TOWN BOARD

MINUTES

1984

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ZONING BOARD OF APPEALS

Officers for 1984 appointed 10
Christian Luno reappointed 43

Regular Meeting
January 4, 1984

Town Hall
7:00 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Esther Faulring, Councilman Don Wohlhueter, Supervisor Richard Kennedy, 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 December 28, 1983 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 Zimmerman and seconded by Councilman Wittmeyer that the General Fund and Special District Bills on Abstract #1 - January 4, 1984 in the amount of $18,071.75 be paid.

five (5) ayes — Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the Highway Bills on Abstract #1 - January 4, 1984, in the amount of $8,978.20 be paid.

five (5) ayes — Carried

A notice of order was received from the New York State Department of Transportation as follows:

3014.00 General (a) Stopping is prohibited

(1) Except for emergency, on Route 219, Southern Expressway, between Station 2240± (Route 39) and Station T3532± (New York State Thruway), a distance of 32.7± miles in the Towns of Concord, Boston, Hamburg, Orchard Park and West Seneca.

The notice was received and filed.

A letter was read from the New York State Board of Equalization and Assessment advising that the tentative Equalization Rate for 1983 is 8.68. Town Attorney Maxwell was directed to file for a pre hearing conference in Batavia.

Supervisor Kennedy noted that he had been advised that people feel intimidated when they speak under requests from the floor. He advised that everyone is welcome to make comments and/or criticisms from the floor and should not feel intimidated to speak as he wants to hear their comments and concerns.

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring to correct Highway Abstract #12 - December, 1983 as follows:

- Voucher #290 - Morton Salt - From $1,788.68 to $2,788.68

This correction is necessary due to an error in addition.

five (5) ayes — Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to appoint Joyce Carr as Court Clerk. Term to expire December 31, 1985.

five (5) ayes — Carried

A motion was made by Councilman Wittmeyer and seconded by Supervisor Kennedy to appoint Joyce Carr, Jean Kleis and Lucille Genzel as Deputy Town Clerks. Terms to expire December 31, 1985.

five (5) ayes — Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Faulring to appoint Jean Kleis as Bookkeeper to the Supervisor. Term to expire December 31, 1985.

five (5) ayes — Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter to appoint Herbert Klein as Registrar of Vital Statistics. Term to expire December 31, 1985.

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Faulring to appoint Joyce Carr as Deputy Registrar of Vital Statistics. Term to expire December 31, 1985.

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to appoint Jean Kleis as Sub Registrar of Vital Statistics. Term to expire December 31, 1985.

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to appoint Charles Maxwell as Town Attorney. Term to expire December 31, 1985.

five (5) ayes Carried

A motion was made by Councilman Zimmerman and seconded by Supervisor Kennedy to appoint Michael Perley as Deputy Town Attorney. Term to expire December 31, 1985.

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to appoint Richard L. Kennedy as Commissioner of Police. Term to expire 12/31/85.

five (5) ayes Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter to appoint James Jehle as Historian. Term to expire December 31, 1984.

five (5) ayes Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Faulring to appoint Eugene Ruchalski as Highway Department General Foreman. Term to expire December 31, 1984.

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Supervisor Kennedy to appoint Doris Follman as Cleaner PT. Term to expire December 31, 1984.

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to appoint Herbert Boltz as Bingo Inspector. Term to expire December 31, 1984.

five (5) ayes Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to appoint Phyllis Barrett, Head Dispatcher and Leita Brown and Florence Coyle as Emergency Squad Dispatchers. Terms to expire December 31, 1984.

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to appoint Lucille Genzel a Secretary to Boards and Committees. Term to expire December 31, 1984.

five (5) ayes Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to appoint the following as Fire Police. Terms to expire December 31, 1984.

BOSTON:

Richard Zwack	Glenn Trevett	Joseph Lowry
George McDonald	Gordon Stephens	Lyle Zahler
Lee Pfarner	James Cunningham	Thomas Stanley

PATCHIN:

William Ferguson	Livingston Lasso Stephen Plewik	Bernard Liebler

NORTH BOSTON:

Paul Duffett	John Klaybor Paul Woodhouse	Randy Seufert

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer appointing Charles G. Decker as Building Inspector and Enforcement Officer of Town Ordinances pursuant to provision of Section 24 of the Town Law.

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Faulring appointing Remy Orffeo as Recreation Supervisor pursuant to provisions of Section 24 of the Town Law.

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Supervisor Kennedy to appoint Randy Burgwardt as Youth Service Leader pursuant to provisions of Section 24 of the Town Law.

five (5) ayes Carried

A motion was made by Councilman Faulring and seconded by Councilman Wittmeyer to appoint Robert Steiner as Dog Control Officer pursuant to provisions of Section 24 of the Town Law.

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Faulring to appoint Marjorie Steiner and Claude Fagnan as Deputy Dog Control Officers pursuant to provisions of Section 24 of the Town Law.

