods so the traffic will be sporadic. She noted that the access to the property is mostly from Route 219 so there won't be much traffic coming down Omphalius. Mrs. Foit-Albert stated there would be a 40 car parking lot. The building will be two floors of about a total area of 15,000 square feet.

Mr. Roland Jones questioned if they make money, will they expand and Mr. Mortellaro stated they did not plan on it. He stated the facility will be health-oriented with people coming to learn how to eat and how to exercise and he felt if they got too big they would run into the old commercial-type aspect and they did not intend to do that.

Eric Pommerenck stated while the spa was making its customer healthy, it could possibly ruin the health of Boston, so care should be taken.

Mrs. Jackson stated she felt people had the feeling it would be a large establishment, but she did not see anymore than 20 people there at a time and on 150 acres, she did not feel it was too much.

Mr. Roland Jones stated they were talking about hiking and skiing and pointed out that this could mean a lot of garbage thrown around and he also expressed concern about fires caused by discarded cigarettes. Mrs. Jackson pointed out they would be living on the premises. Mrs. Jones noted that these people cannot be followed around and one cigarette could do the damage. Several people pointed out this could happen in any area.

Jerry Kelly stated they plan to enhance the area through excellent architecture. He further stated that they searched the Southtowns area for a site and one of the attributes was a convenient access to a major road - Boston State Road with another major road that intersected - Route 219. He stated they were looking for a site that had natural beauty and was secluded, so this area met their goals in that regard. Mr. Kelly stated they wanted to minimize traffic although with any new development there will be more cars. He noted that the traffic flow would be beneficial to the Town as they drive on the State Road. Mr. Kelly stated the project would be kept small and the Town Board had limited them in wanting them to draw a careful boundary around the three phases they plan so that they have control over the expansion.

Mr. Jackson stated that in answer to the question, what if they failed in their venture, the Town Board would zone the property back. Town Attorney Maxwell stated this was discussed on the assumption that the project never started, however if a restaurant and motel is built after the rezoning, he questioned if the Town could step in and rezone it as a new owner would have legal rights.

Mr. Kelly stated they would be adding new taxes to the tax rolls and he felt it would be beneficial.

Mr. Brown asked what the amount would be and Supervisor Hubert advised that this would not be known until the building is up, then the Assessor would make an assessment. Mr. Brown felt that the Assessor could be given plans so a projection could be made.

Mrs. Foit-Albert said they only have concept sketches and these are subject to change as they go further into design.

Town Clerk Klein explained the procedure they would have to follow to get a building permit. He stated that just because the property is rezoned does not mean they would get a carte blanche permit to build. Mr. Brown stated at that time the Town people would no longer have a say and Town Clerk Klein pointed out that the Town Board could notify all interested persons when an application for a building permit is received. All interested persons were asked to sign a paper so they can be notified.

Mr. Hoffmann questioned if there was a moratorium on leach fields and was advised by Councilman Zimmerman he felt no - if the land was capable of handling what is planned. There was discussion on the sewer system and Mr. Berry stated whatever was used would need the approval of the Erie County Health Department.

Mr. Thomas Kreuder questioned an entrance on Route 219, instead of off Omphalius Road.

Mr. Reed stated they would like a better package presented so the people of Boston will know what exactly is going on.

Town Clerk Klein went through the financial plan that had been presented by the developers, which also presented their future plans.

Mr. Jackson and those involved in this endeavor gave a biography of themselves.

Mr. Dean Dennis asked what kind of clientele they expected moneywise, and Mr. Jackson stated the average cost will be about \$500 a week.

Supervisor Hubert asked if they would like a meeting and Mr. Brown stated it was up to the Town to ask for another meeting. He stated from what he had heard tonight the Town did not have enough information. Mr. Jackson stated they were under a time limit and although they had met with the Town Board a number of times, they would come out again.

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to close the Public Hearing. The motion was withdrawn and a motion was made by Councilman Zimmerman and seconded by Supervisor Hubert to recess the Public Hearing until August 24, 1982 at 7:30 P.M. to be held at the Boston Town Hall.

five (5) ayes

Carried

At 9:34 P.M. a Public Hearing was held to consider the use of approximately \$5,000 in a Youth Savings Account that has been inactive for many years. The Legal Notice was read by the Town Clerk. A letter signed by original members of the Youth Group that raised the money was read. Excerpts of minutes from January 16, 1961 and February 1, 1961 pertaining to this money were read. Also read was a memo from Town Attorney Maxwell with an attached copy of Section 64, Sub. 8 of Town Law relative to gifts.

Gerald Valentine stated that in 1961 the Town agreed to accept this money, to be held in trust as the minutes indicate. There was about \$1800 put in trust which Mr. Fitzgerald invested in a Certificate in 1968 and it has snowballed since then because of high interest rates. He further stated that Mr. Kennedy withdrew it in 1978 and put it in a playground fund. He stated he felt the money should now revert to the Boston Teenage Group of which a number are here tonight. Mr. Valentine stated they propose to receive suggestions from Town residents and organizations on how the money should be spent in Town. He further noted that they feel they raised the money, it was held in trust by the Town, and now they feel it should revert to them so they can have some way of spending it in Town. Mr. Valentine stated that they would like a reasonable time to receive suggestions from the Town and make a report back to the Town Board.

Town Attorney Maxwell stated he did not feel they could legally have the money revert back to the group as it was gifted to the Town. Mr. Valentine pointed out that in the 1961 minutes it stated that it was agreed to accept the money to be held in trust

for the Boston Teenage Group. Town Attorney Maxwell stated he didn't construe it that way and Mr. Valentine stated it was a matter of record. Town Attorney Maxwell stated that you cannot make a gift to someone and 15 years later say, "I no longer make that gift" and the gift was made to the Town for the purpose stated. Mr. Maxwell stated they were into legalistics and he interpreted it as an absolute gift subject to the condition as read.

Mr. John Crotty asked why the youth back in 1961 feel they should give the Town of Boston a gift. Mr. Maxwell stated he did not know, but someone purporting to act for your group made that arrangement. Mr. Crotty stated the minutes say a Trustee of the Boston Youth. Mr. Maxwell stated they were a Trustee of the special purpose of the conditions stated in that resolution and it could not be spent beyond the category for which it was given. Mr. Crotty asked what condition that would be and Town Attorney Maxwell answered some purpose that would meet the definition of benefit for the teenage group.

Mrs. Barbara Moore stated Town Attorney Maxwell was at the meeting when Joe May put her down when they were trying to give the money for sewing machines. Mr. Maxwell stated he did not recall that.

Mr. Dennis asked that the State Law be read again and Town Clerk Klein read it. Town Clerk Klein also explained that Mr. Kennedy had taken the money from a 5% Passbook Account and put it in a Certificate of Deposit at approximately 10-14%. He also noted that the playground fund was attached to it only for bookkeeping purposes and it was not taken out to be used and actually, until they had started studying this, had not been aware of any minutes on it.

Mr. Crotty asked if it was legal to transfer funds from one account to another.- like from Boston Youth Fund to the Playground Fund. He stated he felt the identification of the fund should remain intact. Town Clerk Klein stated he did not have the passbook here.

Mary Ellen Hoffmann stated she had taken the passbook to the bank and it was not money in the account, it was interest on the account. She stated there was a Savings Certificate and the book is interest only. She further stated that Mr. Kennedy took the money out. It was put in a Playground Fund and she asked why it wasn't called a Teenage Fund. Mrs. Hoffmann stated the money was mislabeled and they would like to prove this money originated from them and they did not want it in a Playground Fund.

Mr. Crotty stated he felt they earned it and it was time they started spending it. He asked that a survey of townspeople be made and that they would pay for a Post Office Box to conduct the survey, rather than just say what to spend it on. He stated he did not want the money blown up in one night on fireworks.

Mr. Dennis asked if they had control of the money and Town Attorney Maxwell stated from a purely legal point of view he had to say they did not have control of the money, the Town Board has control of the money, having gifted that money subject to the conditions under which they can dispose of it. Town Attorney Maxwell stated he was trying to make the best legal determination as he sees it from the circumstances of the Minutes and Section 64, Sub. 8 of the Town Law. He further stated he did not feel the Town Board was going to disregard the opinions of the people that produced the money.

Councilman Zimmerman stated the hearing was called to get the input on how the money is to be spent. Town Attorney Maxwell stated the Town Board, as Trustee, has to exercise their good judgement and he feels their good judgement is to give mostly the weight to those who raised the money rather than someone who moved into Town and wants a fireworks display.

Councilman Wohlhueter stated he did not understand the agreement about the legality as it is in the account and put in Trust by these people and as was discussed, the people who raised the money be the committee to decide what to do with it. He stated at the Youth Meeting Monday night they had discussed ways to use the money and he told them that the people who raised the money be made a committee and they decide how to spend the money.

Gerald Valentine explained how they raised the money and pointed out they never had a place to go, so they wanted to start a fund that the Town could build upon to build a Teen Center and he resents the fact that the Town Board thinks they control the money. He also stated the money has sat there for 25 years and if no one comes up with an idea they approve of, it sits for another 25 years.

Councilman Wohlhueter stated he felt legally the Town had control of the money, but if this money is in an account and those people want to decide how it should be spent, he felt they should be allowed to.

Town Attorney Maxwell stated that the motion reads to direct the Town Clerk, as apparently someone in the group contacted the Town, said we have the money and want to give to the Town for a certain purpose to be used by the Town for this group, to request Mrs. Krakauer to forward a check. He felt she had given the check to Joe May. He further stated then there were further motions to deposit it in Trust for the Teenage Group.

Mr. Valentine asked Supervisor Hubert if the Town Board was in agreement that they should be appointed as an Advisory Board on this money. Supervisor Hubert stated that after the Public Hearing is closed, a decision will be made.

Mrs. Schaeffer stated this money was raised by this group and raised with the intention to be used as these people chose. Mrs. Schaeffer asked who had suggested flowers, garden or statues. It was explained that this is just examples in the Town Law. She stated she had turned the money over to Joe May, and had talked to him years later about it and he had explained where the money was. She stated she felt it should be used for teenagers. Town Attorney Maxwell stated this is the only purpose the money can be used for, the benefit of a teenage group.

Larry Leuthouse asked if the money was raised with car washes, etc. They stated yes.

Dick Klinczar stated he was not concerned who had control of the money, but as a member of the Football Association, who raises their own money and asks help from noone, except some from the Town for equipment, he stated that they had put up \$6,000 worth of lights on the football field. He further stated that he would like to suggest that the money be used to fix the football field.

Joan Carrow stated they would like to get suggestions from everyone, but they would like to have the right to make the decision.

Councilman Wittmeyer stated he felt the Board would go along with the decision made by the group and also added he would like to see the group get involved in the Master Plan.

Gary Walter stated when he worked on the Cable TV Committee, they did not have to rent a box for their survey, but had the return answers returned to the Town Hall and he felt this group could do the same.

Mrs. Hoffmann asked if they came up with something the Board did not approve of, could they say no and she asked who had the final say. Supervisor Hubert stated the Town Board.

Mr. Hoffmann stated he felt this came from a group of concerned people and no one has anything to gain. They want the money they worked hard for to go to a worthy organization as they know what they were deprived of when they were teenagers, and do not want it to go to some frivolous fund that could be exploded in one night.

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to close the public hearing.

five (5) ayes

Carried

Supervisor Hubert stated it was recommended by the State Auditors to move the fund where it can be used. Town Attorney Maxwell stated it should not be labelled the Playground Fund, but should be amended. Supervisor Hubert stated he would check with the Bookkeeper. Supervisor Hubert stated he proposed to set up a committee of the people who had raised the money, to have them pick a Chairman, and if the Board can assist, they will. He stated the survey replies can be directed to the Town Hall and they will be turned over to the committee. He further stated he would contact the people and a meeting would be set up.

Mr. John Koza stated he had received a call from the Erie County Clerk's Office, advising him that he was next door to a collision shop and this was the first that he had heard that Mr. Warren had permission to run a collision shop. Councilman Zimmerman stated that Mr. Warren had been granted a Special Use Permit to run a collision shop after the rezoning application had been turned down. Mr. Koza stated that he felt the people who had objected to the rezoning should have been notified of this and Councilman Zimmerman advised Mr. Koza that he was probably at that meeting that night and Mr. Koza stated the first he had heard about it was when the Erie County Clerk's

Office had called. Councilman Zimmerman stated he was issued a Special Use Permit after he met the conditions set by the Town. Mr. Koza stated that he was to work special hours and Councilman Zimmerman stated they have not received any complaints. Mr. Koza stated the reason he had not complained was because of what the Town had done to him and further noted that there were plenty of empty shops for collision work. Mr. Koza stated that he should put up a fence and hedge.

Mr. Koza also registered a complaint against the home for the retarded and handicapped on Rice Road and stated that he could not move into his new home because his wife was afraid. Mr. Joe Warren took exception to Mr. Koza's remark about the retarded and asked him to leave them alone.

Town Clerk Klein read a letter that had been sent to Mr. Koza and others, relative to a hearing that was held to consider the Special Use Permit.

Edith Schramm stated that Herbert Berlin has a flag pole and he asked her if she knew of anyone that needed it. She suggested the Town and the Board stated they would accept the pole and find a location for it.

Mrs. Schramm thanked the Town Board for allowing her the privilege of serving the Town as Chairman of the the making of the Town float.

Dick Klinczar suggested the flag pole and memorial at the Football Field be moved.

Town Clerk Klein reported that the Emergency Squad Picnic would be held on August 29, 1982, and not August 15 as originally planned.

Upon the written request of Deputy Town Attorney Michael Perley, a motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to appoint Town Clerk Herbert Klein as Complaint Officer for Cable TV.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to correct the amount of the electrical contract for the State Police Building, awarded to E.C.S. Electric, from \$20,700.00 to \$20,850.00, as the table presented by the architect was in error and was carried through in the letter recommending the award of the contract to E.C.S.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring setting September 15, 1982 at 8:15 P.M. for a Public Hearing on proposed use of Federal Revenue Sharing Funds, in the amount of approximately \$43,396.00.

five (5) ayes

Carried

RESOLUTION - VALLEY CIRCLE PLACE

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter to correct Abstract #7 - July 14, 1982 as follows:

Voucher #468 - from A1620.4 to H1620.2
 Mecca Kendall - State Police Building
 Total General Fund - from \$11,269.08 to \$9,697.83
 Total State Police Building - from \$3,405.97 to \$4,977.22

five (5) ayes

Carried

A summary sheet on bids opened on August 5, 1982 for a Four Wheel Drive Loader and which is attached, were read by Town Clerk Klein. Supervisor Hubert reported that on the Mecca Kendall bid the option 4-1 bucket is included with the John Deere loader as part of the equipment. Supervisor Hubert asked that the Highway Superintendant submit a recommendation to the Town Board prior to the next meeting.

The Supervisor's Monthly Report was received.

Supervisor Hubert reported to the Board the unit charges that will be made to Sewer District #3 taxpayers and the objections he had voiced which did result in a reduction of the O & M charge that was first proposed to him by the Board of Managers. The 1983 rate will be \$108 instead of \$130.

Town Clerk Klein reported on the 90 flags that had been given to the Town by the Amvets. Town Clerk Klein stated he had sent a letter to the Amvets National Service Foundation, thanking them for the flags.

Town Clerk Klein read a memo from Ernie Holfoth, Insurance Consultant, with a contract to be signed and a schedule that will be followed.

The Town Justice Monthly Report was received.

A letter was read from Erie County Department of Finance advising that the Erie County Legislature had adopted a resolution increasing the maximum allowable income for a Senior Citizen exemption from \$9,200 to \$10,500. A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to hold a public hearing on September 15, 1982 at 8:30 P.M. to consider increasing the income level from \$9,200 to \$10,500 in the Town of Boston. Supervisor Hubert directed Town Clerk Klein to send a notice to the Senior Citizens group, advising of this hearing and to ask them to get the word to persons not members of their group.

five (5) ayes

Carried

The Boston Police Department Monthly Report was received.

Supervisor Hubert advised Chief Strack that he had received a letter of thanks from the Chase Manhattan Bank for the Police Department's time and effort given to guarding the bank and directing traffic at the truck crash last month and also the Lions Club had thanked the Police Department for their help during the Octoberfest.

The Building Inspector's Monthly Report was received.

The Dog Control Officers reports for June and July were received.

Letters were read from Lawrence J. Clerc and Barbara Z. Moore requesting appointment to the Boston Planning Board. Supervisor Hubert stated that both will be advised by letter that they will be interviewed for the position.

A letter was received from the Zoning Board of Appeals expressing concern and displeasure at the Town Board's nonpassage of the motion to provide insurance coverage for the appointed Boards in the Town of Boston. Councilman Wittmeyer asked Town Clerk Klein to send to the appointed Boards a copy of the Town Board's motion to furnish the Boards with legal defense in the event legal action would be taken. Councilman Wohlhueter stated that this insurance will again be considered when the specifications are drawn up for insurance.

A letter was read from Dolores Faihost requesting appointment as a member of the Zoning Board of Appeals. Supervisor Hubert stated she would be sent a letter advising of the date she will be interviewed.

A letter was read from the Conservation Advisory Council, relative to the establishment of a commuter parking lot in Boston. Councilman Wohlhueter stated this has been discussed quite a bit at the CAC meetings and the lot across from the plaza in North Boston is being considered by the NYS DOT to either lease or buy. Highway Superintendent Kreitzbender questioned who would plow this and stated the Highway Department is pretty busy in the winter with their small plow and next winter will also have the State Police Building. A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer that a letter be sent to NYS DOT advising that the Town Board supports the Park and Ride facility in North Boston and that the Town would provide the maintenance with the stipulation that it be clarified as to whether the property would be leased or purchased and that this fact must be known before the Town Board can proceed any further. Duly put to a vote, which resulted as follows:

Councilman Wittmeyer	Voting	<u>aye</u>
Councilman Zimmerman	Voting	<u>aye</u>
Councilman Faulring	Voting	<u>no</u>
Councilman Wohlhueter	Voting	<u>aye</u>
Supervisor Hubert	Voting	<u>aye</u>

Four (4) ayes

One (1) Nay

Carried

A report was received from Harry Strack, Chairman of the Traffic Safety Committee relative to problems on roads in the Town of Boston. Chief Strack commented on the brush at Route 277 and Abbott Road and also the traffic light at Route 219 and 391. Town Clerk Klein was directed to send the necessary forms to the proper agencies to request a 45 MPH speed zone all along Boston State Road except where a lower speed is posted as well as inform State and County agencies of the other concerns of the committee.

A letter from Highway Superintendent Kreitzbender to Mel Kase of the Erie County Highway Department was read requesting repair of Pfarner Road and Heinrich Road before they are taken over by the Town. The letter was received and filed.

A motion was made by Supervisor Hubert and seconded by Councilman Faulring to adjourn at 10:55 P. M. in memory of Joseph May, Supervisor from 1960 to 1967 and Boston Chamber of Commerce Citizen of the Year in 1969.

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 Town Hall, 8500 Boston State Road, Boston, New York, on the 11th day of August, 1982, at 7:30 P. M., Eastern Daylight Savings Time, there were

PRESENT:	Milton I. Wittmeyer	Councilman
	David G. Zimmerman	Councilman
	Don A. Wohlhueter	Councilman
	Esther Faulring	Councilman
	Jerome A. Hubert	Supervisor

Councilman Zimmerman presented the following resolution and moved its adoption:

WHEREAS, residents of Sublots No. 15 and 16 of the Boston Valley Acres Subdivision petitioned the Boston Town Board for a new road name because of confusion that exists in house numbers,

NOW, THEREFORE, be it resolved that the Boston Town Board renames from Valley Circle Lane to Valley Circle Place that section of Valley Circle Lane running west at the northwest corner of the subdivision, as located on Map Cover 1818 of the Boston Valley Acres Subdivision, Part 2, filed in the Erie County Clerk's Office on August 25, 1953, being one hundred seventy (170) feet in length and fifty (50) feet in width, running along the north line of Sublot 14 and 15 and further being filed in Liber 6091 of Deeds at Page 116.

Seconded by Supervisor Hubert and put to a vote which resulted as follows:

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

AYES: 5 NOES: 0 ABSENT: 0

Herbert H. Klein
Herbert H. Klein, Town Clerk

NAME AND ADDRESS	BID BOND	NONCOL.	MODEL	BASE BID	LESS TRADE	LESS TRADE TOTAL	ALTERNATE I BID	LESS TRADE	TOTAL BID ALTERNATE I	OPTION 4-1 BUCK.
Dow & Company, Inc. 1820 Elmwood Avenue Buffalo, NY 14207	X	X	1982 (new) International 530 Wheel Loader	\$122,841	\$63,224.00	\$59,617.00	\$113,681.00 (New Demonstrator International)	\$58,920.00	\$54,761.00	\$4,800.00
Trojan Sales Service Trojan Circle Batavia, NY 14020		X	1982 Trojan Wheel Loader 2,000	\$116,615	\$74,042.00	\$42,573.00	NONE	NONE	NONE	\$4,996.00
Nuttall Equipment Company, Inc. Route 20 & Route 400 West Seneca, NY 14224	X	X	Fiatalis FR-15	\$126,387	\$70,096.00	\$56,291.00	\$123,371.00 (Fiatalis 645-B 1981-200 hours)	\$70,000.00	\$53,371.00	\$6,985.00
Syracuse Supply Company 2140 Military Road Tonawanda, NY 14150	X	X	Caterpillar 950B	\$140,870	\$60,872.00	\$79,998.00	\$109,500.00 (Caterpillar 950 S/N 81J14594 - 1981)	\$45,740.00	\$63,751.00	\$9,265.00
Case Power and Equipment 1 Case Way Buffalo, NY 14225	X	X	Case W24C 4 Wheel Drive Loader	\$120,105	\$77,611.00	\$42,494.00	NONE	NONE	NONE	\$5,777.00
Mecca-Kendall Corp. Route 240 West Falls, NY 14170	X	X	John Deere 644C Loader	\$ 77,399	\$33,111.00	\$44,288.00	\$ 72,399.00	\$33,446.00	\$38,953.00	NONE

August 24, 1982

7:30 P. M.

The recessed Public Hearing of August 11, 1982, to consider the request of George and Lorraine Moore to rezone their property on Omphalius Road from Agriculture to Business B-1 was called to order by Supervisor Jerome Hubert.

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

Supervisor Hubert explained the format with the Jackson Health Spa people going first, pros next and the cons after that.

Bonnie Foit-Albert, architect had a slide presentation in which she explained where the land in question is located and their plans for its future development which will be in three phases. First a restaurant, then lodge and last a health club. Mrs. Foit-Albert stated that the upper portion of the property would be left natural with nature trails and this has passed requirements by SEQR.

Howard Barry, Engineer discussed the sewer system and advised that they had talked to the County Sewer Authority and they will allow them to hook into the sewer system, but they would have to run the 8" service eleven to thirteen hundred feet back to their property at their expense. He explained why a sewage treatment plant as first discussed was not feasible as Irish Gulf dries up in the summer. Mr. Barry also stated they would not need wells as water can come from Erie County Water. He also stated there would be natural drainage.

Mr. Jerry Kelly spoke about the traffic this project would generate and cited the traffic Omphalius Road and Route 219 now carries. He stated there would be more traffic as to be successful there has to be more traffic. He felt that lunchtime traffic would generate about 25 cars, and dinnertime about 50 cars. That with full time and part time employees a total of 100 cars a day would be entering the facility. He stated this would not interfere with school pickup times as they are in the morning and mid afternoon. Slides of the access point to the property were shown. Mr. Brown asked if the entrance further up Omphalius would be used and Mr. Jackson stated only for his personal use. Mr. Kelly stated he felt the primary users of the lodge would come through the major access point, Boston State Road. He stated skiers would not be turned down if they wanted to stay at the lodge, but with twenty-four lodge units this would be 24 cars. Mr. Kelly noted there were no speed and school pickup signs on the road and they might be warranted. He stated this project would generate jobs, taxable property value and that the project would have a community room which could probably be rented out for community units.

Bonnie Foit-Albert showed slides of the land and explained what they will be doing and stressing they would keep the natural setting. She stated the built up area would be on about one acre.

Nick Mortellaro talked about the health facilities that would be at the lodge and their purpose.

Supervisor Hubert stated that anyone who has a legitimate question that had not been answered by the Jackson's presentation could now ask them.

Mr. Douglas Brown, 7759 Eddy Road asked why is the restaurant going first. Mr. Jackson stated they had to have something to introduce the public to and the only reason they were going with the restaurant first is because they do not feel the project would be successful without it and they needed it as a draw. He also stated that the upstairs will be a lecture hall where they will have health food lectures. Mr. Brown asked that if after the first year the activity was not what they expected would they discontinue construction of the remainder of the project and if they vacated the property then there would just be a restaurant. Mr. Jackson answered that the success of the project is not contingent on the success of the restaurant.

Mr. Fred Bates, 6591 Omphalius Road asked if the restaurant is not successful will they be able to go on with the rest. Mr. Jackson stated they think so.

David Gurney, 6502 Omphalius Road, asked if the purchase of this property was still contingent on the sale of the Jackson house in Orchard Park. Mr. Jackson stated yes at this moment it is.

David Regan, 7420 Chestnut Ridge Road, asked if the Health Food end does not work out would it turn into a motel and would there be alcoholic beverages sold. Mr. Jackson stated no never, he did not believe in drinking alcoholic beverages.

Mr. Brown asked about restrictions in a B-1 zoning and Town Attorney Maxwell stated that if there is a B-1 Zoning and a restaurant is there there is nothing the Board can do to prevent application for a liquor license.

Wanda Betts, 6184 Wildwood, asked if there would be just health food items on the menu or would there be foods that are derogatory to health like steak or lobster. Mr. Jackson stated that they would not be able to buy meat in his restaurant.

Ernest Celani, 6872 Omphalius Road, asked if this was a health food restaurant why would they need a deep fat fryer or french fryer or grill. Mrs. Jackson stated that the paper he was looking at was prepared by a restaurant consultant that does not know a thing about health food cooking. Mr. Celani stated he had reviewed cost on the equipment and obviously he does not know much about the cost of equipment. Mrs. Jackson stated he owned a restaurant in East Aurora. Mr. Jackson stated the cost is based on used equipment. Mrs. Jackson stated they planned on using waterless cooking.

Robert Laskowski, 6654 Omphalius Road, stated there is a school bus at 11:30 AM to pick up kindergarteners.

Mr. Thomas Makowski, 6686 Omphalius Road, asked if they had sufficient funding to continue the project even if the restaurant is unsuccessful and Mr. Jackson stated yes. Mr. Makowski pointed out that Mr. Jackson had said he had to sell his home to get the project off the ground and this did not seem consistent with what he was trying to tell them. Mr. Jackson stated the project does not demand he sell his house, but at this point it is a contingency. He stated he had paid a considerable amount of money to hold the property and if he removed the contingency on his house he would lose that money. Mrs. Jackson stated they were not using their money, but she was not at liberty to divulge the name of the people who will invest in the property. She stated they will be living there and will probably purchase the property if it is rezoned or not.

Doug Brown, Eddy Road asked who the owners of the property were and pointed out when he had asked the question last week they had introduced themselves and he had assumed all the invested funds were from local sources. Mr. Jackson stated they were the owners of the property. Mr. Brown asked where the source of funds were located, were they local Boston residents as the controlling funds would control the property. Mr. Kelly stated it was limited partnership and they would put up the capital and were committed to the project, but in no way do they want to become part of the rezoning hearing and they were not at liberty to divulge their names. Mr. Brown stated he did not want the names and Mr. Kelly stated they were not at liberty to divulge anything about them. Mr. Brown stated he would assume they were not local residents and Mr. Kelly stated he had no comment and did not feel it was germane to a rezoning hearing. Mr. Brown stated it was germane to the citizens concerned and he felt the citizens concern was something the Board would like to evaluate in making a responsible decision.

