

TOWN BOARD

MINUTES

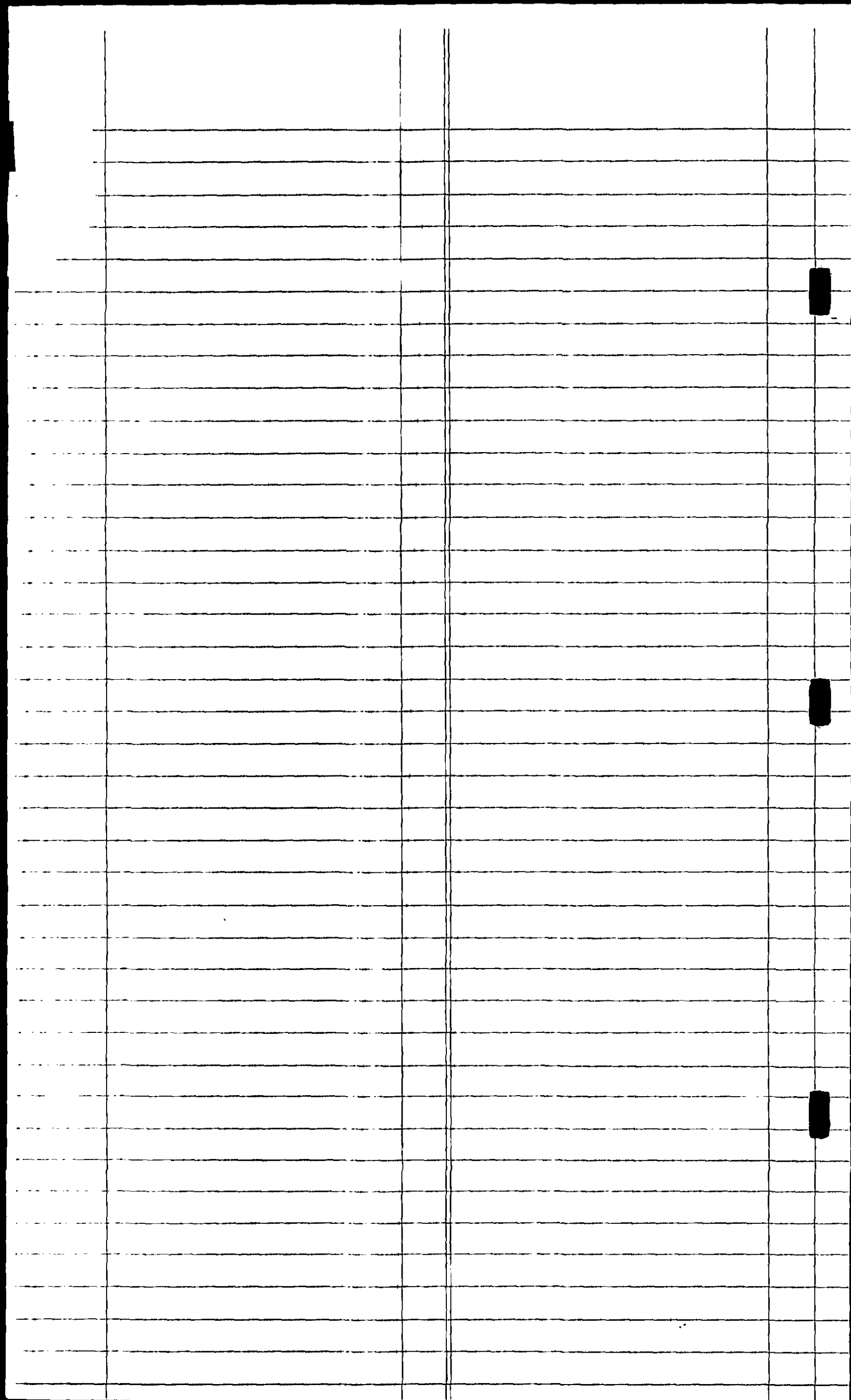
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ALCOHOLIC BEVERAGE LAW

Miller's Deli renews off-premises beer license	123
Karen's Family Restaurant - renews beer and wine license	165
Robert & Patricia McDonald advise of application for on premises li- cense - 9368 Boston State Road	177

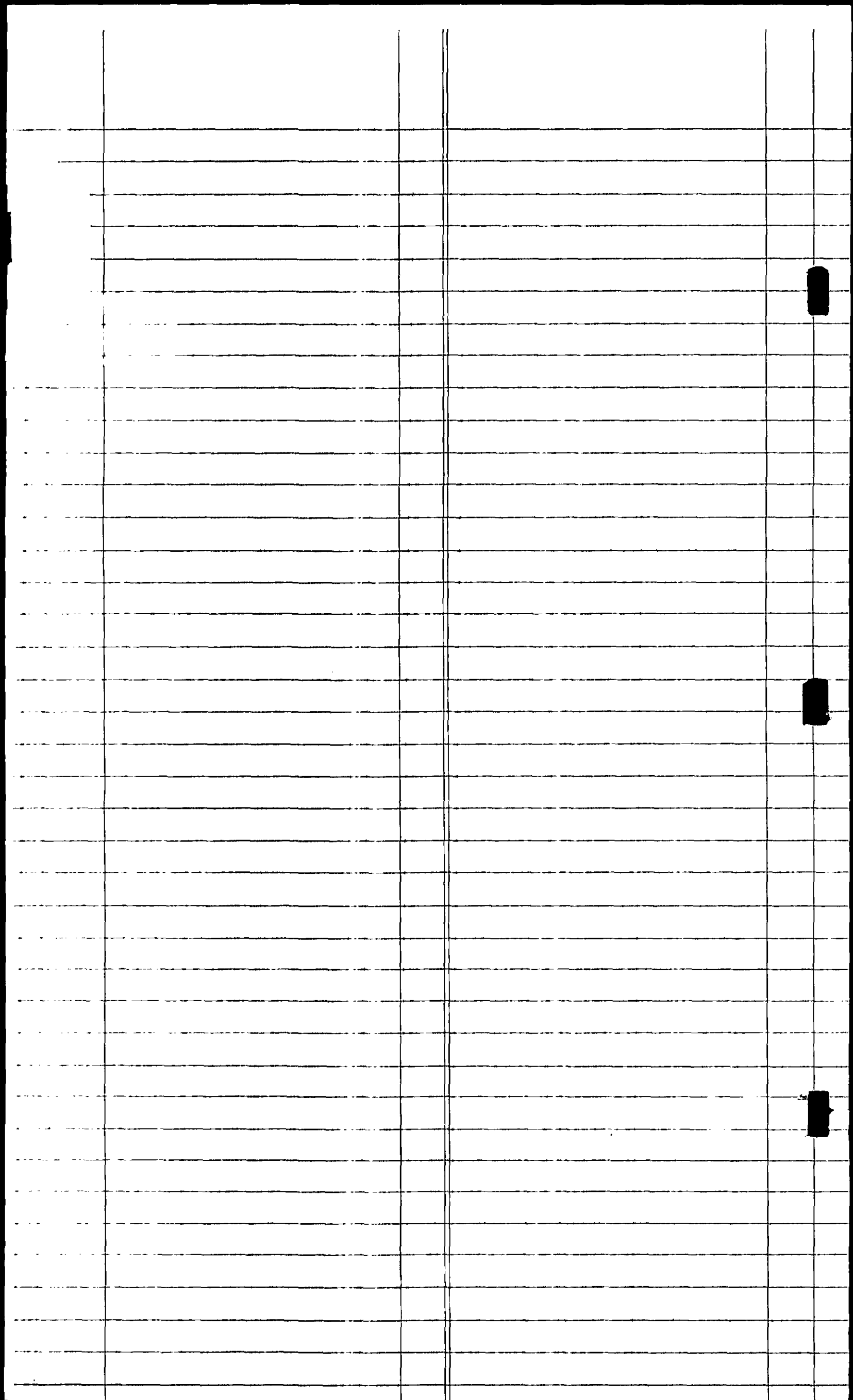
<u>BANK</u>		<u>BUDGET</u>	
Chase Lincoln First-North Boston branch-designated_for_1988	92	1989 Preliminary Budget	158
		Supervisor commended for "holding the line" in preparation of budget	159
		Public hearing scheduled for 11/2/88	163
		Public hearing held and 1989 budget approved	167
<u>BONDS</u>			
Form and sufficiency approved	93		
<u>BUS SERVICE - NFTA</u>			
Resident inquires if Boston-Hamburg route will be changed	122		



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DOG CONTROL			
Euthanasia regulations		89,96,99	
Enumerator named for east side of Boston		132	
DISASTER PREPAREDNESS PLAN			
Erie Co. Dept. of Emergency Services requests copy, updating to be done		102	
Plan updated and revised and copies distributed		107	
DRAINAGE COMMITTEE			
Referred complaint about problem on Thornwood Drive		166	171
Lack of culvert at Willow & Park Drive - potential problem		166	
Appointments tabled until 1989		179	
Restructuring possible		179	
DRAINAGE PROJECTS			
Meadow Drive accepted & closed		174	



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FIRE COMPANIES		FUNDS	
Erie Co. Dept. Emergency Services notifies of fire police training course completion	89	Expenditure of Highway Funds Agreement	93
Hamburg dispatch office has opening, but is limited to Hamburg residents	94, 102	Account lending approved	93
North Boston-officers & committees North Boston - new members	96 102, 162		
Patchin-officers & budget - 1988	104		
Resident-8086 Back Creek Rd.-requests hydrant at her property	109		
District boundaries revised	109		
N. Boston requests distribution of fire tax funds on per capita basis	115		
Southtowns Haz Mat Team funding by state grant	118		
Erie Co. Dept. Emergency Services requests-permission to-install antenna on Patchin's Cole Rd. tower	119		
Complaint received from Erie Co. Water Authority re low water pressure during fire drill; also complaint by resident	132		
David Emerling, Boston Fire Co., completes fire police course	137		
Agreement signed with Hamburg for fire & ambulance dispatching	138		
N. Boston Fire Co. authorized to use frequency assigned to rescue squad & highway dept.	165		
Public hearing scheduled for 12/21 on 1989 contracts			
North Boston requests Erie Co. Water Authority re malfunctioning fire hydrants	177		
Fire Protection Contracts for 1989, 1990, 1991 public hearing	178		

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HIGHWAYS		HIGHWAY GARAGE	
Request for Abbott Road lower speed acknowledged from county & state	96	Engineering firm of Krehbiel Assoc. approved for consultant-new building	94, 98
Repairs to Butternut Road requested	106	Committee meetings & reports on new-building-for Highway Dept.	98, 103
Boston Library requests posting of signs at entrance drive	109	Contract of services for new bldg. from Krehbiel Assoc. to be reviewed	107
	111	Supervisor authorized to sign agreement with Krehbiel Assoc. for design of proposed garage	108
Rice Road access update	112	Final estimates of cost received	117
James Smolinski conveys land for turnaround-end of Cloverfield Dr.	113	Schedule presented of dates pertinent to plans, bids, etc.	120
Carol Dodge conveys land for turnaround-end of Hunn Road	120	Advertising for bids authorized	126
Public hearing 5/4/88 on amendment to L.L.#1 of 1983 - Excavation on Town Property. Local/adopted	113, 118, 125	Bids opened on 6-29-88	134
Clear site obstructed at Aspen and Boston State Road	120, 127	Resolution to authorize construction	135
CHIPS allocation notification Erie Co. Hghys. payment for 1987-88 winter season	122	Resolution to establish special election	135
Burr Road bridge closed by county	122	Referendum scheduled for 8/1/88	135
Resident at 6066 Pfarner Road requests road signs	122, 133	Special meeting to award or reject bids - 8/1/88 - 9:15 P.M.	135
Hunn Road resident complains about road grading	124	Referendum authorizes construction of new garage, bids awarded	140
Powerline (private road) resident has problems with Niagara Mohawk re - road repairs	125, 133, 137, 142	Town Attorney will work out terms of bond anticipation notes	145
Eckhardt & Taylor Road site obstructed	127	Supervisor authorized to expend appropriations for building costs	150
Abbott & Boston State high-grass	127, 133	Change order - credit	153
Complaint received that county is dumping tree branches, etc. on property at 9031 Back Creek Road	132	Revised schedule submitted for construction	171
Misspelling of two road signs noted	133	Supervisor authorized to sign easement with NYS Electric & Gas for power poles & also for construction of distribution line	173
Public hearing scheduled for 8/10/88 on request to change westerly portion of Pfarner Road to "Old Pfarner Road."	135	HIGHWAY TRUCK	
CHIPS to continue	137	Specs for new truck drafted	116
Complaint about dusty condition of park road at North Boston Stadium	139	HIGHWAY GARAGE (cont'd)	
Portion of Pfarner Road located on west side of expressway renamed	142	Supervisor Kennedy gives progress report	178
Old Pfarner Road after public hearing	142		
Abbott Road condition deplorable, county to be notified	144	HIGHWAY ROLLER	
No Parking sign on Back Creek Road to be removed	145	Supt. authorized to prepare bid specs to be opened 11/1/88	160
High speeds on Eckhardt Rd. reported	145	Bid awarded to Nuttall Equip. Co. in amount of \$25,449.00	168
Ditch cleanout requested-Hickory Dr.	146		
Lower E. Hill Rd. resident requests lower speed & "blind driveway"	150		
Mill Road residents request lower speed limit	150		
Zoning Board concerned with curve at Boston State & Abbott Roads	151		
Charles Drive culvert plugged	151		
Keller Road blind-grade	152		
Patchin Road bridge closed to heavy traffic	153		
Pfarner & Abbott Road concerns	153, 166		
North Boston Road-condition of pavement reported	156		
Mayer Road resident requests lower speed limit	157, 166		
Snow Removal Contract for 1988-89 with Erie County	162		
(cont'd)			

<u>HEAP</u>		<u>HISTORICAL SOCIETY</u>	
Program at Town Hall 3/3/88	103	Treasurer's Report received	147
Informational meetings scheduled	165	Public hearing scheduled 12/21/88 for 1989 contract	170
		Public hearing held and contract for 1989 signed	178
<u>HIGHWAYS</u>		<u>HALLOWEEN</u>	
Bridges in town-load limit postings; application to travel over with emergency vehicles	163	October 31 designated as trick-or-treat night; party at Patchin Fire Hall	163
Taylor Road-condition of shoulders	163		
Numerous road complaints referred to Legislator Henry	163,	170	
Wohlhueter Road resident complains of conditions	168		
Heinrich Road & Valley Circle Lane traffic study requested	177		

INSURANCE		INCOME TAX	
Umbrella liability binder received	94	Assemblyman Paxton schedules free	99
Legislative bill relative to frivolous lawsuits	104	tax information service at Town Hall	
Notice of Claim - Andrew S. Palmer	162, 168		
Settlement anticipated in claim of DeLuca vs. Town of Boston	171		
Notice of Claim-Janet Tatar, et al	173		
Umbrella insurance increased for 1989	175		
Additional malpractice policy may be purchased for Emergency Medical Technicians	177		
Public Officials Liability coverage negotiations authorized	178		
Umbrella Liability for 1989	181		
Commercial Package-Automobile, Boiler, Crime Insurance for 1989	181		
Health Insurance for 1989	181		
Workman's Compensation for 1989	181		
Accident Insurance for 1989	181		
Public Officers Liability Coverage	181		
Medical Malpractice Coverage	181		

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MILEAGE		MEMORIAL DAY	
Reimbursement rate for 1988	93	Appropriation made to Boston Amvets Post for ceremonies	119
MOBILE HOME PARKS			
See Trailer Parks			
MISCELLANEOUS			
State Emergency Management Office re: resolution on stockpile facility in Batavia	96		
Four parcels of land donated by Robert Claus in memory of his brother, Thomas Claus	112	116, 122	
Park Associates, Inc. thanks Supervisor for support re their application for rehab. center for head-injured patients in Orchard Park	113		
Bike-a-thon, benefit Camp Good Days & Special Times, May 14, 1988	115		
Dumping of trash reported on Chestnut Ridge Road	116	119, 123	
Buffalo News reported asked to correct news report	120		
STOP-DWI Contract	122	170	
Sheriff's Department schedules mock training session - 5/21/88	124		
Municipal Deposits Bill urged for passage	113		
Hamburg High School sets up scholarship fund in memory of Bronson M. Collins	125		
Mr. & Mrs. Henry Seufert, 5769 Herman Hill Road, celebrate 65th Wedding Anniversary	133		
June 29 meeting of Town Board adjourned in honor of Martha Wurtz's 90th birthday	136		
Pinecrest Terrace permitted to close portion of street for party	139		
Invitation to attend opening ceremonies for Vietnam Portable Wall	141		
1988 STOP - DWI Contract signed	143		
National Fuel asks rate increase	147		
Radon Gas Public Hearing	156		
Amendment to Erie Co. DEP proposed and new fee schedule Quality Code	156-163		
NYS Office of Rural Affairs seminar	163		
South Towns Coalition of Community Services meeting re inadequate transportation	165		
Variety Club Telethon requests contributions	171		
Niagara Frontier Transp. Auth. alternate plan for bus service supported by Town Board	174		

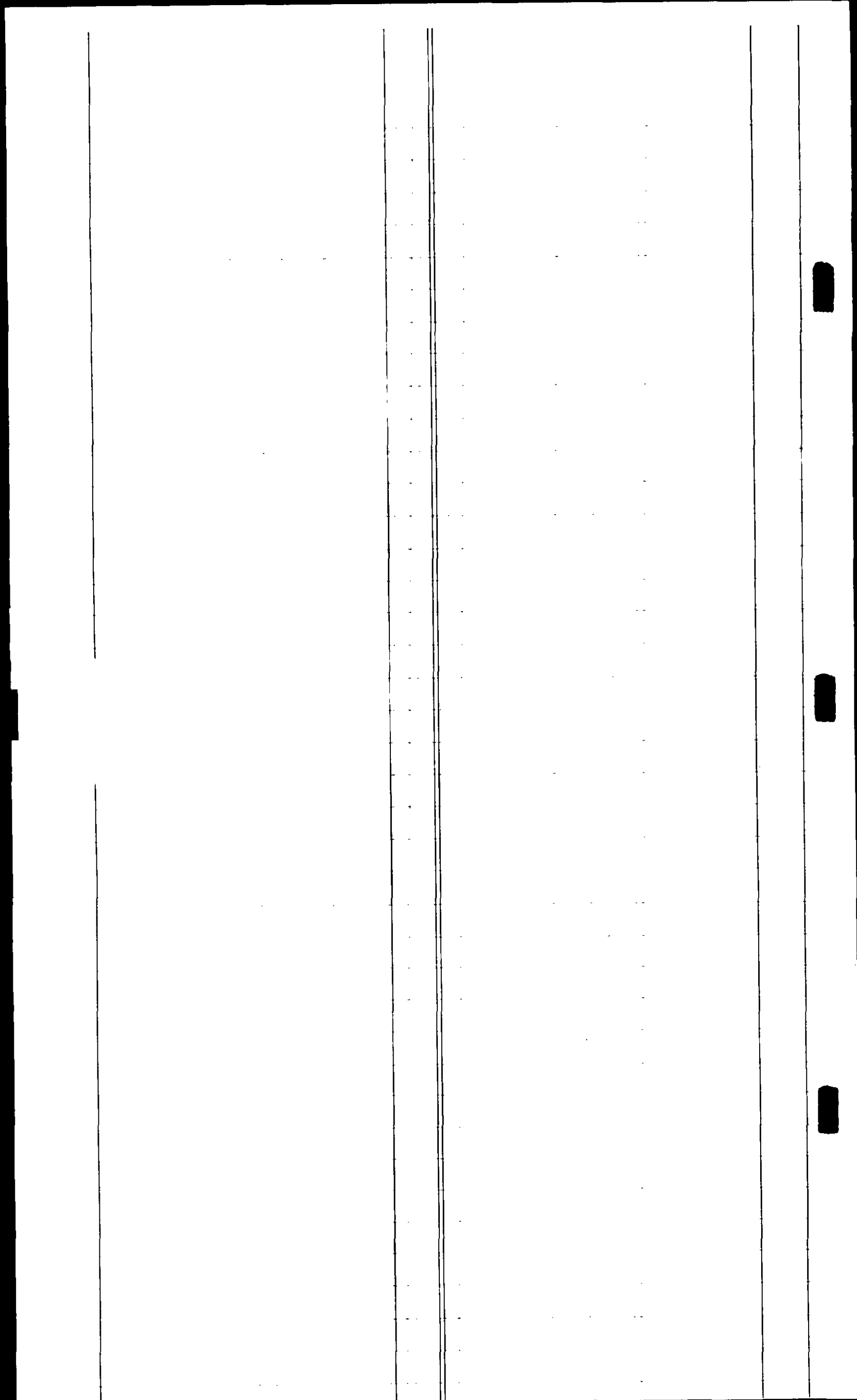
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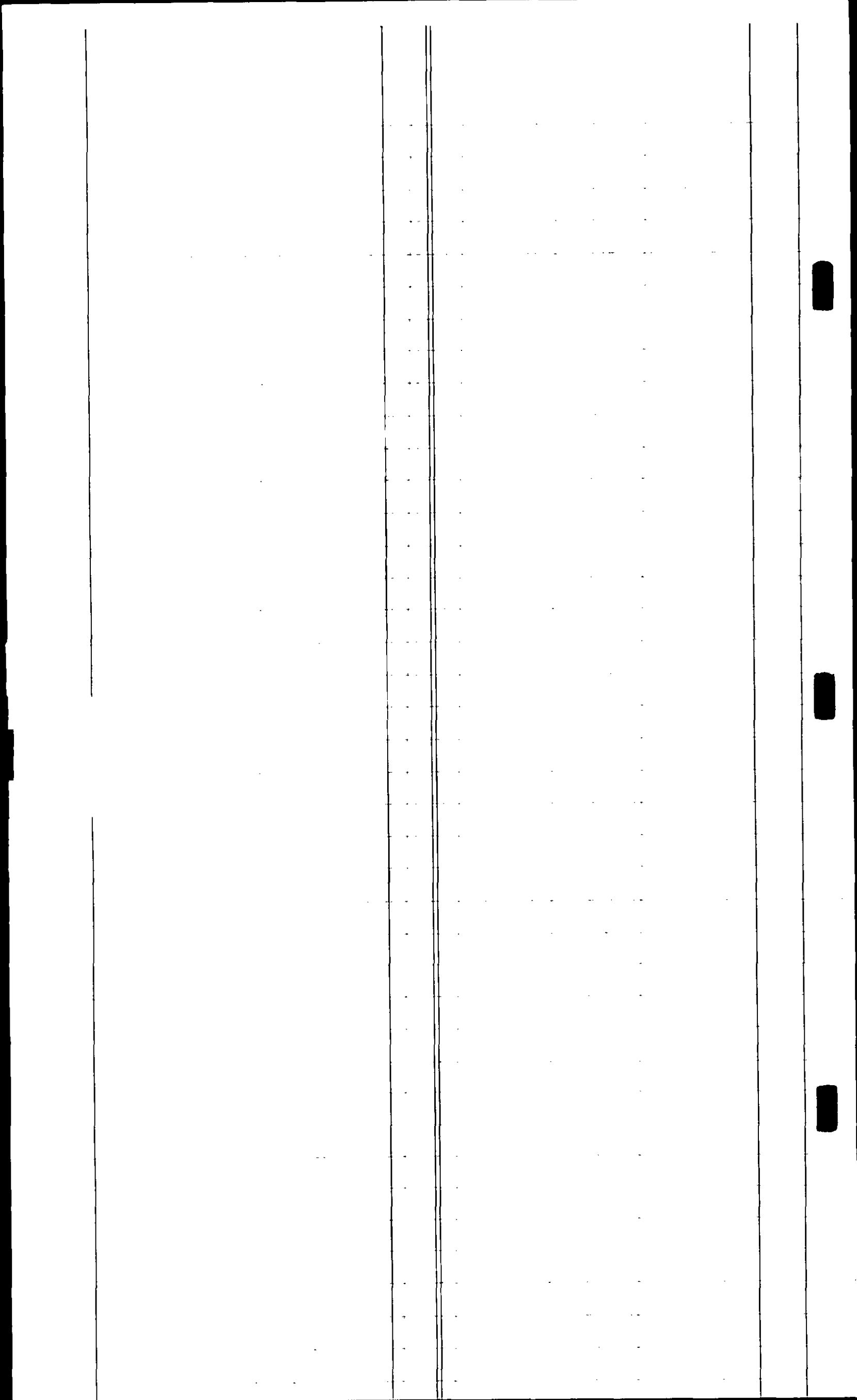
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NEWSPAPER		NIAGARA FRONTIER TRANSP. AUTHORITY	
No official designation for 1988	92	Revision of structure of fare zones	115
		Curtailement of bus service to Boston questioned	171
NEW YORK PUBLIC INTEREST RESEARCH (NYPIRG)			
Door-to-door outreach program between 5/1 and 8/31/88	119		