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to appoint Thomas Booth, Ann Schunk. Roberta Vanderhoff and Teresa Hartman as Youth Center Recreation Attendants pursuant to provisions of Section 24 of the Town Law.

five (5) ayes Carried.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to appoint Richard Michaels as Youth Counselor pursuant to provisions of Section 24 of the Town Law.

five (5) ayes Carried

Supervisor Kennedy explained that the provisions of Section 24 of the Town Law allows for the appointment of people and for them to serve at the discretion of the Town Board therefore it is not necessary to set an expiration date. Supervisor Kennedy explained he would like a chance to talk to each of those appointed under Section 24 to discuss their duties.

Supervisor Kennedy asked that the appointment of Committees be deferred as he would like to have the opportunity to talk to the Chairman of the respective committees and some of the members to determine if they still wish to serve. He further advised that he would try to have something ready by the February meeting.

Supervisor Kennedy also requested that the appointment of Liaisons be deferred.

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

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter setting the time and date of Town Board Meetings on the first and third Wednesday of the month at 7:30 and time and date of work sessions on Monday prior to the first Wednesday at 7:00 P. M. and if this is a holiday the session will be held

on the following day at 7:00 P. M. and the third Wednesday at 6:15 P. M.

five (5) ayes Carried

Supervisor Kennedy asked that an official newspaper not be designated at this time and also noted that this will give the Town Clerk more latitude when he has a deadline for a Legal Notice.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to set salaries for 1984 as follows:

1984 SALARIES

Supervisor	Richard L. Kennedy	13,500.00	
Councilman	Milton I. Wittmeyer	3,675.00	
	Esther M. Faulring	3,675.00	
	Don A. Wohlhueter	3,675.00	
	David G. Zimmerman	3,675.00	
Town Justice	Robert W. Tills	8,715.00	
Town Clerk	Herbert H. Klein	19,950.00	
Highway Superintendent	Clarence S. Kreitzbender	22,717.00	
Assessor	William H. Kleis, Jr.	13,650.00	
Town Attorney	Charles P. Maxwell	10,500.00	
Deputy Town Attorney	Michael F. Perley	3,675.00	
Bookkeeper to Supervisor	Jean Kleis	5.78	per hr
Dep. Town Clerk-Court Clerk	Joyce Carr	5.78	per hr
Sec. to Boards & Committees & Dep. Town Clerk PT	Lucille Genzel	4.73	per hr
Election Inspectors	Registration Days	29.00	per day
	Primary Days	58.00	per day
	Chairman of Dist for yr	5.00	
	Election Day	58.00	per day
	School Attendance	9.00	
Cleaner PT	Doris Follman	4.73	per hr
Emergency Squad Dispatchers PT	Phyllis Barrett, Chairman	2,825.00	
	Florence Coyle	2,625.00	
	Leita Brown	2,625.00	
Historian	James J. Jehle	330.00	
Dog Control Officer PT	Robert E. Steiner	3,780.00	
Dep. Dog Control Officer PT	Claude Fagnan	1,470.00	
Building Inspector PT	Charles G. Decker	6,195.00	
Highway Department:			
Working Forman	Eugene Ruchalski	8.49	per hr
Motor Equipment Operators		6.14 - 8.19	per hr
Motor Equipment Operators PT		6.04 - 7.58	per hr
Laborers		3.35 - 6.60	per hr
Recreation Department:			
Recreation Supervisor PT	Remy C. Orffeo	3,675.00	
Youth Leader PT	Randy F. Burgwardt	1,575.00	

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the payment of salaries will be on a monthly basis except the Supervisor, Town Clerk, Assessor and Highway Superintendent which will be semi-monthly and the Highway Department, Bookkeeper, Court Clerk, Deputy Town Clerk, Secretary to Board and Assessor's Clerk which will be bi-weekly.

five (5) ayes Carried

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

five (5) ayes Carried

A motion was made by Councilman Wohlhueter 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 Wittmeyer and seconded by Supervisor Kennedy to set $.20 as the rate paid by the Town for authorized mileage.

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter setting January 18, 1984 at 7:30 P. M. for the Annual Audit Meeting.

five (5) ayes Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer directing Town Clerk Klein to send notices for the collection of the trailer park fees.

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring setting petty cash as follows:

Supervisor	$ 30.00
Town Clerk	200.00
Chief Constable	20.00
Town Justice	25.00

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman appointing Herbert Klein, Delegate and Don Wohlhueter, Alternate to the Association of Towns meeting in New York City - February 19 - 22, 1984.

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer approving the expenditure of Highway Item #1 monies.

five (5) ayes Carried

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

five (5) ayes Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer approving the form and sufficiency of bonds as follows:

Town Clerk, Town Justice, Highway Superintendent and Tax Collector	$25,000.00
Supervisor	$30,000.00
Tax Collector	$80,000.00

five (5) ayes Carried

The Supervisor's Monthly Report was received.