Thomas Rzepecki, 6553 Omphalius Road, questioned the number of cars they stated would be at the facility and asked if they were saying that would make no difference on the exit on that hill. He stated his son would be getting the bus at 11:30 A. M. during the winter. Mr. Rzepecki asked how many people will work there, how many at the motel. He asked what the full capacity would be. Mr. Jackson stated Motel 48, restaurant 100 and the gym 48. It was pointed out that these would be the same people and no decision has been made if it will be open for someone to just come in and use the gym.

Mr. W. Thompson, South Abbott Road, stated that if the people complained it might have to be kept private and this would be a shame.

Mr. Brown stated he questioned the numbers and asked if the variance prohibited them from opening all those facilities to all the people at their desire under B-1. Does the town prohibit you from inviting the public to use your facility. Mr. Jackson stated no there is no prohibition and Supervisor Hubert agreed.

Wanda Betts, stated there could be at least 90 cars in an evening and Bonnie Foit-Albert stated no there is only a 40 car parking lot. Mrs. Betts pointed out that the figures they are using point to more cars than that and she asked where the overflow would go. Bonnie Foit-Albert stated there would be an employees parking lot and a 40 car parking lot. She felt this was sufficient with the turnover at the restaurant. Mrs. Betts again questioned where they would put the cars if they had 100 there.

Mr. Charles Kreuder, 6540 Omphalius Road, asked if this would always be restricted to a 24 unit establishment. Mr. Jackson stated as it stands now, yes. Mr. Kreuder stated you could always make it a 48 and Mr. Jackson stated it is a possibility, but the philosophy of the place is small and intimate for personalized service and if they feel 24 units is too large they might even consider just 16. He stated there are only so many people working at the resort and if they expand any further it defeats the purpose of personal attention which they feel is important. Mr. Kreuder stated he felt that the people investing the money would want them to increase if they were making money. Mr. Kreuder stated his concern was the traffic coming out of the driveway onto Omphalius in the winter.

Thomas Kreuder, 6635 Omphalius Road, stated he read the application and asked if it was true they were going nationwide on their advertising. Mr. Jackson stated this was true. Mrs. Jackson stated there is a place that does national advertising and they only accomodate thirteen at a time and the charge is \$1,500.00 a week. Mr. Jackson stated the legitimate health resorts hold a maximum of 30 people and most of them are limiting themselves to 16 and 24 people. He stated the better the place the more personalized service you get and stated places in Arizona and California cost you \$2,600.00.

Mrs. Helen Gross, 7736 Eddy Road, asked if they were the ones trying to build a health spa in Eden last year. Mr. Jackson stated no they were not.

Mr. Voit Drankhan, 8117 Boston State Road, asked about the cost of the sewer system and asked if it wasn't prohibitive to the size of the project and he asked if they would have to bear the cost. Supervisor Hubert stated yes they would have to bear the cost for the extension. Mr. Jackson stated at the last meeting they were talking of a sewer treatment plant, but since then they have talked to the Department of Environment and Planning and the Board of Managers of the Erie County Sewer and have a verbal okay from them and the cost will be one half of what the sewer treatment plant would be. Mr. Jackson stated the cost of the line would be between \$15.00 and \$26.00 a foot to extend it and they are talking approximately 2,000 feet. Mr. Drankhan stated that sounded like a better deal than we were getting on the rest of the system.

Mr. Bill Poole, 7173 Ward Road, asked how this project would benefit the people of the Town of Boston. Mr. Kelly stated in the areas of jobs and taxable value which would be added to the town tax rolls. Supervisor Hubert stated he had a rough figure of \$27,500.00 per year that would be paid in combined property taxes.

Mr. Brown asked why such a substantial figure did not show up in the expenses. He further stated that in reading the application to the town there are a number of conflicts, misstatements, changes, not so, this is incorrect. Mr. Brown stated Mr. Kelly had said the natural draw would be from Erie County and then there is a \$23,000 budget for advertising. He also questioned why in their financial statement there is no provision for \$27,000 in taxes. Mr. Brown also voiced concern over the accuracy of the application because of the uncertainty of the type of sewage disposal being considered. He stated a key thing is site development and the key to site development is how to get rid of the disposal and for that not to be known is an indicator of possible other conflicts in this. Mrs. Jackson stated they did not own the property and it was not rezoned yet and they had to do a lot of things blind. Mr. Jackson pointed out that when dealing with the State it takes longer to get answers and when they applied for the rezoning they could not extend the sewer district, but since there was so much opposition to it they were given a verbal commitment, but did not have a written agreement.

Mr. Livingston Lasso, Omphalius stated a statement was made by Mr. Jackson that he owns the property and Mrs. Jackson stated they did not own the property. Mr. Jackson stated he never stated he owned the property, but that he will be the owner and if he said that he was misquoting himself and was sorry.

Mr. Thomas Rzepecki, Omphalius Road asked what the taxes would be and Supervisor Hubert stated \$27,000.00 which was a rough figure. Mr. Rzepecki asked how much would the town benefit and Supervisor Hubert stated approximately \$3,000. Mr. Rzepecki asked if this was the total project or just the restaurant. Supervisor Hubert stated all he had were rough figures, but he would imagine it was for the whole project.

Victor Hoffman, 8690 Maplelawn Drive questioned the sewer system mentioned tonight and the one talked about at the last Public Hearing and Mr. Barry advised that the one mentioned at the last meeting had only been proposed. Mr. Hoffman stated as they had said it was a county approved system he thought they meant the county had been at the site and evaluated it. Mr. Barry said he had stated

it was a county approved system not that the county had approved it for them. Mr. Hoffman stated when you buy land you should know those things and Mr. and Mrs. Jackson stated they knew them to the best of their ability as they do not have the accessibility to go there as it is someone else's property. Mr. Hoffman stated things just did not come together and he would behoove the Town Board before it is approved to a B-1 Business, that they find out whether this thing will go and what will happen if it doesn't. Bonnie Foit-Albert stated they do have alternative systems, but they cannot tell what will be used until the County comes in and gives its approval. She stated they were authorized on the phone by Mr. Devlin to go ahead and consider putting in an extension. Mr. Jackson discussed the different ways that sewage from a treatment plant can be taken care of.

Mr. Earl Knight, 6714 Liebler Road, asked if Erie County Water would run water to the left side of the right of way and if the power company had been approached to run lines under the right of way. Mr. Barry stated yes.

Gary Walters, Zimmerman Road asked about the exercise facilities. Mr. Mortellaro stated there would be free ways and machines.

Mary Randall, 6970 Liebler Road, stated she felt Mr. Mortellaro was not definite on his ideas and as she felt this was an important part of the project why wasn't there something more definite. Mr. Mortellaro stated he had much more information and could talk about fitness for two hours, but he did not feel that the people had come here tonight to find out about the program, but to hear facts about the rezoning.

Walter Zmuda, 7131 Omphalius Road questioned the 8" sewer line and stated he felt that would handle a subdivision. Mr. Jackson stated apparently that is the size line that is in existence and they have to extend it.

Mrs. Duffy stated 8" is the minimum and you do not tie into an 8" line.

Terry Bates, Omphalius Road stated it is her understanding there is a gully that separates the residents from the zoned area that is to be developed and the rest of the undeveloped area with nature trails would make it very easy to get turned around in the woods and she wondered if they would be having visitors wandering thru their yards. Mr. Jackson stated they will have trails and he did not see any reason they should get lost.

Fred Bates, Omphalius Road stated that since there will be trails and access to that area what was their situation on hunting season. Mr. Jackson stated there will be no hunting and he will post it if he finds people on the property.

Mr. Celani questioned the square foot cost for the building which he felt was very unrealistic. Mrs. Foit-Albert stated the owner intends to do some of his own contracting, excavation and framing.

Mr. Douglas Brown asked if a lead agency has issued the developer a negative declaration letter on environmental impact and if so who issued it and when was it issued. Town Clerk Klein stated no it has not been issued and the Town Board will be the lead agency.

Mr. Thomas Rzepecki questioned the roadway entrance to the property further up the hill and asked if he planned to use it to get to his home. Mr. Jackson stated no he had said it would be an accessibility to him to get to the top half of his property as there is no accessibility from the bottom to get to the top of the hill. Mr. Rzepecki asked Mr. Jackson if he planned at any time to build in the flatlands up there and Mr. Jackson stated no - never, not at this time. Mr. Jackson stated the Town Board had asked that the application for rezoning be reduced to just the lower piece so they would have control of any future use of the upper area.

Mr. Miles Jones, 6469 LuDon Drive asked if this property had a right of way to get into it and Mr. Jackson stated yes. Mr. Jones asked what the date is that the right of way runs out and he also asked how wide would the road be that they put in. Mr. Jackson stated he did not know the actual date the Right of way was up as he would have to check with his attorney for that information and the width of the right of way is 20' plus 5' on each side of the road portion for a total of 30'. Mr. Jones asked if the road was wide enough and stated this is something the town will have to ask themselves.

* Mrs. Duffy stated this was just the opposite of what he had said earlier that he could build a road but chose not to. Supervisor Hubert explained that at the last meeting a road from 219 was suggested, but would have to be purchased and that the other is at the top of his property. Supervisor Hubert also noted that the top of the property would be under a special permit.

Mr. Carl Brownschidle, 6525 Hillcroft Drive, asked if he understood right that a negative declaration had not been made at this time and Town Clerk Klein stated that no declaration had been made and they are in the process of the findings and this is part of the findings. Mr. Brownschidle stated he was curious in view of the fact that a determination had not been made, would the Board make a decision this evening. Supervisor Hubert stated that no decision would be made tonight. Town Clerk Klein stated the environmental finding would be made public before a decision is made.

Livingston Lasso asked if later on, could the public ask the Town Board questions. Supervisor Hubert stated yes, at the end they would answer questions if he desired.

Mr. Voit Drankhan questioned the impact on the Fire Company and the Police. Supervisor Hubert stated that at this time it is the rezoning that is being considered and that would be taken into consideration when they apply for a building permit. Supervisor Hubert also explained that around October 1st the Police Force will be raised from 6 to 40 and he was sure the State Police could handle any problems.

Thomas Rzepecki asked if there would be any camping where there would be any fires. Mr. Jackson stated no.

Mr. Douglas Brown asked what codes exist in the Town of Boston for the frame building. Mr. Barry stated the Town of Boston has to follow the State Building Codes.

Judy Lindner, Herman Hill Road asked how the projected tax revenue compares to what it is now and would people in that area be able to tap into the sewer and water if they are now bypassed. On the second question Mr. Jackson answered yes and Supervisor Hubert stated on the taxes this would be equal to about 20 homes and the present home is old and has been there many years.

Mr. Leonard Kloc, 7728 Eddy Road, asked if the agreement on the sewers was just verbal and Mr. Barry stated at this point yes.

Terrell Pahl, 7675 Eddy Road, stated he was having trouble with the tax numbers and they were either awfully small homes or he was way overassessed. Mary Randall stated that this is something they would like to discuss with the Board and Supervisor Hubert advised the tax assessor was not here and he would have to confer with him before he could answer.

A question was asked about the sewer plans not being on paper and Mr. Barry stated they would not do this until it was rezoned as it is too expensive.

A question was asked what could they do with the property if the sewer was not approved and they could not build. Supervisor Hubert stated if the project does not go through they could then rezone it back to agriculture. Town Attorney Maxwell pointed out that it can only be rezoned back if there are no buildings.

Mrs. Helen Gross asked how much frontage there was and Supervisor Hubert stated there was only the right of way. Mr. Jackson stated there was 66' 2" frontage. Mrs. Gross questioned how much frontage was needed and Town Clerk Klein asked Town Attorney Maxwell if this parcel of land was created before 1955 when the zoning took effect would it have grandfather rights. Town Attorney Maxwell stated yes. Town Clerk Klein stated if it was created after the zoning took effect then it would have to go thru the Zoning Board of Appeals for a variance. He stated this would be determined if and when the application was received for a building permit.

David Wolfling, Thornwood Drive stated he was having trouble with the \$32.00 a foot for building it and Mrs. Foit-Albert stated the owner has advised her that some of the work will be done by him and some of his associates and understanding that you take off overhead profit so it is possible to come to \$30 a square foot. Mr. Jackson stated that he has friends that are contractors who will assist him. To answer a question by Mr. Hoffman, Supervisor Hubert stated the State Police Building was from \$35.00 to \$50.00 a square foot.

Supervisor Hubert asked that the people wanting to speak for the Jackson Health Resort to talk and then those against will be given a chance.

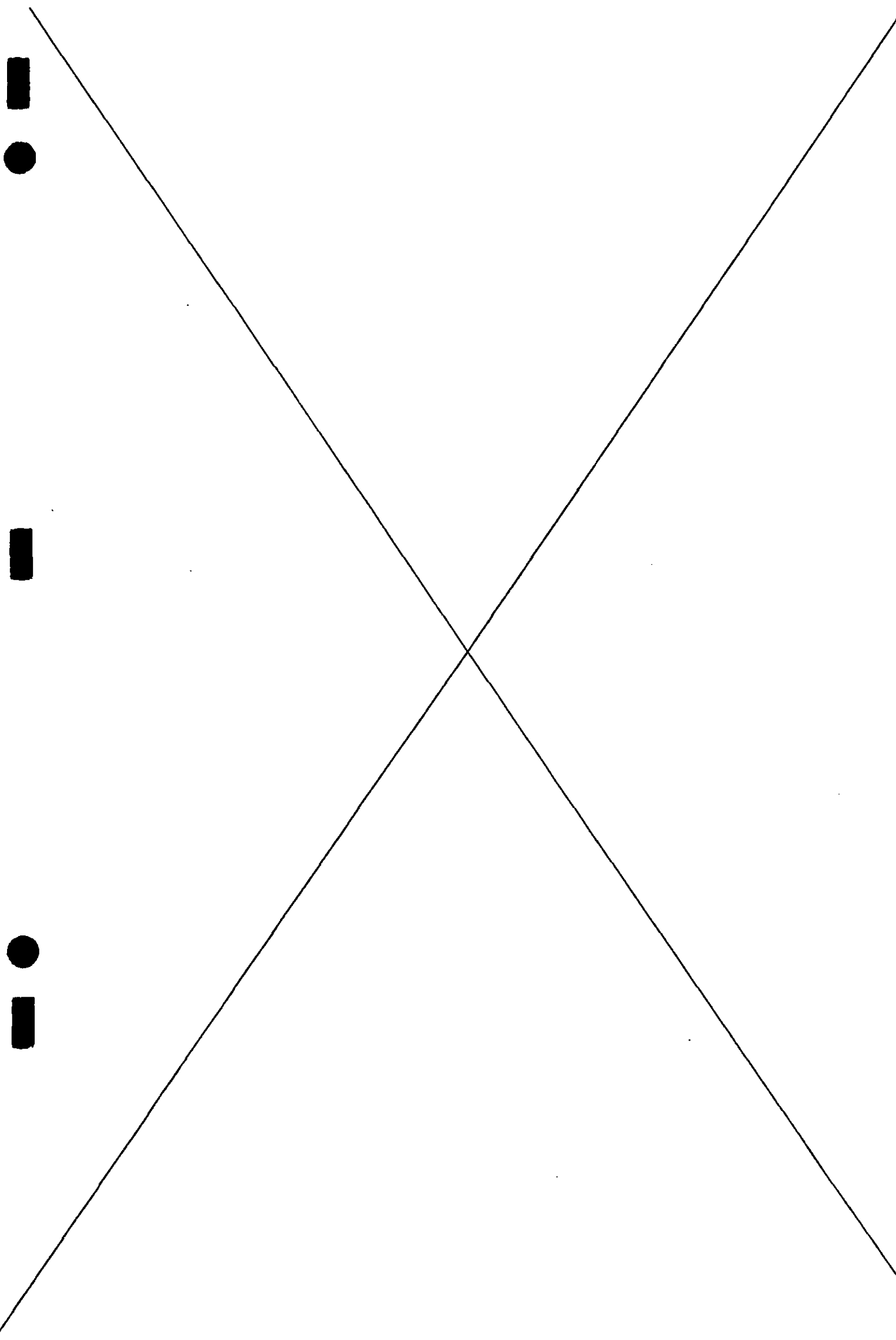
Gary Walters, Zimmerman Road, stated he felt it was a sound idea based on the information and he requested the Town Board to not deny these people the right to build thier property as they see fit.

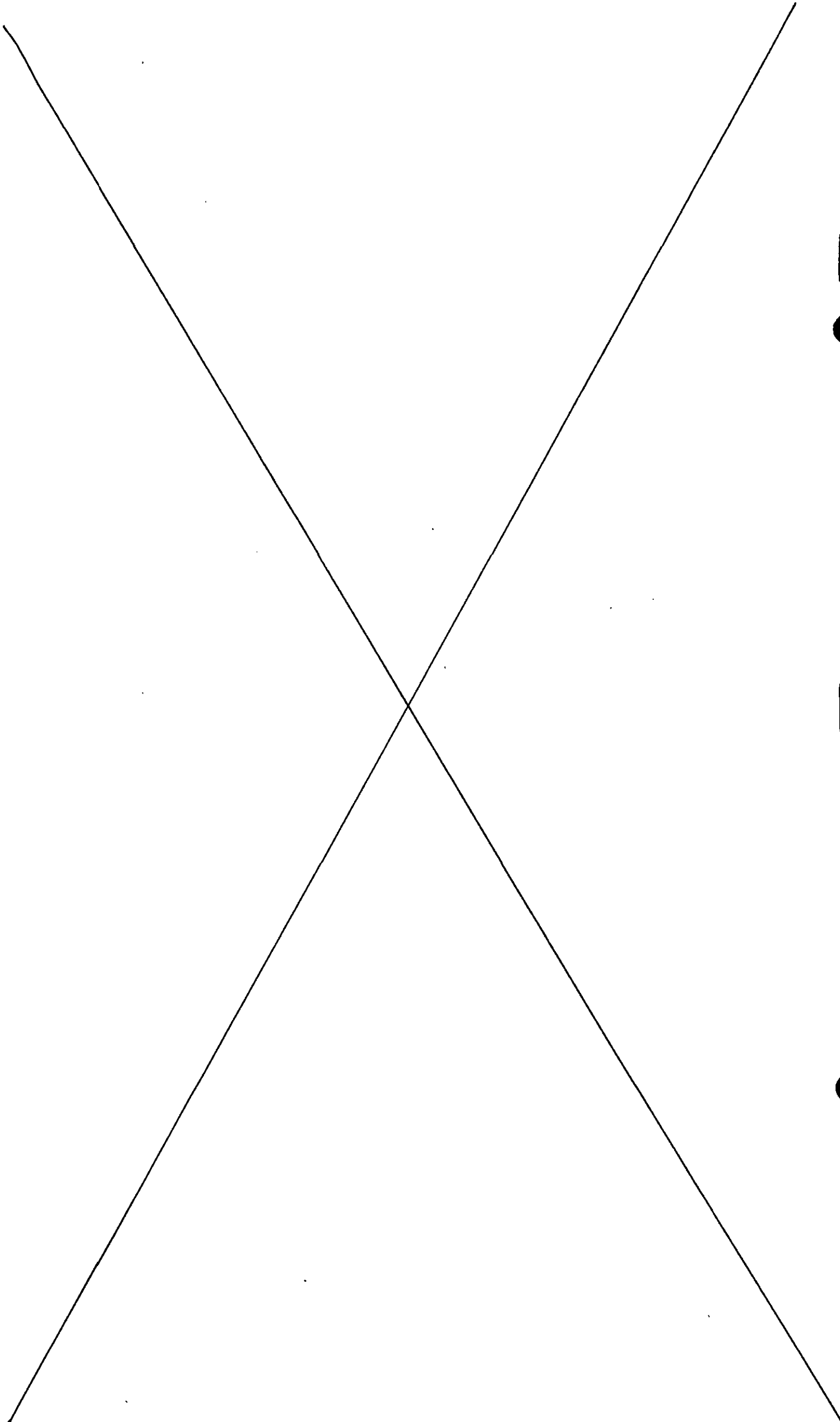
Mr. Herbert Warren, 59236 Boston State Road, stated it was a good idea and he felt the sewer line going up would benefit a lot of people and save the town money.

*

Mr. Ken Beale, Zimmerman Road asked if the 30' Right of Way was adequate for fire protection. Mr. Jackson stated he did not know, but did know he could easily get a tractor trailer through there. It was reported that the width of Omphalius Road was 22 feet.

Mr. Roland Jones, Omphalius Road stated that at the last meeting there was mentioned that another road would be built into the property from 219. Mr. Jackson stated someone in the audience suggested that it be done, but they could not.





Mr. John Walters, Feddick Road, stated he was not close to the problem, but he thought that people have got to start thinking differently or the Town and country will go down the drain as people have a selfish mean attitude how it effects me, not how it effects us.

Terryl Pahl, Eddy Road, stated that most of the construction will be back so no one will see it, property that no one uses now as is private and will remain private, will add to the tax base and not a subdivision so only two children will be added. He further stated that the road (Omphalius) needs to be torn down and started over. He stated he did not feel there would be a problem for the bus kids, but the people trying to get in and out will have the problem. Mr. Pahl stated the project would not make any difference to them as it is private now and will stay that way.

Mr. William Thompson, South Abbott Road, stated he did not live up there, but was a resident of Boston. He stated people outside the community perceive Boston as a beautiful place and he stated he felt these people were trying to make that area a special place and he felt it was great. He also noted that there could be no building until approval had been received from the County and State and everyone involved. Mr. Thompson stated he felt the people here just wanted to be sure the project was not disruptive to Boston.

Mr. Gordon Gill, Crestwood Circle stated he butted up against the property and stated he felt there were pros and cons to this, but felt there were a couple more pros and pointed out that the skiers use our roads when they go thru town and deposit their money in Colden. It behooves us as a town to try and put something in here that adds to our image of the town and probably a lot of money would not be made on taxes, but \$3,000 was a start. Mr. Gill further pointed out that you had to start somewhere and what if everything that happens in Boston is turned down because it doesn't generate enough money. He noted that maybe they would rather have a factory that generates \$10,000 or \$20,000 in taxes. He stated if any of the people get lost and come on his property he would gladly turn them around and send them back.

Judy Lindner, Herman Hill Road, stated she would rather have this in her backyard than the subdivision that is there now.

Mr. Jackson stated he appreciated the people that are for the idea and he also appreciated the concern of the people that were not supportive of their resort proposal. He stated he did feel it would benefit the community and the reason they are coming out here is because they like the area and it is healthy and does not have the pollution of Lackawanna. He also stated it is convenient and will benefit the town. Mr. Jackson stated everything relative to the Spa is subject to change when they say that it will open to only residents that stay there and everything they do will have to be approved.

Joyce Laskowski asked how many residents of Boston would use the facility at \$500.00 a week. Mr. Jackson stated that cost is only if you stay and there are no limitations that are set that you can't come in and use it for the day. He stated he hoped it could be worked out so there will be members.

Mr. Livingston Lasso stated one of the biggest concerns about the whole complex is after it is rezoned for business and four or five years from now he goes bankrupt then he sells the place and there is nothing to stop another Belle Starr from being down there. He further pointed out that the property on the corner of Omphalius and State Road was up for rezoning to Business and was turned down by the Town Board and he hoped the Town Board was not thinking of rezoning one only a short distance from that property. Councilman Wittmeyer stated he was on the Board when that was turned down and the reason it was turned down was because the man never said what he was going to put on that corner and he felt these people were giving the Board a chance to see what was going in there.

Mr. Ken Beale, Zimmerman Road asked if this is rezoned, is there any way a rider can be attached allowing the purpose for only what they intend it to be and prevent any other type of commercial purpose. Town Attorney Maxwell stated no and Supervisor Hubert added that the present zoning is being worked on to change that.

Mr. Betts stated that when the petition went around all the people asked if Agriculture is changed to B-1 would this set a precedence for changing any Agriculture to B-1 for the same type of organization thus ruining the scenic beauty that is in the valley and would it not be discrimination if it were turned down. Councilman Wittmeyer noted that each request is considered individually.

Town Clerk Klein read the letter from the Planning Board recommending the rezoning to help clarify the question.

Mr. Brown, Eddy Road stated his main concern is everything is risk vs opportunity situation and after arduous hours of discussion on everyones part he felt they had finally gotten down to hard facts, but it took a lot of arduous discussion because of all of the conflicts. He stated many of the things he is not satisfied with the answers and felt that when you look at risk vs opportunity these people do not, understandingly so, want to make an investment until the Board rezones. He stated once it is rezoned then the hearings on what is being done on their part are over with. Mr. Brown stated he thought the amount of information that has been submitted is not adequate to make a decision. He stated looking at risk vs opportunity you are looking at \$1,200,000.00 over three years and the return that would have to be generated would create a lot of traffic. He stated that 10 jobs in the Town of Boston and tax to the community of \$3,000 is the opportunity. Mr. Brown stated the risk is if it goes B-1 and the people who control the \$1,200,000.00 decide to put a Belle Starr there he guaranteed there would be a major problem. He noted the backers were not local residents. Mr. Brown stated the property will be there a long time and the Board Members only serve 2 to 4 years and when there is a new Board the developers will have carte blanche on 146 acres of heartland and he felt in the best interest of the town the risk vs what the town would get out of it is totally out of proportion and he felt that if it went in that direction there would be a sorry group of citizens if a Belle Starr or a liquor license went in.

Mr. Wolfling, Thornwood Drive stated the town generated money with the State Police Building, but there was positive social good that came from that. He stated that the spa will generate \$3,000.00, but at what risk. He state his point is that the town is able to generate resources in other ways and he is not sure this is a good investment for the town.

In answer to a question by Mary Randall, Supervisor Hubert explained the tax structure, what the town gets and what the county gets.

Mr. Miles Jones, LuDon Drive stated he did not have objection to development in the town as long as it stays rural, but he is convinced there were many contradictory statements made on the project by the developer and therefore he believed for the Town Board to approve the rezoning with the present data would be irresponsible.

Myron Jakusz,, stated he has property on Eddy Road and has paid taxes for 35 years and he did not feel you should stand in the way of progress and stated negative attitudes.

Thomas Rzepecki asked if any board members had personnel interest in this project or any real estate involvement. All board members stated no.

Thomas Makowski, Omphalius Road submitted a petition to Town Clerk Klein which he stated is in addition to the original petition. Mr. Makowski stated the first petition had 45 names and now they have 405 names and he noted they had a limited amount of time to obtain the names and the percentage of people contacted against the rezoning and construction of the Jackson Health Resort was very high as compared to the people who were in favor of it.

Councilman Wohlhueter stated that all the comments were very interesting and he was not ready to make a decision at this time. He further stated that he would seriously have to think about the rezoning request.

Terry Bates, Omphalius Road, asked when a decision would be made on the rezoning and if any of this goes up for public referendum. Supervisor Hubert stated no it does not go up for public referendum and a decision will be made at one of the September Board meetings.

Helen Gross, Eddy Road asked if the Board members would be allowed to give their opinions individually. Supervisor Hubert stated at this time no decision has been made and when a vote is taken then the Board members will probably express their opinions.

Pat Rosinski, Liebler Road thanked the Town Board members for holding the second meeting as they did it to be kind to the people not because they had to and also thanked the Jackson people for all the work they had done.

Mr. Douglas Brown, Eddy Road, thanked Councilman Wohlhueter for his comment that it is a serious decision and he has not made up his mind. He stated he did not feel it was important to have that fence there that suggests that the town is for something and they against it or vice versa. He stated he felt they ought to be a group and he hoped the Board is really listening to the people as he felt this was ultra important. Supervisor Hubert stated that before they became Town Board members they were town residents and they all had

the best interest of the town at heart and pray that they make the right decisions and want to look down the future and see what happens and possibly project what will happen twenty years from now. He further stated that they understand every decision they make is a serious decision as it can affect the Town down the road and if they are Town Board Members five years from now or two years from now, each Town Board member considers this and we take every decision we make seriously. Mr. Brown stated he appreciated Supervisor Hubert saying that.