PETTY CASH		PERMITS	
1988 fund amounts set	93	James Millich-two family dwelling corner Boston State & Kevinton	96
		Randall Barker-7380 Boston State Rd. addition to business building	100, 105
		Soil Removal Permit approved for Wittmeyer Bros.-Zenner Road	112
PLAYGROUND-BOSTON VALLEY SCHOOL		Soil Removal Permit approved for Martin Logel-Boston State Road	112
SEQR status outlined by county	96	Carol & Jeffrey Holben application for car wash near 7128 Boston St. Rd.	112, 146, 148, 160, 153
Materials donated, volunteers needed for construction	96	Raymond Miller application for car wash at Boston St. Rd. & Abbott Rd.	112, 146, 148, 154, 160
Town appropriates funds	120	Gregory & Ann Gerwitz granted concept approval for building at 7456 Boston State Road	116, 175
Auction benefit to be held	124		
Construction workers needed	124	Special Use renewed for Conrad Koch, 7374 Lower E. Hill Road	119
Surplus funds agreement to be worked out	145	Construction of store at 8909 Boston State Road approved, contingent on approval of permit by Code Enforcement Officer	126
Easement agreement	160, 164	Soil Removal Permit granted to Rudy Blesy, 9994 Trevett Road	131
Thanks for committee to Town Board for donation	162	Joseph Simmeth, 8010 Boston State Road, applies for permit to have tree stumps & dirt dumped	135, 138, 142
"Service to Youth" award for 1988 presented to playground volunteers	162		
Regulations in easement agreement approved by Hamburg School District	171	Henry Andzjewski, Jr., 9378 Boston State Road-Boston Hotel-construction of freezer-cooler	138, 146
PLANNING BOARD		Boston Land Corp.-apartment complex	144, 152, 160
Reappointment-Herbert Klein term to 2/1/95	98	H.G. Wittmeyer requests indication his Special Use Permit will be renewed	145
Annual Report received	101		
Election of officers for 1988	101	Rev. Springer requests rezoning of property on Cole Road from A-1 to R-2 for construction of adult care facility	150, 169
Ken Kloeber suspension	103	(Permits - cont'd on reverse)	
Angelo Bellittiere appointment to 2/1/92	103	POLICE - TOWN	
Charles G. Decker resignation	152	Former Constable Robert Lorek requested to return all equipment and numbered summons book	107
November meeting rescheduled	169		
Garry E. Tank, 8683 Maplelawn Dr., requests appointment	171	Former Police Chief Harry Strack receives appreciation plaque	112
December meeting cancelled	175		
Harold Dodge, 7428 Back Creek Road, requests appointment	175		
PARKS - ERIE COUNTY			
Executive Summary of 20 Year Program received--Boston Forest Park included	170		
		POLLING PLACES	
		Designated for 1988	120

POLICE

9-1-1 Emergency Number System
Sheriff Thomas Higgins makes
statement
Town Board presents resolution
Supervisor updates controversy

147
147
147
155

PERMITS (cont'd)

H.G.Wittmeyer & Son, Inc. granted
renewal of Special Use Permit to 9/6/91 150
Gregory Gerwitz - Special Use Permit
for dumping of fill 150, 157
Boston Fire Company-alterations to
foyer roof 151
Carol A. Holben requests Special Use
Permit for dumping of fill 159, 166
Mr. & Mrs. Donald Hoxsie's Special
Use Permit for antique shop renewed;
expiration date of 11/1/91 166





RESOLUTIONS		RECREATION	
STATE ASSISTANCE FOR UPDATE OF 1989 ASSESSMENT ROLL	106	Softball & Baseball coaches and assistant coaches appointed-1988	123
CAPITAL RESERVE FUND	106	Summer Recreation Staff	132
HARRY G. STRACK	107	Meeting scheduled with Erie Co. Board of Health re-status of summer recreation program	127, 133
SENIOR CITIZEN TRANSPORTATION	109	State Aid Application Workshop to be attended by three people	131
EMERGENCY SQUAD DISPATCHING	116	Summer Recreation Program defined as children's camp by Erie County Department of Health	138
BOND ANTICIPATION NOTE	116	Petition received for bus service on east hill	138, 145
SERIAL BOND	116	Supervisor authorized to apply for state aid for 1989	150
REAL ESTATE TRANSFER TAX INCREASE	118, 129		
MUNICIPAL CLERK'S WEEK	119		
WATERFRONT AGENCY PLAN-GRAND ISLAND EXPENDITURE OF 1988-89 C.D. FUNDS	122, 131		
AUTHORIZE SUPERVISOR TO CONTRACT FOR COMMUNITY DEVELOPMENT FUNDS	131		
AUTHORIZE CONSTRUCTION OF NEW HIGHWAY GARAGE	135		
ESTABLISH SPECIAL ELECTION	135		
PROPOSED PAY FOR ELECTION INSPECTORS	137, 141, 147		
PRIMARY ELECTION HOURS	137, 141, 147		
CONSOLIDATION OF ELECTION DISTRICTS	138		
OPEN BURNING BAN	139		
RESOURCE RECOVERY PLANT CONSTRUCTION BY NYS DEC	139		
TONAWANDA-RADIOACTIVE WASTE DISPOSAL	141		
OUT-OF-DISTRICT WATER SERVICE	143		
POLISH-AMERICAN HERITAGE MONTH	153		
OUT-OF-DISTRICT WATER SERVICE	153		
REVENUE ANTICIPATION NOTE	157		
ADDITION OF NEW CUSTOMERS TO REFUSE AND GARBAGE DISTRICT	166		
VALLEY CIRCLE LAND SALE - KRENCIK	171		
VALLEY CIRCLE LAND SALE - STEWARD	171		
MORNINGSIDE LAND SALE - WELLER	171		
PINECREST LAND SALE - LESS	171		
CLOVERFIELD DR. WATERLINE	177		
MOBILE COMMAND POST RADIO FREQUENCY	177		



SEWERS		SALARIES	
DEC reply to resolution on operation and maintenance funding	89	Salaries & salary schedule for 1988	92, 93, 100, 104
Access to Sewer #4 rights-of-way authorized for signature	107		
Extension of District #3-Greenbriar Terrace-proposal-determines-that area is of archeological concern	111		
Amended Schedule of Fees received	177	SIGNATURE STAMP	
		Authorize use by Supervisor	93
SENIOR CITIZENS		SURPLUS MONIES	
Council appointed for 1988	97	Authorization for Supervisor and Tax Collector to invest	93
Group Leader appointed for 1988	97		
Senior citizen van in conjunction with Orchard Park discussion	107,	SNOWMOBILES	
	125	Polish Hill Road and Emerling Road to be posted, others in review	94
	139		
Forums planned for October	153		
		SALES TAX	
STATE POLICE - SHERIFF'S DEPT. - See "Police"		Resolution re distribution of 1% additional tax	99, 102, 104
		SCHOOLS	
		Supervisor Kennedy is member of COPS Committee discussing possible changes in Hamburg Schools	100
		Final report on COPS available	126
SOLID WASTE		SUBDIVISIONS	
Meeting scheduled in Lancaster on management issues	111	Amendments to ordinance proposed by Planning Board, public hearing scheduled for April 6, 1988	107
Legislation report received on new law	137		
Southtowns Solid Waste Management Board contract signed	143	Amendments to Subdivision Regulations adopted after Public Hearing	111
Meeting re recycling by CID	160		
CID-new regulations & increased fees	170		
STREET LIGHTING			
NYS Electric & Gas clarifies term "expiration of service life"			
Replacement of defective MV fixtures - Heinrich Road	132		
Replacement of defective MV fixtures - Boston-Colden Road and Old Chestnut Ridge Road	162		

SEMINARS & CONFERENCES

Alternate and Delegate named for Assoc. of Towns Mtg. in February Councilman Zimmerman authorized to attend State Supervisors & Legisla- tors conference Jan. 24-27	93 95
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Attendance of & advance payment authorized for attendance at Assoc. of Towns Mtg. Feb.14-17	99
Supervisor Kennedy & Councilman Wohlhueter report productive session in N.Y.City	103
Attorney Perley expresses appreci- ation for authorizing his atten- dance in N.Y. City	103

Report on Assoc. of Towns meeting submitted by Herbert Klein	107
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Town Clerk Carr to attend conference in Albany April 24-26	109
Highway Supt. Kreitzbender to attend seminar at Cornell Univ. June 7-8, 1988	109

Remy Orffeo & Gerald O'Brien to attend Recreation conference in Monticello April 17-20, 1988	110
Councilman Zimmerman to attend NYS Supervisors' meeting 6/19-22	127

Assessor Kleis to attend conference
in Monticello October 2-7, 1988 151

Assessor Kleis to attend seminar in Hamburg 11/4/88	157
Erie Co. Dept. Emergency Services seminar-Councilman Wittmeyer to attend 11/3/88, Buffalo	163 171

SUPERVISOR

Annual Report-1987 accepted | 102

SOUTHTOWNS RURAL PRESERVATION CO., INC.

Executive Director asks for support in their purchase of vacant school on Boston State Road, near Sunset Lane 113,	116
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SOUTHTOWNS PLANNING & DEVELOPMENT

Meeting scheduled at Boston Garden
for 5-23-88

TOWN BOARD		TRAILER PARKS	
Liaisons for 1988	91	Notices for collection of 1988 fees to be sent	93
Meeting dates and times for 1988	92	Annual inspection scheduled for January 16, 1988	93, 97
Esther Faulring - letter of appreciation	94	John Falkides requests copy of agreement in-lieu-of-taxes with North Boston Limited Partnership	94
Summer meeting schedule	126	John Falkides requests creation of Mobile Home District for expansion of Boston Hills Mobile Home Park	96, 100, 111, 118
Special meeting for 6/29/88	127	Public Hearing scheduled	121
Special meeting for 8/1/88-9:15 PM	135		
End-of-Year meeting 12/30/88-8:00AM	174		
		Sprague Mobile Homes granted license for 1988	97
		Boston Hills Mobile Home Park granted license for 1988	100
		Petition presented signed by Wildwood Dr. residents protesting against proposed expansion of mobile home court	109
		Boston Homeowners' Assoc. submits list of proposed changes to Mobile Home Court L.L.#2 of 1987	111
		Town Board denies application of John Falkides for rezoning of property from Agricultural A-1 to Residential R-4	131, 138
		John Falkides requests copies of ordinances re storage sheds, etc.	151
		John Falkides applies for permit for storage shed and carport	151
TOWN CLERK			
Annual Audit accepted	97		
Office open Saturday, 11/19/88 for sale of hunting licenses	171		
TOWN ATTORNEY			
Michael Perley expresses appreciation	94		
TOWN JUSTICE			
Annual Audit accepted	97		
TAX COLLECTOR			
Joyce Carr receives permission to collect taxes at Town Hall for 1988-89 school tax	145		
Final report of collection of 1988 Town & County taxes received	175		

TRASH

Townwide pickup feasibility study
committee to meet with collectors 94
103, 107, 110 98
101
Town Clerk authorized to advertise
for bids for spring & fall pickup 99
Bids opened for spring & fall pickup 105
Maple City Disposal Service bid
awarded for Spring pickup only 108,
125
Bids for collection of town-wide
refuse & garbage advertised 110
Bids opened & informational meeting 116,
scheduled for May 3, 1988 117
Contract awarded to Browning-Ferris
Industries for two years on committee's
recommendation of implementing
town-wide trash pickup 120
Town Attorney will meet with BFI
to implement pickup 124
C.I.D. Landfill will institute
recycling program 129
C.I.D. tipping fee to increase 129
Notice to be placed in Pennysavers
re no fall trash pickup 155
Trash pickup committee to draft
letter to property owners 155, 163
BFI Industries rate increase 163
Recycling meeting attended by
Councilman Wohlhueter & Reed Garver 164
Supervisor authorized to sign agree-
ment with Joe Ball Sanitation, Inc.
for two years, to expire 12/31/90
Refuse Committee to draft letter
to town property owners 168,
171

TELECOMMUNICATIONS

MCI Corp. files environmental
assessment report for fiber optic
cable route 127,
132,
137

TOWN PARK

Mrs. Frank Lizak-permission to use
July 16, 1988 96
Patchin Fire Co.-permission to use
July 31, 1988 100
Boston Youth Baseball Association -
permission to use August 6, 1988 102
Lions Club - July 23-Aug. 3, 1988 104
Boston Democratic Club - Easter Egg
Hunt - April 2, 1988 109
Boston Baseball Association - car
wash fundraiser permission 124
Softball League - July 23, 1988 126
Town Church League to use two diamonds
Sunday evenings 131
Chamber of Commerce to use Lions
Shelter for concert 8/28/88 145
Girl Scouts to use courtyard, flagpole
and Community Room for rally 9/17 152

TOWN HALL

Mary Holcomb granted permission to use
Community Room April 30, 1988 116

TOWN PROPERTY

Option agreement & down payment returned
to prospective purchaser of Pinecrest
Terrace property 133, 144,
152, 160
Larry Steward wishes to purchase
property to rear of Valley Circle Lane 145, 151
Cloverfield turnaround deeded from
James & Katherine Smolinski to town 163
Valley Circle Lane - 2 properties, &
Pinecrest Terrace - 1 property,
to be sold at public auction 11/12/88 163
Obsolete turnaround land on Allen Drive
request by homeowner to purchase
section on his property 164
All properties sold by town to be
finalized prior to year's end 178,
181

UNSAFE BUILDINGS

Michael Trippi-7852 Boston State Rd. 100
105

UTILITIES

Western New York Utilities Assn.
proposes coordinated planning 129

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WATER DISTRICTS

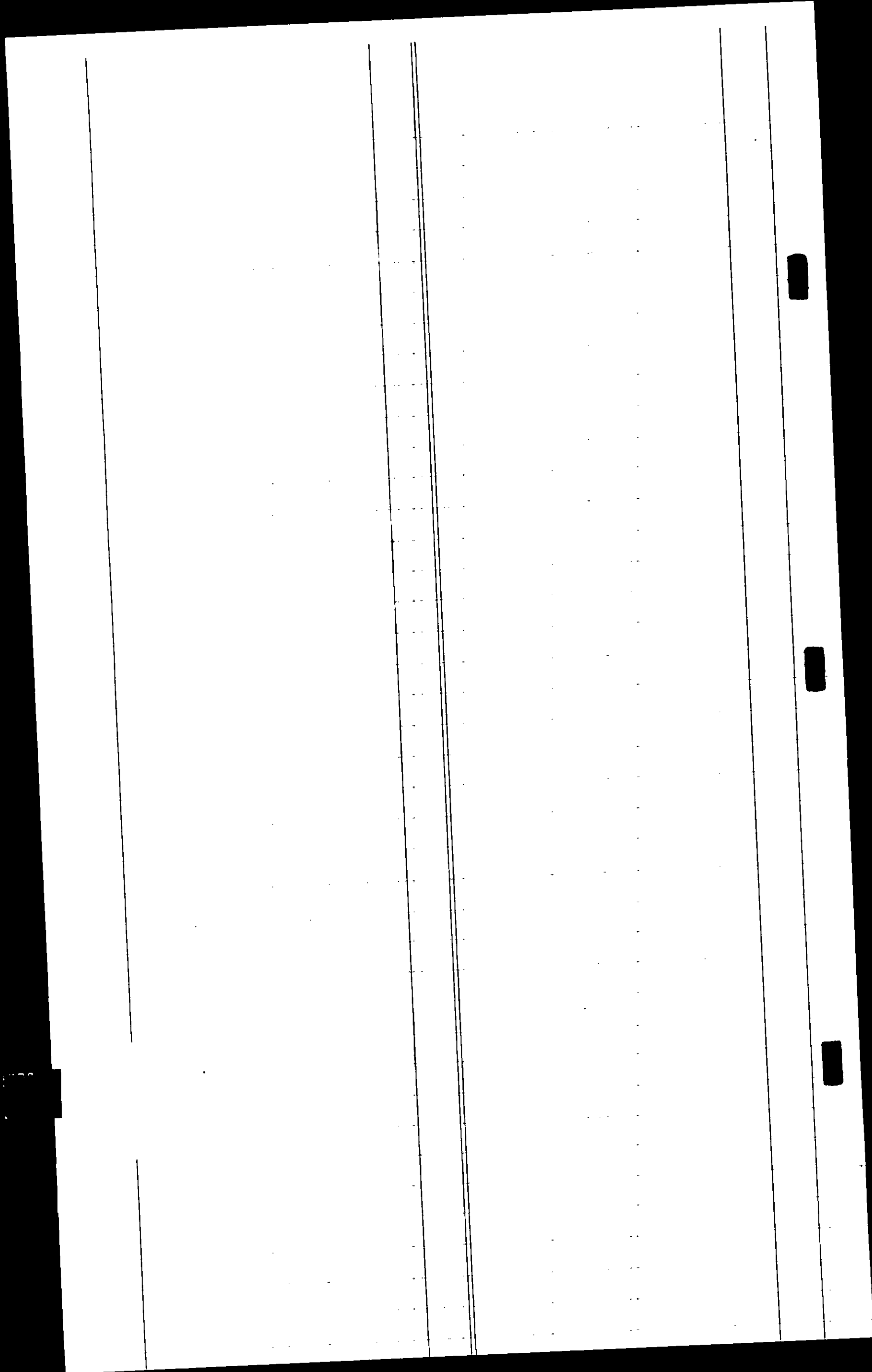
Peter Tower questions if property
on Boston-Colden Rd. is in district 115
Water District #3 engineering study
authorized 116

Diane Helmbrecht and Albert Coakley,
Lango Road, request extension of
main waterline 143

Alois Kopczynski, 6415 Omphalius,
re extension of Water District #1 173, 178

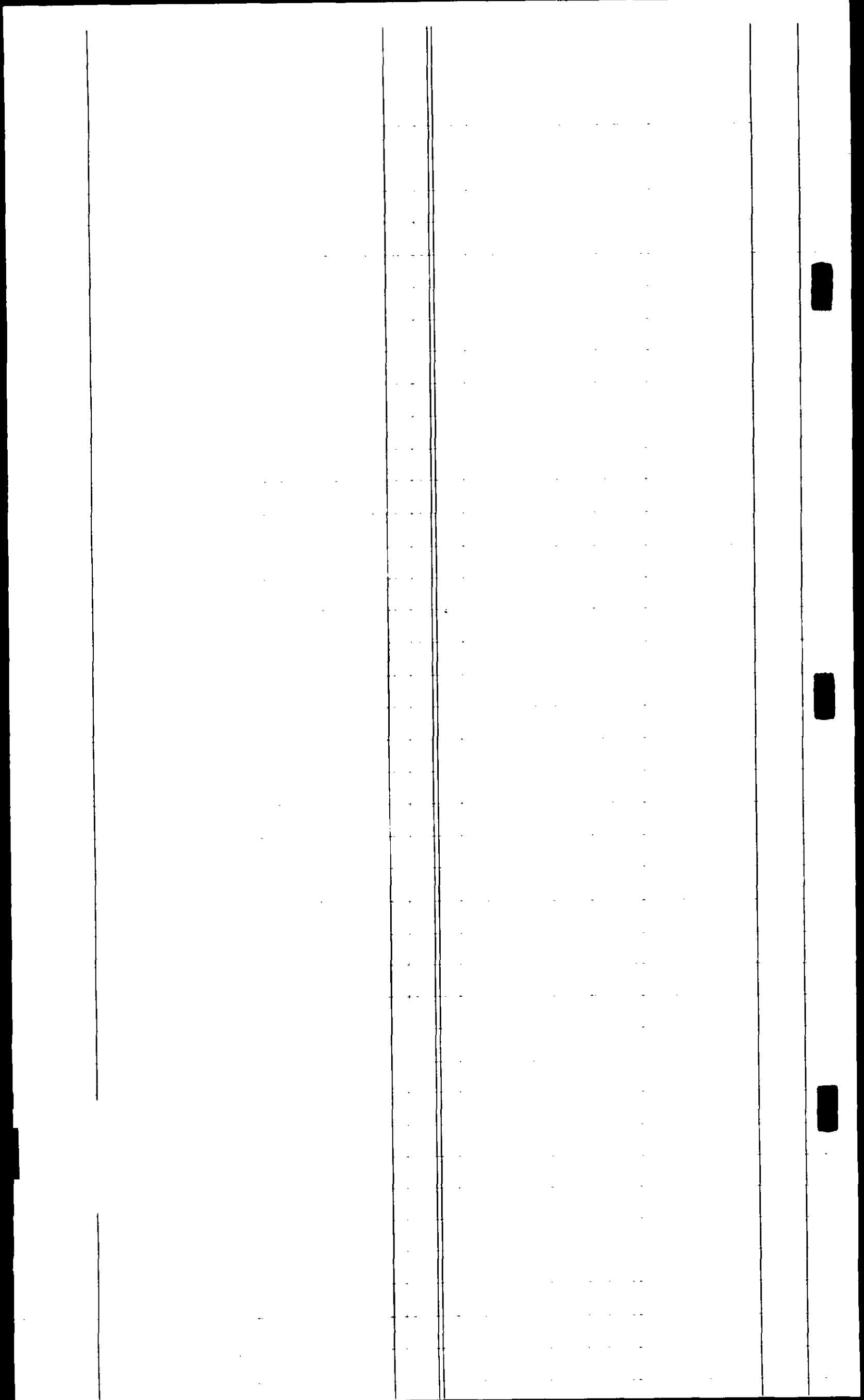
Thornwood Drive duplexes- waterline
to be extended 178

Information received from engineer
on extension of Water #1 181



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YOUTH SERVICE

Award for 1987 presented to
Richard and Nancy Lee

99

Award for 1988 presented to volunteer
workers at creative playground

162



DATE	DESCRIPTION	AMOUNT
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Regular Meeting
January 6, 1988

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Don Wohlhueter, Councilman Frank Lisowski, Supervisor Richard Kennedy, Town Attorney Michael Perley and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that the Minutes of the Special Meeting of December 30, 1987 be approved.

five (5) ayes

Carried

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

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski that the General Fund and Special District Bills on Abstract #1, January 6, 1988, in the amount of \$69,952.60 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer that the Highway Bills on Abstract #1, January 6, 1988, in the amount of \$4,369.32 be paid.

five (5) ayes

Carried

Received a resolution from the Town of Eden relative to new legislation passed by New York State for the euthanization of dogs. Also received was acknowledgement from Assemblyman L. William Paxon of receipt of Town of Boston resolution on the same subject and concurring with the town that this legislation will place an undue and severe financial burden on governments throughout the state. Supervisor Kennedy said that he received a communication from Senator Stachowski saying this new legislation will not impact financially on the towns, however, the Supervisor added he feels that it will.

Received a letter from Point Breeze Camp, Inc. regarding a Department of Environmental Conservation public hearing to improve Lake Erie access to boaters in southern Erie County. Supervisor Kennedy said he is reviewing the SEQRA findings enclosed with the letter and will consult with the Town Board before replying to this letter.

Received acknowledgement from Thomas C. Jorling, Department of Environmental Conservation, of the receipt of Town of Boston resolution on funding for operation and maintenance of sewer districts. Supervisor Kennedy said that current legislation provides that the rate reimbursed by the state is legally not more than 33 1/3%, but that the rate reimbursed for 1986-87 was only 12.75% and this is being received from the state to maintain costs.

Received notification from Erie County Department of Emergency Services that Robert H. Weber of the Boston Volunteer Fire Company has completed a New York State Fire Police Training Course.

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to appoint Joyce Thurber as Court Clerk, term to expire December 31, 1989.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to appoint Lucille Genzel as Town Clerk Deputy, term to expire December 31, 1989.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Supervisor Kennedy to appoint Jean Kleis as Town Clerk Deputy, term to expire December 31, 1989.

five (5) ayes

Carried

A motion was made by Councilman Lisowski and seconded by Councilman Wohlhueter to appoint Wendy Kummer as Clerk PT and Town Clerk ^{deputy} PT, term to expire December 31, 1989.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Supervisor Kennedy to appoint Jean Kleis as Bookkeeper to Supervisor, term to expire December 31, 1989.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to appoint Joyce Carr as Registrar of Vital Statistics, term to expire December 31, 1989.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Supervisor Kennedy to appoint Lucille Genzel as Deputy Registrar of Vital Statistics, term to expire December 31, 1989.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to appoint Michael F. Perley as Town Attorney, term to expire December 31, 1989.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to appoint Joseph G. Terrizzi as Deputy Town Attorney, term to expire December 31, 1989.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to appoint James Jehle as Historian, term to expire December 31, 1988.

five (5) ayes

Carried

A motion was made by Councilman Lisowski and seconded by Councilman Wohlhueter to appoint Eugene Ruchalski as Highway Department Crew Chief, term to expire December 31, 1988.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to appoint Doris Follman Cleaner PT, term to expire December 31, 1988.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to appoint Martin Krencik as Cleaner PT, term to expire December 31, 1988.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to appoint Charles Germain as Bingo Inspector, term to expire December 31, 1988.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski to appoint Lucille Genzel as Secretary to Boards and Committees, term to expire December 31, 1988.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to appoint Milton Wittmeyer as Deputy Supervisor, term to expire December 31, 1989.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to appoint Nussbaumer & Clarke, Inc. as Town Engineer, term to expire December 31, 1988.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to appoint the following as Fire Police, terms to expire December 31, 1988:

Boston

Joseph Lowry - Captain
 LeRoy Pfarner - Lieutenant
 Lyle Zahler
 Gordon Stephens
 Robert Weber
 Thomas Stanley

North Boston

Paul W. Duffett
 Joseph H. Gern
 Kenneth Hendrix - Lieutenant
 Robert Karcher
 Randy Seufert - Captain

Patchin

Norman Gagne
 Bernard Liebler
 Duane Brock

five (5) ayes

Carried

A motion was made by Councilman Lisowski and seconded by Councilman Wittmeyer to appoint Dennis Kramer as Code Enforcement Officer, term to expire December 31, 1988.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to appoint Clayton G. Schunk as Assistant Code Enforcement Officer, term to expire December 31, 1988.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski to appoint Remy C. Orffeo as Recreation Director PT, term to expire December 31, 1988.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to appoint Robert Steiner as Dog Control Officer and Constable, term to expire December 31, 1988.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Lisowski to appoint Marjorie Steiner as Deputy Dog Control Officer, term to expire December 31, 1988.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to appoint Claude Fagnan as Deputy Dog Control Officer and Constable, term to expire December 31, 1988.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to rescind the appointment of Martin Krencik as Cleaner PT and to appoint Martin Krencik as Laborer PT.

five (5) ayes

Carried

Supervisor Kennedy appointed the following as Town Board Liaisons for 1988:

Councilman Wittmeyer: Fire Companies, Codification, Traffic Safety
 Councilman Zimmerman: Emergency Squad, Chamber of Commerce
 Councilman Wohlhueter: Conservation Advisory Council, Parks and Recreation,
 Drainage, Youth Service
 Councilman Lisowski: Senior Citizens, Planning Board, Community
 Development

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to designate Chase Lincoln First, North Boston branch, for the accounts of the Supervisor, Town Clerk, Town Justice and Tax Collector.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski to schedule monthly meeting dates and times as follows: First and third Wednesday of each month at 7:30 P.M. for Town Board meetings, with the Work Session on the 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 on the third Wednesday at 6:15 P.M.

five (5) ayes

Carried

A letter was read from "The Sun", requesting consideration in the town's designation as its official newspaper in 1988. Supervisor Kennedy said that the town has an excellent working relationship with "The Sun", however, it has been the policy of the Town Board for the last few years not to designate any one newspaper, in order to allow flexibility in meeting deadlines for printed notices. A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to not designate an official newspaper in 1988.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to approve the following Town of Boston 1988 Salaries:

Supervisor	Richard L. Kennedy	\$17,260.00
Deputy Supervisor	Milton I. Wittmeyer	715.00
Councilman	Milton I. Wittmeyer	4,700.00
	David G. Zimmerman	4,700.00
	Don A. Wohlhueter	4,700.00
	Frank H. Lisowski, Jr.	4,700.00
Town Justice	Robert W. Tills	14,000.00
Clerk to Town Justice	Joyce Thurber	12,250.00
Town Clerk	Joyce Carr	23,320.00
Deputy Town Clerk	Lucille Genzel	6.35 hour
Clerk, PT	Wendy Kummer	4.35 hour
Supt. of Highways	Clarence S. Kreitzbender	27,825.00
Assessor	William H. Kleis, Jr.	17,400.00
Town Attorney	Michael F. Perley	13,000.00
Dep. Town Attorney	Joseph G. Terrizzi	7,000.00
Bookkeeper to Supervisor and		
Assessment Clerk	Jean Kleis	14,675.00
Election Inspectors	Registration	34.00 per day
	Primary	66.00 per day
	Chairman	8.00
	Election Day	66.00 per day
	School	15.00
Cleaner PT	Doris Follman	5.50 hour
Laborer PT	Martin Krencik	5.25 hour
Dog Control Officer PT	Robert E. Steiner	3,350.00
Deputy Dog Control		
Officer PT	Claude P. Fagnan	3,250.00
Code Enforcement		
Officer PT	Dennis J. Kramer	6,675.00
Asst. Code Enforcement		
Officer PT	Clayton G. Schunk	3,350.00
Constable PT		
(Court Officer)	Gregory L. Stromecki	2,000.00
Recreation Director	Remy C. Orffeo	4,700.00
Highway Department:		
Working Crew Chief	Eugene Ruchalski	10.30 hour
Motor Equipment		
Operators:	Rola, Wells, Hine,	
	Kreitzbender, Pfarner	9.71 hour
	Forness	7.50 hour
Laborer	J. Krencik	6.00 hour
Laborer PT	Former Employees	5.75 hour
	New Employees	3.80 to 5.75 hour
MEO	New Employees	6.05 to 9.71 hour
Contractural:		
Dep. Dog Control		
Officer PT	Marjorie Steiner	400.00
Historian	James J. Jehle	425.00

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to set Payment of Salaries as follows: On a monthly basis, except the Supervisor, Town Clerk, Assessor, Highway Superintendent, Highway Department, Bookkeeper, Clerk to Town Justice, Deputy Town Clerk and Clerk PT, which will be bi-weekly.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Lisowski to authorize the Supervisor and Tax Collector to invest surplus monies.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer to authorize the use of a signature stamp by the Supervisor.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to set the rate paid by the town for mileage at .205 per mile.

five (5) ayes

Carried

A motion was made by Councilman Lisowski and seconded by Supervisor Kennedy to schedule the Annual Audit Meeting for January 20, 1988 at 7:30 P.M.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to direct the Town Clerk to send notices for the collection of Trailer Park fees for 1988 and to schedule the annual inspection of the two trailer parks for Saturday, January 16, 1988 at 9:30 A.M.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski to set the following Petty Cash Fund amounts:

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

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski to appoint Supervisor Kennedy as Delegate and Councilman Wohlhueter as Alternate Delegate to the Association of Towns meeting in New York City in February.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to sign an Agreement for the Expenditure of Town Highway Funds.