The Town Justice Monthly Report was received.

Upon the request of Highway Superintendent Kreitzbender, a motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer appointing Richard Hayden as an MEO PT.

five (5) ayes Carried

A letter was read from the Boston Planning Board relative to the rezoning application of Bette and William Schmidlin. A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter setting a Public Hearing on February 1, 1984 at 7:45 P. M. to consider the request of Bette and William Schmidlin, 7443 Crestwood Circle to rezone a portion of their property from R-2 to Agriculture A-1.

five (5) ayes Carried

A letter of resignation was read from Paul Whittemore as a member of the Drainage Committee. Supervisor Kennedy thanked Mr. Whittemore for his service.

Upon the recommendation of the North Boston Fire Company, a motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to appoint Dominic Tomasello as a member of the Drainage Committee. Term to expire December 31, 1988.

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to adjourn at 8:38 P. M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

Regular Meeting
January 18, 1984

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Esther Faulring, Councilman Don Wohlhueter, Supervisor Richard Kennedy and Town Attorney Charles Maxwell. Highway Superintendent Clarence Kreitzbender was absent.

A motion was made by Councilman Wittmeyer and seconded by Supervisor Kennedy that the minutes of the January 4, 1984 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 on Abstract #1A - January 18, 1984 in the amount of $6,117.69 be paid.

five (5) ayes Carried

A motion was made by Councilman Faulring and seconded by Supervisor Kennedy that the Highway Bills on Abstract #1A - January 18, 1984 in the amount of $6,427.49 be paid.

five (5) ayes Carried

A Notice of Activities for 1984 was received from the North Boston Volunteer Fire Company. Supervisor Kennedy asked if we received a similar list from the other companies. Town Clerk Klein advised no we haven't. The Clerk explained that somewhere over the years one of the insurance companies or agents suggested such a list be filed to insure coverage under the Workmen's Compensation policy. The notice was received and filed. Councilman Wittmeyer advised he would request the other fire companies to submit a list of their activities and Town Clerk Klein offered to contact the State Insurance Fund to determine if it was necessary to file these lists.

Councilman Wittmeyer advised that the Boston-Colden-Eden Fire Council would be holding their meeting at the North Boston Fire Hall on Monday, January 23, 1984. He stated there would be representatives from the Hamburg Fire Control and Hamburg Town Board to discuss the dispatching contract. Councilman Wittmeyer stated he would be attending the meeting and Supervisor Kennedy stated he would also try to attend.

A letter was read from Legislator Marie Richardson advising of action taken at the January 5, 1984 session of the Legislature. Town Clerk Klein advised that she had also attached a schedule of meetings and he would post it on the bulletin board in the lobby. The letter was received and filed.

A letter was read from Leonard Saniewski, County of Erie, Department of Public Works advising that the 1983-84 Snow Removal Contract rate of $900.00 per lane mile has been approved by the Erie County Legislature.

Town Clerk Klein advised that he had received a signed agreement for the Expenditure of Highway #1 monies from the County of Erie. The agreement was received and filed.

A letter and Preliminary Planning Report for the Zimmerman Road Bridge was received from Leonard Saniewski, Erie County Deputy Commissioner of Highways. Supervisor Kennedy advised that this is the first chance the Board has had to review this plan. He suggested that a meeting be set for January 30th and that Mel Kase, Erie County Liaison with the Towns be invited to attend. Town Clerk Klein was directed to send a letter to Mr. Kase inviting him to attend the next work session of the Town Board on January 30, 1984, to discuss the Preliminary Report for the Zimmerman Road Bridge.

A letter was read from Earl Knight asking for the status of the proposed Highway Garage. Town Clerk Klein read a letter dated January 3, 1984 from the United States Department of Commerce to former Supervisor Hubert advising that they had no record of receiving an application for a grant to build a highway garage and even if they had received it it would not have been competitive for funds because the construction of highway garages does not have a high priority economic development activities. A letter was also read from Senator A. D'Amato dated January 12, 1984 with a copy of the letter from the United States Department of Commerce. Supervisor Kennedy stated the letter would answer one of the questions Mr. Knight had as to the status of the application and he understood in talking to former Supervisor

Hubert that he had drafted letters to the Department of Commerce requesting information on the status of the proposal and this letter is the response received. Supervisor Kennedy stated in reviewing the application that was made, he found that the Town of Boston applied for a total of $600,000.00 which they assumed was the total cost of the project and not a portion thereof and also if you apply for funds from the Federal Government, even if the Federal Government by designation elects to earmark certain funds for the Town of Boston, there is an acceptance form that has to be filed that Boston agrees to accept that money. He further noted that if the Town of Boston did not feel that the grant was sufficient or they felt they couldn't go through with the construction of the building the grant would not be valid unless they filed the acceptance of the grant. Supervisor Kennedy stated he was not sure that the legal ramifications referred to in Mr. Knight's letter are correct, although they could be and it would have to be referred to the Town Attorney. He stated it is really not academic because of the letter received relative to the application.