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer to close the public hearing.

four (4) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to adjourn at 10:06 P. M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

Regular Meeting
September 1, 1982

Town Hall
7:30 P.M.

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

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the minutes of the August 11, 1982 Regular Meeting be approved.

five (5) ayes

Carried

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

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer that the General Fund and Special District Bills in the amount of \$28,597.34 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the Highway Bills in the amount of \$3,537.29 be paid.

five (5) ayes

Carried

Notices of Petition on Assessments were received from National Fuel Gas (4), Inland Steel and Scholtz Homes and John Falkides. Town Clerk Klein stated these petitions had been referred to the Town Attorney and Assessor.

An Annual Report on Tax Collections was received from the County of Erie Department of Finance. Town Clerk Klein advised that this report would be on file in his office for anyone interested. The report was received and filed.

A letter was read from Phelps Dodge Fuel Development Corporation advising that they will be drilling for natural gas on Feddick Road. Supervisor Hubert directed the Town Clerk to send a letter to the Patchin Fire Company, New York State Police and Hamburg Fire Control advising them of this operation.

Mr. Miles Jones, LuDon Drive expressed concern about a couple who had moved into a cottage near Eighteen Mile Creek south of LuDon Drive. He noted they have an access road to the property off Old Route 219 and he is concerned as the owner has mentioned that he would like to put up a garage and do body work on his six acres of land locked property and building an access road into it. Mr. Jones stated that the person indicated he had talked to someone in the Town Hall and had gotten a verbal okay that he could do that and Mr. Jones felt it would require a rezoning and because of the grandfather clause would not have to conform to the zoning ordinance as to frontage. Mr. Jones further stated there is junk on the property and he is concerned with a junk yard in his back yard. He stated he would be opposed to a junk yard or body shop there and showed pictures he had taken. Supervisor Hubert stated they would investigate this and get back to him.

Mr. John Koza asked about the noise ordinance and who monitors it as the noise at the collision shop in his back yard is so bad that at times he is unable to sit in his yard and he didn't feel it was right. Supervisor Hubert advised Mr. Koza to contact the State Police if he had a complaint about noise, and also in answer to a question by Mr. Koza advised him that there was no decible stated in the ordinance.

Upon the written request of Secretary Sharon Schunk a motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman granting permission to the Western New York Chapter of the National Head Injury Foundation to use the Boston Town Hall for a business meeting and Halloween party on Thursday, October 28, 1982.

five (5) ayes

Carried

RESOLUTION - SPEED LIMIT - BOSTON STATE ROAD

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to retain Edwards and Moncreiff as engineers to prepare specs, take bids, make

recommendations for awarding bids, prepare contracts and inspect the upgrading of Boston water pumps, Eden Site I for a fee of \$8,600.00 with the cost to be shared with Eden.

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 1983 Recreation and Youth Service Programs in the amount of \$9,334.78.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to approve Change Order #1 in the amount of \$2,005.00 for electrical work on the State Police Building as follows:

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>LABOR(\$)</u>	<u>MATERIAL</u>
1	Relocate telephone terminations from desk area to communications closet.	300	275
2	Add four duplex outlets, on two circ, in communications room.	100	85
3	Add 4" conduit from communications room to tower base.	75	225
4	Add two 2" conduits from under counter to communications room.	100	55
5	Add 3 duplex outlets in desk area	75	60
6	Add 7 telephone boxes and conduit (4 per Gleason)	250	130
7	Add garage door opener sw. at desk	25	35
8	Add tel. cond. and box in Boston Police room to communications room	50	30
9	Add release button and wiring for elec. strike at rear entry door (per Gleason)	<u>75</u>	<u>60</u>
Total		\$1,050	\$955

five (5) ayes

Carried

A letter was read from Cullen D. Moncreiff of Edwards and Moncreiff relative to bids for the repair and to install an overflow at the Brown Hill Water Tank-Water District #1. Mr. Moncreiff stated "the hole in the tank wall reduces the tank storage capacity approximately 25%. Interruption of supply transmission into WD #1 with this 25% reduction in storage can easily put us in a critical situation, creating a water emergency. Repair of the tank should be done with out delay to eliminate the water emergency potential". Supervisor Hubert explained what has happened with the tank and Town Attorney Maxwell advised that as this is considered an emergency it is not necessary to advertise for bids. A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to accept the bid of Great Lakes Mechanical, Inc. Box 537, Orchard Park, New York for repair and installation of the Brown Hill water tank under an emergency situation as follows:

Repair	\$2,450.00	Overflow	\$3,940.00
Total		\$6,390.00	

five (5) ayes

Carried

The Supervisor's Monthly Report was received.

Town Clerk Klein reported that he had received a call from New York State Department of Transportation, ^{advising} they did not have a final report on the signal light at Route 219 and 391, but a signal light was needed. Town Clerk Klein stated they had advised that they are looking at a flashing light for evening hours and also a trip light and the Department of Transportation would follow up with a written comment. Town Clerk Klein stated the New York State Department of Transportation also advised him they are looking into the signal light in North Boston and are considering a flashing light during evening hours.

The Town Justice Monthly Report was received.

Highway Superintendent Kreitzbender asked that the awarding of the bid for a loader be tabled as he would like to study them further to determine a loader that will best serve the Highway Department. The Board agreed to table this to a later date.

A motion was made by Councilman Wohlhueter and seconded by Supervisor Hubert to set September 30, 1982 at 1:00 P. M. to open bids in the Supervisors Office on salt and cinders for the 1982-83 winter season.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter granting permission to Highway Superintendent Kreitzbender to attend a Highway Seminar at Kutchers from September 25 to October 1, 1982.

five (5) ayes

Carried

A memo was read from Town Attorney Maxwell advising that the construction equipment on Thornwood Drive is in violation of the zoning ordinance. Supervisor Hubert directed Town Clerk Klein to send a letter to the property owners advising of this violation and giving them thirty days to comply or a summons will be issued.

A letter was read from Town Attorney Maxwell advising that the conditions at the North Boston garage are in violation of the ordinance regulating dealers and auto parts activities. Supervisor Hubert directed the Town Clerk to send a letter to the owner of the North Boston garage advising of this violation and giving them 30 days to comply or a summons will be issued.

A Memorandum of Law was received from Attorney Gene A. Rauhala who represents the interests of a group of Town of Boston residents in the matter of the Jackson Health Resort Rezoning Application.

Councilman Zimmerman advised that the Capital Improvements Committee would be meeting on September 9, 1982 at 7:30 P. M. Councilman Zimmerman directed the Town Clerk to send out the notices for the meeting.

The Police Department Monthly Report was received.

A motion was made by Councilman Zimmerman and seconded by Supervisor Hubert to grant permission to Gregory Stromecki to attend a Legal and Firearms Course for a cost of \$295.00.

five (5) ayes

Carried

There was no Building Inspector Report.

There was no Dog Control Officers Report.

A letter was read from Richard Lee, Boston Youth Service Secretary requesting that the aides who went on the trip to Darien Lake be paid \$4.50 per hour instead of minimum wage. Supervisor Hubert stated the Youth people are set at a nightly rate of approximately \$20.00 and they put in 11 hours at Darien Lake and he had no figures so he gave them minimum wage. He further stated there was no communication between him and the people involved. Councilman Wittmeyer stated in the future they should get in touch with the Supervisor or the Board before they go on a trip so these things are settled. Town Clerk Klein was directed to send a letter to the Youth Service asking them to inform the Board before they leave. Councilman Wohlhueter also asked the Town Clerk to send a letter and the Board agreed that the rate of pay was adequate. The Town Clerk was also asked to include in the letter that the rate of pay would be the minimum wage.

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring to adjourn at 8:10 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 1st day of September, 1982, at 7:30 P. M., Eastern Daylight Savings Time, there were present:

Jerome Hubert	Supervisor
Milton Wittmeyer	Councilman
David Zimmerman	Councilman
Esther Faulring	Councilman
Don Wohlhueter	Councilman

Councilman Wittmeyer presented the following resolution and moved its adoption:

WHEREAS, Boston State Road has a number of different speed zones, and

WHEREAS, there is concern that the 55 MPH speed zones are too high because of business, churches and children along this road, and

WHEREAS, the Boston Traffic Safety Committee has reviewed the speed restrictions on Boston State Road and in their findings have made a recommendation to the Boston Town Board.

NOW THEREFORE BE IT RESOLVED, that the Boston Town Board accepts the Traffic Safety Committee's recommendation that all 55 MPH speed zones on Boston State Road be reduced to 45 MPH speed zones and request the Erie County Department of Highways to seriously study and accept this proposal.

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

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

AYES: 5 NOES: 0 ABSENT: 0

Herbert H. Klein
Herbert H. Klein, Town Clerk

<u>NAME AND ADDRESS</u>	<u>NON-COLLUSIVE BIDDING CERT.</u>	<u>F.O.B. PLANT</u>	<u>DELIVERED</u>	<u>LOCATION OF BIDDERS PLANT</u>
International Salt Company Abington Executive Park Clarks Summit, Pennsylvania 18411	X	\$20.00	\$22.85	Retsof, N. Y.
Gargill Salt 191 Portland Pt. Road Lansing, New York	X	\$25.70	---	Lansing, N. Y.
Morton Salt 110 North Wacker Drive Chicago, Illinois	X	\$17.50	\$20.60	Buffalo, N. Y.
Dontar Industries, Inc. 4825 North Scott Street Schiller Park, Illinois 60176	X	\$18.00	\$19.60	Buffalo, N. Y.

NO CINDER BIDS WERE RECEIVED.

Regular Meeting
September 15, 1982

Town Hall
8:00 P.M.

Present were Councilman Milton Wittmeyer, Councilman Esther Faulring, Councilman Don Wohlhueter, Supervisor Jerome Hubert, Town Attorney Charles Maxwell, Highway Superintendent Clarence Kreitzbender.

Councilman David Zimmerman was absent.

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the minutes of the September 1, 1982 Regular Meeting be approved.

four (4) 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 \$6,851.45 be paid.

four (4) ayes

Carried

A letter was received from County Legislator Marie Richardson reporting on action taken by the Erie County Legislature at their September 9, 1982 meeting. The letter was received and filed.

A resolution adopted by the Erie County Legislature relative to interest earned on sales tax being disbursed to municipalities and school districts in Erie County was received. Town Clerk Klein explained the resolution and also noted that the Tax Collectors Association is circulating petitions to allow the towns to keep interest the collectors earn by investing the County's tax money that they collect. Supervisor Hubert directed the Town Clerk to send a letter to the Legislature advising them that the Boston Town Board endorses this resolution.

A copy of a letter from the New York State Department of Transportation to Assemblyman Richard Kennedy relative to the signal light at Route 219 and 391 was read. The letter advised that the efficiency of the signal would be improved by relocating the vehicle detector on the ramp and that it would be in a flashing mode from 11 PM to 11 AM. The letter was received and filed.

A letter of complaint on the operation of the Boston Valley Collision was received from Judy and Ken Heppner and Jackie and Earl Koller. Supervisor Hubert directed the Town Clerk to send a copy of this letter to the Boston Constabulary and the New York State Police and he would advise the building inspector of the complaint and have him check into it.

A letter was read from Legislator Anderson, Meier and Paxon expressing their concern over the county taking over some city services in return for Buffalo's payment of \$2 Million as Erie County's share of the Rapid Transit "Tonawanda Turnout". Councilman Wohlhueter stated he felt the Board should go on record opposing the County entering into this agreement with the city and Town Attorney Maxwell stated his opposition and pointed out the additional cost to the county if they entered into this agreement. Supervisor Hubert directed the Clerk to advise the Legislators and County Executive that the Board supports the Legislators concerns.

At 8:15 P. M. a Public Hearing was held to consider the use of Federal Revenue Sharing Funds. The Legal Notice was read by the Town Clerk. Mr. Klein stated that since the date of publication, notice was received from Washington advising that the amount of Revenue Sharing Funds would be \$39,184.00, not the \$43,396.00 that was published. Supervisor Hubert stated that from 1981 there is \$5,342.00 in the Revenue Sharing that was appropriated for Drainage and he proposed that \$3,000 be taken out of that and put into Revenue Sharing for next year making a total of \$42,184.00. Supervisor Hubert asked for comments from the floor to where it was felt the money should be allocated. The Supervisor advised where the money had been allocated in 1981 and the Town Clerk advised where the money was allocated in 1982.

Myrna Clerc asked if this years money was \$42,184.00 and Supervisor Hubert stated yes and she asked what was last years amount. Town Clerk Klein advised

LEGAL NOTICE
TOWN OF BOSTON
FEDERAL REVENUE SHARING
PROPOSED USE HEARING
Notice is hereby given to the Citizens of the Town of Boston that the Boston Town Board will hold a Public Hearing on Wednesday, September 15, 1982 at 8:15 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 \$43,396 in Federal Revenue Sharing Funds expected to be received during Entitlement Period 14, October 1, 1982 to September 30, 1983. 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: August 12, 1982

8-19

that it was \$46,213.00 and Mrs. Clerc noted that this is quite a difference and asked what the problem is. Town Clerk Klein explained that the Federal Revenue Sharing money is based on population, per capita income, adjusted taxes and inter government transfers. He noted the differences between the two years in current and primary figures and stated he felt the reason was when the auditor was at the Town Hall he pointed out that the bookkeeper was submitting all tax figures to Washington including District taxes such as water, light, fire and sewers and this was not proper only General Fund and Highway tax figures should be submitted. Town Clerk Klein stated that he felt this was the reason as the tax effort shows up in this report.

Reed Garver asked what restrictions were placed on the use of these funds and Supervisor Hubert stated none. Town Clerk Klein stated that there were restrictions when Revenue Sharing was first in effect, but they were removed the second time it was enacted.

Karen Klinczar asked if there were any plans to spend some of the money for repair work on the water districts. Supervisor Hubert stated no there is money in the Districts for that without raising taxes. Karen asked what we had for the money spent on Capital Improvements and Councilman Wittmeyer noted that the road was put in around the Lion's Club Shelter and also park improvements. Town Clerk Klein stated that according to figures he received from the Bookkeeper the Capital Project money has been spent and he felt it had been spent on the Police Building. Supervisor Hubert noted that \$16,000.00 had also been spent for the parks. Councilman Wittmeyer advised that a tractor had been bought and Town Clerk Klein stated he felt salaries for the park workers was also paid out of Revenue Sharing. Karen asked if there were any plans to give visual improvements to the North Boston Stadium or the Town Park. Supervisor Hubert pointed out that repairs have been made to the North Boston Stadium. Karen stated she felt the football bleachers at the Town Hall should be fixed and also tennis courts put in at the North Boston Stadium. Supervisor Hubert stated these suggestions would be considered.

Ernest Celani asked if the Town could use some of this money for reassessment as it is his understanding the county did not do a sufficient job. Supervisor Hubert stated this is a possibility.

Myrna Clerc asked if the records on how the money is spent is open to the public and Supervisor Hubert stated yes these figures are in the budget.

Ernest Cleani asked if the money was not used would it have to be returned. Supervisor Hubert stated no and Town Clerk Klein pointed out that it has to be spent within two years of the end of each entitlement period.

Karen Klinczar asked if there was any thought to allotting some money to the Historical Society and Town Clerk Klein noted that the request from the Historical Society has not been received, but he understands they are asking for storm windows.

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

four (4) ayes

Carried

At 8:30 P. M. a Public Hearing was held to consider raising the amount of the income a person 65 or over can receive from \$9,200 to \$10,500 to qualify for a Senior Citizen Exemption of 50% under Section 467 of the Real Property Tax Law of the State of New York. The Legal Notice was read by the Town Clerk. Supervisor Hubert explained that the County has apssed this resolution and it will come into effect in the 1984 tax year. He also noted this does not include special districts. Town Clerk Klein pointed out that applications would have to be filed by June 1, 1983 to have it effective on the 1984 taxes. A question was asked what percentage of the taxpayers received this exemption and no one knew. A motion was made by Councilman Faulring and seconded by Supervisor Hubert to close the Public Hearing.

four (4) ayes

Carried

RESOLUTION - SENIOR CITIZEN EXEMPTION

LEGAL NOTICE

PLEASE TAKE NOTICE that the Town Board of the Town of Boston, Erie County, New York, on Wednesday, September 15, 1982, at 8:30 P.M. EDT, at the Boston Town Hall, 8500 Boston State Road, Boston, New York, will hold a public hearing to consider the adoption of a resolution pursuant to Section 467 of the Real Property Tax Law of the State of New York whereby certain tax exemptions up to 50 percent of assessed valuation may be granted to real property owners within the Town of Boston of 65 years of age or over, all in accordance with the provisions of said Section 467 of the Real Property Tax Law, as amended. At said public hearing all interested persons shall be given an opportunity to be heard on said subject.

Dated: August 12, 1982

Town Board
Town of Boston
Herbert H. Klein
Town Clerk

A letter was read from the County of Erie, Department of Public Works, Division of Highways in answer to a letter from the Town Clerk dated August 17, 1982 expressing concerns of the Traffic Safety Committee. Supervisor Hubert asked that a copy of this letter be sent to the Traffic Safety Committee as he disagreed with them and Councilman Wittmeyer stated he disagreed with Item 1 and 2 - Stop signs at Hillcroft and Back Creek Road and Shero and Zimmerman Road.

Reed Garver asked what restrictions there were on the landing of airplanes as a plane landed on Cole Road last Monday evening at 7:50 PM and the number of the plane was N 43774. Supervisor Hubert stated he would find out if there was a violation and would contact the FAA.

Miles Jones, Lu Don Drive, gave the new bus schedule for Boston - Lv Boston 6:45 A. M. and arrives in Buffalo at 7:40 A. M. and Lv Buffalo at 5:15 P. M. and arrives in Boston at 6:10 P. M. He stated it is a bargain as it is \$1.00 each way. Supervisor Hubert stated there is a release from Metro bus that will go in the local paper regarding the schedules and a monthly fare. Ernie Celani asked for the routes and Supervisor Hubert advised that the flyer stated where to get maps and schedules. Mr. Jones stated this bus is the Camp Road bus and rider response will have to be doubled in order to keep a bus.

There was a complaint on the flagman at the sewer project in North Boston and Supervisor Hubert stated he will contact the contractor to advise him of the concern.

Following discussion a motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to approve the granting of a building permit to Faith United Church of Christ for an addition to the front of their building at 8651 Boston State Road.

four (4) ayes

Carried

Upon the written request of Michael and Anita Trippi a motion was made by Councilman Wittmeyer and seconded by Supervisor Hubert to grant permission to Michael and Anita Trippi to park a mobile home on their property at 7852 Boston State Road for a period of six months for them to live in while building a new home to replace the one recently burned. Permit to expire on March 15, 1983.

four (4) ayes

Carried

A letter was read from Phelps Dodge Fuel Development Corporation requesting a zoning variance so they can erect a compressor on property presently owned by Ormus Davenport, Appletree Road. Town Clerk Klein stated that Town Attorney Maxwell has advised this should be considered under a Special Use Permit. A motion was made by Supervisor Hubert and seconded by Councilman Wittmeyer setting October 20, 1982 at 8:15 P. M. to hold a public hearing to consider the request of Phelps Dodge Fuel Development for a Special Use Permit.

four (4) ayes

Carried

Supervisor Hubert stated he had attended a meeting with the New York State Department of Transportation relative to the Rice Road Interchange and they had advised there are funds available for just the interchange and a Public Information Meeting has been set for October 14, 1982 at 7:30 P. M. at the Boston Town Hall. Councilman Wittmeyer suggested that the people on the West Hill be notified of this meeting.

Town Clerk Klein stated that the State has passed a new State Law, Chapter 9 whereby the Town does not have to have certification of vouchers in order to make payment of bills. He noted this is automatic unless the Town adopts a resolution requiring it.

Upon the recommendation and request of Boston Fire Chief Gene Rola, a motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to appoint James Cunningham as a Fire Police for the Boston Fire Company. Term to expire December 31, 1982.

four (4) ayes

Carried

Upon the written request of Stanley Westcott, a motion was made by Supervisor Hubert and seconded by Councilman Wohlhueter to hold a public hearing on October 20, 1982 at 8:30 P. M. to consider the request of Mr. Westcott, 7061 Boston State Road to rezone his property to Business B-1.

four (4) ayes

Carried

Town Attorney Maxwell stated he would be attending two simplified assessment protests which would be held in Akron on September 30, 1982.

Supervisor Hubert reported that Supervisor, Town Attorneys and Assessors of the eleven Towns of Erie County had met to discuss the petition of National Fuel Gas to reduce their Assessment by 60%. He stated they discussed obtaining counsel for the eleven townships because of the similar problem. He stated this is just in the talking stage and he will keep the people informed of further developments. Town Attorney Maxwell stated if National Fuel is successful in this it would have a crucial impact on the tax base. He stated this is a massive movement by National Fuel and the major expense would be the appraisal cost and the eleven towns are trying to have one appraiser and one attorney.

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to appoint Lois McGlynn as Dog Enumerator to enumerate ^{the dogs in} the Town of Boston on the west side of the Boston State Road at a cost of \$.75 per dog and to use her own car.

four (4) ayes

Carried

A letter was read from Victor Hoffman, 8690 Maplelawn Drive requesting he be considered for an appointment to the Boston Planning Board. Supervisor Hubert directed Town Clerk Klein to send a letter to Mr. Hoffman advising him that the Town Board will interview him on October 4, 1982 at 7:30 P. M.

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring granting permission for two members of the Planning Board to attend a New York State Planning Federation seminar in Albany on October 3, 4, and 5. The Town Board requests the names of the members attending.

four (4) ayes

Carried

Supervisor Hubert advised Mr. Miles Jones that the Health Department had investigated his complaint made at the last Town Board Meeting and had found no violations, but advised the people to clean up the yard of parts and garbage. He stated as of yet no one from the Town has inspected it for possible zoning violations, but as soon as he has someone the inspection will be made.

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to adjourn at 9:10 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 15th day of September, 1982 at 8:00 P. M., Eastern Daylight Savings Time, there were

PRESENT:	Jerome Hubert	Supervisor
	Milton Wittmeyer	Councilman
	Esther Faulring	Councilman
	Don Wohlhueter	Councilman

ABSENT:	David Zimmerman	Councilman
---------	-----------------	------------

Supervisor Hubert presented the following resolution and moved its adoption:

WHEREAS, Section 467 of the Real Property Tax Law of the State of New York provides that after publication and public hearing, the Town Board of the Town of Boston may adopt a resolution granting certain tax exemptions for owners of real property within the Town of Boston, age 65 years or over, who do not have a taxable income in excess of \$10,500.00 per annum; and

WHEREAS, the Town Board of the Town of Boston, this date, after publication in the Town official paper, has conducted a public hearing relative to the granting of said tax exemptions pursuant to said Section 467 of the Real Property Tax Law of the State of New York.

NO THEREFORE, be it resolved that the Town Board of the Town of Boston, after public hearing, hereby grants to taxpayers within the Town of Boston, 65 years or over, exemption from real property taxation to the extent of fifty (50%) per cent of the excess valuation of said property to said taxpayers within the Town of Boston with taxable income not in excess of \$10,500.00 per annum in accordance with the provisions of Section 467 of said Real Property Tax Law and in compliance with the requirements therein specified as to the extent and the eligibility of said tax exemption.

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

Supervisor Hubert

Voting aye

Councilman Wittmeyer

Voting aye

Councilman Faulring

Voting aye

Councilman Wohlhueter

Voting aye

AYES: 4

NOES: 0

ABSENT: 1

Herbert H. Klein

Herbert H. Klein, Town Clerk

Regular Meeting
October 7, 1982

Town Hall
7:30 P.M.

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

Councilman Don A. Wohlhueter was absent.

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the minutes of the September 15, 1982 Regular Meeting and August 24, 1982 recessed Public Hearing be approved.

four (4) ayes

Carried

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

four (4) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Zimmerman that the General Fund and Special District Bills in the amount of \$29,232.18 be paid.

four (4) ayes

Carried

A letter was read from Kathleen Gallagher, President of the League for the Handicapped, requesting that they be considered for a portion of the funds raised by the Boston Teens in the 1960's. Supervisor Hubert directed the Town Clerk to send a copy of this letter to the people involved with this fund.

A letter was read from the State of New York Department of Labor, Division of Safety advising of violations at the Town Hall and Highway garage. Supervisor Hubert stated that the only problem that still exists is the exit door in the rear of the Highway garage and he asked Highway Superintendent Kreitzbender to pick a spot for the door and he will get three estimates on the cost to put it in.

A letter was received from the New York State Department of Transportation relative to the Town Board's request for a lower speed zone on Boston State Road in the Town of Boston. The letter advised this will be studied as soon as their workload permits. Supervisor Hubert directed the Town Clerk to send a copy of this letter to the Traffic Safety Committee.

A letter was read from County Legislator Marie Richardson reporting on action taken at the September 30th session of the Legislature. The letter was received and filed.

A letter and petition for review of assessment of special franchise was received from New York State Electric and Gas. Town Attorney Maxwell advised that this was being defended by the New York Attorney General. The letter and petition were received and filed.

A letter was read from George and Lorraine Moore relative to the rezoning request of Bernard and Maria Jackson. The letter advised the Board that the Jackson's had defaulted on their contract and they were presently under no obligation to sell the property to them. Supervisor Hubert advised that he had directed the Town Clerk to send a letter to the Jackson's regarding this and as yet had not heard from them. Town Attorney Maxwell explained the procedure for rezoning and stated that the withdrawal by Mr. Moore may have an effect on the validity of the application for rezoning. Supervisor Hubert asked that this matter be tabled until the next meeting so he can advise the people involved in the petitioning to be here. Town Attorney Maxwell stated he had received a call from Mr. Jackson relative to the legal memorandum that the Attorney for Omphalius Road had filed and Town Attorney Maxwell had advised him to have his attorney submit an answer, but he had not received anything from them. Town Clerk Klein read the letter he had sent to the Jackson's on September 27th and stated that Mrs. Jackson had called him upon receipt of the letter and told him they were under the opinion they still have a contract. Upon the recommendation of Supervisor Hubert, the rezoning was tabled to the October 20th Town Board meeting so notice can be sent out that this will be on the agenda and the clerk was directed to send another letter to the Jacksons requesting a clarification of their position in writing if they so wished to inform the Board.

A letter was read from the Patchin Fire Company expressing displeasure with Herbert Boltz the Bingo Inspector. Supervisor Hubert stated he had called Mr. Boltz and asked him to be at tonight's meeting to rebut the letter, but Mr. Boltz had advised he had a previous commitment and would get back to him in the future.

A letter was read from the New York State Department of Transportation relative to a

* A motion was made by Councilman Zimmerman and seconded by Councilman Faulring that the amount of \$41,980.48 be paid. Four (4) ayes Carried

park and ride lot in North Boston. Councilman Zimmerman asked if this would be a lease between the State of New York and the Town of Boston for the Town to maintain the lot. Supervisor Hubert stated yes. Councilman Faulring stated she was opposed to this as people have parked there for years and it has not been maintained by the State or Town and she could not see why a paved parking lot with fencing should be put in by the State and maintained by the Town as it all adds to taxes. Highway Superintendent Kreitzbender stated the Town would do their best to maintain it. Miles Jones stated this might help the ridership of the Metro Bus. Mr. Doyka stated he felt the cost for the lot was too high. A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer authorizing the Supervisor to enter into negotiations with the State of New York for a Park and Ride Lot. A vote was taken which resulted as follows:

Councilman Wittmeyer	Voting	aye
Councilman Zimmerman	Voting	aye
Councilman Faulring	Voting	no
Supervisor Hubert	Voting	aye

three (3) ayes

One (1) No

One (1) Absent

A letter was read from the Town of Hamburg Town Clerk advising of the passage of Local Law #9 - "Limitations in Parking." The letter was received and filed.