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 Wohlhueter and seconded by Councilman Lisowski to approve the following form and sufficiency of bonds:

Town Clerk, Town Justice and	
Highway Department	\$20,000.00
Supervisor	\$30,000.00
Tax Collector	\$80,000.00

five (5) ayes

Carried

Supervisor Kennedy appointed the following committees for 1988:

<u>Capital Improvement</u>	<u>Traffic Safety</u>	<u>Insurance</u>	<u>Codification</u>
Jean Kleis	Milton Wittmeyer	William Hubert	Richard Kennedy
Richard Kennedy	Clarence Kreitzbender	Richard Kennedy	Herbert Klein
David Zimmerman	James Carr	Milton Wittmeyer	Charles Maxwell
Clarence Kreitzbender	Alan Carpenter	Joyce Carr	Michael Perley
Herbert Klein	Frank Lisowski	Don Wohlhueter	William Kleis
Milton Wittmeyer	Harry Strack	Michael Perley	Dennis Kramer
Charles R. Pettit	William Hubert	Don Meyer	Charles R. Pettit
Gerald O'Brien		Frank Lisowski	Milton Wittmeyer
Michael Perley			Joyce Carr
			David Zimmerman
			Remy Orffeo

Upon the request of John P. Falkides, a motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to forward to Mr. Falkides a copy of the agreement between North Boston Limited Partnership and the Town of Boston for the payment of annual funds in lieu of taxes.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Lisowski to post the following roads, according to the rules and regulations of New York State, for snowmobile use:

Polish Hill Road - between Back Creek Road and Route 219 Expressway
Emerling Road

five (5) ayes

Carried

Supervisor Kennedy added that the request of the Western New York Snowmobile Club of Boston, Inc. to post West Hill Road between Rice Road and Tillen Road and Hillcroft Drive from Boston State Road to Polish Hill Road is being reviewed with Highway Superintendent Kreitzbender before action is taken by the Town Board.

Received and filed binder for the Umbrella liability coverage purchased by the town for 1988.

Supervisor's Monthly Financial Report was received.

Supervisor Kennedy read a letter received from Esther Faulring, who stated her appreciation for the help she received from the Town Board during the past eight years and stating she is proud to have served as Councilman on the Town Board.

Town Clerk Carr said the next surplus food distribution is scheduled for Thursday, January 14, 1988 at 9:00 A.M. at the Town Hall.

Town Justice Monthly Financial Report was received.

Town Attorney Perley thanked the Town Board for their support in his appointment this date.

Councilman Wohlhueter said a meeting has been scheduled with trash collectors for Tuesday, January 19, beginning at 6:30 P.M. in order to get input from them before formally publishing for bids for a townwide trash pickup.

Councilman Wittmeyer reported that the Capital Improvements subcommittee on the new highway garage interviewed four engineering companies as potential consultants and made a motion that Krehbiel Associates, Inc. be retained, at a total cost of \$19,050.00 to oversee all phases, through construction. Motion was seconded by Supervisor Kennedy.

five (5) ayes

Carried

Councilman Wittmeyer said that Paul Duffett, a member of North Boston Volunteer Fire Company, related to him that Hamburg Fire Control has an opening for a fire dispatcher, however, a requirement for the job is that the applicant must have resided in the Town of Hamburg for at least four months. A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to direct the Town Clerk to draft a letter to Hamburg Fire Control, stating the Boston Town Board's opposition to the residency requirement, as residents of all towns that contribute financially to this position should also be given an opportunity to vie for the position of fire dispatcher.

five (5) ayes

Carried

Councilman Zimmerman reported that bids will be opened at 7:00 P.M. on Thursday, January 7, 1988 for a new ambulance.

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to authorize Councilman Zimmerman to attend the winter conference of the State Supervisors' and Legislators' Association to be held in Binghamton, New York on January 24-27, 1988, with all appropriate expenses to be paid by the town.

five (5) ayes

Carried

Code Enforcement Officer and Deputy Code Enforcement Officer Monthly Reports were received.

Dog Control Officer Monthly Report was received.

Town Engineer Monthly Report was received.

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski to adjourn at 8:14 P.M.



Joyce Carr
Town Clerk

TOWN OF BOSTON



At a Regular Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York, on the 6th day of January, 1988 at 8:00 P. M., Eastern Standard Time, there were present:

Richard L. Kennedy	Supervisor
Milton Wittmeyer	Councilman
David Zimmerman	Councilman
Don Wohlhueter	Councilman
Frank Lisowski, Jr.	Councilman

Supervisor Kennedy presented the following resolution and moved its adoption:

WHEREAS, the Town of Boston appointed Joseph G. Terrizzi as Deputy Town Attorney for the Town of Boston on January 6, 1988, and

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

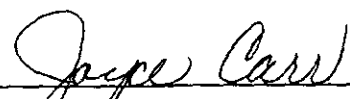
NOW, THEREFORE, BE IT RESOLVED that Joseph G. Terrizzi is hereby authorized to prosecute on behalf of the Town of Boston all charges which would constitute a violation of the Penal Law or a traffic violation under the Vehicle and Traffic Law, and

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

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

Supervisor Kennedy	Voting _____	aye
Councilman Wittmeyer	Voting _____	aye
Councilman Zimmerman	Voting _____	aye
Councilman Wohlhueter	Voting _____	aye
Councilman Lisowski	Voting _____	aye

AYES: 5 NOES: 0 ABSENT: 0


Joyce Carr, Town Clerk

Regular Meeting
January 20, 1988

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Don Wohlhueter, Councilman Frank Lisowski, Supervisor Richard Kennedy, Town Attorney Michael Perley and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter that the Minutes of the Regular Meeting of January 6, 1988 be approved.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter that the General Fund and Special District Bills on Abstract #1A, January 20, 1988, in the amount of \$8,924.10 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski that the Highway Bills on Abstract #1A, January 20, 1988, in the amount of \$10,711.13 be paid.

five (5) ayes

Carried

Received and filed notification from North Boston Volunteer Fire Company of their officers and committees for 1988.

Received notification from Erie County Division of Highways that they have forwarded to New York State Department of Transportation Form TE 9 for the establishment of a lower speed on Abbott Road, per the request of the Town Board of Boston. Also received notification from State Department of Transportation that a traffic engineering study has been initiated on the request to establish a lower maximum speed on Abbott Road.

Received acknowledgement from the State Emergency Management Office of the Town of Boston resolution concerning the need for a stockpile facility in Batavia.

Received and filed Town of Marilla resolution relative to euthanasia of dogs.

Received notification that SEQR status of the Boston Creative Playground project has been classified Type II and that Erie County will not have to prepare an Environmental Impact Statement. All interested parties disagreeing with this decision have until January 29, 1988 to comment on this action, at which time the county will request HUD funding to be released for this project. Supervisor Kennedy said the committee to build the playground has reported that several thousand dollars in materials has been donated and that other fund raising activities are being coordinated. Volunteers are still needed for the actual construction, which will take place in June.

An application, with attachments, was received from John and Katherine Falkides for the creation of a Mobile Home District for the proposed expansion of Boston Hills Mobile Home Park. A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to refer this application to the Planning Board for their review and recommendation.

five (5) ayes

Carried

A request was received from James Millich to construct a two-family residence on Boston State Road at Kevinton Place, said use being permissable, as it is zoned Business B-1. A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to grant the request of James Millich to construct a two-family residence at this location, provided that the house plans are in compliance with the zoning laws when it is plotted on the survey.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to grant the request of Mrs. Frank Lizak, 6555 Fairlane Drive, to use the Town Park and Lions Shelter for a family reunion on July 16, 1988, with authorization to serve alcoholic beverages.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Lisowski to accept the Annual Audit of the Town Justice.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to accept the Annual Audit of the Town Clerk.

five (5) ayes

Carried

Supervisor Kennedy reported that the annual inspection of the mobile home parks was made on January 16, 1988 and that both were found in conformance with Town of Boston regulations.

Upon the receipt of license fee in the amount of \$600.00 for forty trailers at \$15.00 each, a motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to grant a Mobile Home Court license for 1988 to Sprague Mobile Homes.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Lisowski to appoint the following to the Senior Citizens Council for 1988:

Joseph Mertzlufft	John Walters
Henry Seufert	Michael Czechowski
Mildred Seufert	Ruth Garrison
Dorothy Overhoff	Harold Rockwood
Irving Overhoff	Mary Yoder
Jack Seufert	Dolores Seufert

Motion also included appointing Ruth Garrison as Group Leader for 1988.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski, as requested by Recreation Director Remy Orffeo, to appoint and set salary schedules for 1988, as follows:

Recreation Supervisors:

Gerald O'Brien - Special Programs
Salary - \$2500.00
To be paid monthly

Nancy Boltz - Summer Program
Salary - \$1900.00
To be paid in three equal installments:
July 1, 1988, August 1, 1988, September 1, 1988

David Benzinger - Youth Center
Salary - \$1350.00
To be paid monthly

Recreation Attendants - Youth Center:

Theresa Hartman	\$22.00 session
Roberta Vanderhoff	\$20.00 session

Youth Center Counselor:

Richard Michaels
Salary - \$2000.00
To be paid monthly

five (5) ayes

Carried

Upon the request of Recreation Director Remy Orffeo, a motion was made by Councilman Lisowski and seconded by Supervisor Kennedy to appoint the following to the Youth Service Advisory Board, term to expire December 31, 1989:

Randy Burgwardt	Remy Orffeo
Nancy Ryan	Richard Michaels
Gerald O'Brien	Ann Schunk

five (5) ayes

Carried

Supervisor Kennedy reported that he, along with Councilman Wittmeyer and Highway Superintendent Kreitzbender, made a site inspection of a highway building in Lockport on January 14, 1988.

Councilman Wohlhueter reported that a productive meeting was held on January 19, 1988 with Joe Ball of BFI Waste Systems and Steve Smith of Maple City Disposal and the committee to study the feasibility of a townwide trash pickup. He said the draft specifications were reviewed and that Town Attorney Perley will redraft the specifications to include some suggestions received. At this time the townwide pickup will be limited to single and two-family units and the committee plans on another meeting to discuss specifications with Jonn Noce of CID Refuse and hopes to be ready for a public informational meeting on the subject in March. Councilman Wohlhueter said that June 1 is the deadline if this district is to be on the 1989 tax rolls. John Falkides asked if the mobile home parks will be excluded and if so, will they still be charged for refuse and garbage on the tax rolls, as they are now. Mr. Wohlhueter said that the spring and fall trash pickups will be eliminated under the new district, therefore, mobile home parks will not have this charge, as it will be limited to single and two-family units at this time.

Councilman Wittmeyer also reported on the inspection of a highway facility in Lockport. He added that the Capital Improvements subcommittee on the construction of a new Boston highway garage met on January 18, 1988 with a consultant from Krehbiel Associates and that a questionnaire is being prepared by them for discussion at the next meeting on January 25 at 7:00 P.M.

Councilman Zimmerman reported that bids were opened on January 7, 1988 for a new ambulance, however, he recommends that this matter be tabled until the February 3, 1988 Town Board meeting.

A motion was made by Councilman Wohlhueter and seconded by Supervisor Kennedy to reappoint Herbert H. Klein to the Planning Board, term to expire February 1, 1995.

five (5) ayes

Carried

Code Enforcement Officer Annual Report was received.

Received notification from New York State Division of Equalization and Assessment that Board of Assessment Review member Herbert Berlin attended a training session on November 9, 1987 and is authorized to participate in Board of Assessment Review meetings in 1988.

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to adjourn at 8:02 P.M.



Joyce Carr
Town Clerk

Regular Meeting
February 3, 1988

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Don Wohlhueter, Councilman Frank Lisowski, Supervisor Richard Kennedy, Town Attorney Michael Perley and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the Minutes of the Regular Meeting of January 20, 1988 be approved.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman 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 #2, February 3, 1988, in the amount of \$24,863.84 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the Highway Bills on Abstract #2, February 3, 1988, in the amount of \$5,994.32 be paid.

five (5) ayes

Carried

Received a resolution from the Town of Cheektowaga relative to Erie County distributing to the town their portion of the additional one percent (1%) sales tax. Supervisor Kennedy stated the additional one percent was to be an interim tax to financially assist the county in a difficult situation and he is in support of this resolution.

RESOLUTION - ADDITIONAL ONE PERCENT (1%) SALES TAX

Received notification from Assemblyman Paxon that a free tax information service will be provided to assist taxpayers with their New York State income tax returns at the Boston Town Hall on Tuesday, February 16, 1988 from 1:00 P.M. to 4:30 P.M.

Received a resolution from the Town of Wales relative to euthanasia of dogs.

A motion was made by Councilman Zimmerman and seconded by Councilman Lisowski to approve attendance of and advance payment of \$200.00 each for the following to attend the Association of Towns Meeting in New York February 14-17, 1988:

Supervisor Richard L. Kennedy
Councilman Don A. Wohlhueter
Town Attorney Michael Perley
Assessor William Kleis

Bookkeeper Jean Kleis
Court Clerk Joyce Thurber
Planning Board Member Ken Kloeber
Planning Board Chairman Herbert Klein

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to authorize Town Clerk Carr to advertise for bids for the spring and fall trash pickup, said bids to be opened March 2, 1988 at 7:45 P.M.

five (5) ayes

Carried

The Youth Service Award for 1987 was presented to Richard and Nancy Lee by Recreation Director Remy Orffeo and Youth Advisory Board Chairman Richard Michaels. Mr. and Mrs. Lee were characterized as having demonstrated a long term and dedicated commitment to the youth of Boston, starting when the youth recreation program was located at Churchill Memorial Methodist Church in 1973. Supervisor Kennedy added congratulations on behalf of the residents of the town and expressed appreciation to Mr. and Mrs. Lee for their dedicated work.

A letter was read from the Planning Board relative to the request of Gregory Gerwitz to rezone property at 7456 Boston State Road to Business B-1. The Planning Board recommends that the Town Board adopt Provisional Amendments to the Zoning Ordinance of the Town of Boston prior to consideration of the Gerwitz or any other rezoning application. Town Attorney Perley said he reviewed the proposed amendments and drafted a resolution relative to adding a new Section 8-a

to Article X of the Zoning Ordinance of the Town of Boston.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to schedule a public hearing for March 2, 1988 at 8:00 P.M. on Article X, proposed Section 8-a, Provisional Amendments, of the Zoning Ordinance of the Town of Boston.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski to grant the request of Patchin Volunteer Fire Company to use the Town Park and Lions Shelter on Sunday, July 31, 1988 for their annual 25 Week Club Party and also to grant permission to serve beer, contingent on the receipt of a Certificate of Insurance. The Town Clerk was directed to communicate to the fire company that all gravel parking areas should be exhausted by the fire company before parking of vehicles is allowed on the ball diamonds.

five (5) ayes

Carried

An application was received from Randall Barker for an office space addition to his business building at 7380 Boston State Road. A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to table action on this request and to advise Mr. Barker that the side lot line setback would be in non-conformance if this request is granted and to also advise him of alternatives to pursue in order for this addition to be in compliance with zoning requirements.

five (5) ayes

Carried

Upon the receipt of license fee in the amount of \$1,125.00 for 75 trailers at \$15.00 each, a motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to grant a Mobile Home Court license for 1988 to Boston Hills Mobile Home Park.

five (5) ayes

Carried

A letter was received from Town Attorney Perley relative to the demolition of unsafe structures on the Michael Trippi property at 7852 Boston State Road. Supervisor Kennedy directed Town Clerk Carr to communicate with Mr. Trippi and put him on notice that he has 30 days to make arrangements to complete the demolition project and to secure the area, or the town will engage a local contractor and levy the cost of same on the tax roll under the appropriate SBL number.

A motion was made by Councilman Lisowski and seconded by Councilman Wohlhueter to set the rate of payment to Senior Citizen Group Leader Ruth Garrison at \$38.00 per month.

five (5) ayes

Carried

Supervisor's Monthly Financial Report was received.

Supervisor Kennedy stated that the town and the Boston Emergency Squad have been advised by the U. S. Department of Labor that they are jointly in violation of the Fair Labor Standards Act regarding compensation being paid to the dispatchers of the Emergency Squad. Supervisor Kennedy also said that the squad averages about 250 calls per year and that at current labor rates it would cost about 20,000 per year to conform to U. S. Department of Labor standards for dispatching services. He also reported that a meeting was held at the Town Hall on January 27, 1988 with representatives of the Emergency Squad, Town Board, Town Attorney and present and former dispatchers in order to renegotiate an interim contract with the dispatchers that is in compliance with the labor laws until a permanent solution can be found.

Supervisor Kennedy said he is a member of the COPS Committee of the Hamburg School District and they are now discussing the possibility of a Pre-Kindergarten program, Middle School concept, and the possible changes in school district boundaries. He will keep the town informed of any developments from this committee.

Supervisor Kennedy reported that he has been contacted by residents of Wildwood Drive who are in opposition to the proposed expansion of the Boston Hills Mobile Home Court. He said he told the residents that no action would be taken on this request by the Town Board without first meeting with them to discuss the matter.

The Town Clerk read a letter received this date from Adelphia Cable Communications outlining the current rate schedule for installation of cable television.

Town Justice Monthly Financial Report was received.

Town Attorney Perley reported that an Application for a Junkyard License was received February 1, 1988 from Edward R. Dzierzanowski, 6710 Mill Road. Mr. Perley said he has reviewed the application and found it to be incomplete for numerous reasons. The Town Clerk was directed to communicate the deficiencies in the application to Mr. Dzierzanowski and when the additional information is in order it will be presented to the Town Board, as provided for in the Junkyard Ordinance.

Councilman Wohlhueter said that revised specifications were received tonight from Town Attorney Perley and that the committee to study the feasibility of a townwide trash pickup will meet to review the specifications in their finished form. He added that the committee plans to schedule a public informational meeting on March 16, 1988.

Councilman Zimmerman reported that the bids that were opened January 7, 1988 at 7:00 P.M. for a new ambulance were as follows:

Emerling Chevrolet, Inc. 9000 Boston State Road Boston, New York 14025	Alternate Bid #1 Cab and Chassis Bid amount \$14,934.90
Response Vehicles, Inc. 27 Wallace Avenue Auburn, New York 13021	Base Bid - Cab and Chassis with Modular Ambulance Equipment \$54,650.00
	Alternate Bid #1 Cab and Chassis \$14,720.00
	Alternate Bid #3 Walk Thru Cab, Chassis and Modular Equipment per Section 3.10.2 \$56,150.00

A motion was made by Councilman Zimmerman and seconded by Supervisor Kennedy to award the bid for a 1988 Cab and Chassis with Modular Ambulance Equipment, as opened January 7, 1988 at 7:00 P.M., to Response Vehicles, Inc., 27 Wallace Avenue, Auburn, New York, in the amount of \$54,650.00.

five (5) ayes

Carried

Code Enforcement Officer and Deputy Code Enforcement Officer Monthly Reports were received.

Dog Control Officer Monthly Report was received.

Town Engineer Monthly Report was received.

Planning Board Annual Report was received. Supervisor Kennedy directed that a copy of this report be sent to John Falkides, as requested by him, and his account charged for the copies.

Received notification that the Planning Board held election of officers at their January 26, 1988 meeting, as follows:

Chairman	Herbert H. Klein
Vice Chairman	William Boltz
Secretary	Damian Wiktor

A motion was made by Councilman Wittmeyer and seconded by Supervisor Kennedy to adjourn at 8:07 P.M.

Joyce Carr
Joyce Carr
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 3rd day of February, 1988 at 7:30 P. M. Eastern Standard Time, there were present:

Richard Kennedy	Supervisor
Milton Wittmeyer	Councilman
David Zimmerman	Councilman
Don A. Wohlhueter	Councilman
Frank Lisowski, Jr.	Councilman

The following resolution was offered by Supervisor Kennedy, who moved its adoption:

WHEREAS, due to Erie County's dire financial circumstances in 1984-85, the sales tax in Erie County was increased from seven percent to eight percent beginning in early 1985, and

WHEREAS, the additional one percent in sales tax was dedicated solely to the County of Erie, and

WHEREAS, the New York State Legislature and the Governor have, through special legislation, renewed their authorization for an additional one percent (1%) increase in the local share of the sales tax in Erie County, and

WHEREAS, the Erie County Legislature has adopted and placed into effect the aforementioned renewal of the increase in the local share of the sales tax, and

WHEREAS, the renewal of the eight percent (8%) sales tax was requested because of an expected deficit in the 1988 County budget, and

WHEREAS, it is expected that the additional one percent (1%) sales tax will produce a revenue of \$72 million for the County in 1988, and

WHEREAS, thus the County will realize a projected surplus of \$9.1 million from the renewal of the eight percent (8%) sales tax for 1987, and

WHEREAS, this Town Board feels that this Town should share in the revenues resulting from the additional one percent (1%) sales tax in the same proportion as it shares in the seven percent (7%) sales tax or, in the alternative, receive a revenue disbursement from the County in an amount commensurate with our requested proportionate share of the additional one percent (1%) sales tax, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby requests Erie County to distribute to the Town our share, as stated above, of the additional one percent (1%) sales tax, and

BE IT FURTHER RESOLVED, that the Town Clerk be and hereby is authorized and directed to forward certified copies of this resolution to County Executive Dennis T. Gorski; County Legislator Karl Henry; County Clerk Swarts and to the clerks of the various municipalities in Erie County.

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

Supervisor Kennedy	Voting	Aye
Councilman Wittmeyer	Voting	Aye
Councilman Zimmerman	Voting	Aye
Councilman Wohlhueter	Voting	Aye
Councilman Lisowski	Voting	Aye

Ayes:

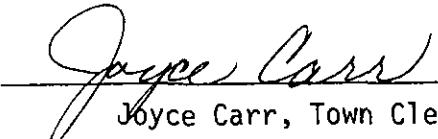
5

Noes:

0

Absent:

0


Joyce Carr, Town Clerk

Regular Meeting
February 17, 1988

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Don Wohlhueter, Councilman Frank Lisowski, Supervisor Richard Kennedy, Town Attorney Michael Perley and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the Minutes of the Regular Meeting of February 3, 1988 be approved.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski that the General Fund and Special District Bills on Abstract #2A, February 17, 1988, in the amount of \$21,419.87 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Highway Bills on Abstract #2A, February 17, 1988, in the amount of \$4,282.41 be paid.

five (5) ayes

Carried

Received a letter from Hamburg Fire Control stating they have decided to maintain their current policy on residence requirements for dispatching positions, however, employment as a part-time dispatcher is a possibility. Councilman Wittmeyer asked that copies of this correspondence be forwarded to the Boston-Colden-Eden Fire Council and ask if they have any comments on this decision. Supervisor Kennedy added that the companies should also be contacted prior to renewal of the contract with Hamburg Fire Control for any further input.

Received and filed notification from North Boston Volunteer Fire Company advising of new members.