A notice was received from Zurich-American Insurance Companies relative to their boiler inspection at the Town Hall. The notice advised that the equipment appears to be well maintained and in good operational condition. The notice was received and filed.

A letter was read from the County of Erie Health Department advising of a completed work as follows: Boston Town Park
350' of 8" PVC Waterline
Councilman Wittmeyer asked if this meant the hydrant was in service and was advised yes. Town Clerk Klein was directed to send a letter to the three fire companies advising that the hydrant in the Town Park was now in service.

Judy Gutekunst, 5638 Homestead Road asked Councilman Faulring for an update on the Declining School Enrollment Committee. Councilman Faulring stated that she had attended a meeting on Monday evening and the Committee has projected the disadvantages of closing a school before 1988 outweigh the advantages, unless of budget conditions so they can't carry on. It was also said by the Committee that the demographic views would be taken annually to see how the enrollment trend continues and also the facilities that are being used. Councilman Faulring stated that according to them they are not anticipating any closing before 1988 of any schools. Councilman Faulring reported that the public meeting would be on January 31, 1984 at 7:30 P. M. at the Junior High School Auditorium. Karen Klinczar asked if they said what budgetary restrictions they were referring to and Councilman Faulring stated no they said this would be clarified at the public meeting.

A letter was read from John and Katherine Falkides owners of the Boston Hills Mobile Home Park requesting elimination of the annual license fee beginning with 1985. An application and a check in the amount of $975.00 for 65 lots was also received. A memo was read from former Supervisor Jerome Hubert which advised that an inspection had been made of the Boston Hills Mobile Home Park on December 30, 1983 and his official trailer count was 68, so there is a three lot discrepency. Supervisor Kennedy suggested that a letter be drafted to Mr. Falkides indicating that a discrepency was found in the count initiated by the former Supervisor and Mr. Falkides count. He asked that Mr. Falkides check be accepted and to indicate to him that another inspection of the park will be made. It was decided to conduct the inspection on Saturday, January 22, 1984 at 10:00 A. M. and Town Clerk Klein was directed to contact Mr. Falkides to see if this was satisfactory and if not to set it for the following Saturday.

Supervisor Kennedy stated he would draft a letter to Mr. Falkides disputing the fact that there is no basis for the license charge as at the public hearing there were statements made that they received minimum service from the Town and he would like to take issue with that. Supervisor Kennedy stated he felt they received a lot of services.

Upon the written request of the Boston Democratic Committee, a motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to grant permission to the Boston Democratic Committee to hold a Chicken Barbecue in the Town Park and to use the Lion's Shelter on July 21, 1984, contingent upon receipt of a Certificate of Insurance by the Town Clerk.

five (5) ayes Carried

A letter was read from the Association of Towns advising of events at the Annual Meeting in New York City from February 19 - 22, 1984. Town Clerk Klein advised that he had the proposed Statements for the Legislative Program and would be making a copy for each board member. Town Clerk Klein asked the Board to contact him if they had comments, so as their delegate he can express them on their behalf.

A motion was made by Councilman Zimmerman and seconded by Supervisor Kennedy to approve the attendance of Town Justice Robert W. Tills, Councilmen Esther Faulring and Don Wohlhueter, Town Clerk Herbert Klein, Deputy Town Attorney Michael Perley, Planning Board Members Lawrence Clerc and Harold Dodge and Conservation Advisory Council Chairman Karen Klinczar at the Association of Towns meeting in New York City from February 19 - 22, 1984. All appropriate expenses to be paid by the Town.

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter approving the attendance of Councilman David Zimmerman to the Supervisor and County Legislator's Association from January 22, 1984 to January 25, 1984 at Binghamton, New York. All appropriate expenses paid by the Town.

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to set the salary of the Bingo Inspector Herbert Boltz at $13.65 per inspection and Mrs. Ruth Garrison, Senior Citizen Director at $28.00 per month.

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Faulring designating Town Clerk Herbert H. Klein as the employee to coordinate compliance of Section 51.55 of the Federal Revenue Sharing Law.

five (5) ayes Carried

A petition was received from residents of Lango Road requesting that the Town Board take the necessary steps to have Cable TV installed down Lango Road. This petition was referred to Deputy Town Attorney Perley and he advised that he would refer the request to International Cable and would advise the Board of their decision.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to furnish Disability Insurance for the full time clerical workers in the Town of Boston.

five (5) ayes Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to accept the 1983 Annual Audit Report of Town Justice Robert W. Tills.

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to accept the 1983 Annual Audit Report of Town Clerk Herbert H. Klein.

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring setting a Public Hearing for February 15, 1984 at 8:00 P. M. to consider the use of $20,724.00 in Community Development Funds.

five (5) ayes Carried

A letter was read from Deputy Town Attorney Perley relative to Cable TV. Supervisor Kennedy advised that as Mr. James is the one most interested in this he would like a copy of the letter forwarded to him.