A letter was read from the New York State Department of Transportation advising of revisions in the operation of the traffic signal at Route 219 and 391 and Route 391 and Route 277. Letters were also read from the North Boston Volunteer Fire Company to the Supervisor and from the Supervisor to Mr. Malette relative to these changes. Supervisor Hubert asked that a copy of all these letters be sent to the Traffic Safety Committee. The Board discussed the short duration of the light exiting from the Expressway and Supervisor Hubert stated he had called twice and had been advised it would be changed. Councilman Zimmerman advised it hadn't been changed as of 5:00 o'clock tonight.

Ernie Celani asked if it was not true that the Board did not have a legitimate reason for rezoning the Moore property as the petitioners are not in compliance. Town Attorney Maxwell stated he wanted a clear cut decision so it does not stay in limbo and we open ourselves up to litigation. Mr. Celani stated he wanted to go on record as opposing the tabling of the decision on the rezoning request by Bernard Jackson. Supervisor Hubert asked Mr. Celani to notify his people for the next meeting.

A letter was read from Comcast Sound Communications, Inc. requesting a permit to place a satellite receiving antenna at WBUF on Cole Road. A motion was made by Supervisor Hubert and seconded by Councilman Zimmerman approving the granting of a building permit to Comcast Communications, Inc. to place a satellite receiving dish antenna at WBUF on Cole Road.

four (4) ayes

Carried

A letter was read from John Falkides requesting the approval of two lot locations at the Boston Hills Mobile Park and also a reduction in the license fee charged by the Town. Town Attorney Maxwell stated that this is one of the things that is in litigation and it is the town position that prior to changes in trailer locations, the owner must receive approval from the Town Board. Since Mr. Falkides previously refused to apply for this approval at least the principal has been established and the owner has submitted an application for approval of Lot 67. Town Attorney Maxwell suggested that if there is no objection to the way it is laid out, the dimensions and the set backs, that approval could be considered on one lot. Supervisor Hubert asked what would happen to the litigation and Town Attorney Maxwell stated he thought that it became moot, although in the litigation Mr. Falkides also has general allegations as to the fee schedule, but he stated he had case law on that and if it gets to the nitty gritty we can justify the fee schedule. Town Attorney Maxwell stated Mr. Falkides claims the fee schedule is higher than any other municipalities fee schedule, but there has been a tremendous amount of time spent, not just on this, but in past years with problems of sewage, water, highway problems and garbage problems. He stated you are allowed to charge a fee consistent with the amount of time a town spends on a certain matter.

Supervisor Hubert stated he noticed a discrepancy in the placement of Trailer #33 and that he would like to further discuss this. He stated that Mr. Falkides is now advising the Town Board of action he wants to take in the Trailer Court. After discussion, a motion was made by Councilman Zimmerman and seconded by Supervisor Hubert to table the approval of Lot 67 as the trailer park map does not show the size of the lot, but only the size of the trailer on the lot and to contact Mr. Falkides by letter to get the information and to set up another meeting with Mr. Falkides.

four (4) ayes

Carried

A letter was read from Greg Gerwitz d/b/a the North Boston Garage advising that he would comply with the Town Ordinances as soon as he gets his building in a state of construction to do so. Town Clerk Klein advised that he had sent a letter to Mr. Gerwitz on September 7, 1982 as directed by the Supervisor, advising that he was in violation of the Town Ordinance regulating auto parts activities. Supervisor Hubert stated he had talked to Mr. Gerwitz 2 days ago and had advised him that a summons would be issued at the time so specified.

Town Clerk Klein stated he had also written a letter to Robert Clark giving him 30 days to comply with the Town Ordinance.

A motion was made by Supervisor Hubert and seconded by Councilman Wittmeyer authorizing the Supervisor to sign the agreement with the Town of Hamburg for them to furnish base radio service for the Town of Boston Fire Companies.

four (4) ayes

Carried

Supervisor Hubert stated that next year before the contract is due he will be meeting with the Supervisors of other towns to discuss the formula.

A Street Light Contract between the Town of Boston and New York State Electric and Gas was received. Following discussion a motion was made by Supervisor Hubert and seconded by Councilman Zimmerman to table this matter.

four (4) ayes

Carried

The 1983 Preliminary Budget was read by Town Clerk Klein. Following the reading Supervisor Hubert explained the reason for the increased tax rate and thanked the Town Board for the time spent helping him prepare this budget.

A motion was made by Supervisor Hubert and seconded by Councilman Zimmerman setting November 3, 1982 at 8:00 P. M. to consider the adoption of the 1983 Preliminary Budget.

four (4) ayes

Carried

A motion was made by Supervisor Hubert and seconded by Councilman Faulring setting November 3, 1982, at 8:00 P. M. to consider the use of Revenue Sharing Funds in the amount of \$42,184.00.

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the 1983 General Fund/Budget as read by the Town Clerk be approved as follows:

Appropriations	\$442,324.00
Less Estimated Revenues	335,650.00
Less Unexpended Balance	60,000.00
Amount to be raised by taxes	46,674.00

four (4) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that the 1983 Highway #1/Budget as read by the Town Clerk be approved as follows:

Appropriations	\$173,462.00
Less Estimated Revenues	60,000.00
Amount to be raised by Tax	113,462.00

four (4) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Zimmerman that the 1983 Highway #3/Budget as read by the Town Clerk be approved as follows:

Appropriations	\$ 76,400.00
Less Estimated Revenues	36,000.00
Amount to be raised by Tax	40,400.00

four (4) ayes

Carried

A motion was made by Supervisor Hubert and seconded by Councilman Faulring that the 1983 Highway #4/Budget as read by the Town Clerk be approved as follows:

Appropriations	\$165,326.00
Less Estimated Revenues	79,500.00
Amount to be Raised by Tax	85,826.00

four (4) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that the 1983 Community Development/Budget as read by the Town Clerk be approved as follows:

Appropriations	\$ 6,000.00
Less Estimated Revenues	6,000.00
Amount to be raised by Taxes	.00

four (4) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Zimmerman that the 1983 Federal Revenue Sharing/Budget as read by the Town Clerk be approved as follows:

Appropriations	\$ 42,184.00
Less Estimated Revenues	39,184.00
Less Unexpended Balance	3,000.00
Amount to be raised by Taxes	\$.00

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the 1983 Debt Service Fund/Budget as read by the Town Clerk be approved as follows:

Appropriations	\$ 42,365.00
Less Estimated Revenues	42,365.00
Amount to be raised by Taxes	.00

four (4) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wittmeyer that the 1983 Light District/Budget as read by the Town Clerk be approved as follows:

Appropriations	\$ 14,001.00
Less Estimated Revenues	225.00
Amount to be raised by Taxes	13,776.00

four (4) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that the 1983 Water District #1/Budget as read by the Town Clerk be approved as follows:

Appropriations	\$ 44,472.00
Less Estimated Revenues	3,500.00
Amount to be raised by Taxes	40,972.00

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the 1983 Water District #2 Preliminary Budget as read by the Town Clerk be approved as follows:

Appropriations	\$ 41,960.00
Less Estimated Revenues	1,000.00
Amount to be raised by Taxes	\$ 40,960.00

four (4) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that the 1983 Sewer District #1 Preliminary Budget as read by the Town Clerk be approved as follows:

Appropriations	\$ 3,246.96
Less Estimated Revenues	400.00
Less Unexpended Balance	2,846.96
Amount to be raised by Taxes	.00

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the 1983 Sewer District #2 Preliminary Budget as read by the Town Clerk be approved as follows:

Appropriations	\$ 4,000.00
Less Unexpended Balance	1,500.87
Amount to be Raised by Taxes	2,499.13

four (4) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wittmeyer that the 1983 Sewer District #3 Preliminary Budget as read by the Town Clerk be approved as follows:

Appropriations	\$ 1,200.00
Amount to be raised by Taxes	1,200.00

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the 1983 Sewer District #4 Preliminary Budget as read by the Town Clerk be approved as follows:

Appropriations	\$ 3,500.22
Amount to be Raised by Tax	3,500.22

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Supervisor Hubert that the 1983 Fire Protection District Preliminary Budget as read by the Town Clerk be approved as follows:

Appropriations	\$122,505.04
Less Estimated Revenues	505.04
Amount to be raised by Taxes	122,000.00

four (4) ayes

Carried

A motion was made by Councilman Faulring and seconded by Supervisor Hubert that the 1983 Refuse and Garbage District Preliminary Budget as read by the Town Clerk be approved as follows:

Appropriations	\$ 11,000.60
Less Estimated Revenues	500.00
Amount to be raised by Taxes	10,500.60

four (4) ayes

Carried

A motion was made by Supervisor Hubert and seconded by Councilman Faulring that any organization that submits a letter to the Town Board requesting a copy of the budget will be supplied with one.

four (4) ayes

Carried

The Supervisor's Monthly Report was received.

Supervisor Hubert gave an update on Cable TV stating that construction was to begin in mid summer and when he talked to a representative of International they said the utility company was holding up the progress so he called the utility company and they advised that the cable application had been sent to them on August 31st. He further stated he was disappointed in the Cable Company's action and did not feel they were acting in good faith. He stated he would send a letter to Mr. Gilbert. Supervisor Hubert stated the utility company and the cable people are now walking the lines to see if some have to be moved and if everything is perfect the Cable Company would start work in 2 weeks, but the utility company said it never happens and it would be more like 3 months.

Deputy Town Attorney Perley also reported on Cable TV and stated that Councilman Wohlhueter will be doing a pole inspection with the utility company and cable company and anyone else that would like to go is welcome.

Town Clerk Klein reported that bids were opened for highway salt on September 30, 1982 at 1:00 P. M. A schedule of the bids received is attached. Upon the recommendation of Highway Superintendent Kreitzbender a motion was made by Supervisor Hubert and seconded by Councilman Wittmeyer to accept the low bid of Morton Salt for \$17.50 F. O. B. Plant and \$20.60 delivered.

four (4) ayes

Carried

The Town Justice Monthly Report was received.

The Boston Police Department Monthly Report was received.

The August and September Building Inspector's report was received.

Upon the request of Building Inspector Decker, a motion was made by Supervisor Hubert and seconded by Councilman Faulring granting permission to Charles Decker to attend

a seminar on State Fire Codes at Montour Falls, New York on October 25-26, 1982.

four (4) ayes

Carried

Town Clerk Klein stated that a Doctor's certificate has been received clearing Mr. Decker medically to attend the seminar.

There was no Dog Control Officers Report.

A motion was made by Councilman Zimmerman and seconded by Supervisor Hubert granting permission to Karen Klineczar to attend the New York State Association of Conservation Councils in Albany October 22-24.

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to adjourn at 9:22 P. M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

Regular Meeting
October 20, 1982

Town Hall
8:00 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Esther Faulring, Councilman Don Wohlhueter, Supervisor Jerome Hubert and Town Attorney Charles Maxwell.

Highway Superintendant Clarence Kreitzbender was absent.

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the minutes of the October 7, 1982 Regular Meeting be approved.

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 \$30,300.17 be paid.

five (5) ayes

Carried

There were no Highway Bills.

A letter was read from Daniel M. Barolo, P.E., Director, Division of Water, NYS Department of Environmental Conservation, denying State assistance in operating and maintaining Town of Boston Sewage Treatment Plants for the period of January 1, 1981 through December 31, 1981, as the wastewater treatment works did not meet the minimum operating standards required by Section 17-1905 of the Environmental Conservation Law and the Rules and Regulations of the State Commissioner of Environmental Conservation. The letter was received and filed.

A letter was read from Chief Duane Brock of the Patchin Fire Company, asking for removal of Fred Kutz's name from the list of the Fire Police, due to Mr. Kutz's resignation. Also returned was Fire Police badge. Councilman Wittmeyer asked the Town Clerk to send a letter to Mr. Kutz, thanking him for his past service to the Town, and also explained that Mr. Kutz resigned due to serious health problems.

A letter was read from James A. Moag, Salesman for Trojan Sales & Service, together with certified check in the amount of \$2,379.00 for bid submitted August 5, 1982 for a new 1982 4 Wheel Drive Loader. A motion was made by Supervisor Hubert and seconded by Councilman Wittmeyer to reject all bids, due to the haphazard way the bids were received, and start all over again.

five (5) ayes

Carried

A letter was read from Erie County Legislators William Pauly and Carol Siwek, giving notification of a Public Hearing November 17, 1982 at 10:00 A.M. at the Walter J. Mahoney State Office Building, Buffalo, New York, regarding assessment reductions facing municipalities. Letter referred to the Town Assessor and the Town Attorney, so that the pertinent information gets to the Legislators.

There were no requests from the floor.

A letter was read from the Erie County Water Authority regarding a list of delinquent water payments. The Town Clerk was directed to send a letter to delinquent water users, giving them until November 10 to comply, or the overdue amounts will be added to the tax rolls.

Street lighting proposal from New York State Electric & Gas was read for additional light in front of the State Police Building, on Pole #365, in the total amount of annual increase of \$71.90 and to relocate from Pole #366 to Pole #367 a light at a one-time charge of \$58.39. Motion was made to authorize this work by Councilman Zimmerman and seconded by Councilman Wittmeyer.

five (5) ayes

Carried

Change Order No. 1 from Duffett Plumbing and Heating, in the amount of \$1,337.55, for the State Police Building was read. This will provide vent pipe above finished grade and install suction pipe from relocated gas tank in front of the building to gas pump at rear of building. Tank was originally planned to be

located in the rear, but had to be moved because of quicksand. Motion was made by Supervisor Hubert and seconded by Councilman Wittmeyer to accept the Change Order, as recommended by the Engineer.

five (5) ayes

Carried

At 8:15 P.M. a Public Hearing was held to consider a Special Use Permit to Ormus W. Davenport and Phelps Dodge Fuel Development Corporation for the purpose of construction of a building to house and operate a natural gas compressor. The Legal Notice was read by the Town Clerk. Letter dated September 10, 1982 from Phelps Dodge and Design Particulars was also read by the Town Clerk. Also, read were a letter from Mr. Davenport, Option to Purchase Contract and October 7, 1982 letter from Sr. Vice President David A. Forson, enclosing completed EAF, Parts I and II. Supervisor Hubert asked for questions regarding this compressor pump station.

Thomas Makowski, Omphalius Road, asked if there was a decibel rating given. Mr. Forson stated the building is insulated, there is only some noise, which should not be noticeable, as the RPM's are reduced to 800. They have to maintain low noise level in order to meet the requirements of Mr. Davenport that he not hear the fan. Tom Makowski asked if there would be inspections on a regular or a periodic basis. Mr. Forson replied that there would be periodic inspections made. Supervisor Hubert stated that the Pontiac Road site was checked and the Connecticut Gas Engineer said their gas engine passed requirements and this proposed electric motor would be quieter than that one.

A resident asked how many residences were near the immediate area. Supervisor Hubert stated there were two - Mr. Davenport's and Dr. Feliciano's. and that they were both notified of the Public Hearing. Mr. Davenport stated he talked with Dr. Feliciano before signing the contract and that the Doctor has no objections and stated it was fine with him. Mr. Davenport stated he lives 500-600 feet from the proposed site and that Dr. Feliciano lives approximately 300 feet away. Supervisor Hubert stated there are no other houses in the immediate area.

Warren Skinner, North Boston Fire Company Assistant Chief, stated he does not like having this so close to other buildings. Mr. Forson stated that several sites were examined and the main disadvantage was their inaccessibility, which makes it difficult to check the compressors. Mr. Skinner asked if odor would be added, and if not, how would leakage be detected. Mr. Forson stated they use all code equipment and that odor is not normally put through a compressor; the only time it is put through a system is when it is the distribution system.

Kent Igguldin, 4792 North Boston Road, asked why is the building being put in now, and not when the well was drilled? Mr. Forson said there is a need now to boost the pressure, as the wells don't flow into the line. Mr. Igguldin also asked what wells he was speaking of and Mr. Forson gave names of well owners to the south; they service seven wells.

Supervisor Hubert asked if the lines are blown periodically. Mr. Forson said no, not at that point, just at the wells.

A resident asked if this would open the floodgate to well drilling in the area-- having a compressor in. William Burke, North Boston Road, asked why the gas didn't go into National Fuel so they didn't have to have a compressor station. Mr. Forson said they could get more money this way.

Mr. Skinner wanted to know if the Fire Company would be able to get in to inspect this station and if there would be an automatic alarm. Mr. Forson stated that the compressor automatically shuts off, the only time an alarm is needed is when it shuts down, and that he does not foresee any problem that would be cause to notify the Fire Company. He said this was a \$100,000 piece of equipment that is designed to shut down before anything could burn and that he has been in the gas business for 35 years and has never seen one rigged to a fire department.

Victor Hoffman, 8690 Maplelawn, asked for clarification of the fact that the reason for the pump was because the gas wouldn't flow naturally into the lines without it. Mr. Forson said yes, that was the reason, and that the well would shut down if the pressure goes down, as he has automatic shut-off valves.

Mr. Forson described the landscaping, fencing and berm planned for the building and said the building size will be 14 feet by 24 feet, with a 12 foot height, and that it will be a metal, fully insulated building.

Mrs. Roland Jones, Omphalius Road, asked if there was a chance of an explosion. Mr. Forson said you could never say it never would not explode - it's like saying your hot water heater could never explode, but built-in controls almost entirely eliminate this possibility.

Supervisor Hubert made a motion to close the Public Hearing at 8:43 P.M., motion was seconded by Councilman Wohlhueter.

five (5) ayes

Carried

At 8:44 P.M. a Public Hearing was held on the petition and request of Stanley W. and Caroline M. Westcott to rezone their property at 7061 Boston State Road from Residence Restricted Business RRB to Business B-1. Mr. Klein read the Legal Notice and letter from Mr. Westcott dated September 13, 1982 which explained that they would like to move their business, which consists of graphic design, type-setting and camera work, into their home. Mr. Klein stated the Zoning Referral was sent to Erie County on September 23 and to the Department of Transportation, Department of Environmental Control and the Erie County Department of Environment and Planning with the Short Environmental Assessment Form, but there has been no response from any of these agencies. The Planning Board letter was read by the Town Clerk, which stated that, in their opinion, rezoning is not necessary because this type of business appears to be a permitted use under the present RRB Zoning. Supervisor Hubert asked for questions from the floor.

Thomas Ryzpecki, Omphalius Road, asked for clarification of the Planning Board letter. Town Attorney Maxwell stated that, regardless of what the Planning Board said, rezoning is required, as it is more than just photography; typesetting and employment is not permissible under the present zoning.

Supervisor Hubert made a motion to close the Public Hearing, Councilman Faulring seconded the motion.

five (5) ayes

Carried

The Public Hearing was closed at 8:47 P.M. and the decision on the rezoning request was tabled until the next meeting.

Town Clerk Klein reported he sent a letter to the Jacksons, suggesting they respond prior to October 19 with any input on their proposed Health Resort, as this matter would be placed on the October 20 Agenda of the Board Meeting. The Clerk received no written communication, but did receive a telephone call from Mrs. Jackson, who stated it was her understanding they still had a contract, and that Mr. Jackson informed him they were still negotiating with the Moores. Supervisor Hubert asked what the dates were on the letters, Town Clerk Klein said the first letter was sent September 27, which was followed by another letter on October 12. Supervisor Hubert made a motion to deny the rezoning application, motion was seconded by Councilman Zimmerman.

five (5) ayes

Carried.

Supervisor Hubert read a letter he sent to Mr. Gilbert of International Cable, asking for his assistance in expediting the Cable TV project.

Town Clerk Klein reported that the final Town and County Tax Report, 1982, shows we collected 93.75% of the County and Town Tax.

RESOLUTION - EMPLOYMENT OF COUNSEL TO TOWN ATTORNEY

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to appoint Lawrence Clerc to the Planning Board to fill a vacancy. Term to expire on February 1, 1987.

Councilman Wittmeyer	Voting	aye
Councilman Faulring	Voting	aye
Councilman Wohlhueter	Voting	aye
Councilman Zimmerman	Voting	aye
Supervisor Hubert	Voting	abstain

Four (4) ayes

One abstention

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to appoint Paul Woodhouse to the Zoning Board of Appeals, term to expire on April 1, 1987.

Councilman Wittmeyer	<u>aye</u>
Councilman Faulring	<u>aye</u>
Councilman Wohlhueter	<u>aye</u>
Councilman Zimmerman	<u>aye</u>
Supervisor Hubert	<u>abstain</u>

four (4) ayes

one (1) abstention

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to adjourn at 8:55 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 20th day of October, 1982 at 8:00 P.M., Eastern Daylight Savings Time, there were

PRESENT:	Jerome Hubert	Supervisor
	Milton Wittmeyer	Councilman
	David Zimmerman	Councilman
	Esther Faulring	Councilman
	Don Wohlhueter	Councilman

Councilman Wittmeyer presented the following resolution and moved its adoption:

RESOLVED that the National Fuel Gas Distribution and Supply Company begun a tax reassessment action against the Town of Alden, Aurora, Boston, Collins, Eden, Hamburg, Holland, Marilla, Orchard Park, Sardinia and Wales, and, if such action is successful, it could result in a substantial loss of taxable assessed valuation in the Town of Boston as well as the school districts and other municipalities within the Town of Boston, and it is further the agreement of this Board that the Town of Boston join with the other ten towns in a joint defense of the reassessment proceeding, and it is further

RESOLVED that such joint defense will enable each Town to engage special counsel and appraisers who are experts in this area of the law and to divide the cost of such counsel and appraisers on a per capita cost according to the 1980 census figures so that the Town of Boston's cost would be 5.4078% of the total amount of legal costs and appraisers' fees, and it is further

RESOLVED, pursuant to Section 20, Subdivision 2a of the Town Law that ARNOLD J. GOLDMAN, ESQ. of Rochester, New York, be and hereby is employed as Counsel to the Town Attorney of the Town of Boston to aid and assist the Town Attorney in representing the Town of Boston in the current real property tax assessment proceeding brought against the Town by the National Fuel Gas Distribution Corporation and the National Fuel Gas Supply Corporation.

As Counsel to the Town Attorney in this matter, Arnold J. Goldman, Esq. shall serve at the pleasure of this Town Board and shall be compensated on an hourly rate of Seventy-five Dollars (\$75.00) per hour including travel time but excluding time spent in appearances for motions or for trials, for which charge will be made based upon the existing rate for said services in the Buffalo area.

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

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

AYES: FIVE (5)

NOES: NONE (0)

Herbert H. Klein
Herbert H. Klein, Town Clerk

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Esther Faulring, Councilman Don Wohlhueter, Supervisor Jerome Hubert, 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 October 20, 1982 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 Zimmerman and seconded by Councilman Wittmeyer that the General Fund and Special District Bills in the amount of \$30,825.57 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 \$29,999.55 be paid.

five (5) ayes

Carried

A petition was received in the matter of New York Telephone Company against State Board of Equalization and Assessment. Town Clerk Klein reported that the petition would be on file in his office. The petition was received and filed.

A letter and revised orders on the signal lights at Route 391 and Zimmerman and Route 391 and the off ramp of the Expressway were received from the New York State Department of Transportation. Supervisor Hubert asked that a copy of these orders be referred to the Traffic Safety Committee.

A letter was read from the Buffalo Chapter of the New York State Head Injury Association thanking the Board for the use of the Town Hall. The letter was received and filed.

A letter was read from International Cable responding to Supervisor Hubert's letter of concern on the delay of cable installation in Boston. The letter was received and filed.

Mr. Gordon Gill, Crestwood Circle advised the Board that the culvert pipe under the turnaround at Crestwood Circle needs to be cleaned out. He stated that this pipe is not large enough to carry the water that comes through when it rains. Highway Superintendent Kreitzbender stated they had cleaned out the pipe, but would go up again and would also check to see if a larger pipe is needed. Supervisor Hubert stated he would also go up and check on this. James Carr, Drainage Committee Chairman will go up on Saturday to check into the problem and will report to the Supervisor.

A request for a building permit was received from Benensen Capital Company (B-Kwik Markets) for an addition to the rear of their store at 7375 Boston State Road. Town Clerk Klein advised that this permit application will be coming before the Zoning Board of Appeals as the setback from the rear lot line is 5'5". A motion was made by Councilman Zimmerman and seconded by Supervisor Hubert to approve the granting of a building permit to Benensen Capital Company for an addition to their present building contingent on approval of the Zoning Board of Appeals for a variance on the rear lot line setback.

five (5) ayes

Carried

RESOLUTION - ORCHARD PARK WATER DISTRICT #17 - JOSEPH CZORA

An intermunicipal agreement was received relative to the four Town Sewer Districts. Supervisor Hubert explained that this agreement is for the County to take over the Operation and Maintenance of the four Town Sewer Districts on January 1, 1983. A motion was made by Supervisor Hubert and seconded by Councilman Zimmerman authorizing the Supervisor to execute this agreement with the Erie County Sewer District #3 on behalf of the Boston Sewer Districts #1, #2, #3, and #4.

five (5) ayes

Carried

Upon the recommendation of Town Attorney Maxwell a motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman directing Town Attorney Maxwell to prepare easements to the four sewer districts so the County Sewer District #3 can service the lines.

five (5) ayes

Carried

At 8:00 P. M. a public hearing was held to consider the adoption of the 1983 Preliminary Budget and to consider the proposed use of Federal Revenue Sharing Funds. The Legal Notice was read by the Town Clerk. A letter was read from the Concerned Citizens, of Boston expressing concern on the tax increase that has been proposed and listing different areas they feel could be cut. Town Clerk Klein explained that the Budget has not been read in recent years at this hearing as it is read at the time the Preliminary Budget is presented, but if anyone would like it read he would do so. No one asked that it be read.

Burton Hopkins, 6553 Fairlane Drive, stated that Bethlehem Steel, Ford Motor and General Motors have given up raises and he felt if the Board would look over the budget they could cut it down and cut some of the waste from it. He stated that he had looked over the audit report and there were discrepancies there where money could be saved. Mr. Hopkins stated transportation and recreation equipment should be put out for bids. He also pointed out the report notes that no records are maintained for the useage and purchase of gasoline. He further stated that he felt government was getting too big and had to start to cut down and stop creating jobs for the people who helped get them elected.

Mr. Henry Enser, 6613 Liebler Road, asked why the records weren't maintained for the purchase and useage of gasoline. He stated he felt every taxpayer had a right to know where this gas was going and every gallon of gas should be accounted for. Highway Superintendent Kretzbender stated they do have a record of all gas purchased, but do not keep records on what is put in each truck. He stated they are old pumps and do not register what is being used. Mr. Enser asked if it would be possible to get pumps that register and Highway Superintendent Kretzbender stated new ones cost approximately \$2,000.00 a piece and two would be needed. He stated that it would be a job to keep track of all that gas. Mr. Enser stated that slips should be kept in each truck to record how much is put in each time.

Mr. Richard Guyett stated that he would sell the town two pumps for \$1,000.00 and Supervisor Hubert stated the purchase of pumps would be looked into.

Mr. Enser stated he felt money could be saved on recreation as politics is now involved and there are Baseball Directors, Bowling Directors, Bowling Coaches and Ski Directors and they are all being paid. He stated keep politics out of recreation and have volunteers and if no one wants to volunteer and the parents won't help then the program isn't worth having.

Mr. Ernest Celani, 6872 Omphalius Road, asked Supervisor Hubert if he was going to address the letter read at the beginning of the Public Hearing and Supervisor Hubert stated yes he would.

Burton Hopkins questioned an item in the audit report that stated certain employees were paid travel time from their homes to office. Supervisor Hubert stated the Chief of Police is considered on duty from the time he leaves his home and Mr. Hopkins pointed out the report states that the town should not pay for such expenses and Supervisor Hubert stated this is no longer happening and now it is from the Town Hall to where they are going and back to the Town Hall.