Received copy of resolution from Grand Island relative to distribution of Erie County's additional 1% sales tax.

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to grant permission to the Boston Youth Baseball Association to use the town park and Lions Shelter for the annual all-star baseball games on Saturday, August 6, 1988 from 8:00 A.M. to dusk.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to make the following correction of Highway Abstract #2, Voucher #32:

Saia Communications, Inc.

From: DA 5130.2 \$797.50

To: DA 5130.2 \$749.00
DA 5130.4 48.50

five (5) ayes

Carried

Received a request from Erie County Department of Emergency Services for a copy of the Town Disaster Plan. Supervisor Kennedy directed Councilman Wittmeyer to review the existing plan with Town Clerk Carr and revise and update if necessary before forwarding to the county.

A motion was made by Councilman Lisowski and seconded by Councilman Wohlhueter to appoint Ann Schunk as Youth Aide for the Tuesday Night Youth Center, retro-active to February 2, 1988, at \$22.00 per session remuneration.

five (5) ayes

Carried

A motion was made by Supervisor Wittmeyer and seconded by Councilman Zimmerman to accept the Supervisor's Annual Report for the Year Ending December 31, 1987.

five (5) ayes

Carried

A letter was read from Planning Board Member Ken W. Kloeber requesting that he be suspended from the Planning Board pending the Town Board consideration of the request by John Falkides for creation of a Mobile Home District for expansion of the Boston Hills Mobile Home Park, as he has been retained by Mr. Falkides to prepare materials for this application. Town Attorney Perley said he discussed this matter with Mr. Kloeber relative to the General Municipal Law that clearly states that under these conditions a Planning Board member must be suspended or removed from membership on the Planning Board. A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to immediately and indefinitely suspend Ken W. Kloeber as a member of the Planning Board.

five (5) ayes

Carried

Supervisor's Monthly Financial Report was received.

Received a letter from Angelo Bellittiere, 8406 Zimmerman Road, requesting appointment to a vacancy on the Planning Board. A motion was made by Councilman Lisowski and seconded by Supervisor Kennedy to appoint Angelo Bellittiere to the Planning Board, term to expire February 1, 1992.

five (5) ayes

Carried

Supervisor Kennedy reported that he, Councilman Wohlhueter and Town Attorney Perley returned this afternoon from the Association of Towns annual meeting in New York City. He noted that the session was very productive and of particular interest were the meetings on solid waste disposal. Councilman Wohlhueter added that this is a major problem in the state and that leadership in the resolution of the problem is of great priority.

Town Clerk Carr said a Heating & Energy Assistance Program (HEAP) is scheduled for the Town Hall on Thursday, March 3 and the next surplus food distribution will be held on Thursday, March 10.

Town Attorney Perley said a letter requesting additional information has been forwarded to Edward Dzierzanowski, 6710 Mill Road, relative to his application for a Junkyard License.

Attorney Perley expressed appreciation to the Town Board for authorizing his attendance at the Association of Towns meeting, as the session for town attorneys was extremely helpful and informative.

Councilman Wohlhueter said the townwide trash pickup feasibility committee met February 10 and revised the specifications for bidders. The committee has decided to publish the specifications prior to the informational meeting of property owners, in order to have more pertinent information relative to costs.

Councilman Wittmeyer said test borings are being made of the soil for the proposed construction of a new highway garage and that he and Supervisor Kennedy inspected the highway garage in Springville for additional ideas.

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski to adjourn at 8:01 P.M.



Joyce Carr
Town Clerk

Regular Meeting
March 2, 1988

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Don Wohlhueter, Councilman Frank Lisowski, Supervisor Richard Kennedy, Town Attorney Michael Perley and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Minutes of the Regular Meeting of February 17, 1988 be approved.

five (5) ayes

Carried

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

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman that the General Fund and Special District Bills on Abstract #3, March 2, 1988, in the amount of \$23,353.91 be paid.

five (5) ayes

Carried

Supervisor Kennedy requested of Highway Superintendent Kreitzbender that he plan to have his highway bills itemized by the Monday prior to the Town Board meetings, in order that the Town Board has time to review them.

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer that the Highway Bills on Abstract #3, March 2, 1988, in the amount of \$11,743.06 be paid.

five (5) ayes

Carried

Received resolutions from the Town of Colden and the Town of Concord relative to the distribution by the county to the towns their portion of the additional one percent sales tax. Also received was a letter from County Executive Dennis Gorski in reply to the Town of Boston resolution on February 3 on this matter. Mr. Gorski said the county is not in the position to share the additional revenues with the municipalities as there is a projected budget shortfall for 1988. Supervisor Kennedy said the additional one percent sales tax was to be a temporary tax and if it is continued it should be shared as the other four percent portion of the sales tax is with the municipalities in Erie County.

Received from the Boston Emergency Squad, Inc. their list of officers for 1988.

Received list of officers and annual budget from the Patchin Volunteer Fire Company.

Received notification from Senator William T. Stachowski that he introduced a measure to the legislature relative to frivolous lawsuits filed against municipalities. Supervisor Kennedy referred the proposed bill to Attorney Perley for review and Mr. Perley said this bill responds to his concerns that were expressed in his letter to Senator Stachowski and others that he wrote last year. Town Clerk Carr was directed to send a letter to Senator Stachowski in appreciation of his support of this bill and ask him to keep us informed when this bill comes before the Committee on Codes and further support will be expressed to the Chairman of this committee.

A motion was made by Supervisor Kennedy and seconded by Councilman Lisowski to pay Bingo Inspector Charles Germain \$16.00 per bingo inspection.

five (5) ayes

Carried

Upon the request of Robert Burley, Lions Club President, a motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to grant permission to the Lions Club to use the shelter and Town Park from July 23, 1988 to August 3, 1988 for the setting up, staging and dismantling of their Annual Oktoberfest and permission to serve alcoholic beverages, contingent on the receipt of a Certificate of Insurance.

five (5) ayes

Carried

Councilman Wittmeyer said the Lions Club has obtained insurance coverage through Lions International, however, they also have purchased additional liquor liable coverage for the two days of the Oktoberfest, at an additional premium of \$2200.00.

Received a letter from Mooney Excavating, advising that he has been retained by representatives of Michael Trippi to clear the site located at 7852 Boston State Road of fire damaged buildings as soon as the weather permits. A motion was made by Councilman Zimmerman and seconded by Supervisor Kennedy to notify Mr. Mooney that the Town Board has established that the work of demolition, removal of debris and fill-in of existing holes or excavations on the property must be completed by April 15, 1988. If work is not completed by this date, the town, without further notice, will contract to have this work done and the costs will be assessed on the tax roll of the property.

five (5) ayes

Carried

At 7:45 P.M. bids were opened for the 1988 Spring and Fall Trash Pickup, as follows:

C.I.D. Refuse Service, Inc.
10860 Olean Road
Chaffee, New York 14030

Non-Collusive Bidding Certification signed

Total Amount of Bid:
Spring and Fall Pickup \$32,285.00
Alternate Bid - Spring Pickup Only \$19,975.00
Bid price does not include pickup of tires.

B.F.I. - Joe Ball Sanitation Service, Inc.
4053 Milestrip Road
Blasdell, New York 14219

Non-Collusive Bidding Certification signed

Total Amount of Bid:
Spring and Fall Pickup \$47,750.00
Alternate Bid - Spring Pickup Only \$21,950.00

Maple City Disposal Service
9 North Main Street
Delevan, New York 14042

Non-Collusive Bidding Certification signed

Total Amount of Bid:
Spring and Fall Pickup \$41,452.00
Alternate Bid - Spring Pickup Only \$20,726.00

A motion was made by Councilman Wohlhueter and seconded by Supervisor Kennedy to table until March 16, 1988 the bid award decision.

five (5) ayes

Carried

A motion was made by Councilman Lisowski and seconded by Councilman Zimmerman to make the following correction of Abstract #2A, February 17, 1988:

Voucher #120 - Marjorie Steiner, Answering Machine

From 3510.4, Contractural Expense
To 3510.2 Equipment

five (5) ayes

Carried

A letter was received from Randall Barker, 7380 Boston State Road, relative to his application for an addition to his business building at this address. As he also owns the property at 7376 Boston State Road, which is contiguous to 7380 Boston State Road, he requested that the westerly property line of No. 7380 be relocated four feet further to the west, thereby retaining a ten foot side lot line setback after his proposed building addition is constructed. Assessor William Kleis reported this change has been made on the tax roll. A motion was made by Councilman Lisowski and seconded by Councilman Wohlhueter to grant the relocation, as requested, of this property line.* Town Attorney Perley will draft

*See correction of Minutes on Page 108

**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 Joyce Carr, 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 Joyce Carr, Town Clerk of the Town of Boston, 8500 Boston State Road, Boston, New York not later than March 2, 1988 at 7:45 P.M., E.S.T. at which time all bids will be publicly opened at the Boston Town Hall, 8500 Boston State Road, Boston, New York.

A statement of Non-collusion must accompany the bid.

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

By order of the Town Board of the Town of Boston, Erie County.
Dated: February 5, 1988

Joyce Carr
Town Clerk
Town of Boston
2-11

a letter to Mr. Barker stating that this new property line must be maintained even if it is sold to a third party and that the additional four feet must be conveyed with the property.

five (5) ayes

Carried

RESOLUTION - STATE ASSISTANCE FOR UPDATE OF 1989 ASSESSMENT ROLL

A letter was received from Jerry and Joan Carrow, 6700 Mill Street, requesting the health and safety conditions of the premises of Edward Dzierzanowski, 6710 Mill Street be corrected. Mr. Dzierzanowski has applied for a Junkyard License to the town, however, Town Attorney Perley said he has not received any further communication from Mr. Dzierzanowski since the Town Board meeting on February 3, 1988, when he requested further information regarding this license.

A motion was made by Supervisor Kennedy and seconded by Councilman Lisowski requesting Mr. Dzierzanowski have all the proper papers for his Junkyard License application to the Town Board by April 15, 1988, or legal proceedings will be initiated against him for operating a junkyard without license.

five (5) ayes

Carried

At 8:00 P.M. a Public Hearing was held on an Amendment to Article X of the Zoning Ordinance of the Town of Boston. Town Clerk Carr read the Legal Notice and Supervisor Kennedy opened the hearing. There were no comments or questions. A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to close the hearing at 8:08 P.M.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to adopt as presented the Amendment to the Zoning Ordinance, Article X, Section 8-a.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to rescind the resolution adopted by the Town Board on December 16, 1987 which established a Capital Reserve Fund to finance the cost of constructing a new highway building.

five (5) ayes

Carried

RESOLUTION - CAPITAL RESERVE FUND

Received notification from the Department of Transportation that plans and specifications for the construction of the proposed commuter parking lot are being forwarded to their Albany office in preparation for letting of the contract. Supervisor Kennedy said he signed the necessary paper work today and hopefully the project will be completed this year.

Received a letter from Robert and Lillian Pryor asking for repairs to be made to Butternut Road, as they have experienced many difficulties with mail and deliveries due to the poor condition of the road. Supervisor Kennedy said the town has an obligation to provide access to homes on a dedicated highway and remedial work will be done as soon as weather permits. Highway Superintendent Kreitzbender said he will attempt to have some gravel spread in the interim, weather permitting, on a portion of the road.

Supervisor's Monthly Financial Report was received.

Supervisor Kennedy said he has been contacted by Supervisor Jack Quinn of Hamburg and they are scheduled to meet March 4 to try to resolve the disagreement relative to residency requirements for Hamburg Fire Control dispatchers. Councilman Wittmeyer will attend this meeting with Supervisor Kennedy, who said he will also discuss with the Hamburg Supervisor the possibility of Hamburg Fire Control dispatching the Boston ambulance.

PUBLIC NOTICE TOWN OF BOSTON AMENDMENTS TO ZONING ORDINANCE OF THE TOWN OF BOSTON

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Boston, Erie County, New York, will hold a public hearing on the 2nd day of March, 1988 at 8:00 P.M., Eastern Standard Time, in the Town Hall of the Town of Boston, 8500 Boston State Road on the following proposed amendment to the Zoning Ordinance of the Town of Boston.

BE IT RESOLVED, by the Town Board of the Town of Boston, that Article X of the Zoning Ordinance of the Town of Boston be amended as follows:

Adding thereto a new Section 8-a to read as follows:

Provisional Amendments - In the case of a proposed Amendment which involves the reclassification or transfer or any area from an R District to an RRB, B or I District, or enlargement of an RRB, B or I District, the Town Board may require the Petitioner to submit a development plan showing the extent, location and character of proposed uses and structures. The Town Board may require that such plan be modified to meet any objections raised at any public hearing thereon, or subsequent thereto, and may qualify its approval of any such amendment by attaching a special endorsement thereto. Within a period of six months from the approval of such provisional amendment, no building permit or certificate of zoning compliance shall be issued for any property within the area described by said amendment, except in accordance with the approved development plan, with all conditions and limitations placed thereon by the Town Board, or in accordance with the zoning regulations applicable prior to said reclassification action. Unless application for building permit for such special development is made within six months from the Town Board's approval, and unless development of the area included in

such development plan is commenced within one year after the Town Board's approval, said approval shall be void and the zoning classification shall be as it was when the petition or amendment was filed.

BE IT FURTHER RESOLVED, that this Amendment shall be effective upon its adoption and filing as required by law, and shall be applicable to all pending applications.

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

Dated: February 5, 1988

2-11

Joyce Carr
Town Clerk

Supervisor Kennedy said he will meet with Supervisor Woodard of Orchard Park on March 3, 1988 and will explore the possibility of a shared senior citizen van.

Supervisor Kennedy directed the Town Clerk to draft a letter to Robert Lorek, former Town Constable, and request all equipment and the numbered summons book in his possession to be returned immediately, per directive of the Town Board.

Town Clerk Carr said the next surplus food distribution will be held March 10, 1988 at the Town Hall.

Town Justice Monthly Financial Report was received.

Town Attorney Perley said he will meet with representatives of Krehbiel Associates on March 3, 1988 to review the contract of services for the new highway building.

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to authorize the Supervisor to sign an Easement for a right-of-way for access to Sewer District No. 4 with John F. Less, Sandra E. Less, W. Robert Wallace and Elaine E. Wallace.

five (5) ayes

Carried

Councilman Wohlhueter said the townwide trash feasibility study is almost completed and the committee plans on being ready by the March 16 Town Board Meeting to schedule a date for publishing and opening of bids.

Councilman Wittmeyer said the Disaster Preparedness Plan has been revised and updated and copies distributed to each of the fire companies and the rescue squad.

Code Enforcement Officer and Deputy Code Enforcement Officer Monthly Reports were received.

Dog Control Officer Monthly Report was received.

Town Engineer Monthly Report was received.

Received a report on the Association of Towns Meeting held in New York City in February from Planning Board Chairman Herbert Klein.

Received from the Planning Board amendments to the subdivision ordinance which they propose and recommend be incorporated into the existing ordinance.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to schedule a public hearing for April 6, 1988 at 7:45 P.M. on the proposed amendments to "An Ordinance Regulating the Approval of Land Subdivision for the Town of Boston", which was enacted June 7, 1972.

five (5) ayes

Carried

RESOLUTION - HARRY G. STRACK

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



Joyce Carr
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 March, 1988 at 7:30 P.M. Eastern Standard Time, there were present:

Richard L. Kennedy	Supervisor
Milton I. Wittmeyer	Councilman
David G. Zimmerman	Councilman
Don A. Wohlhueter	Councilman
Frank H. Lisowski, Jr.	Councilman

Supervisor Kennedy presented the following resolution and moved its adoption:

BE IT RESOLVED, that pursuant to Section 6-c of the General Municipal Law, as amended, this Boston Town Board does hereby establish a Capital Reserve Fund to finance the cost of constructing a new highway building.

It is the intent of this board to accumulate part of the cost of said building, the maximum cost of which is estimated to be \$556,000.00.

The Supervisor is authorized to invest, from time to time, the monies of this fund, pursuant to Section 6-f of the General Municipal Law.

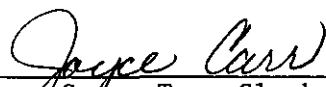
No expenditures shall be made except upon authorization of this Board.

FURTHER RESOLVED, that this expenditure is subject to a permissive referendum as provided by Article 7, Section 90 of the General Municipal Law, as amended.

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

Supervisor Kennedy	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Zimmerman	Voting	aye
Councilman Wohlhueter	Voting	aye
Councilman Lisowski	Voting	aye

AYES: 5 NOES: 0 ABSENT: 0


Joyce Carr, 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 March, 1988 at 7:30 P.M. Eastern Standard Time, there were present:

Richard L. Kennedy	Supervisor
Milton I. Wittmeyer	Councilman
David G. Zimmerman	Councilman
Don A. Wohlhueter	Councilman
Frank H. Lisowski, Jr.	Councilman

Supervisor Kennedy presented the following resolution and moved its adoption:

WHEREAS, the Town of Boston has recently undergone a reassessment of real properties within the town to achieve a uniform standard for assessment and it is necessary to update the 1989 assessment roll to maintain this uniform standard, and

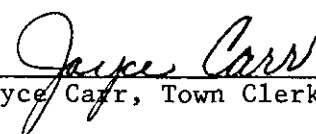
WHEREAS, state assistance is available to help the town do an update for the 1989 assessment roll.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Boston, New York, that the Town of Boston hereby requests state assistance, specifically from the Local Assessment Services of the State, to help do an update to achieve and maintain a uniform standard of assessments in accordance with Section 305 of the Real Property Tax Law.

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

Supervisor Kennedy	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Zimmerman	Voting	aye
Councilman Wohlhueter	Voting	aye
Councilman Lisowski	Voting	aye

AYES: 5 NOES: 0 ABSENT: 0


Joyce Carr, 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 March, 1988 at 7:30 P.M. Eastern Standard Time, there were present:

Richard L. Kennedy	Supervisor
Milton I. Wittmeyer	Councilman
David G. Zimmerman	Councilman
Don A. Wohlhueter	Councilman
Frank H. Lisowski, Jr.	Councilman

Supervisor Kennedy presented the following resolution and moved its adoption:

WHEREAS, Chief Constable Harry Strack has elected to retire from active government service as a result of reoccurring health problems, and

WHEREAS, Chief Strack has diligently served the Town of Boston as a law enforcement officer for almost two decades since his initial appointment as a Boston Constable on November 6, 1969, and

WHEREAS, he has also served this community in numerous other capacities and continues as a current member of the town Traffic Safety Committee, and

WHEREAS, Chief Strack has always freely offered of his time and talents to any of our townspeople who were in need of help or advice, and

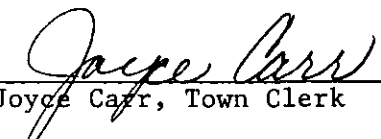
WHEREAS, the Town of Boston will lose a competent and dedicated officer whose expertise and vast experience will be sorely missed.

BE IT THEREFORE RESOLVED, that the Town Board of the Town of Boston expresses our profound appreciation for all that Harry has done for our community and extend to him and his family many more happy years in which to enjoy his retirement.

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

Supervisor Kennedy	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Zimmerman	Voting	aye
Councilman Wohlhueter	Voting	aye
Councilman Lisowski	Voting	aye

AYES: 5 NOES: 0 ABSENT: 0


Joyce Carr, Town Clerk

Regular Meeting
March 16, 1988

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Don Wohlhueter, Councilman Frank Lisowski, Supervisor Richard Kennedy, Town Attorney Michael Perley and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Minutes of the Regular Meeting of March 2, 1988 be approved, with the following correction being made:

Motion in last paragraph of Page 105 should read:
to approve the issuance of a building permit to
Randall Barker to erect a 8 foot X 18 foot addition
to an existing building at 7380 Boston State Road.

five (5) ayes

Carried

A motion was made by Councilman Lisowski and seconded by Supervisor Kennedy that the General Fund and Special District Bills on Abstract #3A, March 16, 1988, in the amount of \$19,827.74 be paid.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that the Highway Bills on Abstract #3A, March 16, 1988, in the amount of \$9,163.94 be paid.

five (5) ayes

Carried

Received and filed revisions of PSC #118 from New York State Electric & Gas Corporation.

Received a letter from General Code Publishers Corp. advising that publication of the Code of the Town of Boston has been completed. Town Clerk Carr said that the shipment of the volumes has been received and she has met with a representative of General Codes to discuss various aspects of this publication.

Discussion was held on the bids for the 1988 Spring and Fall Trash Pickup, which were opened at 7:45 P.M. on March 2, 1988. As the low bid for Spring Pickup Only from C.I.D. Refuse Service, Inc., in the amount of \$19,975.00, did not include pickup of tires as stated in the specifications, a motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to accept the bid of Maple City Disposal Service for Spring Pickup Only, at a cost of \$20,726.00.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer to authorize the Supervisor to execute an agreement with Krehbiel Associates for the design of the proposed highway garage.

five (5) ayes

Carried

Received Dispatching Practices and Procedures from the Boston Emergency Squad.

Received a letter from North Boston Volunteer Fire Co., Inc. supporting the attempt by the Town Board to shift the dispatching of the Boston Ambulance Squad from its present method of dispatching to the dispatching services of Hamburg Fire Control.

A letter was received from North Boston Volunteer Fire Co., Inc. relative to the residency requirement for dispatchers that is the policy of the Town of Hamburg. Supervisor Kennedy and Councilman Wittmeyer stated they attended a meeting with Supervisor Quinn of Hamburg and discussed this matter, at which time it was stated that the Towns of Boston, Colden and Eden contribute approximately 10 percent, and the Town of Hamburg 90 percent, to the total budget for dispatching services. Paul Duffett, Secretary of North Boston Fire Co., stated this fact should not preclude anyone from the other towns the opportunity of this job, as he feels that the amount of contribution has nothing to do with it. Councilman Zimmerman said the residency factor does not prohibit anyone from taking the Civil Service exam, and as Mr. Duffett disagreed with this statement, Mr. Zimmerman said he would verify this and let him know. Town Clerk Carr was directed to send Supervisor Quinn a copy of the fire company letter.

A petition, signed by 19 residents of Wildwood Drive, was received from Attorney Leonard Berkowitz, protesting the application by John Falkides to establish a mobile home district adjacent to this street. Supervisor Kennedy stated that he has agreed to meet with the residents after the Planning Board makes a recommendation on this request, and before any further action is taken by the Town Board.

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to make the following Correction of Abstract #2A, Voucher #128:

Response Vehicles, Inc.

From A 4540.2 Ambulance, Equipment (General Fund)

To H 4540.2 Ambulance, Equipment (Capital Projects Fund)

five (5) ayes

Carried

Upon the request of Helen Gross, President of the Boston Democratic Club, a motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski for permission to use the Town Park and Community Room for their 27th Annual Easter Egg Hunt on April 2, 1988 at 1:00 P.M.

five (5) ayes

Carried

A letter of request was read from Audrey B. Gleason, 8086 Back Creek Road, for a fire hydrant to be placed at the end of the water line north of her property. Councilman Wittmeyer will discuss this request with the Patchin Fire Company members.

Town Attorney Perley said that additional plans relative to the request of Gregory Gerwitz to rezone his property at 7456 Boston State Road have been received and he talked with Mr. Gerwitz this evening, who stated that all additional information will be received before the April 6, 1988 Town Board meeting.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to refer to the Planning Board for review and recommendation the request of Patricia Baetzhold to rezone her property at 9184 Back Creek Road from R-2 Single-Family to A-1 Agriculture for the purpose of establishing a two-family residence.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to accept the revised Fire District boundaries as presented by the North Boston Volunteer Fire Company, Inc. and Patchin Fire and Community Association. Supervisor Kennedy stated that any agreement between the three fire companies is strictly between them, as the Town Board does not define boundary lines when considering Fire Protection within the town.

five (5) ayes

Carried

Received a request from the Boston Free Library relative to the placement of two signs on Boston State Road directing people to the library. Town Clerk Carr was directed to draft a letter to the Erie County Highway Department with this request, and state that Highway Superintendent is willing to erect the poles and signs, if the county approves of the placement of the signs.

Supervisor's Monthly Financial Report was received.

RESOLUTION - SENIOR CITIZEN TRANSPORTATION

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to grant permission for Town Clerk Carr to attend the New York State Town Clerk's Association Annual Conference in Albany from April 24-26, 1988, with all appropriate expenses to be paid by the town.

five (5) ayes

Carried

A motion was made by Councilman Lisowski and seconded by Councilman Wittmeyer to grant permission to Highway Superintendent Kreitzbender to attend a highway seminar at Cornell University, Ithaca, New York on June 7-8, 1988, with all appropriate expenses to be paid by the town.

five (5) ayes

Carried

Town Attorney Perley reported on negotiations with the United States Labor Department relative to a claimed failure to comply with the Fair Labor Standards Act regarding a minimum wage deficiency for Town of Boston Emergency Squad dispatchers. He said he received an offer of administrative settlement from the Labor Department in the amount of \$20,349.09, based upon the wage deficiency for each individual Emergency Squad dispatcher.

A motion was made by Councilman Zimmerman and seconded by Councilman Lisowski to authorize Supervisor Kennedy to enter into an administrative settlement with the dispatchers in the total amount of \$20,349.09, with payments to the individual dispatchers as follows:

Phyllis Barrett	\$4428.37
Leita Brown	\$8395.48
Shirley Hughey	\$4625.12
Marjorie Kieber	\$2769.50
Joanne Stang	\$ 130.62

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Supervisor Kennedy to direct the Town Clerk to advertise for bids for the collection of garbage and refuse for residential dwelling units, said bids to be opened Monday, April 18, 1988 at 9:00 A.M.

five (5) ayes

Carried

Councilman Wohlhueter added that a public informational meeting will be held on Thursday, April 28, 1988 at 7:00 P.M. to answer any questions the residents may have relative to this proposal.