Supervisor Kennedy suggested to the Board that the amount of assistance given for Sewer Tap Ins be raised from $200.00 to $300.00 as there is $16,000.00 in Community Development Funds and the number of people eligible for this assistance is less than was anticipated. The Town Board expressed concern that if the amount is raised there might not be enough funds to give assistance to those in the Patchin and Boston District. Supervisor Kennedy stated that there is a greater concentration of population in the North Boston area than in the other districts and there should not be as many eligible. He further noted that if the money is used up it would be possible to designate some of this years funds from Community Development.

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to increase the sewer tap in grants available from Community Development Funds from $200.00 to $300.00.

five (5) ayes Carried

Supervisor Kennedy suggested that the County be asked to advertise the tap in assistance again and that the clergy be approached to suggest people who might qualify for assistance.

Town Attorney Maxwell stated he had an appointment in Batavia on January 23, 1984 at 10:30 A. M. to review the valuations used to determine the Equalization Rate. Town Attorney Maxwell stated that at that time he will file a preliminary objection and then determine factually if they should take the next step to Albany.

Councilman Wohlhueter read a letter from Karen Klinczar, Chairman of the Conservation Advisory Council inviting the Town Board to attend a tour of the Hooker Division of Occidental Petroleum Waste-to-Energy Conversion Plant on February 7, 1984 at 10:00 A. M. Councilman Wohlhueter stated that Karen had advised him that Town employees and Town residents are also welcome.

Councilman Faulring stated that she had a request from the Senior Citizens for a handrail along the sidewalk in the rear of the Town Hall to assist them especially in this kind of weather. Supervisor Kennedy suggested the Senior Citizens submit a request in writing and the Town Board will check into the cost.

Councilman Wittmeyer again reminded the Town Board of the meeting on Monday night with the Fire Council and asked Supervisor Kennedy and Councilman Zimmerman if they would be able to attend with him.

The Building Inspector's 1983 Annual Report was received.

A letter was read from the Zoning Board of Appeals advising of their officers for 1984. A motion was made by Councilman Zimmerman and seconded by Councilman Faulring to appoint the following as officers for the Zoning Board of Appeals:

Remy Orffeo - Chairman Christian Luno - Vice Chairman

Joseph Santonocito - Secretary

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to appoint the following as members of the Youth Service Advisory Board:

Reverend Stephan Calos	Ann Ferguson
Richard Lee	Nancy Boltz
Gerald O'Brien	Remy Orffeo
Patricia Burger	Debbie DeCarolis
Donna Prentki	Debbi Miller

five (5) ayes Carried

A motion was made by Councilman Zimmerman and seconded by Councilamn Wittmeyer to appoint Steve Plewik as a member of the Drainage Committee.

five (5) ayes Carried

*See second paragraph following for amendment to the above motion.

The Drainage Committee Annual Report was received. Supervisor Kennedy thanked the Drainage Committee for their report and also thanked Jim Carr for chairing the January meeting.

*A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to amend the motion appointing Steve Plewik to the Drainage Committee to read Term to expire December 31, 1988.

five (5) ayes Carried

A letter and final draft of the Master Plan was received from the Boston Planning Board. Supervisor Kennedy stated this was the first opportunity for the Board to see this and he asked that it be referred to the Town Board for their study. He also advised that the acceptance of it would not be considered until the final bound copy is received.

A letter was received from the Conseration Advisory Council asking that a Town Board representative be appointed to attend a Water Resources Forum on April 11, 1984 at the Boston Town Hall. Supervisor Kennedy appointed Councilman Wohlhueter, Liaison to the Conservation Advisory Council.

The Conservation Advisory Council 1983 Annual Report was received.

Supervisor Kennedy stated that he had received notice that there is a proposed change in the Commuter Parking Lot. Town Clerk Klein advised that notice had been sent to the Conservation Advisory Council of the proposed change and they had discussed it at their last meeting. Supervisor Kennedy stated that what the Department of Transportation is proposing is moving the commuter lot from across the street from Huts to the north, in the corner of the lot as the owner of the property would rather have it at one end. Karen stated that she had been in touch with the Real Estate portion of the New York State Department of Transportation and they had assured her twice that Peter J. Schmitt was willing to sell the land across from Huts and there was no problem so this came as a surprise to us thinking that maybe the company might get a better price for it now that they know the Department of Transportation is interested in it. Karen stated it would make sense to put the commuter lot up there if the piece of land were developed. She stated it does not make sense as far as the Conservation Advisory Council is concerned, to put it in the corner of the property if nothing is going to be done to the property because the people will still park where they are now. Karen stated the Conservation Advisory Council felt that the commuter lot would not be used if it was 800' up the road and the object is that it be used. Karen pointed out that the people who signed the petition showed that the site across from Huts was their choice. She stated that they were concerned about the lighting if the lot were put in the corner. Supervisor Kennedy stated he felt when the attorney's for Peter J. Schmitt studied the parcel wanted by the State Department of Transportation and found it would bisect the middle of the property decided a piece in the corner would be better. Karen also noted that the State Department of Transportation had advised that an alternate site near the Expressway was not viable.