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, 1983, 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 3rd day of November, 1982 and that at such hearing any person may be heard in favor of or against the preliminary budget as compiled or 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	\$12,850.00
Councilman	3,500.00
Councilman	3,500.00
Councilman	3,500.00
Councilman	3,500.00
Town Justice	8,300.00
Town Clerk	19,000.00
Highway Superintendent	21,635.00

Pursuant to Federal Regulations to proposed use of Federal Revenue Sharing funds in the amount of \$42,184.00 to pay the principal and interest on Highway Indebtedness on the 1979 Auto Car in the amount of \$10,000.00 and further appropriation of \$15,000.00 for payment of indebtedness on State Police Building and \$17,184.00 for Parks. By order of the Town Board
Dated: October 13, 1982

Herbert H. Klein
Town Clerk

Supervisor Hubert stated they realize the hard times there are now and he and the Town Board sat down for many hours going through the budget and he explained the concerns set forth in the letter as follows:

1 - Percentage of Budget Increase or Decrease

A. 1979	4% Decrease Highway	-	3% Increase General Fund
B. 1980	11% Decrease Highway	-	8% Increase General Fund
C. 1981	12% Increase Highway	-	15% Increase General Fund
D. 1982	3% Decrease Highway	-	14% Increase General Fund
E. 1983	21% Increase Highway	-	7% Increase General Fund

He explained that in the past they have gone over on the Highway Budget in snow removal as it cannot be judged how much snow there will be and the auditor has stated that money cannot be given from the General Fund to the Highway Fund and this year a realistic budget was set so the Highway Superintendent would not run out of money for snow removal. Supervisor Hubert stated that in the past money is taken from the General Fund and in March has to pay it back so is already in a hole. He further noted in the past in most years the Highway Budget has been decreased and this is the biggest expenditure as it takes care of snow and fixing of roads. Supervisor Hubert stated this is the reason for the 21% raise plus the two park employees are in the highway budget because they work for the highway four to five months a year.

2 - Town Attorney's Increase of 8% with a 40% Total

Supervisor Hubert explained that the court monies that have been taken in have increased from \$12,000 in all of 1981 to \$37,000.00 in nine months of 1982 and this means there is more work for the Town Attorney, Town Justice and Court Clerk. He stated this is the reason for the increase plus there are three litigations going at the present time.

3 - Supervisor Hubert stated the sewer contract that was presented tonight eliminates the Sewer Engineer by letting the County take over the sewers. He further stated that it is necessary to keep money to maintain the lagoons, but when the sewer is finished the lagoons will be covered over. He noted that the sewer districts have also overspent in other years and money has to be raised to pay this back.

4 - Town Assessor

Supervisor Hubert stated that Erie County has gone into computerizing all assessments which means more work for the assessor and also office help for one day a week. He further stated there is more litigation because of a new law and this means more time for the Assessor, Town Attorney and Bookkeeper.

5 - Youth Program 44% - Contractural

Supervisor Hubert stated the auditor had critized because money for Recreation Employees had been put under Personal Services and it should have been put under Contractural as these people are not on the payroll, but are paid by voucher. He stated that this is the reason the money was put into contractural.

6 - Employee Benefits

Supervisor Hubert stated they have no control over Employee Benefits and Social Security and Retirement were raised so that is the amount put in the budget.

7 - \$13,000.00 Snow Removal Surplus

Supervisor Hubert explained the \$13,000.00 is all that is left for snow removal in 1982 and if a big storm should come it could be used up in two days.

8 - \$10,000.00 Contingency

Supervisor Hubert stated this was a typing error and has been in the budget since at least 1979.

9 - 8.2% Councilman

Supervisor Hubert stated that the reason for this is he rounded the figures off. He went on to say that two years ago inflation was in double digits, but the salaries were not raised double figures and to stay even with the other towns it was set at 7% and he felt it was a realistic figure. He also noted the secretaries make \$5.00 an hour and are very knowledgeable and the Councilman work at meetings and check out problems in town.

Councilman Wittmeyer stated that he would like to reiterate on the \$13,000.00 surplus in the Highway Budget and stated that is still there and we hope there is enough to get through 1982 and Highway Superintendent Kreitzbender has to go through to January 1, 1983 and the money is still there for 1982.

There was discussion as to the monies paid by Erie County to the Town for plowing county roads and Supervisor Hubert stated this is before the Association of Towns.

Paul Ballachino, 6707 Pinehurst stated that he felt people were apprehensive that everyone will end up as full time. Supervisor Hubert explained that we are all taxpayers.

Councilman Wittmeyer stated he had been on the Board for nine years and named the Committees he served on. He pointed out he is on the road three or four times a week for town related work and has never submitted a voucher for mileage. He stated the Traffic Safety Committee of which he is a member does a lot, also the Codification Committee which is now working on zoning, the Capital Improvements Committee, the Insurance Committee, Metro Bus and Disaster Plan. He stated he felt he was way underpaid.

Councilman Wohlhueter stated he lived further and did not get mileage and also volunteered as coach in the Little League. He stated he averaged two or three nights a week down here and he felt 7% was in line.

Town Clerk Klein stated the paper work comes out of Albany, Washington and Erie County and explained the amount of paper work that is involved in SEQR which he felt is a lot of work as there are a lot of people to contact by letter and at times it is necessary to hire an engineer to help with them. He further questioned Mr. Hopkins if the large plants have cost of living raises. Mr. Hopkins stated these are one of the things that is being taken away and he also stated there was no comparison as he works at Bethlehem and is not in an air conditioned office all day.

Ernest Celani stated the Amherst Town officials are getting 6% and also that he drives 40 miles a day and no one pays his mileage, he does it because he wants the job. He stated he was not questioning if the Board deserved a raise, but if the people can afford to pay for one.

David Woelfling, Thornwood Drive stated he had a copy of the budget and it is apparent to him that many of the increases exceed the projected inflation rate and was prepared with a double digit inflation in mind. He stated he would like to see the Board go back through the budget and look at the expenditures that are in excess of 6% or 7% and see if the increase is needed. Mr. Woelfling stated he felt there was a lot of excess that the people did not need to pay for. He stated that he realized that there were fixed expenses that keep going up, but there are other goods and services that will hold at 4 and 5% and this budget does not reflect that. Supervisor Hubert stated the electric company is projecting 31%. Mr. Woelfling stated he is aware of this, but there are other factors citing traffic control which went from \$800 in 1981 to \$1,900. Councilman Wittmeyer stated that was because they had to take over signals. Mr. Woelfling stated the budget was not explicit and Town Clerk Klein stated he would be glad to point these things out to Mr. Woelfling if he came into the Town Hall.

Ernest Celani asked about the SEQR report on the Jackson property and stated that Mr. Klein told him the SEQR was not filed as he wanted to save the town money. Town Clerk Klein stated it was initiated to get to that point and although it was not finalized, letters had to be sent out and the process was begun with all the agencies involved. Town Clerk Klein pointed out when a SEQR has to be submitted. Mr. Celani stated he felt the SEQR report should have been completed on the Jackson project to prevent a reapplication. Town Attorney Maxwell stated if a person reapplies the Board has the option to deny another Public Hearing.

Karen Klinczar asked what the actual cost was to plow county roads against what the county is paying. Highway Superintendent Kreitzbender stated he did not have any idea, but could get the figures from the bookkeeper. Supervisor Hubert stated at present the Town gets \$675.00 a lane mile and the Association has proposed \$900.00 a lane mile. Highway Superintendent Kreitzbender stated the State pays the County \$1,300 a lane mile, but the county only pays the town \$675 a lane mile and the Association of Towns is putting pressure on to get more. He stated that with the hills it is hard to do it for that. Supervisor Hubert stated it is hard to figure out per mile. Robert Burley stated there are computers that can tell you how much it is costing. He also stated he felt it would be worth it to have a gas pump to tell how many gallons are used. Supervisor Hubert stated the Town Board would definitely look into the gas.

Councilman Wohlhueter stated the revenues are down on State Aid and also some of the surplus was used on the State Police Building. Supervisor Hubert stated the reason for the tax increase is because of the reduction in Federal Revenue Sharing Funds. Councilman Wohlhueter stated that the State Police Building will be a benefit and a police force of our own would be a lot more than what it costs now. Supervisor Hubert stated that he did a study three years ago on the cost of a three man police force which would be \$250,000.00 just to start it.

Mr. Gordon Gill, Crestwood Circle stated he felt that bad practices had been accumulated. He further stated he was not opposed to increases as he felt you get what you pay for and that he would like to see some loop holes closed such as the gauge on a gas pump.

Ernest Celani asked about the \$21,776.00 that is in the Highway Budget. Supervisor Hubert explained it is the CHIPS Program which has replaced the Donovan Plan. He noted that is under revenues as it comes in and expenditures when it goes out.

Burton Hopkins stated he felt the Board should look at the programs and see what could be volunteer. Supervisor Hubert stated it is his understanding that the ski program pays for itself. Mr. Orffeo stated this was correct and some years gives a revenue of \$35 or \$40. Karen Klinczar asked if the other programs were self supporting and Supervisor Hubert stated not all of them. Councilman Wohlhueter stated that the Board studied the Recreation Program and did make some cuts until they felt it was down to the bare bones.

Remy Orffeo stated that after he and the Supervisor had gone over the Recreation Budget there was a minimal increase and this was done by making programs self supporting, eliminating things and also by consolidating them. He stated that a real effort was made not to expand this budget. Mr. Woelfling stated that the increase is 5.3% and although that doesn't seem like much, the Recreation Budget amounts to \$47,000.00. Remy Orffeo stated that that is the gross figure, the net is a lot less. Mr. Woelfling stated that he felt the time has come when we have to ask ourselves if we can afford these luxury items and recreation is a luxury item.

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

five (5) ayes

Carried

Councilman Zimmerman explained the recreation budget is only increased by \$800 and David Woelfling stated it is a question if we can afford the recreation. Councilman Zimmerman stated he felt we could.

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter that the 1983 General Fund Budget be adopted as follows:

Appropriations	\$442,324.00
Less Estimated Revenues	335,650.00
Less Unexpended Balance	60,000.00
Amount To Be Raised by Tax	46,674.00

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the 1983 Highway #1 Budget be adopted as follows:

Appropriations	\$173,462.00
Less Estimated Revenues	60,000.00
Amount to be raised by tax	113,462.00

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman that the 1983 Highway #3 Budget be adopted as follows:

Appropriations	\$ 76,400.00
Less Estimated Revenues	36,000.00
Amount to be raised by tax	40,400.00

five (5) ayes

Carried

A motion was made by Supervisor Hubert and seconded by Councilman Faulring that the 1983 Highway #4 Budget be adopted as follows:

Appropriations	\$165,326.00
Less Estimated Revenues	79,500.00
Amount to be raised by tax	85,826.00

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the Community Development Budget for 1983 be approved as follows:

Appropriations	\$ 6,000.00
Less Estimated Revenues	6,000.00
Amount to be raised by tax	.00

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the Federal Revenue Sharing Budget for 1983 be approved as follows:

Appropriations	\$ 42,184.00
Less Estimated Revenues	39,184.00
Less Unexpended Balance	3,000.00
Amount to be raised by tax	.00

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that the Debt Service Fund Budget for 1983 be approved as follows:

Appropriations	\$ 42,365.00
Less Estimated Revenues	42,365.00
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 Light District #1 Budget for 1983 be approved as follows:

Appropriations	\$ 14,001.00
Less Estimated Revenues	225.00
Amount to be raised by tax	13,776.00

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Zimmerman that the Water District #1 Budget for 1983 be approved as follows:

Appropriations	\$ 44,472.00
Less Estimated Revenues	3,500.00
Amount to be raised by tax	40,972.00

five (5) ayes

Carried

A motion was made by Supervisor Hubert and seconded by Councilman Wohlhueter that the Water District #2 Budget for 1983 be approved as follows:

Appropriations	\$ 41,960.00
Less Estimated Revenues	1,000.00
Amount to be raised by tax	40,960.00

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that the Sewer District #1 Budget for 1983 be approved as follows:

Appropriations	\$ 3,246.96
Less Estimated Revenues	400.00
Less Unexpended Balance	2,846.96
Amount to be raised by taxes	.00

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring that the Sewer District #2 Budget for 1983 be approved as follows:

Appropriations	\$ 4,000.00
Less Unexpended Balance	1,500.87
Amount to be raised by taxes	2,499.13

five (5) ayes

Carried

A motion was made by Councilman Wohlhuter and seconded by Councilman Zimmerman that the Sewer District #3 Budget for 1983 be approved as follows:

Appropriations	\$ 1,200.00
Less Estimated Revenues	.00
Amount to be raised by tax	1,200.00

five (5) ayes

Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the Sewer District #4 Budget for 1983 be approved as follows:

Appropriations	\$ 3,500.22
Less Estimated Revenues	.00
Amount to be raised by tax	3,500.22

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Supervisor Hubert that the Fire Protection District Budget for 1983 be approved as follows:

Appropriations	\$122,505.04
Less Estimated Revenues	505.04
Amount to be raised by tax	122,000.00

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring that the Refuse and Garbage District Budget for 1983 be approved as follows:

Appropriations	\$ 11,000.60
Less Estimated Revenues	500.00
Amount to be raised by taxes	10,500.00

five (5) ayes

Carried

Supervisor Hubert stated the Stop-DWI Agreement had been removed from the agenda as there are questions and he will be attending a meeting to get some answers.

The Supervisor's Monthly Financial Report was received.

Supervisor Hubert stated he had received three bids on the drainage work at the State Police Building. The bids received were as follows:

	Phase I	Phase II
Charles G. Decker, Inc.	\$1,810.00	\$2,219.00
R. J. Smolinski & Sons	1,850.00	2,764.00
Joseph S. Stang	1,980.00	3,790.00

A motion was made by Councilman Wittmeyer and seconded by Supervisor Hubert to award the bid on drainage work at the New York State Police Building to Charles G. Decker, Inc. at a cost of \$4,029.00 for both contracts.

five (5) ayes

Carried

Upon the recommendation of Supervisor Hubert, a motion was made by Supervisor Hubert and seconded by Councilman Wohlhueter authorizing the Supervisor to start the necessary arrangements to have a hydrant on Zimmerman Road moved.

five (5) ayes

Carried.

Supervisor Hubert directed Town Clerk Klein to send a thank you to Jack Kemp for his part in the Rice Road funding.

The Town Justice Monthly Report was received.

A motion was made by Supervisor Hubert and seconded by Councilman Zimmerman authorizing Town Attorney Maxwell to execute a lease between the Town of Boston and Richard May for the lease of six acres of town property at \$40.00 per acre to be used for farming purposes.

five (5) ayes

Carried

The Boston Police Department Monthly Report was received.

The Building Inspector's Monthly Report was received.

The August and September Dog Control Officers report was received.

A letter was read from the Drainage Committee requesting that a Capital Improvements Fund be established with the remaining money from the 1981-82 Unexpended Funds. Supervisor Hubert explained that this cannot be done unless there is a specific project.

The Westcott rezoning request tabled at the October 20th Town Board meeting was reopened. Town Clerk Klein stated the reason for the tabling of this was to await a reply from the Erie County Department of Environment and Planning and he is in receipt of that. He further advised that they had no recommendation and based on that he, as SEQR Officer, has listed it as an unlisted action and is recommending a SEQR negative declaration. A motion was made by Councilman Wittmeyer and seconded by Councilman Faurling to rezone the Stanley Westcott property at 7061 Boston State Road from Residential Restricted Business RRB to Business B-1.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to adjourn at 9:25 P. M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

Regular Meeting
November 17, 1982

Town Hall
8:00 P.M.

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

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring that the minutes of the November 3, 1982 Regular Meeting be approved.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the General Fund and Special District Bills in the amount of \$19,858.12 be paid.

five (5) ayes

Carried

A letter was read from Legislator Marie Richardson advising of action taken at the November 4th session of the Erie County Legislature. Town Clerk Klein stated that the letter was on file in his office for anyone interested. The letter was received and filed.

A letter was read from Boston Hills Mobile Home Park owner John Falkides requesting approval of the Town Board of the following:

1. Approval of Lot #67
2. Approval of Lot #68
3. Elimination of the annual license fee
4. Approval for future development of approximately 7-10 additional lots, contingent upon proper placement of water, sewer, and utility lines and a safe and reasonable distance between mobile homes.

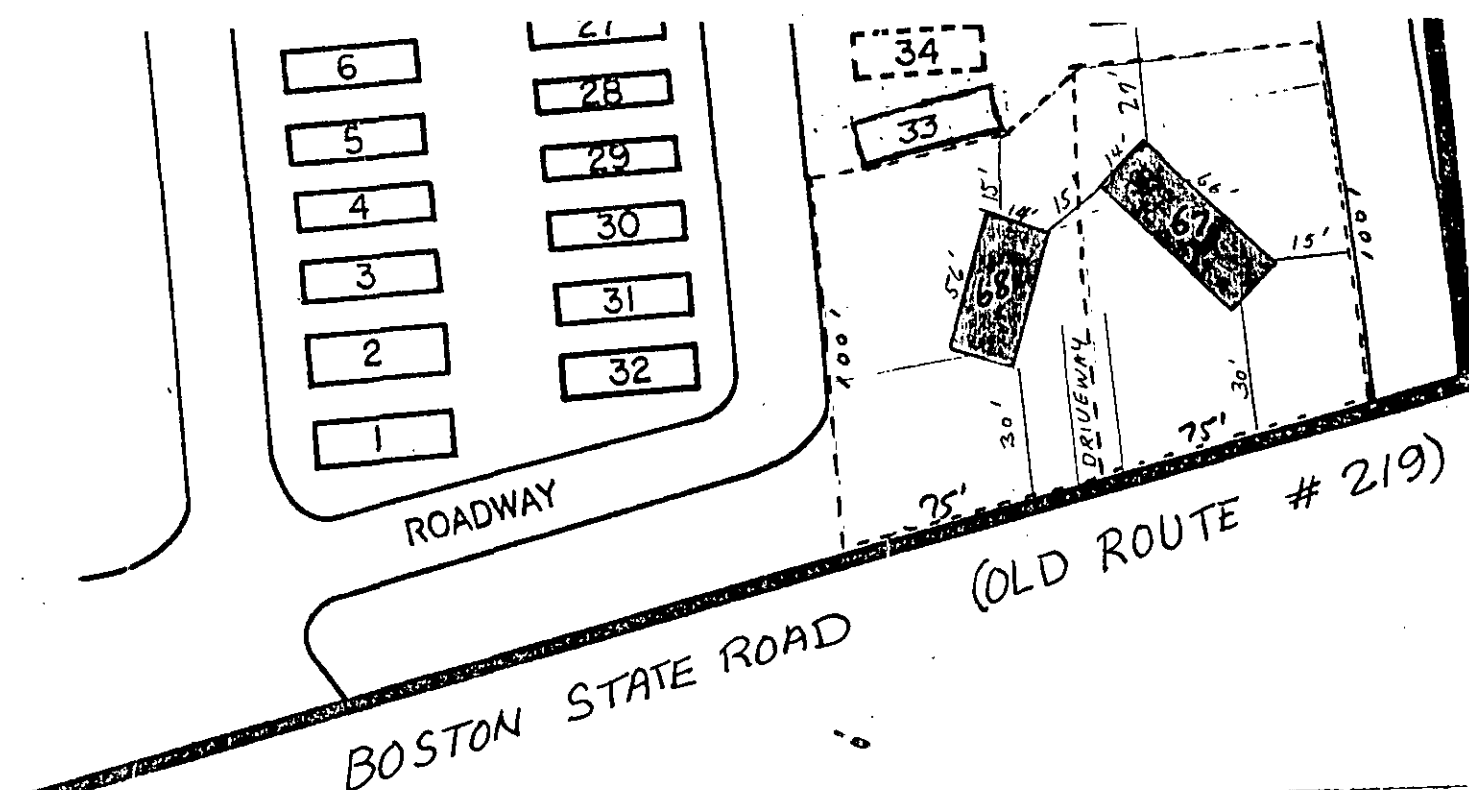
Town Attorney Maxwell stated that the lawsuit mentioned in his letter was brought against the Town by Mr. Falkides when the Building Inspector put a stop order on a lot because it was the opinion of the Board that he had not complied with the Town Ordinance. He stated a substantial part of the lawsuit will be resolved with the approval of the lot.

Supervisor Hubert stated he saw no problem with the approval of Lot 67, but had a question on Lot 68 as it shows the property line butting up against the trailer on Lot 33 and he would like to discuss this further with Mr. Falkides at a future date. Supervisor Hubert further stated that the elimination of the annual license fee is still being studied. He stated that the accusation that the Board is prejudice is untrue. Supervisor Hubert explained at the present time they are working to move the sewer line so it will be cheaper for the tenants of the park as they then will not have to pay the fee to get the sewer hookups and are also working to get the units of the mobile park, because of its age, down to 60% of the unit fee so the tenants will not have to pay the unit charge. Supervisor Hubert stated there were also no plans for 7 or 10 additional lots as requested in Mr. Falkides letter.

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to approve Lot #67 as shown on the following map.

five (5) ayes

Carried



RESOLUTION - UNPAID WATER BILLS - WATER DISTRICT #1

RESOLUTION - UNPAID WATER BILLS - WATER DISTRICT #2

A motion was made by Supervisor Hubert and seconded by Councilman Zimmerman that a Public Hearing be set for Wednesday, December 15 at 8:15 P. M. to consider 1983 contracts with the Boston Emergency Squad and Boston Historical Society.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to correct Abstract #11 dated November 3, 1982 as follows:

Voucher #893	From A1640.4	\$757.51
	Hamburg Petroleum Service	

To	A3120.4	\$250.81
	A4540.4	228.69
	A3510.4	165.37
	A3620.4	<u>112.64</u>
		\$757.51

Voucher #906

From	A7110.4	\$1470.00
	Charles G. Decker, Inc.	

To	H7110.4	\$1,470.00
	Park Improvement Program	

Voucher #895

From		49.77
------	--	-------

To		11.56 Final Bill
	New York Telephone - Police	

Total General Fund	From	\$11,679.04 to \$10,170.83
--------------------	------	----------------------------

Total Capital Fund	From	\$17,140.29 to \$18,610.29
--------------------	------	----------------------------

Total Abstract	From	\$30,825.57 to \$30,787.36
----------------	------	----------------------------

five (5) ayes

Carried

RESOLUTION AND AGREEMENT - STOP - DWI

Supervisor Hubert advised that Metro Bus will service the Town of Boston until March 31, 1984 as they have received a Rural Transportation Grant. He thanked the members of the Metro Bus Committee for the outstanding job they had done and noted that in July there was a 20% increase in ridership and in October there was a 50% increase.

Supervisor Hubert also advised that gas pumps will be purchased for the Highway Department.

Upon the request of Supervisor Hubert, a motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer authorizing the Supervisor to sign a contract with Economic Consultants to complete the Master Plan for the Town of Boston.

five (5) ayes

Carried

A letter was read from Robert Burley of the Conservation Advisory Council advising of a meeting he had attended in Ellicottville on September 22, 1982 and thanking the Town Board for giving him the opportunity to attend the meeting.

Upon the request of Highway Superintendent Kreitzbender the Board approved him contacting the Erie County Department of Weights and Measures to test the accuracy of the gas pump which will be purchased for the Highway Department.

Highway Superintendent Kreitzbender stated that the Patchin Fire Company Pumper was used to clean out the pipe at the Crestwood turnaround and there had been nothing in it. He also advised that he had checked it during the last heavy rain and there had not been any problems.

Councilman Wittmeyer advised that the Insurance Bids were opened on Monday, November 15, 1982 at 4:00 P. M. and had been referred to Ernest Holfoth the Insurance Consultant for his study and recommendation. Councilman Wittmeyer also stated that there would be a meeting of the Recreation Advisory Council on November 18, 1982 at 8:00 P. M. and following the meeting tonight there will be a meeting of the Traffic Safety Committee.

A thank you letter was received from Remy Orffeo, Recreation Supervisor for the help given towards the Boston Summer Recreation Program.

The Planning Board requested that the Grading and Drainage Ordinance on the agenda for tonights meeting be taken off.

The Planning Board submitted a letter advising of their monthly meeting schedule. The letter was received and filed.

The Phelps - Dodge Fuel Development request for a Special Use Permit for a gas compressor tabled at the October 20th meeting was brought before the Board. Letters were read from the New York State Department of Environmental Conservation, Boston Drainage Committee, Boston Planning Board and the Boston Conservation Council. Town Clerk Klein advised that he had talked to Mr. Dietz of DEC and since the Town does not have anything in their ordinances requesting permits for pipeline installation and as their only concern is the gas compressor site location and the building, Mr. Dietz asked that the Town not issue the permit until the pipeline matter has been taken care of. Town Clerk Klein stated Mr. Dietz indicated a willingness of the DEC to proceed as the lead agency if the Town desires since they have the approval of pipeline installation and Town Clerk Klein advised at this time he did not think the Board could do anything until the pipeline construction gets approval by the County and/or the DEC.

Mr. Forson a representative of Phelps Dodge advised the Board that they are taking steps to comply with the regulations required. He stated their concern was that they get the pipeline to the compressor site and then not have approval for the compressor.

Councilman Wittmeyer stated the Board has the same problem, they approve the compressor and the pipeline not get there. Supervisor Hubert asked Mr. Forson to send a list of the itemized wells that are proposed and the possible route of the pipeline. Mr. Forson stated he would send a copy of the complete report that he sends to the DEC. The issuance of the Special Use Permit to Phelps Dodge for a gas compressor was tabled until word is received from the DEC.

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to adjourn at 8:40 P. M.



Herbert H. Klein
Town Clerk

TOWN OF BOSTON



CONTRACT WITH BOSTON HISTORICAL SOCIETY, INC.

THIS AGREEMENT, made the 17th day of November, 1982, 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,":

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 1982;

NOW, THEREFORE, the Town of Boston, 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 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 \$1,800.00, payable on or before April 1st during each year during the term of this 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, 1982.

This agreement shall continue for a period of one year 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 hereto have set their hands and seals the day here above first written.

(SEAL)

Jerome A. Hubert
Supervisor, Jerome A. Hubert

Milton I. Wittmeyer
Councilman, Milton I. Wittmeyer

Councilman, Esther Faulring

Attest:

David G. Zimmerman
Councilman, David G. Zimmerman

Herbert H. Klein
Herbert H. Klein, Town Clerk

Don A. Wohlhueter
Councilman, Don A. Wohlhueter

BOSTON HISTORICAL SOCIETY, INC.

Attest:

By Edith Schramm
President

Herbert H. Klein
Herbert H. Klein, Town Clerk

TOWN OF BOSTON



APPENDIX "C"

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 17th day of November, 1982, at 8:00 P. M., Eastern Standard Time there were present:

Jerome Hubert	Supervisor
Milton Wittmeyer	Councilman
David Zimmerman	Councilman
Esther Faulring	Councilman
Don Wohlhueter	Councilman

The following resolution was offered by Supervisor Hubert who moved its adoption:

WHEREAS, the COUNTY, pursuant to the authority granted to it by Article 43-A of the Vehicle and Traffic Law, has established a special traffic options program for driving while intoxicated (STOP-DWI) and has formulated a plan thereunder for the coordination of county, town, city and village efforts to reduce alcohol-related traffic injuries and fatalities, and

WHEREAS, the Erie County Sheriff's Department and the New York State Police are engaged in certain alcohol traffic safety law enforcement activities within the MUNICIPALITY, including the detection and arrest of persons operating a motor vehicle in violation of either Section 1192 or 511 (2) of the Vehicle and Traffic Law, and

WHEREAS, a Justice Court has been established in and for the MUNICIPALITY with jurisdiction to hear and determine cases involving alleged violations of Sections 1192 and 511 (2) of the Vehicle and Traffic Law.

WHEREAS, an agreement has been presented to the Town of Boston for their approval to participate in the STOP - DWI Program.