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to grant permission to Recreation Director Remy Orffeo and Recreation Supervisor Gerald O'Brien to attend the New York State Recreation and Park Society Conference in Monticello, New York on April 17-20, 1988, with all appropriate expenses to be paid by the town.

five (5) ayes

Carried

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

Joyce Carr

Joyce Carr
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 16th day of March, 1988 at 7:30 P.M. Eastern Standard Time, there were:

PRESENT:	Richard L. Kennedy	Supervisor
	Milton I. Wittmeyer	Councilman
	David G. Zimmerman	Councilman
	Don A. Wohlhueter	Councilman
	Frank H. Lisowski	Councilman

Supervisor Kennedy presented the following resolution and moved its adoption:

WHEREAS, the Supervisors of the Town of Boston and the Town of Orchard Park have negotiated with the County of Erie to supply one (1) Senior Citizens Van to be used jointly by said towns, and

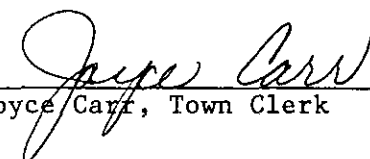
WHEREAS, it has been agreed by the Supervisors of both towns that strict rules and regulations for the use of said Van shall be made and enforced to keep the cost of maintenance of the Van at a minimum and therefore insuring the continued availability of the Van,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board be and is hereby authorized to direct the Supervisor to enter into a contract with the County of Erie to supply a Senior Citizens Van for use jointly by the Town of Boston and the Town of Orchard Park.

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

Supervisor Kennedy	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Zimmerman	Voting	aye
Councilman Wohlhueter	Voting	aye
Councilman Lisowski	Voting	aye

AYES: 5 NOES: 0 ABSENT: 0


Joyce Carr, Town Clerk

Regular Meeting
April 6, 1988

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Frank Lisowski, Supervisor Richard Kennedy and Town Attorney Michael Perley. Councilman Don Wohlhueter and Highway Superintendent Clarence Kreitzbender were absent.

A motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski that the Minutes of the Regular Meeting of March 16, 1988 be approved.

four (4) ayes

Carried

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

four (4) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that the General Fund and Special District Bills on Abstract #4, April 6, 1988, in the amount of \$31,074.62 be paid.

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski that the Highway Bills on Abstract #4, April 6, 1988, in the amount of \$12,896.96 be paid.

four (4) ayes

Carried

Received notification that Environmental Conservation Commissioner Thomas Jorling has scheduled a meeting on the issue of solid waste management for Thursday, April 21, 1988 from 1:00 - 4:30 P.M. at the Lancaster Town Hall. Supervisor Kennedy said he will try to attend this meeting, as it is a subject that was covered at the Association of Towns meeting in New York City in February.

Received and filed from New York State Electric & Gas Corporation clarification of the term "expiration of service life", as it applies to street lighting.

Received a letter from John Falkides relative to a section of the March 16, 1988 Minutes which stated the Supervisor agreed to meet with the residents of Wildwood Drive after the Planning Board makes a recommendation of the proposed expansion of the Boston Hills Mobile Home Court. Supervisor Kennedy said that, under the provisions of the Open Meetings Law, Mr. Falkides would be notified if a meeting were scheduled with the residents and the Town Board, however, he also can meet informally with residents at any time and added that Mr. Falkides would be notified if any open meetings are scheduled on this matter.

Received notification from the Erie County Department of Environment and Planning that they have reviewed the proposed extension of the Erie County Sewer District #3 on Greenbriar Terrace and it has been determined that the site is in an area of archeological concern.

Received from the Boston Homeowner's Association, 6417 Deanna Drive, a list of proposed changes to Local Law #2 of 1987 - Mobile Home Courts, that they submitted for consideration. Supervisor Kennedy said that these proposals would be forwarded to the Planning Board for their review and added that this Local Law was adopted after much review and many revisions by the Planning Board and after a Public Hearing was held for comments and questions. He said that these proposals will also be on file in the Town Clerk's Office and that the Local Law can be amended at any time if it is determined changes are needed.

Received a letter from Erie County Division of Highways stating they will issue a permit to the Town of Boston to install and maintain Library destination markers, provided that the signs meet all standards set by the New York State Manual of Uniform Traffic Control Devices. Town Attorney Perley will contact the library regarding this reply.

At 7:45 P.M. a Public Hearing was held on Amendments to the Subdivision Regulations of the Town of Boston. Town Clerk Carr read the Legal Notice, which was published in the Hamburg Sun. Supervisor Kennedy opened the hearing. There was no one present

who spoke for or against the proposed Amendments.

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to close the Public Hearing at 7:47 P.M.

four (4) ayes

Carried

A motion was made by Councilman Lisowski and seconded by Councilman Zimmerman to adopt Amendments to Subdivision Regulations of the Town of Boston.

four (4) ayes

Carried

In response to an inquiry from Supervisor Kennedy, a letter was received from New York State Department of Transportation relative to the proposed access from Rice Hill Road. They state they have reactivated the project and anticipate preliminary design and environmental studies in early 1989, but will be considering a wide range of alternatives, including the "No Build" alternative. They will contact the town when the design studies begin.

Received from the Erie County Clerk's Office Deed to lands conveyed from Robert A. Claus to the Town of Boston. The four parcels conveyed include two on Valley Circle and two in the area of Creekside Court. These parcels were donated to the Town of Boston from Mr. Claus in memory of his brother, Thomas. Town Clerk Carr was directed by Supervisor Kennedy to correspond with Robert Claus and express the Town of Boston's appreciation for his generosity in the conveyance of these land parcels.

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to approve a Soil Removal Permit of Wittmeyer Brothers for land on Zenner Road, not to exceed 600 cubic yards.

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to approve the application of Martin and Mildred Logel for a Soil Removal Permit in a 177 foot by 131 foot area off Boston State Road, not to exceed 600 cubic yards.

four (4) ayes

Carried

Supervisor Kennedy presented an engraved plaque to former Police Chief Harry Strack, which is a reproduction of the Resolution moved at the March 2, 1988 meeting which expressed the town's appreciation for all that Mr. Strack has done for the community. Mr. Strack thanked the Supervisor and the town for this plaque and said that he has many fond memories of his years working with the Town of Boston.

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to refer to the Planning Board for review and recommendation the application of Carol and Jeffrey Holben to construct a four-bay, self-service car wash business on vacant property across from 7128 Boston State Road.

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to refer to the Planning Board for review and recommendation the application of Raymond Miller to construct a four-bay self-service and an automatic cloth roll-over car wash at the property which now houses Ron Miller's Used Cars on the corner of Boston State and Abbott Road. The present structure will be demolished and new buildings erected.

four (4) ayes

**PUBLIC NOTICE
TOWN OF BOSTON
AMENDMENTS TO**

**SUBDIVISION REGULATIONS
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 6th day of April, 1988 at 7:45 P.M. Eastern Daylight Savings Time, in the Town Hall of the Town of Boston, 8500 Boston State Road on the following proposed amendment to the Subdivision Regulations of the Town of Boston.

BE IT RESOLVED that the Town Board of the Town of Boston does hereby ordain, enact and publish that the Subdivision Regulations of the Town of Boston be, and the same are hereby amended as follows:

In Article II, by deleting definition "BUILDING INSPECTOR - The duly designated building inspector of the Town." and adding in its place and stead the definition "CODE ENFORCEMENT OFFICER - The duly designated Code Enforcement Officer of the Town of Boston, or his deputy."

In Article III, Section 6, Subsection B, by adding a new paragraph (19) to read in its entirety as follows: "(19) The subdivider of a proposed subdivision within a light district shall provide street lighting within the subdivision as same shall be determined to be necessary and appropriate by the Planning Board."

In Article IV, Section 2, by designating the first full paragraph contained after the title "HIGHWAY, UTILITY AND STREET IMPROVEMENTS" as paragraph A. And adding thereafter, a new paragraph B to read in its entirety as follows: "B. Drainage easements set forth on the subdivision map shall be for the benefit of the owners of the property within the subdivision, and the benefit derived from these easements shall be for property owners only. The Town of Boston assumes no responsibility for maintenance thereof, and an endorsement to that effect shall be contained on any map filed in the Erie County Clerk's Office."

In Article VI, by adding a new Section 2, to read in its entirety as follows: SECTION 2 - "No building permit for the construction on any lot in an approved subdivision shall be issued if the width and lot area are different than indicated on the subdivision map, unless a change in lot size and dimension is approved by the Planning Board."

BE IT FURTHER RESOLVED, that the foregoing amendments to "An Ordinance Regulating the Approval of Land Subdivision for the Town of Boston," Erie County, New York, shall take effect and be in force from and immediately after its passage, publication and posting, or upon personal service of a certified copy thereof, as provided by law.

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

Dated: March 18, 1988

Joyce Carr
Town Clerk

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to accept a deed from James Smolinski which conveys land at the end of Cloverfield Drive to the Town of Boston which can be utilized as a 50 X 100 foot turnaround.

four (4) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Lisowski to accept a deed from Carol Dodge which conveys land at the easterly end of Hunn Road to the Town of Boston which can be utilized as a 25 X 75 foot turnaround.

four (4) ayes

Carried

The rezoning request of Gregory Gerwitz that was tabled after a public hearing on December 2, 1987 was discussed. As the additional information that was requested by the Town Board has been received, a motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to grant provisional rezoning from Residential Restricted Business RRB to Business B-1, to a depth of 330 feet in order to conform with existing zoning, for property at 7456 Boston State Road. This provisional rezoning does not grant approval of the site plan and Mr. Gerwitz stated he understands the provisional rezoning and site plan approval stipulations.

four (4) ayes

Carried

Supervisor's Monthly Financial Report was received.

Supervisor Kennedy said he has received word from Tallamy, VanKertin & Gertis that they have not yet received the balance of engineering fees from George Schictel that are due from the amphitheater project. The sum outstanding is approximately \$2300 and if this amount is not paid by the time of the April 20, 1988 Town Board meeting, the Supervisor recommends that the Town of Boston fulfill the obligation they made when they signed the contract and pay the outstanding charges, then take action to collect the amount from Mr. Schichtel.

Supervisor Kennedy read a letter received from Karen Diemunsch, Executive Director of the Southtowns Rural Preservation Co., Inc., stating they have entered into a contract with the League for the Handicapped to purchase the vacant school located on Boston State Road, near Sunset Lane. She requested the Supervisor's endorsement of this purchase, as the success of their application for a direct grant depends on their ability to demonstrate support. Supervisor Kennedy said that a local Veterans organization has been under the impression they had a valid contract to purchase this building, however it apparently was not binding, as it had not been signed by the seller, only the realtor, and he said he intends to write a letter to the realtor relative to the mishandling of this sales contract.

Supervisor Kennedy read a letter received from The Park Associates, Inc., thanking him for his letter of support regarding their application for a long term inpatient rehabilitation program for head injured patients to be constructed at the Orchard Park Health Care Center, Inc.

Tax Collector's Report was received.

Town Justice Monthly Report was received.

Town Attorney Perley presented to the Town Board an amendment to Local Law #1 of 1983 entitled "Excavation on Town Property."

A motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski to schedule a public hearing for May 4, 1988 at 7:45 P.M. on a proposed amendment to Local Law Number 1 for the Year 1983 entitled "Excavation on Town Property".

four (4) ayes

Carried

Councilman Zimmerman requested Town Clerk Carr to read a letter received this date from Bob Keel, President, Boston Emergency Squad. This letter expressed appreciation to the Town Board and Town Attorney for the assistance provided during the recent negotiations with the squad dispatchers and the resolution of the problem. He also stated that meetings with Hamburg Fire Control have been very productive insofar as their willingness to assume the dispatching duties for the squad.

Code Enforcement Office and Deputy Code Enforcement Officer Monthly Reports were received.

Dog Control Officer Monthly Report was received.

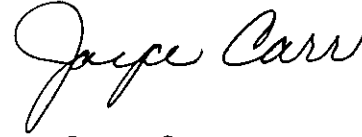
Town Engineer Monthly Report was received.

A motion was made by Councilman Zimmerman and seconded by Councilman Lisowski to reappoint Joseph Santonocito the the Zoning Board of Appeals, term to expire April 1, 1993.

four (4) ayes

Carried

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



Joyce Carr
Town Clerk

Regular Meeting
April 20, 1988

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Don Wohlhueter, Councilman Frank Lisowski, Supervisor Richard Kennedy, Town Attorney Michael Perley and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the Minutes of the Regular Meeting of April 6, 1988 be approved.

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 #4A, April 20, 1988, in the amount of \$11,251.10 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Highway Bills on Abstract #4A, April 20, 1988, in the amount of \$2,125.51 be paid.

five (5) ayes

Carried

A letter was read from Erie County Department of Emergency Services advising of a standard format for telephone stickers and street signs for the county-wide 9-1-1 system, which becomes operational on July 18, 1988. More information is expected to be received relative to the placement of street signs and distribution of telephone stickers in the near future.

A letter was received from the North Boston Volunteer Fire Co., Inc. stating they favor the establishment of the distribution of fire tax funds on a per capita basis, rather than the present one-third split to each of the three fire companies. Councilman Wittmeyer, as liaison to the fire companies, said the Town Board will wait for response to this letter from the Patchin and Boston Fire Companies before taking any action on this request.

Received a Notice of Claim of Roger L. Russin vs. Town of Boston and Boston Emergency Squad, Inc. relative to a mutual aid ambulance call in the Town of Colden on January 15, 1988. Town Attorney Perley said he advised the town insurance carrier, Pierce & Cash, of this action and will contact John J. Fromen, attorney for the plaintiff, and ask that the Town of Boston and the Boston Emergency Squad be removed as defendants, if a planned meeting with Emergency Squad members on April 23 shows there was no involvement from them in this matter.

Received a letter from the Niagara Frontier Transportation Authority with information on scheduled public hearings relative to their revision of the structure of fare zones. A copy of the recommended restructured fare zones is on file in the Town Clerk's Office.

Received a letter from Peter Tower questioning if property he owns near Boston Colden Road off the powerline is in Water District #1. The Town Clerk was directed to communicate with Mr. Tower that his property is not in the water district and there are no plans to extend the existing water main on Boston Colden Road or to enlarge the district.

Received notification from Howard Communications, Inc. that a Bike-a-thon to benefit Camp Good Days & Special Times will take place on Saturday, May 14, 1988 starting at Chestnut Ridge Park and continuing down Herman Hill Road, Abbott Road, Boston State Road to Chestnut Ridge Road and back to the park. They have made arrangements with both the Orchard Park Police and the Erie County Sheriff's Department for traffic control.

A letter was received from Larry Reade, Empire State Games Cycling Chairman, requesting permission to conduct races and to use the Town Hall for registration and start-finish staging on June 5. A motion was made by Councilman Lisowski and seconded by Councilman Wohlhueter to grant permission for the use of the Town Hall and to conduct races over the stated course on June 5, 1988 from 7:00 A.M. to approximately 2:00 P.M. This motion is contingent that they make arrangements to coordinate traffic control on the race date. Supervisor Kennedy directed Councilman Lisowski to coordinate with Mr. Reade the matters of traffic control and road conditions.

five (5) ayes

Carried

Received a letter from John Falkides regarding reports of dumping of garbage on Chestnut Ridge Road, near Boston State Road. Supervisor Kennedy said it appears that the county removed some guard rails at this location to facilitate the dumping of dirt they remove when cleaning ditches and apparently this is being used as a place for dumping of garbage. Town Clerk Carr was directed to communicate with Erie County Division of Highways and ask that the guard rails be reinstalled as a measure to eliminate the easy access for garbage dumping.

Received information on Community Development program procedures and the application process for 1988-89 funds. Supervisor Kennedy said that these funds have already been committed to the planned engineering study of the feasibility of water service on Chestnut Ridge Road and also to the possible payment of dues for membership in the Southtowns Planning and Development Group, therefore, no public hearing is necessary for this funding.

A motion was made by Councilman Lisowski and seconded by Supervisor Kennedy to refund to Robert Claus the 1988 Town & County tax, in the amount of \$96.62, which he paid for the four parcels of land he donated to the town in memory of his brother, Thomas Claus.

five (5) ayes

Carried

Received a check in the amount of \$25.00 from Edward R. Dzierzanowski for a Junkyard Permit. Town Attorney Perley said he will review all submitted data at this time and report back to the Town Board if all requirements for this application are in order.

RESOLUTION - EMERGENCY SQUAD DISPATCHING

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to grant permission to Mary Holcomb, 5690 Herman Hill Road, for the use of the Town Hall Community Room on April 30, 1988 from 12 Noon to 6:00 P.M. for a Baby Shower, with no alcoholic beverages being served and with the condition the room is left in good condition.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Lisowski to grant concept approval to Gregory and Ann Gerwitz on their application to construct a building to house apartments and retail shops at 7456 Boston State Road, contingent that the Code Enforcement Officer determines that the Application for Permit is in order and that their present business location is in compliance before he approves the building permit application.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Lisowski to create a Capital Project #1 of 1988 for the purchase of an ambulance to be funded by a transfer from the General Fund in the amount of \$10,000.00 and a Bond Anticipation Note in the amount of \$46,500.00 for this purchase.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to authorize the Supervisor to enter into a contract with Nussbaumer & Clarke, Inc. in the amount of \$16,400.00, for engineering services on proposed Water District #3 in the Chestnut Ridge Road area.

five (5) ayes

Carried

A letter was received from Karen Diemunsch, Executive Director of Southtowns Rural Preservation Co., Inc., requesting support for their plans to purchase the vacant school located in Boston. As this endorsement was to be sent by April 6, the deadline is past for a letter.

RESOLUTION - BOND ANTICIPATION NOTE

RESOLUTION - SERIAL BOND

Town Clerk Carr announced there will be a surplus food distribution at the Town Hall on Thursday, May 5, 1988.

Supervisor Kennedy reported that Highway Superintendent Kreitzbender and Councilman Wittmeyer will be drafting specifications for a new highway truck to replace the 1974 GMC that is presently in use.

Councilman Wohlhueter reported that bids were opened at 9:00 A.M. on April 18, 1988 for Pickup and Removal of Garbage from Specified Residences within the

Town of Boston, as follows:

Browning-Ferris Industries
Joe Ball Sanitation Service, Inc.
4053 Milestrip Road
Blasdell, New York 14219

Total Amount of Bid \$538,366.00 - Two Years
Alternate Bid \$248,366.00 - One Year

C.I.D. Refuse Service, Inc.
10860 Olean Road
Chaffee, New York 14030

Total Amount of Bid \$714,360.00 - Two Years
Alternate Bid \$357,000.00 - One Year

Councilman Wohlhueter said that a public informational meeting will be held on Tuesday, May 3, 1988 at 7:00 P.M. in order to explain this proposal and answer questions residents may have, after which time the committee will be in a position to make a recommendation to the Town Board on the results of their feasibility study.

Councilman Wittmeyer said that final estimates have been received from the engineering firm relative to the construction of the proposed new highway building and that a Capital Improvements Committee meeting will be held on April 25. He anticipates that a date for a referendum can be scheduled at the next Town Board meeting.

Councilman Zimmerman asked the Town Clerk to send a copy of the Town of Boston FCC license to James P. Ziegelhofer, Senior Fire Dispatcher, Town of Hamburg.

A motion was made by Councilman Wittmeyer to adjourn at 8:20 P.M., seconded by Councilman Wohlhueter.



Joyce Carr
Town Clerk

TOWN OF BOSTON



SERIAL BOND RESOLUTION DATED APRIL 20, 1988

At a regular meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Town Hall in said Town of Boston on the 20th day of April, 1988 at 7:30 P.M. Eastern Daylight Saving Time, there were:

Present:	Richard L. Kennedy	Supervisor
	Milton I. Wittmeyer	Councilman
	David G. Zimmerman	Councilman
	Don A. Wohlhueter	Councilman
	Frank H. Lisowski	Councilman

Absent: None

Councilman Lisowski presented the following resolution and moved its adoption:

WHEREAS, the Town Board of the Town of Boston, New York, by a resolution duly adopted on the 20th day of April, 1988 and pursuant to Section 103 of the General Municipal Law, duly accepted an offer and authorized the purchase of one (1) 1988 Cab and Chassis with Modular Ambulance Equipment, plus Additional Equipment, at a total cost of \$57,430.00, and it is provided that the sum of \$10,930.00 of such cost was to be paid from existing funds and the balance of \$46,500.00 of such cost was to be paid from the proceeds of obligations to be issued, pursuant to the Local Finance Law.

NOW, THEREFORE, BE IT RESOLVED,

1. The specific object or purpose for which obligations are to be issued, pursuant to this resolution, is to finance the cost of said 1988 Cab and Chassis with Modular Ambulance Equipment, plus Additional Equipment.

2. The maximum cost of such vehicle is \$57,430.00, as required by the terms of the proposals of \$57,430.00, and the plan of financing of such cost is as follows:

The sum of \$10,930.00 to be provided from the current funds now available in the General Fund and the balance of the cost is to be provided by the issuance of separate Serial Bonds in the total amount of \$46,500.00, in annual amounts of \$9,300.00, pursuant to this resolution.

3. The following determinations are hereby made:

A. The period of probable usefulness of such vehicle is at least five (5) years.

- B. The subdivision of Paragraph "A" of Section 11.00 of the Local Finance Law is applicable in the circumstances, is Subdivision "29".
- C. The proposed maturity of the obligations authorized by this resolution will not be in excess of five (5) years.

4. That the Town of Boston, Erie County, New York, issue its serial bonds in the amount of \$46,500.00 to finance such cost in accordance with the financial plan setforth above. Such bonds shall be dated approximately as of the date of the delivery of such cab, chassis and equipment and the power to fix and determine the exact date of such bonds is hereby designated to the Supervisor.

5. Such bonds shall be numbered consecutively and shall be in the total amount of \$46,500.00 and shall mature in numerical order in annual installments in the years and in total amounts as follows: \$9,300.00 - April 21, 1989; \$9,300.00 - April 21, 1990; \$9,300.00 - April 21, 1991; \$9,300.00 - April 21, 1992 and \$9,300.00 - April 21, 1993 in such individual amounts to be determined and said bonds shall be issued in bearer form without coupons and shall contain a power to convert to registered form in accordance with the provisions of the Local Finance Law. The bonds shall bear interest at a rate not exceeding 8 percent per annum. Payments of such interest shall be evidenced by notation thereon on the bonds at the time of payment. The bonds shall be substantially in the form of the proposed bond which is attached hereto and made a part hereof of this resolution.

6. The Supervisor is hereby delegated the power to prepare such bonds and to sell such bonds at private sale at not less than par and accrued interest, and at such sale to fix the interest to be borne by such bonds within the limitations setforth in this resolution. The Supervisor shall deliver such bond to the purchaser thereof only against cash or certified check. The proceeds of sale of the bond shall be deposited in a special bank account, as required by Section 165.00 of the Local Finance Law and the powers delegated to the Supervisor by this resolution shall be exercised in the conformity with the provisions of the Local Finance Law.

7. This resolution shall take effect immediately.

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

Supervisor Kennedy

Voting aye

Richard J. Kennedy
Signature

Councilman Wittmeyer

Voting aye

Paul Wittmeyer
Signature

Councilman Zimmerman

Voting aye

Daniel H. Zimmerman
Signature

Councilman Wohlhueter

Voting aye

Don A. Wohlhueter
Signature

Councilman Lisowski

Voting aye

Frank Lisowski
Signature

AYES:

Five

NOES:

None

Joyce Carr
Joyce Carr, Town Clerk
Town of Boston

TOWN OF BOSTON



BOND ANTICIPATION NOTE RESOLUTION DATED APRIL 20, 1988 FOR THE ISSUANCE AND SALE OF A BOND ANTICIPATION NOTE OF THE TOWN OF BOSTON, NEW YORK IN ANTICIPATION OF THE SALE OF \$46,500.00 SERIAL BONDS FOR THE PURCHASE OF ONE (1) 1988 CAB AND CHASSIS WITH MODULAR AMBULANCE EQUIPMENT, PLUS ADDITIONAL EQUIPMENT.

At a regular meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Town Hall in said Town of Boston, on the 20th day of April, 1988 at 7:30 P.M., Eastern Daylight Saving Time, there were:

Present:	Richard L. Kennedy	Supervisor
	Milton I. Wittmeyer	Councilman
	David G. Zimmerman	Councilman
	Don A. Wohlhueter	Councilman
	Frank H. Lisowski	Councilman

Absent: None

Councilman Zimmerman presented the following resolution and moved its adoption:

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

1. For the purpose of paying the cost of one (1) 1988 Cab and Chassis with Modular Ambulance Equipment, Plus Additional Equipment, in accordance with proceedings heretofore taken by the Town Board of said town, are hereby authorized to be issued a \$46,500.00 bond anticipation note of said town.

2. Specific reference is hereby made to a resolution entitled "Serial bond resolution of April 20, 1988, authorizing the issuance and sale of serial bonds of the Town of Boston, New York", which resolution authorized the bonds in anticipation of the sale of which the Note hereby authorized is to be issued.

3. The amount of bonds to be issued for the aforesaid object or purpose is \$46,500.00 and such bonds shall be serial bonds.

4. The amount of the bond anticipation Note to be issued is \$46,500.00. Such Note shall be dated April 22, 1988 and shall be numbered consecutively and shall mature April 21, 1989, bearing interest at the rate not exceeding 8 percent per annum, payable at maturity. Such Note shall be signed by the Supervisor of said town and attested by the Town Clerk of said town, and both principal of and interest on said Note shall be payable in lawful money of the United States of America at the Boston Town Hall, 8500 Boston State Road, Boston, New York or such other address designated on said Note. Such Note shall be substantially the form as the copy of said Note hereto annexed.

Said Note shall be payable from the proceeds derived from the sale of said bonds or otherwise redeemed in the manner provided by Section 23.00 of the Local Finance Law. The faith and credit of said town are hereby irrevocably pledged for the payment of said Note and interest thereon.

5. There are no bond anticipation notes outstanding which have been previously

issued in anticipation of the sale of said bonds. Neither is the note hereby authorized a renewal note. The period of maturity of such note is herein above set forth. Such note is not issued in anticipation of bonds for an assessable improvement.

6. The Supervisor of the Town of Boston is hereby authorized to sell said Note at private sale at not less than par and accrued interest; and when said Note shall have been duly executed and sold, the same shall be delivered to the purchaser upon payment of the purchase price to the Supervisor and the receipt of the Supervisor shall be a full acquittance to said purchaser who shall not be obligated to see to the application of the purchase money.