A motion was made by Supervisor Kennedy and seconded by Councilman Faulring to adjourn at 8:50 P. M.

Herbert H. Klein

Herbert H. Klein
Town Clerk

Regular Meeting — Town Hall
February 1, 1984 — 7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Esther Faulring, Councilman Don Wohlhueter, Supervisor Richard Kennedy, 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 January 18, 1984 Regular Meeting be approved.

five (5) ayes — Carried

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

five (5) ayes — Carried

A motion was made by Councilman Wittmeyer and seconded by Supervisor Kennedy that the General Fund and Special District Bills on Abstract 2 - February 1, 1984 in the amount of $9,156.48 be paid.

five (5) ayes — Carried

A motion was made by Councilman Faulring and seconded by Councilman Wohlhueter that the Highway Bills on Abstract #2 - February 1, 1984 in the amount of $17,735.28 be paid.

five (5) ayes — Carried

A letter and resolution were received from Leonard Saniewski, Deputy Commissioner of Highways - County of Erie giving notification that the transfer of a portion of Heinrich Road will be transferred from the County of Erie to the Town of Boston effective February 27, 1984. The letter and resolution were received and filed.

A letter was read from the Town of Cheektowaga requesting support for their resolution that the Association of Towns hold future meetings in Western New York. Supervisor Kennedy stated he supported Cheektowaga's effort to have meetings held in upstate New York as it was in our best interest, as each year a number of Boston Town officials travel to New York City for this meeting. A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter that the Boston Town Board support the efforts of the Cheektowaga Town Board and to direct the Town Clerk to draft a letter in support of our position to hold the meeings in the Buffalo area.

five (5) ayes — Carried

A letter was read from the Boston Emergency Squad advising of their new officers for 1984. The letter was received and filed.

A letter was read from Erie County Legislator Marie Richardson advising of action taken by the Legislature at their January 19, 1984 session. Supervisor Kennedy stated he appreciated Legislator Richardson's efforts to keep us informed. The letter was received and filed.

A resolution was received from the Town of Wales supporting Reval by Erie County. Supervisor Kennedy discussed the history of the Erie County Reval project advising that this has been an ongoing project for some time and eight million dollars has been expended in the County of Erie and 88 per cent of the project has been completed. He further stated that it seemed ridiculous to scrap it now. Councilman Zimmerman stated that he felt after this much money was spent it was foolish to throw it out and Councilman Wittmeyer agreed.

RESOLUTION - ERIE COUNTY REVAL PROJECT

Town Attorney Maxwell advised that there was no dismissal on the law suit filed by Hurd, it is only dormant. He explained that this law suit calls for full valuation.

At 7:45 P. M. a Public Hearing was held to consider the request of William and Bette Schmidlin to rezone their property at 7443 Crestwood Circle from R-2 to Agriculture A-1. The legal notice was read by the Town Clerk. A letter was read from the Schmidlins requesting the rezoning and a letter was read from the Planning Board recommending that the rezoning be granted. The Zoning Referral application sent to the County was returned marked "No Recommendation". Town Clerk Klein advised that he had notified the neighbors in the vicinity of the Schmidlin property of the rezoning

request and had received no response. He further advised that he had sent a letter to the New York State Department of Environmental Conservation, Erie County Department of Environment and Planning, Erie County Department of Public Works, Boston Planning Board, Conservation Advisory Council and Boston Drainage Committee and had received a response only from the Planning Board. There were no comments from the floor. A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to close the Public Hearing.

five (5) ayes Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to rezone the property of William and Bette Schmidlin, 7443 Crestwood Circle from R-2 to Agriculture A-1, said property being described as follows:

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Boston, County of Erie and State of New York being part of Lot Number 15, Township 8 and Range 7 of the Holland Land Company's Survey, more particularly bounded and described as follows:

BEGINNING in the north line of land conveyed by Ellsworth Ehni to John F. Ulinger and Joseph G. Ulinger, (see deed recorded in Erie County Clerk's Office in Liber 4139 of Deeds at page 235), at its intersection with the center of Hess Road, now Chestnut Ridge Road, thence easterly along the northerly line of land conveyed to Ulinger, one hundred fifty feet to a point, thence southerly parallel with the center line of Chestnut Ridge Road to the northerly right of way of Crestwood Circle, thence westerly along the northerly line of Crestwood Circle about One Hundred Fifty (150) feet to the center line of Chestnut Ridge Road, thence northerly along the center line of Chestnut Ridge Road One Hundred Forty-four and seventy-seven one hundredths (144.77) feet to the point of beginning excepting therefrom premises herein described lying within the bounds of Chestnut Ridge Road.