NOW THEREFORE BE IT RESOLVED, that the Boston Town Board hereby authorized Supervisor Jerome A. Hubert to execute the agreement on behalf of the Town of Boston.

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

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

Herbert H. Klein

Herbert H. Klein, Town Clerk

THIS AGREEMENT, made and entered into as of the 1st day of January, 1982, by and between the COUNTY OF ERIE, a municipal corporation of the State of New York, with offices at 95 Franklin Street, Buffalo, New York, hereinafter referred to as the COUNTY, party of the first part, and the (Town of Boston), a municipal corporation of the State of New York in Erie County, with offices at (Boston), New York, hereinafter referred to as the MUNICIPALITY, party of the second part,

W I T N E S S E T H :

WHEREAS, the COUNTY, pursuant to the authority granted to it by Article 43-A of the Vehicle and Traffic Law, has established a special traffic options program for driving while intoxicated (STOP - DWI) and has formulated a plan thereunder for the coordination of county, town, city and village efforts to reduce alcohol-related traffic injuries and fatalities, and

WHEREAS, the Erie County Sheriff's Department and the New York State Police are engaged in certain alcohol traffic safety law enforcement activities within the MUNICIPALITY, including the detection and arrest of persons operating a motor vehicle in violation of either Section 1192 or 511(2) of the Vehicle and Traffic Law, and

WHEREAS, a Justice Court has been established in and for the MUNICIPALITY with jurisdiction to hear and determine cases involving alleged violations of Sections 1192 and 511(2) of the Vehicle and Traffic Law.

NOW, THEREFORE, IT IS MUTUALLY AGREED BY AND BETWEEN THE PARTIES:

FIRST: The COUNTY agrees to make quarterly payments to the MUNICIPALITY in the amount of TEN DOLLARS (\$10.00) for all services of the MUNICIPALITY'S Justice Court in each matter disposed of therein involving an alleged violation, or multiple violations involving the same

defendant and arising from the same incident, of either Section 1192 or 511(2) of the Vehicle and Traffic Law, provided that such matter was commenced by reason of the alcohol traffic safety law enforcement activities of the Erie County Sheriff's Department or the New York State Police. Said amount shall be payable by the COUNTY for each such matter so commenced regardless of the final disposition thereof.

SECOND: The MUNICIPALITY, through its Justice Court and as an independent contractor, agrees to compile information and render monthly reports to the Erie County STOP - DWI Coordinator regarding any and all matters disposed of in the MUNICIPALITY'S Justice Court involving alleged violations of Sections 1192 and/or 511(2) of the Vehicle and Traffic Law. It is expressly understood that the MUNICIPALITY'S obligation to compile information and render monthly reports regarding such matters shall not be limited to those matters commenced by the Erie County Sheriff's Department, or the New York State Police, but shall extend to all such matters disposed of therein. A sample copy of the monthly court reporting form to be submitted to the Erie County STOP - DWI Coordinator by the MUNICIPALITY is annexed hereto as Appendix "A".

THIRD: This Agreement is executory only to the extent of moneys available to the COUNTY for the performance hereof and appropriated therefor, being moneys in a separate account entitled "Special Traffic Options Program for Driving While Intoxicated" established and funded pursuant to Sections 1678-a and 1803 of the Vehicle and Traffic Law, and the COUNTY shall incur no liability on account of this Agreement beyond such moneys.

FOURTH: In the event the Erie County STOP - DWI program, as approved by the Commissioner of the New York State Department of Motor Vehicles, is to be terminated

during the term of this Agreement, the provisions of Section 1678-i of the Vehicle and Traffic Law shall govern for purposes of determining the sums available to the COUNTY and payable to the MUNICIPALITY pursuant to this Agreement.

FIFTH: The MUNICIPALITY shall not assign, transfer, convey, sublet or otherwise dispose of this contract or of any right, title or interest herein, nor of the power to execute the same or any extension hereof to any other person or corporation without the previous consent in writing of the County of Erie.

SIXTH: The MUNICIPALITY agrees to comply with all applicable laws of the State of New York, the United States and the County of Erie, including laws against discrimination, and with all rules and regulations of pertinent authorities having jurisdiction.

SEVENTH: The MUNICIPALITY shall be fully accountable for its performance under this Agreement and agrees for itself and its officers to answer under oath all questions relevant to the performance thereof and to any transaction, act or omission in connection therewith if called before any Judicial, County, State or Federal agency empowered to investigate the Agreement or its performance.

EIGHTH: The MUNICIPALITY agrees to defend, hold harmless and indemnify the COUNTY against any and all liability, claims, demands, suits and judgments arising out of the performance of the MUNICIPALITY'S obligations under this Agreement. The MUNICIPALITY further agrees to maintain insurance coverage during the term of this Agreement and submit certificates of insurance in accordance with Appendix "B" attached hereto. In lieu thereof, the MUNICIPALITY may furnish satisfactory evidence of a self-insurance plan acceptable to the Erie County Director of Insurance and the Erie County Attorney.

NINTH: Consistent with the MUNICIPALITY'S status

as an independent contractor, the COUNTY shall not be responsible for Worker's Compensation benefits, Social Security coverage or unemployment insurance benefits, with respect to the MUNICIPALITY.

TENTH: The term of this Agreement shall be for a period beginning on the 1st day of January, 1982, and ending on the 31st day of December, 1982, unless earlier terminated by either party upon thirty (30) days prior written notice.

ELEVENTH: This Agreement may be extended annually upon mutual agreement of the parties hereto upon at least thirty (30) days prior written notice.

This Agreement is executed by the COUNTY pursuant to a resolution adopted by the Legislature of Erie County at its meeting held on the 1st day of July, 1982, and by the MUNICIPALITY pursuant to a resolution of its governing body adopted at a meeting of said governing body held on 1982, a certified copy of the MUNICIPALITY'S resolution being attached hereto as Appendix "C".

(name of municipality)

COUNTY OF ERIE

By: _____
(name)
Its (Supervisor or Mayor)

By: _____
EDWARD J. RUTKOWSKI
Erie County Executive

APPROVED AS TO CONTENT

KENNETH J. BRAUN
Erie County Sheriff

APPROVED AS TO CONTENT

MELVIN I. ROSENBLAT
Director, Criminal Justice
Planning

APPROVED AS TO FORM

JAMES L. TUPPEN
Assistant County Attorney
Doc. No. _____

ACKNOWLEDGMENT

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On this _____ day of _____, 1982,
before me personally came (name), to me personally known,
who, being by me duly sworn, did depose and say that he
resides in the (name of municipality), County of Erie and
State of New York; that he is the (Supervisor or Mayor) of
the (name of municipality), the corporation described in,
and which executed the within instrument; that he knows the
seal of said corporation; that the seal affixed to said
instrument is such corporate seal and was so affixed by
order of the governing body thereof and that he signed his
name thereto by like order.

Notary Public

ACKNOWLEDGMENT

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On this _____ day of _____, 1982,
before me personally came EDWARD J. RUTKOWSKI, to me
personally known, who, being by me duly sworn, did depose
and say that he resides in the Town of Hamburg, County of
Erie and State of New York; that he is the County Executive
of the County of Erie, the corporation described in, and
which executed the within instrument; that he knows the seal
of said corporation; that the seal affixed to said
instrument is such corporate seal and was so affixed by
order of the governing body thereof and that he signed his
name thereto by like order.

Notary Public

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 17th day of November, 1982, at 8:00 P. M., Eastern Standard Time.

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

PRESENT:	Jerome Hubert	Supervisor
	David Zimmerman	Councilman
	Milton Wittmeyer	Councilman
	Esther Faulring	Councilman
	Don Wohlhueter	Councilman

The following resolution was offered by Councilman Zimmerman who moved its adoption, seconded by Supervisor Hubert 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 Water District Number 1, Town of Boston, Erie County, New York, has, pursuant to its lease management agreement reimbursed the Erie County Water Authority 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 1983 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 1, Town of Boston.

FURTHER RESOLVED that a copy of this resolution be forwarded to the County of Erie, Department of Finance.


Herbert H. Klein, Town Clerk

SCHEDULE A

<u>S B L NUMBER</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>AMOUNT OF LEVY</u>
211.14-2-36	Michael Sinnott	S7358 Hickory Drive Hamburg, New York 14075	\$ 8.49
258.00-3-15	Rudolph Blesy	9953 Trevett Road Boston, New York 14025	25.78
241.08-2-26	Kevin P. Martin	7225 Tricia Lane Boston, New York 14025	8.65

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 17th day of November, 1982, at 8:00 P. M., Eastern Standard Time.

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

PRESENT:	Jerome Hubert	Supervisor
	David Zimmerman	Councilman
	Milton Wittmeyer	Councilman
	Esther Faulring	Councilman
	Don Wohlhueter	Councilman

The following resolution was offered by Councilman Wohlhueter who moved its adoption, seconded by Councilman Zimmerman 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 Water District Number 2, Town of Boston, Erie County, New York, has, pursuant to its lease management agreement reimbursed the Erie County Water Authority 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 1983 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 2, Town of Boston.

FURTHER RESOLVED that a copy of this resolution be forwarded to the County of Erie, Department of Finance.

Herbert H. Klein
Herbert H. Klein, Town Clerk

SCHEDULE A

<u>S B L NUMBER</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>AMOUNT OF LEVY</u>
226.03-1-7	Alexandra Esula	7954 Zimmerman Road Hamburg, New York 14075	\$20.34
226.03-1-7	Alexandra Esula	7954 Zimmerman Road Hamburg, New York 14075	\$37.07
226.03-1-7	Alexandra Esula	7954 Zimmerman Road Hamburg, New York 14075	\$ 7.32

Regular Meeting
December 1, 1982

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Don Wohlhueter, Supervisor Jerome Hubert, Town Attorney Charles Maxwell and Highway Superintendent Clarence Kreitzbender. Councilman Esther Faulring was absent.

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer that the minutes of the November 17, 1982 Regular Meeting be approved.

four (4) ayes

Carried

A motion was made by Councilman Zimmerman 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 Zimmerman that the General Fund and Special District Bills in the amount of \$7,431.34 be paid.

four (4) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer that the Highway Bills in the amount of \$23,215.77 be paid.

four (4) ayes

Carried

A SEQR Referral Review in the request for a Special Permit by Phelps Dodge Gas was received from the County of Erie Department of Environment and Planning. The review was received and filed.

A letter was received from Legislator Marie Richardson reporting on the November 18th session of the Erie County Legislature. The letter was received and filed.

A letter was read from the South East Corporation Counseling Center thanking the Town for their contribution and requesting a representative to serve on their Board. The letter was received and filed.

RESOLUTION - ORCHARD PARK WATER DISTRICT #17 - DELINQUENT WATER TAX

A motion was made by Supervisor Hubert and seconded by Councilman Wohlhueter to set December 30, 1982 at 4:00 P. M. as the Special Meeting date to pay bills, appoint Constables for 1983 and award the Insurance coverage if this has not already been done.

four (4) ayes

Carried

A letter was read from Mr. and Mrs. Walter Zmuda, 7131 Omphalius Road requesting a lower speed limit on Omphalius Road. Supervisor Hubert asked that this letter be referred to the Traffic Safety Committee for their study and recommendation.

A copy of a letter from the Patchin Fire Company to MUSE expressing concern with the Computer Game "FIREBUGS" was received. Supervisor Hubert directed the Town clerk to send a letter to MUSE to express the Board's concern and support of the Patchin Fire Company's request for removal of this game from the market.

A motion was made by Supervisor Hubert and seconded by Councilman Zimmerman to accept the State Police Building contingent on a letter from the architect that the contractors had performed their work according to their contract, including the changes.

four (4) ayes

Carried

A resolution was received from the Village of Alden urging the Federal Energy Regulatory Commission to investigate and take immediate action to reopen such contracts and take such other action as is necessary to control the rising cost of natural gas.

RESOLUTION - NATURAL GAS COSTS

A letter was read from Gert Bobseine, Mill Street, relative to a dumpster at McDonald's Tavern. The letter was received and filed.

The Supervisor's Monthly Financial Report was received.

A motion was made by Councilman Wohlhueter and seconded by Supervisor Hubert to award Miscellaneous Insurance as follows:

Quotation No. and Coverage	Insurer	Premium	Company
12. Accidental Death and Disability- Police	Hartford	\$ 369	Wilbur Lehning
13. Accidental Death and Disability- Emergency Squad	Hartford	580	
14. Public Officials Errors and Omissions	Western World	400	
	Total Miscellaneous Insurance	\$1,349	

five (5) ayes

Carried

Town Attorney Maxwell stated that a meeting time and date was being arranged with John Falkides to check the trailer court.

Supervisor Hubert advised that there would be a groundbreaking ceremony on Friday morning at 10:00 at Feddick and Shero Road for Cable TV.

A motion was made by Councilman Zimmerman and seconded by Supervisor Hubert to reappoint Nancy Aldridge and Mary Alice Tocke as members of the Conservation Advisory Council. Terms to expire December 15, 1985.

five (5) ayes

Carried

At 8:15 P. M. a Public Hearing was held to consider entering into a contract with the Boston Emergency Squad and the Boston Historical Society for 1983. The Legal Notice was read by the Town Clerk. Karen Klineczar asked what the monetary amounts were last year and what the new amounts were. Supervisor Hubert stated on the Emergency Squad for 1982 was \$8,855.00 and for 1983 it will be \$6,550.00 and the Boston Historical received \$1,800.00 in 1982 and will receive \$2,000.00 in 1983.

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

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring to enter into a contract with the Boston Emergency Squad for \$6,550.00 and the Boston Historical Society for \$2,000.00 for 1983.

five (5) ayes

Carried

A letter was read from Nussbaumer and Clarke, Architects on the State Police Building advising that after an inspection they found everything in order and the State Police Building could be accepted. It was noted that the State Police Building had been accepted at the December 1, 1982 Town Board Meeting contingent on the receipt of this letter.

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer that the meeting be adjourned at 8:25 P. M.

PUBLIC 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 15, 1982, at 8:15 P.M. Eastern Standard Time for the purpose of considering and entering into a contract with the BOSTON HISTORICAL SOCIETY, INC. for the preservation of historical places and objects in the amount of \$2,000.00 per annum for the year 1983 and a further contract with the BOSTON EMERGENCY SQUAD, INC. for the furnishing of Ambulance Service, in the amount of \$6,530.00 per annum for the year 1983.

All persons interested in the matter shall be heard at such time and place.

Dated: November 24, 1982

Town Board
Town of Boston
Herbert H. Klein
Town Clerk

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 1st day of December, 1982, at 7:30 P. M., Eastern Standard Time, there were present:

Jerome Hubert
Milton Wittmeyer
David Zimmerman
Don Wohlhueter

Supervisor
Councilman
Councilman
Councilman

Absent:

Esther Faulring

Councilman

The following resolution was offered by Councilman Wittmeyer who moved its adoption, seconded by Councilman Zimmerman 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 6405 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 17, 1982 requesting the Town of Boston to place upon the 1983 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 1983 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"

<u>TAX ACCOUNT NUMBER</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>AMOUNT OF LEVY</u>
211.00-3-4	KEAFE, PATRICK	6159 WARD ROAD ORCHARD PARK, N. Y. 14127	\$ 81.26
211.00-3-20	IVES, ALBERT	6405 WARD ROAD ORCHARD PARK, N. Y. 14127	\$184.05

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 1st day of December, 1982, at 7:30 P. M., Eastern Standard Time, there were present:

Jerome Hubert
Milton Wittmeyer
David Zimmerman
Don Wohlhueter

Supervisor
Councilman
Councilman
Councilman

Absent:

Esther Faulring

Councilman

The following resolution was offer by Supervisor Hubert who moved its adoption, seconded by Councilman Zimmerman and unanimously carried.

WHEREAS, Natural Gas is essential to the health, safety, and physical well-being of the residents of the northeast, and

WHEREAS, At the present time there is an abundance of this commodity, and

WHEREAS, Since the deregulation of natural gas prices by the Federal Government, natural gas prices have spiraled by approximately 40 percent, and

WHEREAS, the entire price increase from such deregulation is passed onto the consumer without control by the Public Service Commission, and

WHEREAS, The skyrocketing price increase has placed the cost of natural gas almost beyond the reach of those who require it most, the feeble, the ill and the elderly and has placed an ever increasing burden on the budget of every resident of the Town and other northeastern communities, and

WHEREAS, A great percentage of the price increase is the result of contracted extended pricing clauses and "take or pay" provisions requiring pipelines to pay for minimal volumes of gas whether consumed by the customer or not.

NOW, THEREFORE BE IT RESOLVED, That the Town Board of the Town of Boston urges the Federal Energy Regulatory Commission to investigate and take immediate action to reopen such contracts and take such other action as is necessary to control the rising cost of natural gas products, and

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the Federal Energy Regulatory Commission, President Ronald Reagan, Senator Patrick Moynihan, Senator Alphonse D'Amato, and Representative Jack Kemp.


Herbert H. Klein, Town Clerk

Special Meeting
December 30, 1982

Town Hall
4:00 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Esther Faulring, Councilman Don Wohlhueter, Supervisor Jerome Hubert, 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 December 15, 1982 Regular Meeting be approved.

five (5) ayes

carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman that the General Fund and Special District Bills in the amount of \$11,439.13 be paid which is the total after deleting from voucher member 1101 payable to Laux Sporting Goods of \$753.40 for soccer equipment as follows:

<u>Quantity</u>	<u>Description of Materials</u>	<u>Amount</u>
4 pr	SGN2 Soccer nets	\$395.80
20	Mikasa SWL 310 balls	230.00
4 sets	Cramer 403201	127.60
		<u>\$753.40</u>

five (5) ayes

carried

A motion was made by Councilman Wittmeyer and seconded by Councilman ~~Faulring~~ that the Highway Bills in the Amount of \$3488.51 be paid.

five (5) ayes

carried

A motion was made by Councilman Zimmerman and seconded by Supervisor Hubert to make the following Transfers of Appropriations in the Highway Fund:

TRANSFERS OF APPROPRIATIONS HIGHWAY FUND

	FROM	TO
DR 9040.8	1,969.14	
DR 9055.8	55.54	
DR 5110.1		2,024.68
DM 5130.4	4,979.49	
DM 9501.9	8,893.65	
DM 5140.4	563.68	
DS 9040.8	1,969.15	
DS 9055.8	55.54	
DM 5130.4		16,461.51

five (5) ayes

carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to make the following Transfers of Appropriations of Excess Revenue Highway Fund:

APPROPRIATION OF EXCESS REVENUE HIGHWAY FUND

D 510 Estimated Revenue	20,513.66	
DR 2770	10,640.42	
DM 2401	5,435.03	
DM 2680	902.21	
DS 2300	3,536.00	
D 960 Appropriations		20,513.66
DR 5110.2	10,640.42	
DS 5142.4	9,873.24	

five (5) ayes

carried

TOWN OF BOSTON



TOWN OF BOSTON

GENERAL AMBULANCE SERVICE CONTRACT
FOR
AMBULANCE SERVICE WITH BOSTON EMERGENCY SQUAD, INC.

THIS AGREEMENT made this 15th day of December, 1982, 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 perviously 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 1983, from January 1, 1983 to December 31, 1983, 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 reasonable 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 \$6,550.00 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 \$500,000.00.
- (b) Comprehensive General Liability Insurance including incidental malpractice coverage to the extent of \$500,000.00.
- (c) Fidelity Bond coverage of President and Treasurer of the party of the second part to the extent of \$5,000.00.
- (d) Medical Equipment Floater in the amount of \$5,000.00 subject to \$100.00 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, 1983 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.

Jerome A. Hubert
Supervisor, Jerome A. Hubert

Milton I. Wittmeyer
Councilman, Milton I. Wittmeyer

David G. Zimmerman
Councilman, David G. Zimmerman

SEAL

Esther Faulring
Councilman, Esther Faulring

Attest:

Herbert H. Klein
Herbert H. Klein, Town Clerk

Don A. Wohlhueter
Councilman, Don A. Wohlhueter

The Town Board of the Town of
Boston, New York

BOSTON EMERGENCY SQUAD, INC.

BY Larry A. Stewart
President

Attest:

Herbert H. Klein
Herbert H. Klein, Town Clerk

TOWN OF BOSTON



CONTRACT WITH BOSTON HISTORICAL SOCIETY, INC.

THIS AGREEMENT, made the 15th day of December, 1982, 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,":

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 1983;

NOW, THEREFORE, the Town of Boston, party of the first part, does hereby engage the party of the second part for the year 1983 from January 1, 1983 to December 31, 1983, 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 \$2,000.00, payable on or before April 1st during each year during the term of this 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, 1983.

This agreement shall continue for a period of one year 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 hereto have set their hands and seals the day here above first written.

Jerome A. Hubert
Supervisor, Jerome A. Hubert

Milton I. Wittmeyer
Councilman, Milton I. Wittmeyer

David G. Zimmerman
Councilman, David G. Zimmerman

SEAL

Esther Faulring
Councilman, Esther Faulring

Attest:

Herbert H. Klein
Herbert H. Klein, Town Clerk

Don A. Wohlhueter
Councilman, Don A. Wohlhueter

BOSTON HISTORICAL SOCIETY, INC.

BY Edith Schramm
President

Attest:

Herbert H. Klein
Herbert H. Klein, Town Clerk

TOWN OF BOSTON



TOWN OF BOSTON

GENERAL AMBULANCE SERVICE CONTRACT
FOR
AMBULANCE SERVICE WITH BOSTON EMERGENCY SQUAD, INC.

THIS AGREEMENT, made this 28th day of December, 1983, 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 1984, from January 1, 1984 to December 31, 1984, 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 reasonable 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 \$7,840.00 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 1 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 \$500,000.00.
- (b) Comprehensive General Liability insurance, including incidental malpractice coverage to the extent of \$500,000.00.
- (c) Fidelity Bond coverage of President and Treasurer of the party of the second part to the extent of \$5,000.00.
- (d) Medical Equipment Floater in the amount of \$5,000.00, subject to \$100.00 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 10 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, 1984 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 31 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.

Jerome A. Hubert
Supervisor, Jerome A. Hubert

Milton I. Wittmeyer
Councilman, Milton I. Wittmeyer

David G. Zimmerman
Councilman, David G. Zimmerman

S E A L

Attest:

Esther M. Faulring
Councilman, Esther M. Faulring

Herbert H. Klein
Herbert H. Klein, Town Clerk

Don A. Wohlhueter
Councilman, Don A. Wohlhueter

The Town Board of the Town of Boston,
State of New York

BOSTON EMERGENCY SQUAD, INC.

By: Donald L. Watkins
President

Attest:

Herbert H. Klein
Herbert H. Klein, Town Clerk

Special Meeting
December 30, 1982

Town Hall
4:00 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Esther Faulring, Councilman Don Wohlhueter, Supervisor Jerome Hubert, 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 December 15, 1982 Regular Meeting be approved.

five (5) ayes

carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman that the General Fund and Special District Bills in the amount of \$11,439.13 be paid which is the total after deleting from voucher member 1101 payable to Laux Sporting Goods of \$753.40 for soccer equipment as follows:

<u>Quantity</u>	<u>Description of Materials</u>	<u>Amount</u>
4 pr	SGN2 Soccer nets	\$395.80
20	Mikasa SWL 310 balls	230.00
4 sets	Cramer 403201	<u>127.60</u>
		\$753.40

five (5) ayes

carried

A motion was made by Councilman Wittmeyer and seconded by Councilman ~~Faulring~~ that the Highway Bills in the Amount of \$3488.51 be paid.

five (5) ayes

carried

A motion was made by Councilman Zimmerman and seconded by Supervisor Hubert to make the following Transfers of Appropriations in the Highway Fund:

TRANSFERS OF APPROPRIATIONS
HIGHWAY FUND

	FROM	TO
DR 9040.8	1,969.14	
DR 9055.8	55.54	
DR 5110.1		2,024.68
DM 5130.4	4,979.49	
DM 9501.9	8,893.65	
DM 5140.4	563.68	
DS 9040.8	1,969.15	
DS 9055.8	55.54	
DM 5130.4		16,461.51

five (5) ayes

carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to make the following Transfers of Appropriations of Excess Revenue Highway Fund:

APPROPRIATION OF EXCESS REVENUE
HIGHWAY FUND

D 510 Estimated Revenue	20,513.66	
DR 2770	10,640.42	
DM 2401	5,435.03	
DM 2680	902.21	
DS 2300	3,536.00	
D 960 Appropriations		20,513.66
DR 5110.2	10,640.42	
DS 5142.4	9,873.24	

five (5) ayes

carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to make the following Transfers of Appropriations Sewer District #1:

TRANSFERS OF APPROPRIATIONS
SEWER DISTRICT #1

SS1 9040.8		32.55	
	SS1 8130.4		32.55

five (5) ayes

carried

A motion was made by Supervisor Hubert and seconded by Councilman Faulring to make the following Transfers of Appropriations Sewer District #2:

TRANSFERS OF APPROPRIATIONS
SEWER DISTRICT #2

SS2 9040.8		13.90	
	SS2 9030.8		13.90

five (5) ayes

carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to make the following Appropriation of Fund Balance Sewer District #2:

APPROPRIATION OF FUND BALANCE
SEWER DISTRICT #2

SS2 909	Fund Balance	964.54	
	SS2 960	Appropriations	964.54
		SS2 8130.4	963.34
		SS2 9030.8	1.20

five (5) ayes

carried

A motion was made by Councilman Wittmeyer and seconded by Supervisor Hubert to make the following Transfers of Appropriations Sewer District #3:

TRANSFERS OF APPROPRIATIONS
SEWER DISTRICT #3

SS3 9040.8		9.55	
	SS3 9030.8		9.55

five (5) ayes

carried

A motion was made by Councilman Faulring and seconded by Councilman Zimmerman to make the Transfer of Appropriations Sewer District #4:

FROM

TO

TRANSFER OF APPROPRIATIONS
SEWER DISTRICT #4

SS4 9040.8		69.46	
	SS4 8140.4		69.46

five (5) ayes

carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to make the following Transfers of Appropriations Water District #2:

TRANSFERS OF APPROPRIATIONS
WATER DISTRICT #2

SW2 9501.9		5,260.00	
	SW2 8340.4		260.00
	SW2 9901.9		5,000.00

five (5) ayes

carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to make the following Transfers of Appropriations Water District #1:

TRANSFERS OF APPROPRIATIONS
WATER DISTRICT #1

SW1 9501.9		540.00	
	SW1 8340.4		540.00

five (5) ayes

carried

A motion was made by Councilman Faulring and seconded by Councilman Zimmerman to make the following Appropriations of Fund Balance Water District #1:

APPROPRIATIONS OF FUND BALANCE
WATER DISTRICT #1

SW1 909 Fund Balance		9,620.45	
	SW1 960 Appropriations		9,620.45
	SW1 8340.4	9620.45	

five (5) ayes

carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to make the following Transfers of Appropriations Fire Protection District:

TRANSFERS OF APPROPRIATIONS
FIRE PROTECTION DIST.