7. This Resolution shall take effect immediately.

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

Supervisor Kennedy

Voting aye

Richard L. Kennedy
Signature

Councilman Wittmeyer

Voting aye

Ed. L. Wittmeyer
Signature

Councilman Zimmerman

Voting aye

David H. Zimmerman
Signature

Councilman Wohlhueter

Voting aye

Don A. Wohlhueter
Signature

Councilman Lisowski

Voting aye

Frank Lisowski
Signature

AYES:

Five

NOES:

None

Joyce Carr
Joyce Carr, Town Clerk
Town of Boston

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 April, 1988 at 7:30 P.M. Eastern Daylight Saving Time, there were:

Present:	Richard L. Kennedy	Supervisor
	Milton I. Wittmeyer	Councilman
	David G. Zimmerman	Councilman
	Don A. Wohlhueter	Councilman
	Frank H. Lisowski	Councilman

Absent: None

Councilman Zimmerman presented the following resolution and moved its adoption:

BE IT RESOLVED, that the Town Board of the Town of Boston does hereby authorize the Supervisor to enter into a contract with the Town of Hamburg for ambulance dispatching services, beginning June 1, 1988, and

BE IT FURTHER RESOLVED, that the Town of Boston Town Board authorizes the Supervisor to spend up to \$1,000.00 for the conversion equipment needed to install an antenna at the dispatch location, and

BE IT FURTHER RESOLVED, that the Town of Boston will have a contract with Michael Saia to maintain radio repeater equipment located in Boston, and

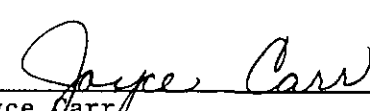
BE IT FURTHER RESOLVED, that the present emergency number will be transferred by New York Telephone directly to Hamburg Fire Control from June 1, 1988 until the 9-1-1 system takes effect, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to James P. Ziegelhofer, Senior Fire Dispatcher for Hamburg Fire Control, Hamburg Supervisor Jack Quinn, Jr. and Harold Miller of the Erie County Central Police Services.

Motion was seconded by Councilman Wittmeyer and put to a vote, which resulted as follows:

Supervisor Kennedy	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Zimmerman	Voting	aye
Councilman Wohlhueter	Voting	aye
Councilman Lisowski	Voting	aye

AYES: 5 NOES: 0 ABSENT: 0


Joyce Carr
Town Clerk

Regular Meeting
May 4, 1988

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Don Wohlhueter, Councilman Frank Lisowski, Supervisor Richard Kennedy, Town Attorney Michael Perley and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the Minutes of the Regular Meeting of April 20, 1988 be approved.

five (5) ayes

Carried

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

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Lisowski that the General Fund and Special District Bills on Abstract #5, May 4, 1988, in the amount of \$54,563.42 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Highway Bills on Abstract #4, May 4, 1988, in the amount of \$8113.15 be paid.

five (5) ayes

Carried

Received check in the amount of \$6,676.53 from International Cablevision, Inc. for payment of franchise fees for the period of October 1, 1987 through March 31, 1988.

Received notification from Senator William Stachowski of a press conference to be held at the Armor Volunteer Fire Hall on May 7 relative to a state grant to be used for a Southtowns Haz Mat Team.

Received a news release from County Executive Dennis Gorski, in which he recommends a 1% transfer tax on the sale of real property in Erie County to be imposed on the seller, to be used to support mass transportation and local roads and bridges. A copy of the proposed law was also included and is on file in the Town Clerk's office.

A copy of a resolution adopted by the Town of Grand Island was received, which is in opposition to the proposed transfer tax increase.

RESOLUTION - PROPOSED INCREASE IN REAL ESTATE TRANSFER TAX

Received notification from the South Towns Coalition of Community Service relative to a location of a satellite office in the south towns in order to increase and improve accessibility of services to people in the area. Supervisor Kennedy said it is in the town's best interest to support a satellite office to be located in the south towns area. A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter that a letter will be drafted in support of this proposal.

five (5) ayes

Carried

Wanda Betts, 6184 Wildwood Drive, asked that the Town Board consider the scheduling of a Public Hearing on the proposed Boston Hills Mobile Home Park expansion rezoning be held on other than a Wednesday evening, as the homeowners' group has retained Leonard Berkowitz as their attorney and he is unable to represent them on Wednesday evenings, due to other commitments. John Falkides, owner of the park, indicated that another evening would be acceptable to him.

At 7:45 P.M. a Public Hearing was held on an Amendment to Local Law Number 1 - 1983, Excavation on Town Property, to be known as Local Law Number 1 - 1988. Town Clerk Carr read the Legal Notice. Supervisor Kennedy said this proposed amendment will basically enforce the current directives that protect the roadways in the Town of Boston, and apply a stricter standard to strengthen the law. Supervisor Kennedy opened the public hearing. There were no questions or comments from anyone present.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to

close the hearing at 7:49 P.M.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to approve the adoption of an Amendment to Local Law Number 1 - 1983, Excavation on Town Property, Local Law Number 1 - 1988.

five (5) ayes

Carried

A letter was read from Town Attorney Perley stating that sufficient information has been received from Edward Dzierzanowski on his application for a Junk Yard Permit for the Town Board to make a preliminary determination concerning it, however additional information may be required while the application is pending.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to schedule a public hearing for June 15, 1988 at 7:45 P.M. on the request of Edward R. Dzierzanowski, 6710 Mill Road, for a permit for storage of second-hand automobiles, parts and other second-hand material.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski to authorize the Supervisor to sign an agreement with the county for summer youth employment in the Town of Boston.

five (5) ayes

Carried

A motion was made by Councilman Lisowski and seconded by Supervisor Kennedy to support the New York Public Interest Research Group, Inc. (NYPIRG) door-to-door outreach program between May 1 and August 31, 1988.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski to appropriate \$350.00 to Amvets Boston Post No. 219 for Memorial Day ceremonies.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman directing Town Clerk Carr to reply to the Erie County Department of Emergency Services that permission is granted to install an antenna on the tower located at Patchin Fire Company Station #2 on Cole Road, contingent that the Patchin Fire Company has no objection.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Lisowski to renew the Special Use Permit of Conrad Koch, 7374 Lower East Hill Road, for a period of one year, to April 29, 1989, for the purpose of boarding and breeding horses.

five (5) ayes

Carried

Town Clerk Carr read a letter she wrote to the Erie County Highway Department relative to dumping of garbage and appliances on Chestnut Ridge Road. She also read a reply from John Falkides, questioning who would be responsible for cleaning up the debris once the guard rails are replaced by the county. Supervisor Kennedy directed Town Clerk Carr to follow up on her letter to the County Highway Department and to also tell them that some residents of the mobile home park reported that it was a county highway crew that dumped appliances in this area. He also said that if the county does not clean up the debris, the town will.

RESOLUTION - MUNICIPAL CLERK'S WEEK

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to schedule a Public Hearing for May 18, 1988 at 7:45 P.M. on proposed amendments

PUBLIC NOTICE TOWN OF BOSTON AMENDMENT TO LOCAL LAW NUMBER 1 - 1983 EXCAVATION ON TOWN PROPERTY

LOCAL LAW NUMBER 1 - 1988

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Boston, Erie County, New York, will hold a public hearing on the 4th day of May, 1988 at 7:45 P.M. Eastern Daylight Savings Time, in the Town Hall of the Town of Boston, 8500 Boston State Road, on the following proposed amendment to Local Law Number 1 of 1983 Excavation on Town Property.

BE IT RESOLVED by the Town Board of the Town of Boston that Local Law Number 1 for the Year 1983 entitled Excavation on Town Property be amended as follows:

1. In Section 1 by deleting the last full sentence therein and adding in its place and stead

No permits for work which result in road cuts shall be issued unless it is determined by the Town Engineer that the proposed work could not be accomplished by overhead or underground construction or that it would be more likely for Town property to be damaged by overhead or underground construction than by a surface road cut.

2. This amendment shall take effect as provided by law.

4-21

to the Boston Emergency Squad Contract.

five (5) ayes

Carried

Recorded deeds were received from Town Attorney Perley relative to property transferred to the Town of Boston for turnarounds on Hunn Road and Cloverfield Drive.

Supervisor's Monthly Financial Report was received.

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to appropriate \$500.00 to the Boston Creative Playground fundraising drive and to wish them success in the construction of the playground in June.

five (5) ayes

Carried

Supervisor Kennedy said that it has come to his attention that there were some errors in the reporting to the Buffalo News of the public informational meeting held May 3 on the townwide trash pickup. He asked the reporter present to correct the discrepancies, so as to not cause misunderstanding with the town's readers.

Tax Collector's Report was received.

A motion was made by Supervisor Kennedy and seconded by Councilman Lisowski to designate polling places, as follows:

District #1	Back Creek School
District #2	North Boston Fire Hall
District #3	Boston Town Hall
District #4	Catholic Church School
District #5	Back Creek School
District #6	Boston Town Hall
District #7	North Boston Fire Hall

five (5) ayes

Carried

Town Justice Monthly Financial Report was received.

Councilman Wohlhueter, Chairman of the Townwide Garbage Pickup Feasibility Study, read a letter which reported on the committee's activities from its formation a year ago to the present. The low bidder at the bid opening was:

Browning-Ferris Industries
Joe Ball Sanitation Service, Inc.
4053 Milestrip Road
Blasdell, New York 14219

Total Amount of Bid	\$538,366.00 - Two Years
Alternate Bid	\$248,366.00 - One Year

The two year contract would have an approximate unit cost of \$117.15, not taking into account the assessment for townwide trash pickup, which will no longer be necessary if the bid is awarded. Mr. Wohlhueter also said the committee feels that the awarding of the contract will improve service to more remote sections of town, reduce the amount of trash deposited within the town and will allow the town to take control of garbage if there are changes or modifications in collection procedures mandated by state or federal government. The committee unanimously recommends that a two year contract for the collection of residential garbage be awarded to Browning-Ferris Industries, pursuant to their bid. Supervisor Kennedy extended appreciation to this committee on behalf of the Town Board for their year-long study and the excellent gathering of data and reports by the committee.

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to accept the committee's recommendation and award the bid for two years to Browning-Ferris Industries, in the amount of \$538,366.00.

five (5) ayes

Carried

Councilman Wittmeyer said he received a complaint about a high hedge that is hindering clear site at the corner of Boston State Road and Aspen Drive. Highway Superintendent Kreitzbender will contact the owner of the property and arrange for the trimming of this hedge.

Councilman Wittmeyer presented a schedule, as prepared by the Capital Improvements Committee subcommittee on a new highway building, of dates pertinent to the receipt of plans, bid advertising and opening and a referendum date of July 26, 1988, with

two polling places in the Town Hall for voting on the building.

Code Enforcement Officer and Deputy Code Enforcement Officer Monthly Reports were received.

Dog Control Officer Monthly Report was received.

Town Engineer Monthly Report was received.

Received a recommendation from the Planning Board that the application of John and Katherine Falkides for the creation of a Mobile Home Court District not be approved, on the basis this is not a proper use for that particular piece of land.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to schedule a public hearing on Thursday, June 2, 1988 at 7:30 P.M. on the request of John P. Falkides and Katherine H. Falkides for the creation of a Mobile Home Court District on a 4.2± acre parcel northwesterly of the existing Boston Hills Mobile Home Park at 7898 Boston State Road.

five (5) ayes

Carried

A letter was received from the Planning Board recommending that the request of Patricia Baetzhold, 9184 Back Creek Road, to rezone her property from R-2 Single Family to A-1 Agriculture for the purpose of converting her single-family residence into two three-bedroom apartments be granted.

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to schedule a public hearing for June 1, 1988 at 7:45 P.M. on the request of Mrs. Baetzhold to rezone her property from R-2 Single-Family to A-1 Agriculture.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Supervisor Kennedy to adjourn at 8:29 P.M.



Joyce Carr
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 in said Town of Boston on the 4th day of May, 1988 at 7:30 P.M., Eastern Daylight Saving Time, there were:

Present:	Richard L. Kennedy	Supervisor
	Milton I. Wittmeyer	Councilman
	David G. Zimmerman	Councilman
	Don A. Wohlhueter	Councilman
	Frank H. Lisowski	Councilman

Absent: None

Supervisor Kennedy presented the following resolution and moved its adoption:

WHEREAS, Erie County Executive Dennis T. Gorski has proposed a \$13 million increase in the Real Estate Transfer Tax, and

WHEREAS, this 250 percent increase in the Real Estate Transfer Tax would increase the tax paid by sellers of property from its present level of \$4 per thousand to a new level of \$14 per thousand, and

WHEREAS, although paid by the seller of property, the Real Estate Transfer Tax is sure to be reflected in the selling price of the property, thereby burdening not only the seller, but all buyers and rent-paying tenants, and

WHEREAS, the increased Real Estate Transfer Tax as proposed by Erie County Executive Dennis Gorski will effect each and every one of the county's 330,000 property owners who, according to national relocation services, will sell and buy a new home on an average of once every seven years, and

WHEREAS, by further burdening the property owners of Erie County with a 250 percent increase in the Real Estate Transfer Tax, we will create an atmosphere of high-taxation similar to that of the metropolitan New York City area, and

WHEREAS, for most property owners in Erie County, the purchase of a home is representative of their major life savings and is their greatest investment, therefore further increasing the cost of that home by increasing the Real Estate Transfer Tax is neither fair nor equitable for those who own a home or wish to purchase property in Erie County.

NOW, THEREFORE, BE IT RESOLVED, that this Body hereby declares its opposition to the imposition of an increase in the Real Estate Transfer Tax, and be it further

RESOLVED, that this Honorable Body further urges the Erie County Legislature and the New York State Senate and Assembly to oppose this tax hike, and be it further

RESOLVED, that a certified copy of this resolution, as adopted by this Body, be forwarded to the Erie County Executive, members of the Erie County Legislature and State Senator William Stachowski and Assemblyman L. William Paxon.

Motion was seconded by Councilman Wittmeyer and put to a vote, which resulted as follows:

Supervisor Kennedy
Councilman Wittmeyer
Councilman Zimmerman
Councilman Wohlhueter
Councilman Lisowski

Voting aye
Voting aye
Voting aye
Voting aye
Voting aye

AYES: 5 NOES: 0 ABSENT: 0



Joyce Carr
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 in said town on the 4th day of May, 1988 at 7:30 P.M. Eastern Daylight Saving Time, there were:

Present: Richard L. Kennedy	Supervisor
Milton I. Wittmeyer	Councilman
David G. Zimmerman	Councilman
Don A. Wohlhueter	Councilman
Frank H. Lisowski	Councilman

Absent: None

Councilman Lisowski moved the following:

P R O C L A M A T I O N

Establishing May 8-14, 1988 as Municipal Clerk's Week

WHEREAS, the office of the Municipal Clerk is the oldest among public servants, and

WHEREAS, by keeping records and maintaining archives for posterity, along with insuring that the decisions of legislative bodies are properly implemented, this public official conscientiously represents the affairs of the communities; and

WHEREAS, the Municipal Clerk has striven to keep pace with governmental and citizenry needs, learning to perform varied duties by staying abreast of continuing technological advances via classroom seminars and other professional teaching; and

WHEREAS, just as local government has grown in keeping with the need to be responsive to all its citizens, the Municipal Clerk, who is often the first member of local government with whom citizens interact, insures that the individual's rights and privileges are preserved; and

WHEREAS, it is appropriate that we recognize the accomplishments of our Municipal Clerks who preserve the past with an eye always on the future of our democratic process.

NOW, THEREFORE, it is proclaimed the week of May 8-14, 1988 be

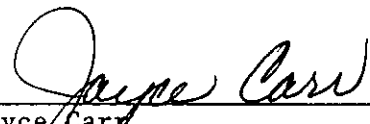
Municipal Clerk's Week

in full recognition of the Municipal Clerk's outstanding contribution and dedication to public service for the community.

Motion was seconded by Supervisor Kennedy, and put to a vote, which resulted as follows:

Supervisor Kennedy	Voting	<u>aye</u>
Councilman Wittmeyer	Voting	<u>aye</u>
Councilman Zimmerman	Voting	<u>aye</u>
Councilman Wohlhueter	Voting	<u>aye</u>
Councilman Lisowski	Voting	<u>aye</u>

AYES:	5	NOES:	0	ABSENT:	0
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Joyce Carr
Town Clerk

Regular Meeting
May 18, 1988

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Frank Lisowski, Supervisor Richard Kennedy, Town Attorney Michael Perley and Highway Superintendent Clarence Kreitzbender. Councilman Don Wohlhueter was absent.

A motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski that the Minutes of the Regular Meeting of May 4, 1988 be approved.

four (4) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that the General Fund and Special District Bills on Abstract #5A, May 18, 1988, in the amount of \$6,230.43 be paid.

four (4) ayes

Carried

A motion was made by Councilman Lisowski and seconded by Councilman Zimmerman that the Highway Bills on Abstract #5A, May 18, 1988, in the amount of \$8,008.53 be paid.

four (4) ayes

Carried

Received a resolution from the Town of Grand Island relative to Erie County's proposed Waterfront Agency plan to remove all powers from local government relative to waterfront development. Supervisor Kennedy said the Boston Town Board is in support of this resolution from Grand Island, as local jurisdictions should have a voice in the development of the waterfront in their municipality.

Received notification from the New York State Department of Transportation that the CHIPS allocation for the Town of Boston will be slightly decreased starting in June, 1988, however, the exact amount to be received is not yet determined.

Received 1987 STOP-DWI Contract from Erie County's Stop DWI Program and Supervisor Kennedy said that the Court Clerk informed him all is in order for the completion of the documentation of this contract.

Received invoice for Supervisor's signature from Erie County Division of Highways for payment of \$43,100.00 for Snow and Ice Control Expenses for the 1987-88 winter season.

Received resolutions from the Town of Amherst and the Town of Marilla relative to their opposition to a proposed increase by Erie County in the real estate transfer tax. Also received was a letter from County Legislator Mary Lou Rath, voicing her opposition also to this proposal. Senator William Stachowski acknowledged receipt of the Town of Boston resolution by stating he will keep the town's views in mind when debating alternative methods for financing the NFTA. Supervisor Kennedy reported that the increase in real estate transfer tax is a dead issue at this time, because of the protest generated by the proposal.

Received a letter from Robert Clauss stating he received the check the town sent him in reimbursement for 1988 Town & County tax on property he deeded to the Town of Boston in the name of his brother, Thomas.

Received a letter from Ellen K. Beckwith, 7360 Boston State Road, relative to a Buffalo News article regarding proposed changes in NFTA bus routes. Supervisor Kennedy said the Town Board will monitor any action taken by the NFTA to cut the bus service to Boston and keep her informed.

Received notice from Erie County Deputy Commissioner of Highways John Gugino that the Burr Road bridge is closed as it is unsafe for public use or travel.

At 7:45 P.M. a Public Hearing was held to consider an amendment to the contract with the Boston Emergency Squad. Town Clerk Carr read the Legal Notice. Supervisor Kennedy opened the Public Hearing and noted that two members of the Emergency Squad, Linda Smerka and Bruce Chamberlain, were present. Town Attorney Perley noted that the changes in the contract deal with deletion of the dispatchers, as Hamburg Fire Control will assume the dispatching of the ambulance on June 1, 1988, and the maintenance by the town of the radio repeater system. All other conditions of the contract remain the same.

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to close the public hearing at 7:47 P.M.

four (4) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Lisowski to approve the amendment to the contract with the Boston Emergency Squad.

four (4) ayes

Carried

Hilda Winter, 6066 Pfarner Road, asked for street signs to be erected in two locations in order to clarify the section of Pfarner Road where her property is located, as the present signage creates confusion and is misleading to travelers looking for her house. Highway Superintendent Kreitzbender will contact the County Highway Department in Hamburg relative to the placement of signs and Councilman Wittmeyer said he will follow up on this request with Mr. Kreitzbender.

Upon the request of Gerald O'Brien, Recreation Supervisor, a motion was made by Councilman Lisowski and seconded by Councilman Zimmerman to appoint the following coaches and assistant coaches for the 1988 softball and baseball season:

Softball:

Appenheimer, Sharon
Baco, Karen
Barrett, Patricia
Bubar, Jim
Bubar, Ray
Burdick, Gary
Duffett, Sue
Hughes, Sheryl
Kasprzak, Robert
Kummer, Muriel
Latosinski, Frank
LeRoy, Richard
Lucas, Ray
MacLean, Terri
Proctor, Jeff
Reynolds, Annette
Santonocito, JoAnn
Schreier, Peter
Wachowiak, Barbara
Yuhass, John

Baseball:

Appenheimer, Jim
Brunner, Bill
Dion, Jim
Elsaesser, Kevin
Emerling, Richard
Errington, Richard
Frascella, Jim
Glogowski, Casey
Guzda, Mike
Hanny, Doug
Herman, John
Ingram, Vern
Kreitzbender, Wayne
Krencik, Jerry
Krieger, Doug
Leuthauser, Larry
Maxwell, Kevin
Pfeiffer, Elliott
Soullere, Len
Steward, Larry
Werner, Paul
Wilson, Craig

four (4) ayes

Carried

Received and filed notification from Miller's Deli of their intention to renew their off-premises beer license.

A motion was made by Councilman Wittmeyer and seconded by Supervisor Kennedy to make the following correction of Abstract #5, May 4, 1988:

Voucher #326 Sinclair Radio Laboratories

From: 3620.4 Safety Inspection
To: 4540.4 Ambulance

four (4) ayes

Carried

Received a request from Assemblyman Maurice D. Hinchey for support of his sponsored legislation relative to a Municipal Deposits Bill, which would enable municipalities and school districts to maximize interest earnings on public funds. Town Clerk Carr was directed to write letters to Assemblyman Hinchey, Senator Marchi and Senator Stachowski, with copies to Assemblyman Paxon, stating the Town Board supports this legislation.

A letter was received from Deputy Commissioner Gugino of Erie County Division of

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, 8600 Boston
State Road, Boston, New York on May
18, 1988 at 7:45 P.M. Eastern
Daylight Saving Time for the purpose
of considering an amendment to the
contract with the Boston Emergency
Squad.
All persons interested in the matter
shall be heard at same time and place.
Dated: May 4, 1988

Town Board
Town of Boston
Joyce Carr
Town Clerk

5-5

TOWN OF BOSTON
GENERAL AMBULANCE SERVICE CONTRACT
FOR
AMBULANCE SERVICE WITH BOSTON EMERGENCY SQUAD, INC.

AN AGREEMENT made this 18th day of May, 1988 between the Town of Boston, Erie County, New York, hereinafter designated as the "Town" and the Boston Emergency Squad, Inc., a New York membership corporation of Boston, New York, hereinafter designated as the "Squad".

WITNESSETH:

WHEREAS, prior hereto, private ambulance service 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 its Town Board, duly authorized a contract with the party of the second part for furnishing general ambulance service and first aid to persons within the boundaries of the Town of Boston, upon certain terms and provisions; and,

WHEREAS, said contract executed the 16th day of December, 1987, which said contract expires on December 31, 1988; and,

WHEREAS, the Town and the Squad mutually agree that certain modifications are necessary to the said contract in order to facilitate the providing of ambulance service to the Town of Boston;

NOW, THEREFORE, the Town does hereby engage the Squad for the remainder of the year 1988 from June 1, 1988 to December 31, 1988, to furnish general ambulance service and first aid to the 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 the manner following, to wit:

1. The Boston Emergency Squad, Inc. shall at all times during the period of this Agreement, be subject to the call for providing and furnishing general ambulance service and first aid assistance for the purpose of transporting sick and injured persons found within the boundaries of the Town of Boston, Erie County, to a hospital, sanitarium, or other place for the treatment of such illness or injury as this person may require.

2. The Squad 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 and every way reasonably calculated to assist and transport said sick or injured person found within the boundaries of the municipality, to a hospital, sanitarium, or other place for treatment of such illness or injury.

3. The Squad 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 of furnishing of general ambulance service and first aid assistance, as herein specified, the Town shall pay the Squad, and the Squad shall receive, the sum of \$24,000.00 for the calendar year 1988, which said sum the Squad agrees has been paid by the Town on or about the 15th day of March, 1988.

6. In arriving at the determination of the annual payment for the furnishing of ambulance service, the Town shall consider as proper expense any reimbursement paid to a member of the 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 Squad, and any reasonable charges for outside legal advice in connection therewith, upon prior approval of the Town Board.

7. The Town further agrees to furnish the Squad, without charge, a proper and adequate ambulance motor vehicle or vehicles, adequately equipped, for the exclusive operation and use of the Squad in carrying out the terms and conditions of this Agreement. The Town further agrees to furnish, without charge, an adequate structure or garage for the storage of said vehicle and equipment while same is in the custody of the Squad and, further, the Town assumes the cost of utilities of said structure. The Town further agrees, without charge, to furnish dispatching service for the Squad, through Hamburg Fire Control and further agrees to furnish and maintain a Radio Repeater system for dispatching purposes, which shall be limited specifically to the Regency Radio Repeater, including cables and antennae, and shall not include any other radio equipment used by the Squad.

8. The Town of Boston 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 members and personnel of the Squad for medical expenses, loss of wages, compensation benefits, or other claims arising by reason of injury to, or death of, a member of the said Squad, 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 Squad, shall be compelled or required to pay any such claim, the Town shall reimburse the Squad the amount paid within thirty (30) days of making such payment.

The Town of Boston further agrees to effect and pay the expense of the following insurance for the benefit of the Squad 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 Squad 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 Squad agrees to furnish the Town Board of the Town of Boston a written itemized statement of its disbursements and expenses, no later than September of each year during the term of this Agreement. It is further agreed by the Squad that no monies paid hereunder to the Squad shall be used for the purchase of radio equipment, except upon prior approval of the Town Board of the Town of Boston.

10. This Agreement shall continue from June 1, to December 31, 1988, 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 duly exercised and delivered this Agreement the day and year first above mentioned.

THE TOWN BOARD OF THE TOWN OF
BOSTON, ERIE COUNTY, NEW YORK

Richard L. Kennedy
Supervisor - Richard L. Kennedy

Milton I. Wittmeyer
Councilman - Milton I. Wittmeyer

David G. Zimmerman
Councilman - David G. Zimmerman

Frank H. Lisowski, Jr.
Councilman - Frank H. Lisowski, Jr.

Councilman - Don A. Wohlhueter

Attest:

Joyce Carr
Joyce Carr, Town Clerk

BOSTON EMERGENCY SQUAD, INC.