five (5) ayes Carried

Upon the written request of the North Boston Fire Company, a motion was made by Councilman Wittmeyer and seconded by Supervisor Kennedy granting permission to the North Boston Fire Company to use the Boston Town Park for a Water Ball Competition on June 24, 1984 contingent upon receipt of a Certificate of Insurance.

five (5) ayes Carried

The application for a Trailer Park License for the Boston Hills Mobile Home Park, tabled at the January 18, 1984 meeting was brought before the Board. Supervisor Kennedy advised that an inspection was made of the park and it was determined there are 65 lots as reported by Mr. Falkides, owner, not 68 as tabulated by the former Supervisor. A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to issue a Trailer Park License to the Boston Hills Mobile Home Park for 65 lots.

five (5) ayes Carried

It was noted that the fee in the amount of $975.00 had been accepted at the January 18, 1984 meeting.

An application for a Trailer Park License and a check in the amount of $570.00 for 38 lots was received from William Sprague, owner of the Sprague's Trailer Park for a 1984 Trailer Park License. This matter was tabled so an inspection can be made of the park.

Upon the written request of the Boston Democratic Club, a motion was made by Councilman Wittmeyer and seconded by Councilman Faulring to grant permission to the Boston Democratic Club to use the Town Park and Community Room on April 21, 1984 for their Annual Easter Egg Hunt contingent upon receipt of a Certificate of Insurance.

five (5) ayes Carried

PUBLIC NOTICE

AMENDMENT TO ZONING ORDINANCE AND ZONING MAP OF THE TOWN OF BOSTON

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Boston, Erie County, New York, will hold a Public Hearing on the 1st day of February, 1984 at 7:45 P.M. Eastern Standard Time, in the Boston Town Hall, 8500 Boston State Road, Boston, New York, on the petition and request of William H. and Bette Ann Schmidlin to rezone the following described property, which is presently zoned Residence R-2 to Agriculture A-1 under the Zoning Ordinance of the Town of Boston, said property being described as follows:

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Boston, County of Erie and State of New York being part of Lot Number 15, Township 8 and Range 7 of the Holland Land Company's Survey, more particularly bounded and described as follows:

BEGINNING in the north line of land conveyed by Ellsworth Ehni to John F. Ulinger and Joseph G. Ulinger, (see deed recorded in Erie County Clerk's Office in Liber 4139 of Deeds at page 235), at its intersection with the center of Hess Road, now Chestnut Ridge Road, thence easterly along the northerly line of land conveyed to Ulinger, one hundred fifty feet to a point, thence southerly parallel with the center line of Chestnut Ridge Road to the northerly right of way of Crestwood Circle, thence westerly along the northerly line of Crestwood Circle about One Hundred Fifty (150) feet to the center line of Chestnut Ridge Road, thence northerly along the center line of Chestnut Ridge Road One Hundred Forty-four and seventy-seven one hundredths (144.77) feet to the point of beginning excepting therefrom premises herein described lying within the bounds of Chestnut Ridge Road.

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

Dated: January 9, 1984

Herbert H. Klein
Town Clerk
Town of Boston

A motion was made by Councilman Zimmerman and seconded by Supervisor Kennedy to make Correction of Transfers of Appropriations approved on December 28, 1983 as follows:

Highway Fund	-	From DM9050.8	to	DM9060.8

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to make Correction of Transfers of Appropriations approved on December 28, 1983 as follows:

General Fund	-	To	A1110.4	$ 89.59
			A1355.4	20.60
			A1410.4	17.85
			A1420.4	1,271.58
			A8010.4	5.54
		From	A1910.4	$1,405.16

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Supervisor Kennedy authorizing the Town Clerk to advertise for bids for the 1984 Spring and Fall Trash Pickup with bids to be opened on March 7, 1984 at 7:45 P. M.

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer authorizing the advance payment of $250.00 for each Town of Boston official attending the Association of Towns Meeting in New York City from February 19-22, 1984.

five (5) ayes Carried

Supervisor Kennedy advised that he had talked to the Dog Control Officer Robert Steiner and the Deputy Dog Control Officer Claude Fagnan in the use of the vehicle and also to have someone available more during the day. He further advised that Deputy Fagnan has agreed to patrol the Town at double the time he is currently doing to help in the control of dogs during the day and also to assist the current Dog Control Officer in the pickup and disposal of animals. A motion was made by Supervisor Kennedy and seconded by Councilman Faulring to appoint Robert Steiner as Dog Control Officer and Constable for the Town of Boston at a salary of $3,550.00 per year. Term to run from February 1, 1984 to December 31, 1984. To appoint Claude Fagnan as a Deputy Dog Control Officer and Constable at a yearly salary of $1,770.00. Term to run from February 1, 1984 to December 31, 1984. To appoint Marjorie Steiner as a Deputy Dog Control Officer at no salary. Term to run from February 1, 1984 to December 31, 1984.

five (5) ayes Carried

Supervisor Kennedy appointed the following Committees:

Codification - Meetings second Monday from 7:00 PM to 9:00 PM

Herbert Klein, Charles Maxwell, Michael Perley, Richard Kennedy, William Kleis and Charles Decker

Traffic Safety Committee

Milton Wittmeyer, Clarence Kreitzbender, James Carr and Harry Strack.