SF 9040.8		583.00	
	SF 3410.4		583.00

five (5) ayes

carried

A motion was made by Supervisor Hubert and seconded by Councilman Zimmerman to make the following Transfer of Appropriations General Fund:

TRANSFER OF APPROPRIATIONS

GENERAL FUND

	FROM	TO
A 1010.4	119.51	
1220.1	74.37	
1355.2	644.26	
1355.4	211.03	
1410.4	225.91	
1440.1	1,000.00	
1440.4	2,335.79	
1450.1	3,308.00	
1450.2	1,565.14	
1620.2	534.00	
1640.4	3,397.22	
1670.4	861.27	
1920.4	110.00	
1990.4	10,000.00	
1995.4	1,360.71	
3120.1	312.00	
3120.2	465.00	
3120.4	561.37	
3410.4	150.00	
3510.1	600.00	
3510.2	1,300.00	
5132.4	102.64	
* 7310.1	6,888.03	
		17.00
A 1010.1		961.65
1110.4		162.50
1220.2		923.80
1220.4		44.00
1355.1		2,348.50
1410.1		140.00
1410.2		1,523.75
1420.4		3,669.39
1450.4		801.18
1620.4		866.28
1670.2		1,972.00
1910.4		741.10
1950.4		877.83
3310.4		761.95
3510.4		640.00
3620.1		509.53
3620.4		486.52
4540.4		31.70
5010.4		850.00
5132.2		2,346.54
5182.4		901.48
6410.4		4,670.52
7110.1		300.64
7110.4		6,632.81
7310.4		1,426.91
7620.4		38.00
8010.1		108.00
8090.1		74.00
8540.1		67.20
8540.4		252.17
9030.8		899.30
9060.8		80.00
9901.9		

five (5) ayes

carried

The Town Clerk read a letter from Nancy Lee resigning from the position of Youth Employment Clerk effective December 31, 1982 and expressing her thanks for the support given her with this program. Supervisor Hubert directed the Clerk to send Mrs. Lee a letter of thanks on behalf of the Board for her faithful service to the town.

A letter was read from Chief Harry Strack on the designated officers for 1983 of the Boston Police Department. A motion was made by Supervisor Hubert and seconded by Councilman Wohlhueter appointing as constables for the Town of Boston for a term ending December 31, 1983. Harry Strack, Robert Lorek, Gregory Stromecki and Albert Schieber with Harry Strack serving as Chief, Robert Lorek as Sargent, Gregory Stromecki as patrolman.

five (5) ayes

carried

A letter was read from Enforcement Officer Charles Decker requesting permission to attend two seminars on fire prevention and building codes on March 2, 3, 4, 1983 sponsored by the Eastern States Building Official Federation and on April 24-27, 1983 sponsored by the Finger Lakes Building Officials Association. A motion was made by Supervisor Hubert and seconded by Councilman Faulring approving Mr. Decker's request.

five (5) ayes

carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring adjourning the meeting at 4:18 P.M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

TOWN BUDGET

For 198 3

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 3 budget of the Town of
BOSTON as adopted by the Town Board on the
3rd day of November, 19 82.

Signed

Herbert H. Klein
Town Clerk

Dated November 12, 1982

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	\$ 442,324.00	\$ 335,650.00	\$ 60,000.00	\$ 46,674.00
B	GENERAL OUTSIDE VILLAGE				
DR	HIGHWAY : REPAIRS AND IMPROVEMENTS	173,462.00	60,000.00		113,462.00
DB	BRIDGES				
DM	*MACHINERY	76,400.00	36,000.00		40,400.00
DS	*SNOW AND MISC.	165,326.00	79,500.00		85,826.00
DE	IMPROVEMENT PROGRAM		6,000.00		.00
CD	COMMUNITY DEVELOPMENT	6,000.00			
CF	FEDERAL REVENUE SHARING	42,184.00	39,184.00	3,000.00	.00
L	PUBLIC LIBRARY FUND				.00
V	DEBT SERVICE FUND	42,365.00	42,365.00		.00
S	SPECIAL DISTRICTS: (LIST EACH SEPARATELY)				
	LIGHT DISTRICT	14,001.00	225.00		13,776.00
	WATER DISTRICT #1	44,472.00	3,500.00		40,972.00
	WATER DISTRICT #2	41,960.00	1,000.00		40,960.00
	SEWER DISTRICT #1	3,246.96	400.00	2,846.96	.00
	SEWER DISTRICT #2	4,000.00		1,500.87	2,499.13
	SEWER DISTRICT #3	1,200.00			1,200.00
	SEWER DISTRICT #4	3,500.22			3,500.22
	FIRE PROTECT. DISTRICT	122,505.04	505.04		122,000.00
	REFUSE & GARB. DISTRICT	11,000.60	500.00		10,500.60
	TOTALS	\$1,193,946.82	\$604,829.04	\$ 67,347.83	\$ 521,769.95

* 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 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</u>
TOWN BOARD						
Personal Services	A1010.1	12,000.00	12,960	14,000.00	14,000.00	14,000.00
Equipment	A1010.2					
Contractual Exp.	A1010.4	451.71	200	200.00	200.00	200.00
TOTAL	A1010.0	12,451.71	13,160	14,200.00	14,200.00	14,200.00
JUSTICES						
Personal Services	A1110.1	7,216.00	7,760	13,300.00	13,300.00	13,300.00
Equipment	A1110.2					
Contractual Exp.	A1110.4	715.84	1,000	1,900.00	1,900.00	1,900.00
TOTAL	A1110.0	7,931.84	8,760	15,200.00	15,200.00	15,200.00
TRAFFIC VIOLATIONS BUREAU						
Personal Services	A1130.1					
Equipment	A1130.2					
Contractual Exp.	A1130.4					
TOTAL	A1130.0					
SUPERVISOR						
Personal Services	A1220.1	19,552.15	21,088	20,650.00	20,650.00	20,650.00
Equipment	A1220.2	179.00	200	200.00	200.00	200.00
Contractual Exp.	A1220.4	1,100.40	1,000	1,500.00	1,500.00	1,500.00
TOTAL	A1220.0	20,831.55	22,288	22,350.00	22,350.00	22,350.00
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 19_81	BUDGET THIS YEAR AS AMENDED 19_82	BUDGET OFFICERS TENTATIVE BUDGET 19_83	PRELIMINARY BUDGET 19_83	ADOPTED 1983
PURCHASING						
Personal Services	A1345.1					
Equipment	A1345.2					
Contractual Exp.	A1345.4					
TOTAL	A1345.0					
ASSESSORS						
Personal Services	A1355.1	1,340.00	12,247.	14,950.00	14,950.00	14,950.00
Equipment	A1355.2		1,000.	250.00	250.00	250.00
Contractual Exp.	A1355.4	518.58	800.	800.00	800.00	800.00
TOTAL	A1355.0	1,858.58	14,047.	16,000.00	16,000.00	16,000.00
DISCOUNT ON TAXES						
Contractual Exp.	A1370.4					
TOWN CLERK						
Personal Services	A1410.1	26,239.65	28,623.	28,570.00	28,570.00	28,570.00
Equipment	A1410.2					
Contractual Exp.	A1410.4	4,343.20	4,000.	4,000.00	4,000.00	4,000.00
TOTAL	A1410.0	30,582.85	32,623.	32,570.00	32,570.00	32,570.00
ATTORNEY						
Personal Services	A1420.1	9,600.00	10,400.	13,500.00	13,500.00	13,500.00
Equipment	A1420.2					
Contractual Exp.	A1420.4	1,236.78	600.	2,000.00	2,000.00	2,000.00
TOTAL	A1420.0	10,836.78	11,000.	15,500.00	15,500.00	15,500.00
PERSONNEL						
Personal Services	A1430.1					
Equipment	A1430.2					
Contractual Exp.	A1430.4					
TOTAL	A1430.0					
ENGINEER						
Personal Services	A1440.1		1,000.			
Equipment	A1440.2					
Contractual Exp.	A1440.4	2,324.93	2,500.	1,000.00	1,000.00	1,000.00
TOTAL	A1440.0	2,324.93	3,500.	1,000.00	1,000.00	1,000.00
ELECTIONS						
Personal Services	A1450.1	4,587.00	3,308.			
Equipment	A1450.2	2,156.00	3,500.	2,300.00	2,300.00	2,300.00
Contractual Exp.	A1450.4	1,091.65	300.	4,259.00	4,259.00	4,259.00
TOTAL	A1450.0	7,834.65	7,108.	6,559.00	6,559.00	6,559.00
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 1981	BUDGET THIS YEAR AS AMENDED 19 82	BUDGET OFFICERS TENTATIVE BUDGET 19 83	PRELIMINARY BUDGET 19 83	ADOPTED 1983
PUBLIC WORKS						
ADMINISTRATION						
Personal Services	A1490.1					
Equipment	A1490.2					
Contractual Exp.	A1490.4					
TOTAL	A1490.0					
BUILDINGS						
Personal Services	A1620.1	2,303.10	2,550.	3,000.00	3,000.00	3,000.00
Equipment	A1620.2	2,325.00	2,000.	2,000.00	2,000.00	2,000.00
Contractual Exp.	A1620.4	13,493.42	13,400.	14,500.00	14,500.00	14,500.00
TOTAL	A1620.0	18,121.52	17,950.	19,500.00	19,500.00	19,500.00
CENTRAL GARAGE						
Personal Services	A1640.1					
Equipment	A1640.2					
Contractual Exp.	A1640.4	6,126.73	4,500.	1,000.00	1,000.00	1,000.00
TOTAL	A1640.0	6,126.73	4,500.	1,000.00	1,000.00	1,000.00
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			1,050.00	1,050.00	1,050.00
Contractual Exp.	A1670.4	3,389.54	3,100.	2,550.00	2,550.00	2,550.00
TOTAL	A1670.0	3,389.54	3,100.	3,600.00	3,600.00	3,600.00
CENTRAL DATA PROCESSING						
Personal Services	A1680.1					
Equipment	A1680.2					
Contractual Exp.	A1680.4					
TOTAL	A1680.0					
SPECIAL ITEMS						
Unallocated Ins.	A1910.4	17,388.00	25,000.	30,000.00	30,000.00	30,000.00
Municipal Assn. Dues	A1920.4	450.00	600.	750.00	750.00	750.00
Judgments and Claims	A1930.4	804.93	259.51	12.00	12.00	12.00
Taxes and Assess.	A1950.4	432.08		1,600.00	1,600.00	1,600.00
Seminars	A1995.4	3,450.20	4,200.	3,000.00	3,000.00	3,000.00
Contingent Accounts	A1990.4	10,000.00	10,000.	10,000.00	10,000.00	10,000.00
Total		22,930.21	40,059.51	45,362.00	45,362.00	45,362.00
TOTAL GENERAL Govt. Support	A1999.0	154,815.89	178,095.51	192,841.00	192,841.00	192,841.00

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</u>
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	228.00	312.00			
Equipment	A3120.2	9,415.38	465.00			
Contractual Exp.	A3120.4	7,331.86	7,000.00	8,160.00	8,160.00	8,160.00
TOTAL	A3120.0	17,035.24	7,777.00	8,160.00	8,160.00	8,160.00
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	801.7	1,000.00	1,900.00	1,900.00	1,900.00
TOTAL	A3310.0	801.7	1,000.00	1,900.00	1,900.00	1,900.00
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		150.00			
TOTAL	A3410.0		150.00			
CONTROL OF DOGS						
Personal Services	A3510.1	4,400.00	4,752.00	5,000.00	5,000.00	5,000.00
Equipment	A3510.2	7,144.45	1,300.00	300.00	300.00	300.00
Contractual Exp.	A3510.4	1,655.43	1,800.00	2,400.00	2,400.00	2,400.00
TOTAL	A3510.0	3,199.88	7,852.00	7,700.00	7,700.00	7,700.00
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 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</u>
PUBLIC SAFETY (CONTD.)						
*SAFETY INSPECTION						
Personal Services	A3620.1	4,500.00	4,860.00	5,900.00	5,900.00	5,900.00
Equipment	A3620.2					
Contractual Exp.	A3620.4	368.62	640.00	640.00	640.00	640.00
TOTAL	A3620.0	4,868.62	5,500.00	6,540.00	6,540.00	6,540.00
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	35,905.45	22,279.00	24,300.00	24,300.00	24,300.00
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	7.00	25.00	25.00	25.00	25.00
TOTAL	A4020.0	7.00	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 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</u>
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	6,648.00	7,178.00	7,690.00	7,690.00	7,690.00
Equipment	A4540.2					
Contractual Exp.	A4540.4	15,520.80	16,210.00	16,000.00	16,000.00	16,000.00
TOTAL	A4540.0	22,168.80	23,388.00	23,690.00	23,690.00	23,690.00
MEDICAL HEALTH CENTER AND/OR PHYSICIAN						
Personal Services	A4560.1					
Equipment	A4560.2					
Contractual Exp.	A4560.4					
TOTAL	A4560.0					
Personal Services	.1					
Equipment	.2					
Contractual Exp.	.4					
TOTAL	.0					
TOTAL HEALTH	A4999.0	22,175.80	23,413.00	23,715.00	23,715.00	23,715.00
TRANSPORTATION						
SUPT. OF HIGHWAYS						
Personal Services	A5010.1	18,720.00	20,218.00	21,635.00	21,635.00	21,635.00
Equipment	A5010.2					
Contractual Exp.	A5010.4	354.98	280.00	280.00	280.00	280.00
TOTAL	A5010.0	19,074.98	20,498.00	21,915.00	21,915.00	21,915.00
GARAGE						
Personal Services	A5132.1					
Equipment	A5132.2					
Contractual Exp.	A5132.4	4,080.01	5,630.00	7,000.00	7,000.00	7,000.00
TOTAL	A5132.0	4,080.01	5,630.00	7,000.00	7,000.00	7,000.00

GENERAL FUND APPROPRIATIONS

ACCOUNTS	CODE	ACTUAL LAST YEAR 1981	BUDGET THIS YEAR AS AMENDED 1982	BUDGET OFFICERS TENTATIVE BUDGET 1983	PRELIMINARY BUDGET 1983	ADOPTED 1983
TRANSPORTATION (CONTD.)						
STREET LIGHTING Contractual Exp.	A5182.4	13,753.40	13,500.00	18,700.00	18,700.00	18,700.00
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	36,908.39	39,628.00	47,615.00	47,615.00	47,615.00
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 19_81	BUDGET THIS YEAR AS AMENDED 19_82	BUDGET OFFICERS TENTATIVE BUDGET 19_83	PRELIMINARY BUDGET 19_83	ADOPTED 19_83
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	498.30	500.00	500.00	500.00	500.00
TOTAL	A6410.0	498.30	500.00	500.00	500.00	500.00

GENERAL FUND APPROPRIATIONS

ACCOUNTS	CODE	ACTUAL LAST YEAR 1981	BUDGET THIS YEAR AS AMENDED 1982	BUDGET OFFICERS TENATIVE BUDGET 1983	PRELIMINARY BUDGET 1983	ADOPTED 1983
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	498.30	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			
TOTAL	A7020.0		150.00			
*PARKS						
Personal Services	A7110.1	21,981.36	15,000.00			
Equipment	A7110.2	8,592.51	6,000.00	2,000.00	2,000.00	2,000.00
Contractual Exp.	A7110.4	11,665.96	5,000.00	5,000.00	5,000.00	5,000.00
TOTAL	A7110.0	42,239.83	26,000.00	7,000.00	7,000.00	7,000.00
*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 19_81	BUDGET THIS YEAR AS AMENDED 19_82	BUDGET OFFICERS TENTATIVE BUDGET 19_83	PRELIMINARY BUDGET 1983	ADOPTED 1983
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	24,040.22	24,725.00	18,500.00	18,500.00	18,500.00
Equipment	A7310.2	365.00	300.00			
Contractual Exp.	A7310.4	15,954.79	19,911.00	28,826.00	28,826.00	28,826.00
TOTAL	A7310.0	41,360.01	44,936.00	47,326.00	47,326.00	47,326.00
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	280.00	300.00			
Equipment	A7510.2		300.00	300.00	300.00	300.00
Contractual Exp.	A7510.4	102.71	200.00	500.00	500.00	500.00
TOTAL	A7510.0	382.71	800.00	800.00	800.00	800.00
HISTORICAL PROPERTY						
Personal Services	A7520.1					
Equipment	A7520.2					
Contractual Exp.	A7520.4	1,800.00	1,800.00	2,000.00	2,000.00	2,000.00
TOTAL	A7520.0	1,800.00	1,800.00	2,000.00	2,000.00	2,000.00
CELEBRATIONS						
Personal Services	A7550.1					
Equipment	A7550.2					
Contractual Exp.	A7550.4	521.27	500.00	500.00	500.00	500.00
TOTAL	A7550.0	521.27	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 1981	BUDGET THIS YEAR AS AMENDED 1982	BUDGET OFFICERS TENTATIVE BUDGET 1983	PRELIMINARY BUDGET 1983	ADOPTED 1983
CULTURE - RECREATION (CONTD.)						
ADULT RECREATION						
Personal Services	A7620.1	214.50	780.00			
Equipment	A7620.2					
Contractual Exp.	A7620.4	4,117.73	3,710.00	4,100.00	4,100.00	4,100.00
TOTAL	A7620.0	4,332.23	4,490.00	4,100.00	4,100.00	4,100.00
TOTAL CULTURE- RECREATION	A7999.0	90,636.05	78,676.00	61,726.00	61,726.00	61,726.00
HOME AND COMMUNITY SERVICES						
*ZONING						
Personal Services	A8010.1			100.00	100.00	100.00
Equipment	A8010.2					
Contractual Exp.	A8010.4	28.83	100.00	100.00	100.00	100.00
TOTAL	A8010.0	28.83	100.00	200.00	200.00	200.00
*PLANNING						
Personal Services	A8020.1	546.01	700.00	200.00	200.00	200.00
Equipment	A8020.2					
Contractual Exp.	A8020.4	2,022.73	3,000.00	3,000.00	3,000.00	3,000.00
TOTAL	A8020.0	2,568.74	3,700.00	3,200.00	3,200.00	3,200.00
HUMAN RIGHTS						
Personal Services	A8040.1					
Equipment	A8040.2					
Contractual Exp.	A8040.4					
TOTAL	A8040.0					
ENVIRONMENTAL CONTROL						
Personal Services	A8090.1		100.00	100.00	100.00	100.00
Equipment	A8090.2					
Contractual Exp.	A8090.4	518.01	600.00	700.00	700.00	700.00
TOTAL	A8090.0	518.01	700.00	800.00	800.00	800.00
*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 1981	BUDGET THIS YEAR AS AMENDED 19 82	BUDGET OFFICERS TENTATIVE BUDGET 19 83	PRELIMINARY BUDGET 19 83	ADOPTED 19 83
HOME AND COMMUNITY SERVICES (CONTD.)						
DRAINAGE						
Personal Services	A8540.1			100.00	100.00	100.00
Equipment	A8540.2					
Contractual Exp.	A8540.4	16.18				
TOTAL	A8540.0	16.18		100.00	100.00	100.00
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	3,131.76	4,500.00	4,300.00	4,300.00	4,300.00
UNDISTRIBUTED						
EMPLOYEE BENEFITS						
State Retirement	A9010.8	20,519.06	23,500.00	24,567.00	24,567.00	24,567.00
Fire and Police Retirement	A9015.8					
Social Security	A9030.8	0,513.26	12,000.00	12,000.00	12,000.00	12,000.00
Workmens Comp.	A9040.8	7,942.31	7,500.00	4,500.00	4,500.00	4,500.00
Life Insurance	A9045.8					
Unemployment Ins.	A9050.8					
Disability Ins.	A9055.8	69.97	200.00	100.00	100.00	100.00
Hospital and Medical Insurance	A9060.8	3,974.25	4,800.00	3,500.00	3,500.00	3,500.00
Total Employee Benefits	A9199.0	43,018.85	48,000.00	44,667.00	44,667.00	44,667.00

GENERAL FUND APPROPRIATIONS

ACCOUNT	CODE	ACTUAL LAST YEAR 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</u>
UNDISTRIBUTED (CONTD.)						
DEBT SERVICE PRINCIPAL						
Bond Anticipation Notes	A9730.6			18,000.00	18,000.00	18,000.00
Budget Notes	A9750.6					
Tax Anticipation Notes	A9760.6					
Revenue Anticipation Notes	A9770.6					
TOTALS	A9899.6			18,000.00	18,000.00	18,000.00
INTEREST						
Bond Anticipation Notes	A9730.7			19,660.00	19,660.00	19,660.00
Budget Notes	A9750.7					
Tax Anticipation Notes	A9760.7					
Revenue Anticipation Notes	A9770.7					
TOTAL	A9899.7			19,660.00	19,660.00	19,660.00
INTERFUND TRANSFERS						
TRANSFER TO:						
Other Funds	A9901.9	23,987.98	10,800.00			
Capital Project Fund	A9950.9	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00
CONTRIBUTIONS TO						
OTHER FUND	A9961.9					
TOTAL	A9990.0			5,000.00	5,000.00	5,000.00
TOTAL GENERAL FUND APPROPRIATION						
Budgetary Provisions for other uses	A962	28,987.98	15,800.00	87,327.00	87,327.00	87,327.00
TOTAL APPROPRIATIONS AND PROVISION FOR OTHER USES						
(Transfer Total "Adopted" to Page 1)	A9999.0	416,078.47	410,891.51	442,324.00	422,324.00	422,324.00

GENERAL FUND ESTIMATED REVENUES

ACCOUNTS	CODE	ACTUAL LAST YEAR 1981	BUDGET THIS YEAR AS AMENDED 1982	BUDGET OFFICERS TENTATIVE BUDGET 19 83	PRELIMINARY BUDGET 19 83	ADOPTED 19 83
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	3,805.75	3,000.00	3,000.00	3,000.00	3,000.00
* Non-Property Tax						
Distribution by						
County <u>Franchises</u>	A1120	117,852.41	105,000.00	133,000.00	133,000.00	133,000.00
DEPARTMENTAL INCOME	A1170	200.00		2,500.00	2,500.00	2,500.00
Tax Collection Fees						
(Not Interest on Taxes)	A1232					
Clerk Fees	A1255	1,002.39	1,000.00	750.00	750.00	750.00
* Police Fees	A1520					
Public Pound Charges-						
Dog Control Fees	A1550	523.00	500.00	200.00	200.00	200.00
* 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	6,472.91	7,000.00	9,000.00	9,000.00	9,000.00
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	400.00	400.00	200.00	200.00	200.00
Planning Board Fees	A2115		200.00	100.00	100.00	100.00

*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 1981	BUDGET THIS YEAR AS AMENDED 1982	BUDGET OFFICERS TENTATIVE BUDGET 1983	PRELIMINARY BUDGET 1983	ADOPTED 1983
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	18,366.12	16,400.00	6,000.00	6,000.00	6,000.00
Rental of Real Property	A2410	1,272.00		22,500.00	22,500.00	22,500.00
Rental of Real Property, Other Governments	A2412					
Rental of Equipment, Other Governments	A2416					
Commissions	A2450	93.18				
LICENSES AND PERMITS						
Bus. & Occup. Lic.	A2501					
Games of Chance Lic.	A2530	25.00				
Bingo Lic.	A2540	1,809.05	1,500.00	1,500.00	1,500.00	1,500.00
Dog Licenses	A2544	8,415.65	8,000.00	7,000.00	7,000.00	7,000.00
Permits, Other	A2590	2,955.00	3,000.00	2,000.00	2,000.00	2,000.00
Building permits	A2555	2,599.46	2,000.00	1,500.00	1,500.00	1,500.00
FINE AND PEN. FOR FINE	A2610	7,104.25	8,000.00	9,000.00	9,000.00	9,000.00
Fines & Forfeited Bail	A2611					
Fines & Pen. Dog Cases	A2611					
Forfeiture of Deposits	A2620					
SALES OF PROPERTY AND COMPENSATION FOR LOSS						
Sales of Scrap and Excess Materials	A2650					
Minor Sales, Other	A2655					
Sales of Real Property	A2660					
Sales of Equipment	A2665					
Insurance Recoveries	A2680	5,037.60				

GENERAL FUND ESTIMATED REVENUES

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</u>
LOCAL SOURCES (CONTD.)						
MISCELLANEOUS						
Refunds of Prior						
Years Expenses	A2701	477.40				
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)						
Misc.	A2770	1,555.40				
	A2770					
INTERFUND REVENUES						
Interfund Revenues	A2801					
TOTAL ESTIMATED						
Revenues From						
Local Sources	A2999	179,966.57	156,000.00	198,250.00	198,250.00	198,250.00

GENERAL FUND ESTIMATED REVENUES

ACCOUNTS	CODE	ACTUAL LAST YEAR 1981	BUDGET THIS YEAR AS AMENDED 1982	BUDGET OFFICERS TENTATIVE BUDGET 1983	PRELIMINARY BUDGET 1983	ADOPTED 1983
		STATE AID				
Per Capita	A3001					
Mortgage Tax	A3005	113,456.00	100,000.00	100,000.00	100,000.00	100,000.00
Loss of Railroad Tax Revenue	A3007	14,301.38	11,000.00	11,000.00	11,000.00	11,000.00
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	A3772	3,900.00	2,000.00	2,000.00	2,000.00	2,000.00
Youth Programs	A3820	17,096.99	8,800.00	9,400.00	9,400.00	9,400.00
TOTAL ESTIMATEDSS Distr.	A3089	218.19				
REVENUES FROM STATE AID	A3999	148,972.56	121,800.00	122,400.00	122,400.00	122,400.00
		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			15,000.00	15,000.00	15,000.00
TOTAL ESTIMATED Revenues-General Fund (Transfer to page 1)	A5000	328,939.13	277,800.00	335,650.00	335,650.00	335,650.00
		ESTIMATED UNEXPENDED BALANCE				
ESTIMATED GENERAL Fund Unexpended Balance (Transfer Total "ADOPTED" To Page 1)		123,764.16	126,888.73	60,000.00	60,000.00	60,000.00

HIGHWAY FUND APPROPRIATIONS
REPAIRS AND IMPROVEMENTS (ITEM 1)

ACCOUNTS	CODE	ACTUAL LAST YEAR 1981	BUDGET THIS YEAR AS AMENDED 1982	BUDGET OFFICERS TENTATIVE BUDGET 1983	PRELIMINARY BUDGET 1983	ADOPTED 1983
GENERAL REPAIRS						
Personal Services	DR5110.1	46,573.64	49,900.00	64,500.00	64,500.00	64,500.00
Contractual Exp.	DR5110.4	88,922.36	65,000.00	65,000.00	65,000.00	65,000.00
TOTAL	DR5110.0	135,496.00	114,900.00	129,500.00	129,500.00	129,500.00
IMPROVEMENTS						
PERMANENT IMPROVEMENTS	DR5112.2			21,776.00	21,776.00	21,776.00
Contractual Exp.	DR5112.4					
TOTAL	DR5112.0			21,776.00	21,776.00	21,776.00
UNDISTRIBUTED						
EMPLOYEE BENEFITS						
State Retirement	DR9010.8	8,849.08	8,600.00	10,986.00	10,986.00	10,986.00
Social Security	DR9030.8	3,156.27	3,300.00	3,300.00	3,300.00	3,300.00
Workmens Comp.	DR9040.8	4,911.09	5,000.00	3,000.00	3,000.00	3,000.00
Life Insurance	DR9045.8					
Unemployment Ins.	DR9050.8					
Disability Ins.	DR9055.8	132.79	100.00	150.00	150.00	150.00
Hospital and Medical Insurance	DR9060.8	3,066.63	3,300.00	4,750.00	4,750.00	4,750.00
TOTAL EMPLOYEE Benefits	DR9199.0	20,155.86	20,300.00	22,186.00	20,186.00	20,186.00
INTERFUND TRANSFERS						
Transfer To:						
Other Funds	DR9901.9	23,695.39				
Capital Project Fund	DR9950.9					
Contribution to Other Fund	DR9961.9					
TOTAL INTERFUND Transfers	DR9799.0	23,695.39				

HIGHWAY FUND APPROPRIATIONS (CONTD.)
REPAIRS AND IMPROVEMENTS (ITEM 1)

ACCOUNT	CODE	ACTUAL LAST YEAR 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</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			135,200.00			
Page 1)	DR9900.0	179,307.25		173,462.00	173,462.00	173,462.00

HIGHWAY FUND APPROPRIATIONS
MACHINERY (ITEM 3)