Robert B. Keel
President - Robert B. Keel

Attest:

Joyce Carr
Joyce Carr, Town Clerk

Regular Meeting
June 1, 1988.

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Don Wohlhueter, Councilman Frank Lisowski, Supervisor Richard Kennedy, Town Attorney Michael Perley and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Minutes of the Regular Meeting of May 18, 1988 be approved.

five (5) ayes

Carried

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

five (5) ayes

Carried

A motion was made by Councilman Lisowski and seconded by Councilman Wohlhueter that the General Fund and Special District Bills on Abstract #6, June 1, 1988, in the amount of \$40,406.51 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Highway Bills on Abstract #6, June 1, 1988, in the amount of \$12,155.16 be paid.

five (5) ayes

Carried

A notice was received from the New York State Division of Equalization and Assessment advising that the Town of Boston residential assessment ratio is established at 57.06. Supervisor Kennedy stated that this was read into the record as an informational item and he feels that this is a reasonable rate.

A letter was read from Maple City Disposal Service, Inc. apologizing for the length of time it took to complete the trash pickup this past month, due to unavoidable factors that were involved. At this time, all pickups have been resolved satisfactorily.

Received from Legislator Karl A. Henry a Legislative Report that included an item relative to Legislature approval of a "Going Places Van" for the towns of Boston and Orchard Park to assist the elderly.

Received notification that the New York State Department of State has received and filed Local Law No. 1 of 1988 - Excavation on Town Property.

A letter was read from the Hamburg Central School District, relative to a scholarship fund that is being established by the Social Studies Department to honor the memory of Bronson M. Collins, a teacher in the district for 39 years.

Robert Fagan, Powerline Road, told the Town Board he has lived at his address for 35 years and never had any problem with Niagara Mohawk until last weekend when he was doing some minor roadway repairs and was told by Don Munch, Security Officer for Niagara Mohawk, to immediately stop any work on the roadway, including snowplowing in the winter. He asked for assistance from the Town Board in determining why Niagara Mohawk has made these regulations, as he would not have ingress or egress to his home unless he had the road plowed. Councilman Wittmeyer, as Chairman of the Traffic Safety Committee, will speak with Mr. Munch to determine the reasons behind this request and will attempt to find a solution to the problem.

At 7:45 P.M. a Public Hearing was held on the request of Patricia Baetzhold, 9184 Back Creek Road, to rezone her property from R-2 Single-Family to A-1 Agriculture.

The Legal Notice was read by Town Clerk Carr and Supervisor Kennedy opened the hearing for comments or questions from the floor. Mrs. Baetzhold, who was present, said she felt that the improvements she has planned to her residence, if it is rezoned, will definitely be an asset.

Councilman Wittmeyer said he talked with a neighbor of Mrs. Baetzhold, Alton Trevett, and he said he has no objections at all to the proposed rezoning.

Supervisor Kennedy said that no one has spoken against

PUBLIC NOTICE
TOWN OF BOSTON
AMENDMENT TO THE
ZONING ORDINANCE AND
ZONING MAP OF THE
TOWN OF BOSTON
NOTICE IS HEREBY GIVEN that the Town Board of the Town of Boston, Erie County, New York, will hold a Public Hearing on the 1st day of June, 1988 at 7:45 P.M. Eastern Daylight Saving Time in the Boston Town Hall, 8500 Boston State Road, Boston, New York on the petition and request of Patricia Baetzhold to rezone the following described property, which is presently zoned Residence R2 to Agriculture A-1 under the Zoning Ordinance of the Town of Boston, said property being described as follows:

the rezoning request and everyone that discussed it informally were in favor of it, including the Planning Board, who recommended approval; said letter of recommendation was read at the Town Board meeting on May 4, 1988.

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to close the public hearing at 7:49 P.M.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to rezone the property at 9184 Back Creek Road from Residence R-2 to Agriculture A-1.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to make the following correction of Abstract #5A - Voucher #380:

Vic Schrader Tire Service, Inc. - New Ambulance

From: H 4540.4 \$598.72

To: H 4540.2 \$499.00

A 4540.4 99.72

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Lisowski to approve the construction of a store building at 8909 Boston State Road, as it conforms with the Business B-1 zoning at that location, contingent on approval of the Application for Permit by the Code Enforcement Officer.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to schedule summer Town Board meetings on July 13, 1988 and August 10, 1988 at 7:30 P.M.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to grant the request of the Town of Boston Girls' Softball League to use the Lions Shelter and baseball diamonds on July 23, 1988 from 10:00 A.M. to 2:00 P.M. for an awards picnic and All-Star Game, with no alcoholic beverages being served.

five (5) ayes

Carried

A letter was read from Peter Tower, who owns property on the Powerline Road, with a complaint about the barking dogs owned by Dale Watkins. Supervisor Kennedy said he has asked Code Enforcement Officer Kramer to check this situation and no further action will be taken at this time by the Town Board.

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to authorize the Town Clerk to advertise for bids, to be opened at 3:00 P.M. on June 29, 1988, for the proposed new highway garage.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to hire Jacob Roush as Laborer PT at \$4.50 per hour.

five (5) ayes

Carried

Supervisor's Monthly Financial Report was received.

Supervisor Kennedy reported that a final report from the Hamburg School's Committee for Organized Pattern Study is available in the Town Clerk's Office. This report covers the study made on Pre-Kindergarten classes and the possible future redistricting of children in the Creekside Subdivision from the Armor Elementary School to the Boston Valley School.

ALL THAT TRACT OF PARCEL OF LAND situated in the Town of Boston, County of Middlesex, State of New York, being part of the No. 11, Township 8 and Range 1 of the Holland Land Company's Survey, described as follows:

BEGINNING at a point in the center line of Back Creek Road so called where the center line of said road intersects by the north line of lands heretofore conveyed to Simon Pain by deed recorded in Erie County Clerk's Office in Liber 51 of Deeds at Page 33 and subsequently conveyed to Harry L. Meeks and Evelyn R. his wife by deed recorded in Erie County Clerk's Office in Liber 3963 of Deeds at page 220; running thence southerly along the center line of said Back Creek Road a distance of one hundred twenty-five and seven tenths (125.7) feet (said last mentioned course being along the arc of a curve the chord distance of which is one hundred twenty-five and sixty-two hundredths (125.62) feet); running thence westerly on a line making an interior angle with said chord of last above mentioned course of 88° 53' two hundred twenty-two (222) feet; running thence southwesterly making an interior angle of 133° 53' with said last mentioned course a distance of two hundred forty and ninety-eight hundredths (240.98) feet; running thence northerly making an interior angle with the last mentioned course of 80° 07' a distance of one hundred sixty-seven (167) feet more or less to the north line of lands conveyed to Simon Pain as aforesaid; running thence easterly along the north line of said Simon Pain's land as aforesaid four hundred fifty-six and seventy-four hundredths (456.74) feet more or less to the center line of Back Creek Road at the point of beginning, containing one and forty-two hundredths (1.42) acres of land be the same more or less.

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

Dated: May 13, 1988

Joyce Carr
Town Clerk
Town of Boston

5-19

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to schedule a Special Meeting on Wednesday, June 29, 1988 at 7:00 P.M. to adopt a referendum resolution relative to the proposed new highway building.

five (5) ayes

Carried

Supervisor Kennedy said he has received an Environmental Assessment Report for MCI Telecommunications Corporation Fiber Optic Cable Route, which will extend across New York State. This report will be on file in the Town Clerk's Office.

A letter was read from the Maplewood Cemetery Association, Inc., requesting that the Town Board contact the owner of the former church building adjacent to the cemetery and request him to cut the weeds and rid the building of bees. Supervisor Kennedy said the association has justifiable concerns and directed Town Clerk Carr to write the owner requesting these items be taken care of and to ask if he intends to renovate or sell the building in the future.

Town Justice Monthly Financial Report was received.

Councilman Lisowski reported that police agencies and various organizations have been contacted relative to the Empire State Games bike races and time trials to be held on Sunday, June 5, 1988 and that all is in order. The Town Hall is to be open by 7:00 A.M. for the racers' use.

Councilman Wittmeyer reported that the hedge that was an obstruction of clear site at the corner of Boston State Road and Aspen Drive has been trimmed by the Town Highway Department. He also reported that the county has been notified that sight is obstructed at the corner of Eckhardt and Taylor Road.

Councilman Zimmerman asked that the triangle formed by the intersection of Abbott and Boston State Road has high grass and asked that the county be notified to cut this section also.

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to authorize Councilman Zimmerman to attend the New York State Supervisors' Association annual meeting in Canandaigua on June 19-22, 1988, with all appropriate expenses to be paid by the town.

five (5) ayes

Carried

Town Attorney Perley said he has scheduled a meeting for June 10, 1988 at 10:00 A.M. in his Buffalo law office with representatives of the Erie County Board of Health, Recreation Director Remy Orffeo, and Councilman Wohlhueter. Town Attorney Perley also invited Supervisor Kennedy to the meeting, which is relative to the summer recreation program and whether it is classified as a summer camp.

Town Attorney Perley also said he is reviewing a submittal made by John Less in the Weller Subdivision and will report to the Town Board after this review.

Code Enforcement Officer and Deputy Code Enforcement Officer Monthly Reports were received.

Dog Control Officer Monthly Report was received.

Town Engineer Monthly Report was received.

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to adjourn at 8:14 P.M.



Joyce Carr
Town Clerk

Public Hearing
June 2, 1988

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Don Wohlhueter, Councilman Frank Lisowski, Supervisor Richard Kennedy and Town Attorney Michael Perley.

This public hearing was held to consider the petition and request of John P. Falkides and Katherine H. Falkides to rezone property presently zoned Agriculture A-1 to Mobile Home District R-4 under the Zoning Ordinance of the Town of Boston; said property being described in the Public Notice.

The Legal Notice was read by Town Clerk Carr. She also reported that notification of this hearing was sent to Department of Environment & Planning, Erie County Commissioner of Highways, New York State Department of Environmental Conservation and to property owners in the vicinity of the Boston Hills Mobile Home Park. She read a letter from the New York State Department of Environmental Conservation, the only respondent to the notifications.

Supervisor Kennedy said that the Town Board members received a Memorandum on June 1 which was submitted on behalf of those citizens in the town opposed to the rezoning request and a Memorandum this evening from the Petitioners attorney.

Supervisor Kennedy convened the public hearing.

THIS HEARING WAS TAPE RECORDED and the recordings are available at the Town Clerk's Office. A court stenographer from the office of DePaolo-Crosby was present to make an official record of the proceedings and a transcript will be made available, if needed.

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to close the public hearing at 8:59 P.M.

five (5) ayes

Carried

Supervisor Kennedy thanked everyone for attending the hearing and said the Town Board will review legal memorandums, all other documentation and the comments from tonight's meeting and will render a decision on the rezoning request at the Regular Town Board Meeting at 7:30 P.M. on Wednesday, June 15, 1988.

Joyce Carr

Joyce Carr
Town Clerk

**PUBLIC NOTICE
TOWN OF BOSTON
AMENDMENT TO THE
ZONING ORDINANCE AND
ZONING MAP OF THE
TOWN OF BOSTON**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Boston, Erie County, New York, will hold a Public Hearing on the 2nd day of June, 1988 at 7:30 P.M. Eastern Daylight Saving Time in the Boston Town Hall, 8500 Boston State Road, Boston, New York on the petition and request of John P. Falkides and Katherine H. Falkides to rezone the following described property, which is presently zoned Agriculture A-1 to Mobile Home District R-4 under the Zoning Ordinance of the Town of Boston, said property being described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Boston, County of Erie and State of New York, being part of Lot No. 14, Township 8, Range 7 of the Holland Land Company's Survey, described as follows:

BEGINNING at the northwest corner of lands conveyed to Regis F. Burket and Patricia A. his wife by deed recorded in Erie County Clerk's Office in Liber 7546 of Deeds page 449; thence southerly along the west line of aforesaid lands two hundred fifty-seven (257) feet to the southwest corner thereof; thence westerly along the extension westerly of the south line of aforesaid lands one hundred thirty-five and five tenths (135.5) feet; thence southerly in a straight line seventy-eight and seven tenths (78.7) feet; thence westerly at right angles four hundred sixteen and one hundredth (416.01) feet; thence northerly at right angles three hundred sixty-four and forty-nine hundredths (364.49) feet; thence easterly at right angles five hundred twenty (520) feet to the point of beginning.

At this hearing at the time and place noted, all interested parties will be heard for or against said petition.
Dated: May 13, 1988

Joyce Carr
Town Clerk
Town of Boston

5-19

Reference # 0048003
Date 6-2-88

Regular Meeting
June 15, 1988

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Don Wohlhueter, Councilman Frank Lisowski, Supervisor Richard Kennedy and Town Attorney Michael Perley. Highway Superintendent Clarence Kreitzbender was absent.

A motion was made by Councilman Lisowski and seconded by Councilman Wohlhueter that the Minutes of the Regular Meeting of June 1, 1988 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 on Abstract #6A, June 15, 1988, in the amount of \$12,968.05 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski that the Highway Bills on Abstract #6A, June 15, 1988, in the amount of \$9,024.44 be paid.

five (5) ayes

Carried

A letter was received from Western New York Utilities Association, proposing coordinated planning with representatives of utilities and new project designers in the town, in order to minimize impacts of the project such as construction delays and utility relocations.

A letter from the Federal Emergency Management Agency was read, relative to expanded coverage under the National Flood Insurance Program which was signed into law on February 5, 1988.

Received notification from C.I.D. Landfill, Inc. that they will be instituting a recycling program in late 1988. They also sent notification that the tipping fee for bulky waste at the landfill will increase on July 1, 1988 to \$35.00 per ton with a \$140.00 minimum charge per load. Richard C. Penfold, President of C.I.D. Refuse Service, Inc., notified the town that they have contributed \$1000.00 to Erie County Environmental Compliance Services for their planned household hazardous waste collection.

Received a letter from Assemblyman L. William Paxon, who acknowledged receipt of the Town Board resolution in opposition to the proposed increase in the real estate transfer tax. Assemblyman Paxon stated he is vehemently opposed to increasing this tax and will work to insure that it does not become effective.

Received a copy of a protest of the Special Franchise Assessment for the 1988 Tax Roll from New York Telephone Company.

At 7:45 P.M. a Public Hearing was held to consider the granting of a permit for storage of second-hand automobiles, parts and other second-hand material to Edward Dzierzanowski, 6710 Mill Street. Town Clerk Carr read the Legal Notice, which was published in "The Sun". She noted that the applicant has completed the Short Environmental Assessment Form and that eleven property owners in the vicinity were notified of this hearing. There were no written comments received on this matter. Supervisor Kennedy opened the hearing.

Joan Carrow, 6700 Mill Road, said her property borders that of the applicant and she is opposed to the granting of this permit because the junkyard is not only an eyesore, but also is a health and safety hazard.

Mr. Dzierzanowski said the area that would be used is only 150 feet X 75 feet and that his family has operated in this location since 1948. The total width of his property is 199.7 feet. Supervisor Kennedy said that the Town Board has been making an earnest effort to bring junkyards into compliance, which includes making an application for a permit. He said that there are unlicensed vehicles in front of the property at this time. Mr. Dzierzanowski said there are two there, one will be removed and the other is to be repaired and licensed. Supervisor Kennedy asked the applicant if he

TOWN OF BOSTON
NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN that the Town Board of the Town of Boston, Erie County, New York will hold a Public Hearing at the Boston Town Hall, 8500 Boston State Road, Boston, New York on Wednesday, June 15, 1988 at 7:45 P.M. Eastern Daylight Saving Time, to consider the granting of a permit for storage of second-hand automobiles, parts and other second-hand material to Edward Dzierzanowski, 6710 Mill Street, Boston, New York.

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

By order of the Town Board of the Town of Boston, New York.
Dated: May 26, 1988

6-2

Joyce Carr
Town Clerk

received a list of rules regulating junk yards from the Town Clerk and Mr. Dzierzanowski said he had. Councilman Wittmeyer asked if everything connected with the junk yard business would be contained in the 150 X 75 foot area and the applicant said it would. Remy Orffeo, 6530 Fairlane Drive, said he owns property across from the applicant and stated he is opposed to the license request as it detracts from the value of the neighborhood and surrounding areas.

There were no further questions or comments.

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to adjourn the hearing at 7:53 P.M. and to reserve decision on the request of Edward Dzierzanowski, 6710 Mill Street, for a permit for storage of second-hand automobiles, parts and other second-hand material. A site review will be made on June 16, 1988 by Supervisor Kennedy and Councilman Wittmeyer.

five (5) ayes

Carried

Town Clerk Carr stated she received a Protest Petition on June 10, 1988, which was signed by owners of ten properties on Wildwood Drive. She also read a letter received from Erie County Department of Environment and Planning and a letter dated May 16, 1988, but not received until after the Public Hearing on June 2, 1988, from a former tenant of the Boston Hills Mobile Home Park. Town Attorney Perley advised that this letter was not to be considered by the Town Board, as it was received after the comment period of the Public Hearing. It was noted a letter dated June 14, 1988 was received from Michael Schiavone, Attorney for Mr. and Mrs. Falkides, relative to the petition filed pursuant to Section 265 of the New York Town Law. Mr. Schiavone stated that the petition received June 10, 1988, as well as the original petition received, should be set aside as invalid as it was not dated and does not provide an adequate basis for the determination of ownership of property interests. Based upon the protest petition received June 10, as well as the previous protest petition received, Town Attorney Perley stated that, in his opinion, it is a valid protest that has been filed with the Town Board. Mr. Schiavone responded by saying that the petition that was received June 10 is undated also and that the original petition that was filed was a problem because (a) it was undated, (b) the date upon which the various landowners acquired title and (c) the date of which it was ultimately filed with the Town Board. He requested that the petition be set aside as being invalid as an improper basis upon which to make the determination of the 20% rule of ownership. Supervisor Kennedy said that the petition has no bearing on the decision he has arrived at concerning the rezoning request. Town Attorney Perley told Mr. Schiavone that whatever objections he has regarding this petition are preserved.

Supervisor Kennedy said he wished to make an opening statement. He said that the rezoning application request was a difficult decision to make. He said the elevations in this area were of prime concern to him. He did not believe that the claim of the property owners in the area that their properties would be devalued was of much merit, as records show that properties in the area sold for as much or more than comparable properties in other sections of the town. He is concerned with the dealings he has had with Mr. Falkides, particularly in regard to the non-payment as of this date to the Erie County Sewer Authority for tap-in fees for ten trailers; this fee being negotiated in favor of Mr. Falkides from \$300.00 per unit to \$150.00 per unit and due over a year ago. He also said he and Code Enforcement Officer Kramer met with Mr. Falkides a few days ago relative to the placement of a double-wide trailer being moved into the park and Mr. Falkides as of this date has placed the trailer in a different position than what was agreed on. He commended Mr. Falkides for improving the park over what it was a few years ago, but said the concerns he has with Mr. Falkides and the elevations of the property, plus taking into consideration everything that was presented to the Planning Board and the Town Board, he will vote in the negative on this request.

Councilman Wittmeyer said he concurred with Supervisor Kennedy that the proposed location is not suitable for a mobile home park due to its low elevation. Councilman Wohlhueter said he mentioned to Mr. Falkides in January, 1987 during the annual inspection of the park that he would not be receptive to expansion of the park in this low area; this being before Mr. Falkides purchased this property. He added that, even though the property is not in the flood plain, he feels the proximity of Irish Gulf Creek could be very detrimental and that any type of buildings should not be placed in this area. Councilman Lisowski said he took office on January 1 and sat at every Planning Board Meeting since that time and noted many items that were discussed at those meetings relative to this application

that were not discussed at the Town Board hearing. He said that he walked and drove through the area and adjacent areas last evening and noticed that parking in the existing park is such that emergency vehicles would have great difficulty in answering a call and that potential flooding in the proposed location is a distinct possibility, due to the meandering of Irish Gulf Creek and the build-up of gravel in the creekbed. Mr. Lisowski said that it was brought up at some meetings that a berm may possibly be constructed and he feels that this is an admission on the part of the engineer that this area may flood. Councilman Zimmerman said that affordable housing is an important element in any community and he feels a well-run mobile home court could be an asset to the town, however, he does not feel this property is conducive to the expansion of the present park. He also said Mr. Falkides has greatly improved the park from the condition it was several years ago.

Councilman Zimmerman then offered the following resolution:

WHEREAS, an application has been made by John Falkides and Katherine Falkides to rezone property situated in the Town of Boston from Agricultural A-1 to Residential R-4, for the purpose of constructing a Mobile Home Park, pursuant to the Mobile Home Park Ordinance of the Town of Boston; and,

WHEREAS, the Planning Board conducted hearings and extensively reviewed the application of John and Katherine Falkides; and,

WHEREAS, the Planning Board heard comments from those both in favor and opposed to the rezoning application; and,

WHEREAS, the Planning Board issued a recommendation that the application of John and Katherine Falkides not be granted; and,

WHEREAS, it does not appear that the land is suitable for use as a mobile home park; and,

WHEREAS, the property is situated in an extremely low area, adjacent to Irish Gulf and potentially susceptible to flooding; and,

WHEREAS, based upon the application as presented, it does not appear that such problems can be resolved;

NOW, THEREFORE, BE IT RESOLVED, that the application of John P. and Katherine Falkides for rezoning of property situate in the Town of Boston from Agricultural A-1 to Residential R-4 be denied.

Motion was seconded by Councilman Lisowski.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski to grant permission to Jean Kleis, David Benzinger and Jerry O'Brien to attend the State Aid Application Workshop in Hamburg on June 21, 1988, with all appropriate expenses to be paid by the town.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to grant a Soil Removal Permit to Rudy Blesy, 9994 Trevett Road, not to exceed 600 cubic yards, contingent upon a favorable site inspection by Supervisor Kennedy and Councilman Wittmeyer on June 16, 1988.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to grant permission for the use of Diamonds #4 and #6 of the Town Park by the Town of Boston Church Softball League on Sunday evenings at 6:00 P.M. for July 10, 17, 24 and August 7. They will be asked by Town Clerk Carr to reschedule the date of July 31, as the park will be used that evening by Patchin Fire Company.

five (5) ayes

Carried

RESOLUTION - EXPENDITURE OF 1988-89 COMMUNITY DEVELOPMENT FUNDS

RESOLUTION - AUTHORIZE SUPERVISOR TO CONTRACT FOR COMMUNITY DEVELOPMENT FUNDS

Mr. Joe Weachock, representative of MCI Telecommunications Corporation, submitted a letter with drawings attached which illustrated the MCI cable system that is proposed to be buried under Liebler Road. Mr. Weachock, who was present at the meeting, showed the Town Board a sample of the fiber optic cable and offered to answer any questions relative to this installation. It was noted by Town Attorney Perley that MCI plans to bore Liebler Road, rather than make an open highway cut, therefore no permits are required from the Town of Boston. Supervisor Kennedy thanked Mr. Weachock for attending the meeting and explaining to the Town Board the procedures for the installation of this cable.

Received notification from New York State Electric & Gas of Replacement of Defective MV Fixtures with HPS, as follows:

Heinrich Road

Install 1-8500 lumen HPS lamp @ \$106.24 ea. = \$106.24
Remove 1-9400 lumen MV lamp @ \$146.17 ea. = \$146.17

(Pole 23A, Line 1028)
Annual decrease = \$39.93

Upon the request of Recreation Supervisor Remy Orffeo, a motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to appoint the following Summer Recreation Staff:

<u>Name</u>	<u>Position</u>	<u>Salary</u>
Nancy Gonda	Recreation Supervisor	\$6.75/hr.
Sean O'Brien	Recreation Supervisor	\$4.50/hr.
Michelle Riederer	Asst. Recreation Supervisor	\$4.00/hr.
Rebecca Schunk	Asst. Recreation Supervisor	\$4.00/hr.
Michael Brinkerhoff	Asst. Recreation Supervisor	\$4.00/hr.
Justine Hauth	Arts & Crafts Supervisor	\$3.65/hr.
Amy McGlynn	Arts & Crafts Supervisor	\$3.65/hr.
Cathy Boltz	Recreation Aide	\$4.00/hr.
Michelle Errington	Recreation Aide	\$3.80/hr.
Kristin Hornberger	Recreation Aide	\$3.60/hr.
Michelle LeRoy	Recreation Aide	\$3.60/hr.
Steve Pallotta	Recreation Aide	\$3.50/hr.
Jennifer Becker	Recreation Aide	\$3.50/hr.
Bryan Krieger	Recreation Aide	\$3.50/hr.

five (5) ayes

Carried

Supervisor's Monthly Financial Report was received.

Supervisor Kennedy said he received a complaint from Ben White, 9031 Back Creek Road, that Erie County highway trucks have dumped tree branches and stumps on his property. He directed Town Clerk Carr to correspond with the department and ask why they dumped this debris and when they intend to pick it up.

Mr. Kennedy said he received a telephone call from George Markel of the Erie County Water Authority relative to a recent fire drill that used water from hydrants at the same time there was a water line break, with the result that storage tanks were depleted and water pressure was low. He directed Town Clerk Carr to notify the fire companies that they should call the water authority when they are planning a drill. Mrs. Carr added that the North Boston Fire Chief plans on inviting a representative of the water authority to a meeting to explain their requirements.

In a related development, a complaint was received from Bernard Hens, 7871 Hywood Drive, relative to the low water pressure they experienced during the fire drill.

Tax Collector's Monthly Report was received.

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to appoint Joseph Wierzbic as Dog Enumerator for the eastern area of Boston at a fee of \$1.00 per dog, with his own vehicle being used for the census.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to return the option agreement and check in the amount of \$100.00 to Jay Pohlman, Attorney for John F. Less, Jr., prospective purchaser of approximately six acres of vacant land owned by the Town of Boston on Pinecrest Terrace. Town Attorney Perley advised that the terms of the agreement are unacceptable, as it was understood that the purchaser was to pay the costs of the search and survey.

five (5) ayes

Carried

Attorney Perley said the joint meeting of representatives from the Erie County Board of Health and town representatives has been rescheduled to June 17, 1988 and they will attempt to resolve the problem of what type program the summer recreation program is classified as.

Councilman Wohlhueter asked the Town Clerk to contact Highway Superintendent Kreitzbender relative to the misspelling of two road signs in town - Heinrich Road and Wohlhueter Road - and arrange to have new signs made.