Supervisor Kennedy appointed the following as Liaisons:

Councilman Faulring	Chamber of Commerce
Councilman Zimmerman	Planning Board
Councilman Wohlhueter	Youth Service
Councilman Wohlhueter	Conservation Advisory Council
Councilman Wittmeyer	Community Development Committee
Councilman Wittmeyer	Traffic Safety Committee
Councilman Wittmeyer	Fire Companies
Councilman Zimmerman	Emergency Squad
Councilman Wittmeyer	Codification Committee
Councilman Faulring	Senior Citizens Committee
Councilman Wohlhueter	Drainage Committee
Councilman Faulring	Recreation

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to set Recreation Salaries as follows:

Ann Schunk	Friday	$ 22.47 per session
Roberta Vanderhoff	Friday	20.75 per session
Theresa Hartman	Friday	22.47 per session
Elisabeth Cary	Tuesday	26.25 per session
Jacqueline Meahl	Friday	21.00 per session
	Tuesday	16.54 per session
Jeffrey Loftus	Friday	21.00 per session
	Tuesday	16.54 per session
Richard Michaels		1,365.00 per year

five (5) ayes Carried

The Supervisor's Monthly Financial Report was received.

The 1983 Supervisor's Annual Report was received. Supervisor Kennedy stated that report would be on file and any one wishing to examine it could do so. A motion was made by Councilman Wohlhueter and seconded by Councilman Faulring to accept the 1983 Supervisor's Annual Report.

five (5) ayes Carried

Supervisor Kennedy read a letter he had received from John Falkides, owner of the Boston Hills Mobile Home Park. This letter was in answer to a letter from Supervisor Kennedy to Mr. Falkides dated January 25, 1984. Supervisor Kennedy stated that there are a lot of things that he could take issue with and he was sure he could have an ongoing correspondence with Mr. Falkides regarding the trailer park. Supervisor Kennedy stated that when they inspected the trailer park he explained to Mr. Falkides a financial comparison between an apartment complex and a trailer relative to the assessment of floor space and it was discovered there was a considerable difference, four times assessed against the apartment compared to what was assessed against the trailers. Supervisor Kennedy stated he pointed out that the trailer park receives comparable services to the rest of the community. He stated this was in answer to Mr. Falkides statement at the fee hearing that they receive nothing for their fees. Supervisor Kennedy pointed out that when he was a member of the Emergency Squad he went to the park several times and they also have the same protection from the fire companies. He further noted that they receive recreation benefits and enjoy the Town Park privileges and use the highways plowed by the Highway Department. Supervisor Kennedy stated he was disappointed with some of the allegations in the letter and would welcome the opportunity to review this with Mr. Falkides if he so desires as Supervisor Kennedy stated he felt the fee was justifiable and pointed out that the fees were upheld in a court case in the Town of Clarence. He stated that the negotiations that were ongoing between the Town Board and Mr. Falkides, where the fee was reduced, was an accomodation on the behalf of the Town Board and Supervisor Kennedy stated it angered him to have him write letters in this vane. Supervisor Kennedy stated he would continue to correspond with Mr. Falkides if he continued to correspond with him. He stated he took issue with the fact that the expenditure to send "X" number of people to the Association of Towns meeting would be $5,000.00 as it is exaggerated by double the amount. Supervisor Kennedy pointed out that these meetings are helpful to the Town Officials and helps them carry out their duties. He stated that if he did not feel they were justified expenses he would not approve. He stated that he took issue with Mr. Falkides's letter and hoped they could have a good working relationship.

Supervisor Kennedy advised that he had received two letters, one from Phillips, Lytle, Hitchcock, Blaine and Huber, relative to an ongoing problem with the Clarks on Thornwood Drive and equipment parked. Supervisor Kennedy stated the other letter is from a neighbor in the vicinity and both express concern about the use of the area for business purposes. He pointed out that both threaten court action against the Clarks and the Town for not enforcing the Zoning Law. Supervisor Kennedy stated that the Building Inspector had been instructed to review the situation on Thornwood Drive and if they are in violation he has been instructed to serve them. Supervisor Kennedy pointed out that in an earlier case the Clarks had been found in violation of the Zoning Law by storing equipment in that area. Supervisor Kennedy stated he intends to see that action is taken if there is indeed violations. Councilman Wittmeyer pointed out that Mr. Clark, as of today, had moved his equipment into the Boston Garage and this should alleviate the problem. Supervisor Kennedy stated a letter would be drafted to the respective parties advising that the Town Board has instructed the Building Inspector that he has a duty to enforce the law.