ACCOUNT	CODE	ACTUAL LAST YEAR 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</u>
MACHINERY						
Personal Services	DM5130.1					
Equipment	DM5130.2	11,419.60	10,000.00	10,000.00	10,000.00	10,000.00
Contractual Exp.	DM5130.4	53,131.35	36,300.00	50,000.00	50,000.00	50,000.00
TOTAL	DM5130.0	64,550.95	46,300.00	60,000.00	60,000.00	60,000.00
			UNDISTRIBUTED			
EMPLOYEE BENEFITS						
State Retirement	DM9010.8					
Social Security	DM9030.8					
Workmens Comp.	DM9040.8					
Life Insurance	DM9045.8	5,755.00				
Unemployment Ins.	DM9050.8					
Disability Ins.	DM9055.8					
Hospital and						
Medical Ins.	DM9060.8					
TOTAL EMPLOYEE						
Benefits	DM9199.0	5,755.00				
INTERFUND TRANSFERS						
Transfer to:						
Other Funds	DM9901.9	23,025.00	20,000.00			
Capital Project Fund	DM9950.9					
Contribution to Other						
Funds	DM9961.9					
TOTAL INTERFUND						
Transfers	DM9799.0	23,025.00	20,000.00			

HIGHWAY FUND APPROPRIATIONS (CONTD.)
MACHINERY (ITEM 3)

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</u>
		UNDISTRIBUTED				
DEBT SERVICE PRINCIPAL						
Bond Anticipation Notes	DM9730.6			14,000.00	14,000.00	14,000.00
Budget Notes	DM9750.6					
Tax Anticipation Notes	DM9760.6					
Revenue Anticipation						
Notes	DM9770.6					
TOTAL	DM9899.6			14,000.00	14,000.00	14,000.00
INTEREST						
Bond Anticipation Notes	DM9730.7			2,400.00	2,400.00	2,400.00
Budget Notes	DM9750.7					
Tax Anticipation Notes	DM9760.7					
Revenue Anticipation						
Notes	DM9770.7					
TOTAL	DM9899.7			2,400.00	2,400.00	2,400.00
BUDGETARY PROVISIONS						
For Other Uses	DM962					
TOTAL APPROPRIATIONS						
And Budgetary						
Provisions For						
Other Uses (transfer						
Total "ADOPTED" To						
Page 1	DM9900.09	93,330.95	66,300.00	76,400.00	76,400.00	76,400.00

HIGHWAY FUND APPROPRIATIONS
SNOW AND MISCELLANEOUS (ITEM 4)

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</u>
MISCELLANEOUS (BRUSH AND WEEDS)						
Personal Services	DS5140.1					
Contractual Exp.	DS5140.4	87.70	1,600.00	1,600.00	1,600.00	1,600.00
TOTAL	DS5140.0	87.70	1,600.00	1,600.00	1,600.00	1,600.00
SNOW REMOVAL (TOWN HIGHWAYS)						
Personal Services	DS5142.1	60,000.40	61,500.00	88,940.00	88,940.00	88,940.00
Contractual Exp.	DS5142.4	52,055.75	44,000.00	50,000.00	50,000.00	50,000.00
TOTAL	DS5142.0	112,055.75	105,500.00	138,940.00	138,940.00	138,940.00
SERVICES FOR OTHER GOVERNMENTS						
Personal Services	DS5148.1					
Contractual Exp	DS5148.4					
TOTAL	DS5148.0					
UNDISTRIBUTED						
EMPLOYEE BENEFITS						
State Retirement	DS9010.8	8,849.08	8,600.00	10,986.00	10,986.00	10,986.00
Social Security	DS9030.8	3,990.81	4,100.00	5,900.00	5,900.00	5,900.00
Workmens Comp.	DS9040.8	4,911.09	5,000.00	3,000.00	3,000.00	3,000.00
Life Insurance	DS9045.8					
Unemployment Ins.	DS9050.8					
Disability Ins.	DS9055.8	132.79	100.00	150.00	150.00	150.00
Hospital and Medical Insurance	DS9060.8	3,066.63	3,300.00	4,750.00	4,750.00	4,750.00
TOTAL EMPLOYEE Benefits	DS9199.0	20,950.40	21,100.00	24,786.00	24,786.00	24,786.00
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 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</u>
		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	133,094.25	128,200.00	165,326.00	165,326.00	165,326.00

HIGHWAY FUNDS - ESTIMATED REVENUES AND ESTIMATED UNEXPENDED BALANCE
REPAIRS AND IMPROVEMENTS (ITEM 1)

ACCOUNTS	CODE	ACTUAL LAST YEAR 1981	BUDGET THIS YEAR AS AMENDED 1982	BUDGET OFFICERS TENTATIVE BUDGET 1983	PRELIMINARY BUDGET 1983	ADOPTED 1983
LOCAL SOURCES						
Non-Property Tax Distribution by County	DR1120	38,300.00	25,300.00	38,300.00	38,300.00	38,300.00
Interest and Earnings	DR2401					
Interfund Revenues	DR2801	20,322.40				
Interfund Transfers	DR5031					
Miscellaneous (Specify)						
Refunds of Prior Year	DR 2701	68.48				
STATE AID						
Consolidated Highway Aid	DR3501	2,543.04	16,332.00	21,700.00	21,700.00	21,700.00
FEDERAL AID						
Public Works						
Employment						
Antirecession	DR4750					
TOTAL ESTIMATED Revenues (Transfer Total "ADOPTED" To Page 1)		61,233.92	41,632.00	60,000.00	60,000.00	60,000.00
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 1981	BUDGET THIS YEAR AS AMENDED 1982	BUDGET OFFICERS TENTATIVE BUDGET 1983	PRELIMINARY BUDGET 1983	ADOPTED 1983
LOCAL SOURCES						
Non-Property Tax Distribution by County	DM1120	41,000.00	20,000.00	20,000.00	20,000.00	20,000.00
Interest and Earnings	DM2401	11,892.94	4,000.00	6,000.00	6,000.00	6,000.00
Rental of Equipment, Other Governments	DM2416					
Interfund Revenues	DM2801					
Interfund Transfers	DM5031	10,000.00		10,000.00	10,000.00	10,000.00
Miscellaneous (Specify)						
Insurance Recoveries	DM2680	1,616.93				
	DM					
FEDERAL AID						
Public Works						
Employment						
Antirecession	DM4750					
TOTAL ESTIMATED Revenues (Transfer Total "ADOPTED" To Page 1)		64,509.87	24,000.00	36,000.00	36,000.00	36,000.00
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 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</u>
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	DS2300	30,368.00	28,000.00	30,000.00	30,000.00	30,000.00
Interest and Earnings	DS2401					
Interfund Revenues	DS2801					
Interfund Transfers	DS5031					
Miscellaneous (Specify)						
Refund of Prior Year	DS2701	68.48				
	DS					
FEDERAL AID						
Public Works						
Employment						
Antirecession	DS4750					
TOTAL ESTIMATED Revenues (Transfer Total "ADOPTED" To Page 1)		79,936.48	77,500.00	79,500.00	79,500.00	79,500.00
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 1981	BUDGET THIS YEAR AS AMENDED 19 82	BUDGET OFFICERS TENTATIVE BUDGET 19 83	PRELIMINARY BUDGET 1983	ADOPTED 19 83
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					
FEDERAL AID						
Public Works Employ-						
ment Antirecession	DE4750					
TOTAL ESTIMATED						
Revenues - Highway						
Improvement Program						
(Transfer Total						
"ADOPTED" To Page 1)						
TOTAL ESTIMATED						
Unexpended Balance						
Highway Improvement						
Program (Transfer						
Total "ADOPTED" To						
Page 1)						

FEDERAL REVENUE SHARING FUND
APPROPRIATIONS

ACCOUNT	CODE	ACTUAL LAST YEAR 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</u>
<u>Parks</u>						
Personal Services	CF7110.1					
Equipment	CF7110.2					
Contractual Exp.	CF7110.4	16,587.90	10,000.00	17,184.00	17,184.00	17,184.00
TOTAL	CF7110.0	16,587.90	10,000.00	17,184.00	17,184.00	17,184.00
<u>Drainage</u>						
Personal Services	CF8540.1					
Equipment	CF8540.2					
Contractual Exp.	CF8540.4	14,912.24	10,000.00			
TOTAL	CF8540.0	14,912.24	10,000.00			
<u>Administration</u>						
Personal Services	CF8686.1					
Equipment	CF8686.2					
Contractual Exp.	CF8686.4	165.11				
TOTAL	CF8686.0	165.11				
<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					
Highway Fund	CF9901.9	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00
Capital Project Fund	CF9901.9	15,078.93	16,213.00			
General Fund	CF			15,000.00	15,000.00	15,000.00
	CF					
	CF					
	CF					
	CF					
	CF					
	CF					
	CF					
	CF					
TOTAL APPROPRIATIONS		57,744.18	46,213.00	42,184.00	42,184.00	42,184.00 *
ESTIMATED REVENUES AND ESTIMATED UNEXPENDED BALANCE						
Interest and Earnings	CF2401	2,526.88				
Federal Revenue Sharing	CF4001	45,816.00	43,396.00	39,184.00	39,184.00	39,184.00
TOTAL ESTIMATED Revenues		48,342.88	43,396.00	39,184.00	39,184.00	39,184.00 *
Estimated Unexpended Balance			2,817.00	3,000.00	3,000.00	3,000.00 *

*Transfer to Page 1

COMMUNITY DEVELOPMENT FUND
APPROPRIATION

ACCOUNTS	CODE	ACTUAL LAST YEAR 1981	BUDGET THIS YEAR AS AMENDED 1982	BUDGET OFFICER TENTATIVE BUDGET 1983	PRELIMINARY BUDGET 1983	ADOPTED 1983
ACQUISITION OF REAL PROPERTY						
Capital Outlay	CD8660.3					
PUBLIC WORKS, FACILITIES SITE IMPROVEMENTS						
Capital Outlay	CD8662.3	44,325.00				
CODE ENFORCEMENT						
Personal Services	CD8664.1					
Equipment	CD8664.2					
Capital Outlay	CD8664.3					
Contractual Exp.	CD8664.4					
Fringe Benefits	CD8664.8					
TOTAL	CD8664.0	44,325.00				
CLEARANCE, DEMOLITION REHABILITATION						
Capital Outlay	CD8666.3					
REHABILITATION-LOANS AND GRANTS						
Capital Outlay	CD8668.3					
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 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</u>
PLANNING AND MANAGEMENT DEVELOPMENT						
Capital Outlay	CD8684.3			6,000.00	6,000.00	6,000.00
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	44,325.00		6,000.00	6,000.00	6,000.00
ESTIMATED REVENUES						
COMMUNITY DEVELOPMENT						
Income	CD2170					
Interest and Earnings	CD2401					
Community Development						
Grant From County	CD2763			6,000.00	6,000.00	6,000.00
Federal Aid	CD4910	44,325.00				
TOTAL ESTIMATED Revenues	CD5000	44,325.00		6,000.00	6,000.00	6,000.00

100

8

8

8

DEBT SERVICE FUND
APPROPRIATIONS

ACCOUNT	CODE	ACTUAL LAST YEAR 1981	BUDGET THIS YEAR AS AMENDED 1982	BUDGET OFFICERS TENTATIVE BUDGET 1983	PRELIMINARY BUDGET 1983	ADOPTED 1983
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
Statutory Bonds	V9720.6					
CAPITAL NOTES	V9740.6					
Debt Payments to	V9730.6	48,000.00	50,000.00			
Public Authorities	V9780.6					
TOTAL	V9899.6	75,000.00	77,000.00	27,000.00	27,000.00	27,000.00
INTEREST						
Serial Bonds	V9710.7	7,175.00	16,455.00	15,365.00	15,365.00	15,365.00
Statutory Bonds	V9720.7					
Capital Notes	V9740.7					
Debt Payments to	V9730.6	8,992.50	11,160.00			
Public Authorities	V9780.7					
TOTAL	V9899.7	16,167.50	27,615.00	15,365.00	15,365.00	15,365.00
TOTAL APPROPRIATIONS						
(TRANSFER TOTAL "ADOPTED" TO PAGE 1)	V9900.0	101,167.50	104,615.00	42,365.00	42,365.00	42,365.00
ESTIMATED REVENUES AND ESTIMATED UNEXPENDED BALANCE						
Interest and Earnings	V2401					
Interfund Transfers.	V5031	101,167.50	104,615.	42,365.00	42,365.00	42,365.00
TOTAL ESTIMATED Revenues	V5000	101,167.50	104,615.	43,365.00	42,365.00	42,365.00
ESTIMATED UNEXPENDED Balance						

LIGHTING DISTRICT

ACCOUNT	CODE	ACTUAL LAST YEAR 19 <u>81</u>	BUDGET LAST YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</u>
		APPROPRIATIONS				
LIGHTING DIST.						
Street Lighting	SL-1-					
Contractual Exp.	5182.4	9,486.23	9,600.00	14,000.00	14,000.00	14,000.00
Judgements & Claims	1930.4	38.91	5.28	1.00	1.00	1.00
TOTAL		9,525.14	6,605.28	14,001.00	14,001.00	14,001.00
		ESTIMATED REVENUES				
Interest & Earnings	2401	562.37	237.70	225.00	225.00	225.00
TOTAL		562.37	237.70	225.00	225.00	225.00
ESTIMATED LIGHTING District Unexpended Balance						

LIGHTING DISTRICT

		APPROPRIATIONS				
LIGHTING DIST.						
Street Lighting	SL-2-					
Contractual Exp.	5182.4					
TOTAL						
		ESTIMATED REVENUES				
TOTAL						
ESTIMATED LIGHTING District Unexpended Balance						

*Transfer Total "Adopted" To Page 1

WATER DISTRICT APPROPRIATIONS
#1 WATER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 1981	BUDGET THIS YEAR AS AMENDED 1982	BUDGET OFFICERS TENTATIVE BUDGET 1983	PRELIMINARY BUDGET 1983	ADOPTED 1983
Judgements & Claims ADMINISTRATION	SW1930.4	212.71	64.16	32.00	32.00	32.00
Personal Services	SW8310.1					
Equipment	SW8310.2					
Contractual Exp.	SW8310.4					
TOTAL	SW8310.0	212.71	64.16	32.00	32.00	32.00
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	6,954.72	7,000.00	20,000.00	20,000.00	20,000.00
TOTAL	SW8340.0	6,954.72	7,000.00	20,000.00	20,000.00	20,000.00
		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	48,417.50	43,880.00	24,440.00	24,440.00	24,440.00
Capital Project Fund	SW9950.9					
TOTAL INTERFUND Transfer	SW9699.0	48,417.50	43,880.00	24,440.00	24,440.00	24,440.00

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</u>
		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	55,584.98	50,944.16	44,472.00	44,472.00	44,472.00

WATER DISTRICT ESTIMATED REVENUES
#1 WATER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</u>
METERED SALES	SW2140					
Unmetered Sales	SW2142					
Water Connection Charge	SW2144					
Interest and Penalties On Water Rents	SW2148					
INTEREST AND EARNINGS	SW2401	10,538.38	3,500.00	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		10,538.38	3,500.00	3,500.00	3,500.00	3,500.00
		UNEXPENDED BALANCE				
ESTIMATED WATER DISTRICT Unexpended Balance . (Transfer Total "ADOPTED" To Page 1)		12,000.00				

FIRE PROTECTION DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19__	BUDGET THIS YEAR AS AMENDED 19__	BUDGET OFFICERS TENTATIVE BUDGET 19__	PRELIMINARY BUDGET 19__	ADOPTED 19__
FIRE PROTECTION DIST.						
Payments On Fire Contracts Contractual Exp.	SF-1- 3410.4					
TOTAL						
ESTIMATED REVENUES						
TOTAL						
UNEXPENDED BALANCE						
ESTIMATED FIRE Protection Dist. Unexpended Balance						
FIRE PROTECTION DISTRICT						
APPROPRIATIONS						
FIRE PROTECTION DIST. Payments on Fire Contracts Contractual Exp.	SF-2- 3410.4					
TOTAL						
ESTIMATED REVENUES						
TOTAL						
UNEXPENDED BALANCE						
ESTIMATED FIRE Protection Dist. Unexpended Balance						

*Transfer Total "ADOPTED" To Page 1

WATER DISTRICT APPROPRIATIONS
#2 WATER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</u>
ADMINISTRATION						
JUDGEMENTS & CLAIMS	SW 1930					
Personal Services	SW8310.1	150.00		270.00	270.00	270.00
Equipment	SW8310.2					
Contractual Exp.	SW8310.4					
TOTAL	SW8310.0	150.00		270.00	270.00	270.00
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	1,982.00	17,045.00	12,581.00	12,581.00	12,581.00
TOTAL	SW8340.0	1,982.00	17,045.00	12,581.00	12,581.00	12,581.00
			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	8,625.00	24,935.00	17,925.00	17,925.00	17,925.00
Capital Project Fund	SW9950.9	7,705.22				
TOTAL INTERFUND Transfer	SW9699.0	66,330.22	24,935.00	17,925.00	17,925.00	17,925.00

ACCOUNTS	CODE	ACTUAL LAST YEAR 1981	BUDGET THIS YEAR AS AMENDED 1982	BUDGET OFFICERS TENTATIVE BUDGET 1983	PRELIMINARY BUDGET 1983	ADOPTED 1983
		UNDISTRIBUTED				
DEBT SERVICE PRINCIPAL						
Bond Anticipation Notes	SW9730.6			8,000.00	8,000.00	8,000.00
Budget Notes	SW9750.6					
Revenue Anticipation						
Notes	SW9770.6					
TOTAL	SW9899.6			8,000.00	8,000.00	8,000.00
INTEREST						
Bond Anticipation Notes	SW9730.7			3,184.00	3,184.00	3,184.00
Budget Notes	SW9750.7					
Revenue Anticipation						
Notes	SW9770.7					
TOTAL	SW9899.7			3,184.00	3,184.00	3,184.00
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	68,462.22	41,980.00	41,960.00	41,960.00	41,960.00

WATER DISTRICT ESTIMATED REVENUES
#2 WATER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19_81	BUDGET THIS YEAR AS AMENDED 19_82	BUDGET OFFICERS TENTATIVE BUDGET 19_83	PRELIMINARY BUDGET 1983	ADOPTED 19_83
METERED SALES	SW2140					
Unmetered Sales	SW2142					
Water Connection Charge	SW2144					
Interest and Penalties On Water Rents	SW2148					
INTEREST AND EARNINGS	SW2401	5,883.55	1,000.00	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		5,883.55	1,000.00	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 1981	BUDGET THIS YEAR AS AMENDED 1982	BUDGET OFFICERS TENTATIVE BUDGET 1983	PRELIMINARY BUDGET 1983	ADOPTED 1983
JUDGEMENTS & CLAIMS FIRE PROTECTION DIST.	Sf1930	304.86	83.64	5.04	5.04	5.04
Payments On Fire Contracts	SF-1- 3410.4	75,257.52	90,300.00	110,500.00	110,500.00	110,500.00
Contractual Exp.	9040.8	22,963.96	25,300.00	12,000.00	12,000.00	12,000.00
Compensation Insur.		98,526.34	115,683.64	122,505.04	122,505.04	122,505.04
TOTAL						*
Interest & Earnings	SF-2401	434.66	534.54	505.04	505.04	505.04
Miscellaneous	SF-2770	256.49				
TOTAL		691.15	534.54	505.04	505.04	505.04
						*
ESTIMATED FIRE Protection Dist. Unexpended Balance						
						*
FIRE PROTECTION DISTRICT						
FIRE PROTECTION DIST.		APPROPRIATIONS				
Payments on Fire Contracts	SF-2- 3410.4					
Contractual Exp.						
TOTAL						*
		ESTIMATED REVENUES				
TOTAL						*
		UNEXPENDED BALANCE				
ESTIMATED FIRE Protection Dist. Unexpended Balance						
						*

*Transfer Total "ADOPTED" To Page 1

SEWER DISTRICT APPROPRIATIONS
#1 SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</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	1350.00	1450.00			
Equipment	SS8120.2					
Contractual Exp.	SS8120.4	1672.52	1000.00			
TOTAL	SS8120.0	3032.52	2450.00			
SEWAGE TREATMENT AND DISPOSAL						
Personal Services	SS8130.1	284.92	298.00			
Equipment	SS8130.2	89.76	96.00			
Contractual Exp.	SS8130.4	81.52	82.00	3,246.96	3,246.96	3,246.96
TOTAL	SS8130.0			3,246.96	3,246.96	3,246.96
		UNDISTRIBUTED				
EMPLOYEE BENEFITS						
State Retirement	SS9010.8					
Social Security	SS9030.8					
Compensation Ins.	SS9040.8					
Life Insurance	SS9045.8					
Unemployment Ins.	SS9050.8					
Disability Ins.	SS9055.8					
Hospital and Medical						
Insurance	SS9060.8	456.20	476.00			
TOTAL	SS9199.0					
INTERFUND TRANSFERS						
Transfer To:						
Other Funds	SS9901.9					
Capital Project Fund	SS9950.9					
Total Interfund	SS9699.0					
Transfer						

SEWER FUND APPROPRIATIONS (CONTD.)

#1

SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</u>
		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)		3,478.72	2,926.00	3,246.96	3,246.96	3,246.96

SEWER DISTRICT ESTIMATED REVENUES

#1

SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 1981	BUDGET THIS YEAR AS AMENDED 1982	BUDGET OFFICERS TENTATIVE BUDGET 1983	PRELIMINARY BUDGET 1983	ADOPTED 1983
Sewer Rents	SS2120					
Sewer Charges	SS2122					
Interest And Penalties On Sewer Rents	SS2128					
Interest And Earnings	SS2401	1,113.50	700.00	400.00	400.00	400.00
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	1001.92				
Other (Specify)						
TOTAL SEWER DIST. Estimated Revenues (Transfer Total "ADOPTED" To Page 1)		2115.42	700.00	400.00	400.00	400.00
ESTIMATED SEWER DIST. Unexpended Balance (Transfer Total "ADOPTED" To Page 1)		1875.00	2,226.00	2,846.96	2,846.96	2,846.96

100-100000

8

8

8

#2

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</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	2,310.00	2,490.00			
Equipment	SS8130.2					
Contractual Exp.	SS8130.4	6,692.08	5,000.37	4,000.00	4,000.00	4,000.00
TOTAL	SS8130.0	9,002.08	7,490.37	4,000.00	4,000.00	4,000.00
		UNDISTRIBUTED				
EMPLOYEE BENEFITS						
State Retirement	SS9010.8	486.41	510.00			
Social Security	SS9030.8	153.60	165.00			
Compensation Ins.	SS9040.8	139.46	140.00			
Life Insurance	SS9045.8					
Unemployment Ins.	SS9050.8					
Disability Ins.	SS9055.8					
Hospital and Medical						
Insurance	SS9060.8					
TOTAL	SS9199.0	779.47	815.00			
INTERFUND TRANSFERS						
Transfer To:						
Other Funds	SS9901.9					
Capital Project Fund	SS9950.9					
Total Interfund	SS9699.0					
Transfer						

SEWER FUND APPROPRIATIONS (CONTD.)

#2

SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</u>
		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)		9,781.55	8,305.37	4,000.00	4,000.00	4,000.00

SEWER DISTRICT ESTIMATED REVENUES

#2

SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19_81	BUDGET THIS YEAR AS AMENDED 19_82	BUDGET OFFICERS TENTATIVE BUDGET 19_83	PRELIMINARY BUDGET 1983	ADOPTED 19_83
Sewer Rents	SS2120					
Sewer Charges	SS2122					
Interest And Penalties On Sewer Rents	SS2128					
Interest And Earnings	SS2401	1,402.53	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					
Other (Specify)						
TOTAL SEWER DIST. Estimated Revenues (Transfer Total "ADOPTED" To Page 1)		1,402.53	1,000.00			
UNEXPENDED BALANCE						
ESTIMATED SEWER DIST. Unexpended Balance (Transfer Total "ADOPTED" To Page 1)		4,000.00	4,000.00	1,500.87	1,500.87	1,500.87

100

8

8

8

SEWER DISTRICT

TB-47

SEWER FUND APPROPRIATIONS (CONTD.)

#3

SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 81	BUDGET THIS YEAR AS AMENDED 19 82	BUDGET OFFICERS TENTATIVE BUDGET 19 83	PRELIMINARY BUDGET 19 83	ADOPTED 19 83
		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)		3,836.20	3,268.86	1,200.00	1,200.00	1200.00

SEWER DISTRICT ESTIMATED REVENUES

#3

SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</u>
Sewer Rents	SS2120					
Sewer Charges	SS2122					
Interest And Penalties On Sewer Rents	SS2128					
Interest And Earnings	SS2401	533.48	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					
Other (Specify)						
TOTAL SEWER DIST. Estimated Revenues (Transfer Total "ADOPTED" To Page 1)		533.48	600.00			
UNEXPENDED BALANCE						
ESTIMATED SEWER DIST. Unexpended Balance (Transfer Total "ADOPTED" To Page 1)		2,467.00	1,500.00			

100

8

8

8

SEWER DISTRICT APPROPRIATIONS

#4

SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</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	2,945.00	3,180.00			
Equipment	SS8130.2					
Contractual Exp.	SS8130.4	3,588.82	3,000.00	3,500.22	3,500.22	3,500.22
TOTAL	SS8130.0	6,533.82	6,180.00	3,500.22	3,500.22	3,500.22
UNDISTRIBUTED						
EMPLOYEE BENEFITS						
State Retirement	SS9010.8	619.27	650.00			
Social Security	SS9030.8	195.84	211.00			
Compensation Ins.	SS9040.8	177.72	177.73			
Life Insurance	SS9045.8					
Unemployment Ins.	SS9050.8					
Disability Ins.	SS9055.8					
Hospital and Medical Insurance	SS9060.8					
TOTAL	SS9199.0	922.83	1,038.73			
INTERFUND TRANSFERS						
Transfer To:						
Other Funds	SS9901.9					
Capital Project Fund	SS9950.9					
Total Interfund Transfer	SS9699.0					

SEWER FUND APPROPRIATIONS (CONTD.)

SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</u>
		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)		7,526.65	7,218.73	3,500.22	3,500.22	3,500.22

SEWER DISTRICT ESTIMATED REVENUES

#4

SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</u>
Sewer Rents	SS2120					
Sewer Charges	SS2122					
Interest And Penalties On Sewer Rents	SS2128					
Interest And Earnings	SS2401	595.37	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					
Other (Specify)						
TOTAL SEWER DIST. Estimated Revenues (Transfer Total "ADOPTED" To Page 1)		595.37	500.00			
UNEXPENDED BALANCE						
ESTIMATED SEWER DIST. Unexpended Balance (Transfer Total "ADOPTED" To Page 1)		3,500.00	1,500.00			

8

8

8

REFUSE AND GARBAGE DISTRICT APPROPRIATIONS
REFUSE AND GARBAGE DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</u>
JU EMENTS & CLAIMS REFUSE AND GARBAGE	SR1930.4	37.89	11.08	.60	.60	.60
Personal Services	SR8160.1					
Equipment	SR8160.2					
Contractual Exp.	SR8160.4	9,598.44	11,000.00	11,000.00	11,000.00	11,000.00
TOTAL	SR8160.0	9,636.33	11,011.08	11,000.60	11,000.60	11,000.60
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					
DE SERVICE PRINCIPAL						
B Anticipation Notes	SR9730.6					
B 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)		9,636.33	11,011.08	11,000.60	11,000.60	11,000.60

REFUSE AND GARBAGE DISTRICT ESTIMATED REVENUES

REFUSE AND GARBAGE DISTRICT,

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>81</u>	BUDGET THIS YEAR AS AMENDED 19 <u>82</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>83</u>	PRELIMINARY BUDGET 19 <u>83</u>	ADOPTED 19 <u>83</u>
REFUSE AND GARBAGE Removal and Dis- posal Charges	SR 401 SR2130					
<u>Interest & Earnings</u>		985.39	492.65	500.00	500.00	500.00
TOTAL REFUSE AND Garbage District Estimated Revenues (Transfer Total "ADOPTED" To Page 1)		985.39	492.65	500.00	500.00	500.00
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.