Councilman Wittmeyer said he spoke with Don Munch, security officer for Niagara Mohawk relative to the complaint from Mr. Fagan on Powerline Road that he was ordered to stop making repairs to the road. He also spoke with Dick Kendall of Niagara Mohawk, who told him that this directive stemmed from a dispute between neighbors and that the neighbors in the area must all work together, as it is to their benefit. Niagara Mohawk said they have no choice but to inform persons on the road that it is private property, if they receive a complaint. Supervisor Kennedy and Town Clerk Carr will jointly draft letters to the property owners in the area relative to this matter.

Councilman Wittmeyer said that brush has been cleared on Glenn Terrace and also the high grass has been cut at South Abbott and Boston State Road.

In the matter of the request for better signage on the westerly portion of Pfarner Road, Mr. Wittmeyer said he has been informed by Hilda Winter, who requested the signs, that she has contacted all five families on the road and they all agree that they are willing to have this portion of the road have a new designation, such as "Old Pfarner Road." This matter was tabled until the June 29 meeting, in order to arrange to have signatures of the property owners on record as agreeing to a change in designation.

A letter was read from the Zoning Board of Appeals, with notification of the following as being elected officers for 1988:

Chairman	Remy Orffeo
Vice Chairman	Randy Burgwardt
Secretary	Joseph Santonocito

A letter was received from Frank H. Lisowski stating that he is resigning from his appointment to the Assessment Board of Review, due to a possible conflict of interest with his position as Councilman.

Councilman Zimmerman noted that Mr. and Mrs. Henry Seufert, 5769 Herman Hill Road, are celebrating their 65th Wedding Anniversary on June 18, 1988.

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to adjourn at 8:49 P.M.



Joyce Carr
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 June, 1988 at 7:30 P.M. Eastern Daylight Saving Time, there were present:

Richard L. Kennedy	Supervisor
Milton I. Wittmeyer	Councilman
David G. Zimmerman	Councilman
Don A. Wohlhueter	Councilman
Frank H. Lisowski	Councilman

Councilman Lisowski presented the following resolution and moved its adoption:

BE IT RESOLVED, that the Town Board of the Town of Boston, authorizes the Supervisor of the Town of Boston to execute the Cooperation Agreement with the County of Erie, pursuant to the Housing and Community Development Act of 1974, as amended, for continued participation for the 1988-89 program year.

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

Supervisor Kennedy	Voting <u>aye</u>
Councilman Wittmeyer	Voting <u>aye</u>
Councilman Zimmerman	Voting <u>aye</u>
Councilman Wohlhueter	Voting <u>aye</u>
Councilman Lisowski	Voting <u>aye</u>

AYES: 5

NOES: 0

ABSENT: 0


Joyce Carr, 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 June, 1988 at 7:30 P.M. Eastern Daylight Saving Time, there were present:

Richard L. Kennedy	Supervisor
Milton I. Wittmeyer	Councilman
David G. Zimmerman	Councilman
Don A. Wohlhueter	Councilman
Frank H. Lisowski	Councilman

The following resolution was offered by Councilman Zimmerman, who moved its adoption:

BE IT RESOLVED, that the designation of the 1988-89 Community Development Funds be as follows:

\$10,367.00	Loan Repayment - Water District #3 Study
\$ 1,752.00	Dues - Southtown Planning & Development Group

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

Supervisor Kennedy	Voting <u>aye</u>
Councilman Wittmeyer	Voting <u>aye</u>
Councilman Zimmerman	Voting <u>aye</u>
Councilman Wohlhueter	Voting <u>aye</u>
Councilman Lisowski	Voting <u>aye</u>

AYES: 5

NOES: 0

ABSENT: 0


Joyce Carr, Town Clerk

G & M Electrical Contracting, Inc.
4804 Transit Road
Depew, New York 14043

Bison Electric, Inc.
80 Earhart Drive - Suite #8
Amherst, New York 14221

Total Bid: \$52,705.85
Non-Collusive Bidding
Certificate included

Total Bid: \$36,000.00
Non-Collusive Bidding
Certificate included

RESOLUTION - AUTHORIZING THE CONSTRUCTION OF A NEW HIGHWAY GARAGE

RESOLUTION - ESTABLISHMENT OF A SPECIAL ELECTION

Supervisor Kennedy said the public referendum on the construction of a new highway garage will be on Monday, August 1, 1988 from 6:00 A.M. to 9:00 P.M., with all election districts voting on two machines in the Community Room at the Town Hall. He directed Town Clerk Carr to publish the Legal Notice in the "Suburban Press" and "The Sun" in order to reach the greatest number of town residents.

A motion was made by Supervisor Kennedy and seconded by Councilman Lisowski to hold a Special Meeting of the Town Board on August 1, 1988 at 9:15 P.M. in the Community Room of the Town Hall for the purpose of either awarding or rejecting the bids that were opened at 3:00 P.M. June 29, 1988 on the highway garage proposal.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to schedule a public hearing on Wednesday, August 10, 1988 at 7:45 P.M. on the request of property owners on the western portion of Pfarner Road to change their street name to "Old Pfarner Road."

five (5) ayes

Carried

An application dated June 22, 1988 was received from Joseph Simmeth, 8010 Boston State Road, for a permit to have tree stumps and dirt dumped on his property. A verbal request to withdraw this application was received on June 27, 1988 from the contractor who was bringing in the stumps and dirt and he is now requesting permission to grade the loads that were brought in before his application was made. Code Enforcement Officer Dennis Kramer said he inspected the property on this date and said that approximately 100 truckloads were dumped on the Simmeth property. Supervisor Kennedy said he and the Code Enforcement Officer will visit the site to take photographs in order to determine the seriousness of the dumping and also to see if it is within the floodplain before acting on this request, as the Department of Environmental Conservation may have some jurisdiction in the matter.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to table any action on this request until the next Town Board meeting on July 13, 1988.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to appoint Jerome Krencik as Machine Equipment Operator at a salary of \$6.25 per hour, effective June 30, 1988.

five (5) ayes

Carried

A motion was made by Councilman Lisowski and seconded by Councilman Zimmerman to appoint Sam W. Ware, Jr. to the Assessment Board of Review to fill the unexpired term of Frank H. Lisowski, Jr., which expires September 30, 1988; with Mr. Ware acting only in the capacity of observer at the Assessment Board of Review meeting on July 5, 1988, as he lacks the necessary time to complete the state-mandated course.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Supervisor Kennedy to deny the application of Edward Dzierzanowski, 6710 Mill Street, for a permit for storage of second-hand automobiles, parts and other second-hand material. This decision was tabled from the public hearing held on June 15, 1988 and was made after a site inspection by Supervisor Kennedy and Councilman Wittmeyer.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski

to appoint the following as Youth Aides in the Summer Recreation Program; all positions to pay \$3.40 per hour:

Michelle Bates
Lisa Brehm
Michelle Noonan
Rory Smith

Patricia Wappman
Brian Wittmeyer
Julie Wolfer
Chris Zemrac

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Lisowski to adjourn at 7:44 P.M. in honor of Martha Wurtz, who will be celebrating her 90th birthday on July 4, 1988.



Joyce Carr
Town Clerk

BOND RESOLUTION DATED JUNE 29, 1988

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF A NEW HIGHWAY GARAGE IN AND FOR THE TOWN OF BOSTON, ERIE COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$ 540,000.00, APPROPRIATING \$ 140,000.00 FROM SURPLUS FUNDS, ALLOCATING \$ 100,000.00 FROM THE SALE OF THE EXISTING BOSTON HIGHWAY GARAGE, AND AUTHORIZING THE ISSUANCE OF \$ 300,000.00 SERIAL BONDS OF SAID TOWN TO PAY SAID 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 Highway Garage in and for the Town of Boston, Erie County, New York, including equipment, machinery and apparatus necessary therefor, and the grading and improvement of the site thereof on lands owned by the Town of Boston, which said lands front on the Boston State Road in said Town, is hereby authorized.

Section 2. The maximum estimated cost of such specific object or purpose is \$ 540,000.00 and the plan for the financing therefor is as follows:

a) By the issuance of \$ 300,000.00 serial bonds of the Town of Boston, hereby authorized to be issued pursuant to the Local Finance Law; and,

b) By use of \$ 140,000.00 surplus funds of the Town of Boston available therefor and hereby appropriated for such purpose.

c) By the allocation of proceeds from the sale of the existing Boston Highway Garage, in the estimated amount of \$ 100,000.00.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, said object or purpose being defined as a Class A Building, pursuant to Section 11.00.a.11(a)(1) of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years. It is recognized that current funds are required by law to be provided prior to the issuance of said bonds or bond anticipation notes issued in anticipation of the issuance and sale of serial bonds. Such current funds will be provided out of surplus funds and the allocation of proceeds of the sale of the existing Boston Highway Garage and the Supervisor, as the Chief Fiscal Officer of the Town of Boston, is hereby authorized to set aside such current funds for such purpose.

Section 4. The faith and credit of the said Town of Boston, Erie County, New York, are hereby irrevocably pledged to the payment of the principal and interest on such bonds as 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. Each of the serial bonds or bond anticipation notes issued in anticipation of the issuance and sale of serial bonds shall contain a recital of validity as set forth in Section 52.00 of the Local Finance Law.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell serial bonds and 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 of the Town of Boston. 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 of Boston 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 as provided in Section 8 herein, the same shall be published in full in the Hamburg Sun, 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 subject to a referendum and a proposition for the approval of this Resolution shall be submitted at a special Town election to be held on Aug. 1, 1988, in accordance with the provisions of

the Town Law, and shall take effect only upon the approval of the proposition.

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

Richard L. Kennedy	VOTING	<u>Aye</u>
Milton I. Wittmeyer	VOTING	<u>Aye</u>
David G. Zimmerman	VOTING	<u>Aye</u>
Don A. Wohlhueter	VOTING	<u>Aye</u>
Frank H. Lisowski, Jr.	VOTING	<u>Aye</u>

The Resolution was thereupon declared duly adopted.

The question of the adoption of the foregoing Resolution was moved by Councilman Zimmerman and seconded by Councilman Wittmeyer.

NOTICE OF BOND RESOLUTION

The Resolution published herewith has been adopted on the 29th day of June, 1988, and the validity of obligations authorized by such Resolution may be hereafter contested, only if such obligations were authorized for an object or purpose for which the Town of Boston, Erie County, New York, is not authorized to expend money, or if the proposition of law which should have been complied with, as of the date of publication of this Notice, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Joyce Carr
Town Clerk
Town of Boston
8500 Boston State Road
Boston, New York 14025

CERTIFICATION OF REFERENDUM

I, Joyce Carr, Town Clerk of the Town of Boston, Erie County, New York,
DO HEREBY CERTIFY, that I have compared the results of the Canvass Sheets
provided me by the Election Inspectors with the results on the Voting Machine
for the following proposition.

Shall the resolution duly adopted by the Town Board of the Town
of Boston, Erie County, New York, on the 29th day of June, 1988,
authorizing the construction of a new highway garage in and for
the said Town of Boston on lands owned by said Town, which said
lands front on the Boston State Road, in said Town, at a maximum
estimated cost of \$540,000.00, providing that the plan for financing
of such maximum estimated cost is by the issuance of \$300,000.00
serial bonds, appropriation of \$140,000.00 surplus funds of said
Town, allocation of proceeds from sale of existing highway garage
estimated to be in the amount of \$100,000.00, determining that the
period of probable usefulness applicable to said object or purpose
is thirty years and that the maximum maturity of said bonds will
exceed five years but not exceed thirty years; pledging the faith
and credit of said Town to the payment of the principal of and
interest on said bonds and providing for an annual appropriation
for the payment of said principal and interest and the levy of
taxes therefor; providing for the issuance of bond anticipation
notes; containing an estoppel clause and providing for the publi-
cation of an estoppel notice; and providing for the submission of
a proposition for the approval of such resolution at a special Town
election to be held on August 1, 1988, be approved.

and find the following to be a true count of above referendum:

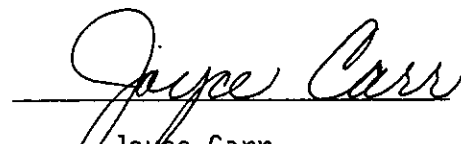
YES

255

NO

73

I further certify that the question has been (passed) ~~(defeated)~~ by the
registered voters of the Town of Boston.


Joyce Carr
Town Clerk

RESOLUTION ESTABLISHING A SPECIAL ELECTION

The following resolution was offered by Councilman Zimmerman who moved its adoption, seconded by Councilman Wittmeyer, to wit:

WHEREAS, the Town Board of the Town of Boston, Erie County, New York, has heretofore at this meeting adopted a resolution to construct a highway garage in and for the Town of Boston, and further adopted a bond resolution relating to said construction of a new highway garage in and for the said Town of Boston, which resolution was adopted subject to approval at a special Town election to be held on Aug. 1, 1988; and,

WHEREAS, the Town Clerk, upon advice of the Town Attorney, has duly submitted to this Board, the form for the proposition for the approval of construction of said highway garage and said bond resolution; and,

WHEREAS, it is now desired to call a special Town election, and to provide for such other matters in connection therewith,

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

Section 1. A special Town election of the qualified voters of the Town of Boston, Erie County, New York, shall be held on the 1st day of Aug., 1988, for the purpose of voting upon a proposition for the approval of construction of a highway garage in and for the Town of Boston and the approval of a bond resolution in connection therewith, as described in the preambles hereof. The polls at such special election shall remain open between the hours of 6 o'clock AM and 9 o'clock PM, Eastern Daylight Time. Voting at such special election shall be conducted by voting machine. The places at which qualified voters of each election district shall vote are fixed as follows:

Election Districts

Election District No. 1	Boston Town Hall, 8500 Boston State Road Boston, New York (<u>Community Room</u>)
Election District No. 2	Boston Town Hall, 8500 Boston State Road Boston, New York (<u>Community Room</u>)
Election District No. 3	Boston Town Hall, 8500 Boston State Road Boston, New York (<u>Community Room</u>)
Election District No. 4	Boston Town Hall, 8500 Boston State Road Boston, New York (<u>Community Room</u>)
Election District No. 5	Boston Town Hall, 8500 Boston State Road Boston, New York (<u>Community Room</u>)

Election District No. 6 Boston Town Hall, 8500 Boston State Road
Boston, New York (Community Room)
Election District No. 7 Boston Town Hall, 8500 Boston State Road
Boston, New York (Community Room)

Section 2. The Town Clerk of said Town is hereby authorized and directed to give notice of such special election by publication thereof in the Hamburg Sun, the official newspaper designated for such purpose, said publication to be at least ten days prior to the date of said special election. In addition, the Town Clerk shall cause copies of such notice to be posted on the Town Clerk's signboard in said Town, at least ten days prior to the date of said special election. Said notice shall be in substantially the following form, to wit:

NOTICE OF SPECIAL ELECTION

NOTICE IS HEREBY GIVEN that a special Town election in and for the Town of Boston, Erie County, New York, will be held on the 1st day of Aug. 1988, at which the polls will remain open for the purpose of voting between the hours of 6 o'clock AM and 9 o'clock PM, Eastern Daylight Time, for the purpose of submitting the following-described proposition for the approval of qualified electors of said Town:

PROPOSITION

Shall the resolution duly adopted by the Town Board of the Town of Boston, Erie County, New York, on the 29th day of June, 1988, authorizing the construction of a new highway garage in and for the said Town of Boston on lands owned by said Town, which said lands front on the Boston State Road, in said Town, at a maximum estimated cost of \$ 540,000.00, providing that the plan for financing of such maximum estimated cost is by the issuance of \$ 300,000.00 serial bonds, appropriation of \$ 140,000.00 surplus funds of said Town, allocation of proceeds from sale of existing highway garage estimated to be in the amount of \$ 100,000.00, determining that the period of probable usefulness applicable to said object or purpose is thirty years and that the maximum maturity of said bonds will exceed five years but not exceed thirty years; pledging the faith and credit of said Town to the payment of the principal of and interest on said bonds and providing for an annual appropriation for the payment of said principal and interest and the levy of taxes therefor; providing for the issuance of bond anticipation notices; containing an estoppel clause and providing for the publication of an estoppel notice; and providing for the submission of a proposition for the approval of such resolution at a special Town election to be held on Aug. 1, 1988, be approved.

Voting at said special election will be conducted by the use of voting machines.

A copy of the bond resolution referred to in the aforesaid proposition is on file in the office of the Town Clerk of said Town, where the same may be examined by any interested person during regular business hours.

The places at which the qualified voters of each election district shall vote are as follows:

Election Districts

Election District No. 1	Boston Town Hall, 8500 Boston State Road Boston, New York (<u>Community Room</u>)
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Election District No. 2	Boston Town Hall, 8500 Boston State Road Boston, New York (<u>Community Room</u>)
Election District No. 3	Boston Town Hall, 8500 Boston State Road Boston, New York (<u>Community Room</u>)
Election District No. 4	Boston Town Hall, 8500 Boston State Road Boston, New York (<u>Community Room</u>)
Election District No. 5	Boston Town Hall, 8500 Boston State Road Boston, New York (<u>Community Room</u>)
Election District No. 6	Boston Town Hall, 8500 Boston State Road Boston, New York (<u>Community Room</u>)
Election District No. 7	Boston Town Hall, 8500 Boston State Road Boston, New York (<u>Community Room</u>)

Dated: Boston, New York
June 29, 1988

BY ORDER OF THE TOWN BOARD OF THE
TOWN OF BOSTON, ERIE COUNTY, NEW YORK

By: Joyce Carr
Joyce Carr - Town Clerk

Section 3. This Resolution shall take effect immediately.

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

Richard L. Kennedy	VOTING	<u>Aye</u>
Milton I. Wittmeyer	VOTING	<u>Aye</u>
David G. Zimmerman	VOTING	<u>Aye</u>
Don A. Wohlhueter	VOTING	<u>Aye</u>
Frank H. Lisowski, Jr.	VOTING	<u>Aye</u>

The resolution was thereupon declared duly adopted.

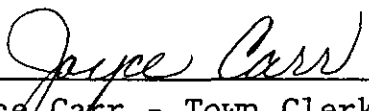
STATE OF NEW YORK)
COUNTY OF ERIE) ss.:

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 resolutions contained therein, held on the 29th day of June, 1988, 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 30th day of June, 1988.


Joyce Carr - Town Clerk

Regular Meeting
July 13, 1988

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman Don Wohlhueter, Councilman Frank Lisowski, Supervisor Richard Kennedy, Town Attorney Michael Perley and Highway Superintendent Clarence Kreitzbender. Councilman David Zimmerman was absent.

A motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski that the Minutes of the Special Meeting of June 29, 1988 be approved.

four (4) ayes

Carried

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

four (4) ayes

Carried

A motion was made by Councilman Lisowski and seconded by Councilman Wittmeyer that the General Fund and Special District Bills on Abstract #7, July 13, 1988, in the amount of \$22,252.72 be paid.

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the Highway Bills on Abstract #7, July 13, 1988, in the amount of \$46,596.56 be paid.

four (4) ayes

Carried

Received notification from Erie County Department of Central Police Services that Erie County will be installing 9-1-1 informational signs on county roads at entrances to the county. Supervisor Kennedy said that the main roads entering town are either county or state roads, therefore it is not necessary that the town erect their own signs.

Received resolutions from the the Town of Tonawanda and the Town of Hamburg relative to their opposition of Assembly Bill #8849, which would mandate that election inspectors be paid \$10.00 per hour.

RESOLUTION - PROPOSED PAY FOR ELECTION INSPECTORS

Received resolutions from the Town of Wales and the Town of Cheektowaga memorializing the New York State Legislature and Governor Cuomo to change the primary election hours in Erie County to 12:00 Noon to 9:00 P.M.

RESOLUTION - PRIMARY ELECTION HOURS

Received a report from Assemblyman Maurice Hinchey on new legislation recently signed into law, named The Solid Waste Management Act of 1988. Supervisor Kennedy said he agreed with the Association of Town Governments that the bill is inadequate in terms of state financial assistance and added that the bill is on file in the Town Clerk's office if anyone wishes to read it. Also received was a letter from C.I.D. Landfill requesting information relative to the numbers of residential, commercial and industrial accounts in the town. Town Attorney Perley said that B.F.I. Waste Systems uses the Occidental Chemical landfill in Lewiston, therefore this data need not be supplied.

Received and filed notification from New York State Department of Transportation that the town will continue to receive payments from the Consolidated Local Street and Highway Improvement Program (CHIPS).

Received notification that David Emerling of the Boston Fire Company has completed a New York State Fire Police Training Course.

Received advice from MCI Telecommunications advising that they will soon begin construction of buried fiber optic telephone cable in the town. Supervisor Kennedy said additional information is on file at the Town Hall on this state-wide project.

Robert Fagan, who lives on the Powerline Road, asked if the town had taken under consideration the request he made for the town to construct a road on

a 30 foot easement next to the Powerline Road, due to the fact that Niagara Mohawk has told residents to cease doing any roadwork on the powerline right-of-way. Supervisor Kennedy said that this width is far below the minimum required for a town highway, however, he directed Highway Superintendent Kreitzbender to review this request and told Mr. Fagan an answer would be made to him at the August Town Board meeting.

Received and filed a letter from Erie County Department of Health stating that the summer recreation programs are defined as a Children's Camp and will be able to meet the requirements of the state code.

A letter was read from Southtowns Rural Preservation Co., Inc. requesting support for their projects. Supervisor Kennedy said that Councilman Zimmerman will respond to this letter by the date of August 1, 1988.

RESOLUTION - CONSOLIDATION OF ELECTION DISTRICTS

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to authorize the Supervisor to sign an agreement with the Town of Hamburg in the amount of \$10,005.00 for the year 1988 for fire and ambulance dispatching services.

four (4) ayes

Carried

A letter was read from John P. Falkides relative to the Town Board Meeting of June 15, 1988 on his application for rezoning for the expansion of the Boston Hills Mobile Home Court and the denial by the Town Board of this request. Supervisor Kennedy said he has contacted the Erie County Sewer District No. 3 Board of Managers for a copy of the Minutes of the meeting referred to by Mr. Falkides.

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski to appoint Meggan C. Little as lifeguard for the Boston Recreation Summer Program, effective July 6, 1988 at a rate of pay of \$3.50 per hour.

four (4) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski to appoint Michelle Reiderer as Recreation Supervisor, effective July 11, 1988, at \$4.50 per hour. She will replace Sean O'Brien, who resigned to continue his education at the Coast Guard Academy.

four (4) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski to appoint Jody Powley as Camp Medical Director for the Summer Recreation Program, effective July 6, 1988, at a salary of \$500.00, to be paid bi-weekly.

four (4) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to refer to the Planning Board for review and recommendation the application of Henry Andrzejewski, Jr. to erect a freezer-cooler to replace a metal shed on his property at 9378 Boston State Road, the Boston Hotel.

four (4) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer to schedule a Public Hearing for August 10, 1988 at 8:00 P.M. on the request of Joseph Simmeth, 8010 Boston State Road, for a dumping permit for tree stumps and soil. In the interim period, the Department of Environmental Conservation will be contacted to ascertain their criteria have been met in the dumping that has already been done on the property.

four (4) ayes

Carried

A petition, signed by 31 residents on the east hill, was received which requested bus service in that area for the summer recreation program, due to the fact that this portion of town is not serviced by transportation as the west hill and valley are. Supervisor Kennedy said that the Recreation Director would be contacted relative to this matter and he agreed that if transportation is provided for a portion of the town it should be provided for all of it. He said an answer to the petitioners would be given as soon as possible and directed Councilman Wohlhueter to work with the Recreation Director to find a solution.

A motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski to grant permission for residents of Pinecrest Terrace to close the street from #4675 - #4692 for their annual block party on July 16, 1988 from 5:00 P.M. to midnight. Notification of this closing will be sent to North Boston Fire Company, State Police, Erie County Sheriff's Department and the Boston Emergency Squad, even though emergency vehicles will be able to have access to this area.

four (4) ayes

Carried

Supervisor's Monthly Financial Report was received.

Supervisor Kennedy said he has received a complaint relative to the dusty condition of the road leading from Meadow Drive to the North Boston Stadium. He requested that Highway Superintendent Kreitzbender remedy the situation.

Supervisor Kennedy said he also received a complaint about debris and other violations by Gregory Gerwitz, 7440 Boston State Road. He directed Town Attorney Perley to correspond with Mr. Gerwitz relative to the determination that his property is in noncompliance and to also advise him that the rezoning of his property was contingent on his obtaining a building permit within six months from the date the rezoning became effective.

RESOLUTION - OPEN BURNING BAN

Tax Collector's Report was received.

Town Justice Monthly Financial Report was received.

Councilman Lisowski stated that the Senior Citizen Van of Boston and Orchard Park is now available for use and that arrangements for transportation can be made by calling the county at 895-0400.

Councilman Wohlhueter said he also received a complaint about the dust generated on the roadway to the North Boston Stadium and also about the high grass in the area. Highway Superintendent Kreitzbender said the matters will be taken care of next week.

RESOLUTION - RESOURCE RECOVERY PLANT CONSTRUCTION BY THE NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Code Enforcement Officer and Deputy Code Enforcement Officer Monthly Reports were received.

Dog Control Officer Monthly Report was received.

Town Engineer Monthly Report was received.

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to adjourn at 8:33 P.M.



Joyce Carr
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 13th day of July, 1988 at 7:30 P.M. Eastern Daylight Saving Time, there were:

PRESENT:	Richard L. Kennedy	Supervisor
	Milton I. Wittmeyer	Councilman
	Don A. Wohlhueter	Councilman
	Frank H. Lisowski, Jr.	Councilman

ABSENT:	David G. Zimmerman	Councilman
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The following resolution was offered by Supervisor Kennedy, who moved its adoption:

WHEREAS, passage of Assembly Bill #8849 would mandate that election inspectors be paid \$10.00 per hour, and

WHEREAS, the 1988 September Primary and November General Election could cost an additional \$5400 for the Town of Boston, which is not budgeted for 1988,

NOW, THEREFORE, BE IT RESOLVED, that the Boston Town Board expresses its serious concern for this mandated financial burden to the New York State Assembly and further suggests alternate actions to ease this financial burden, such as:

- include in the legislation an option for towns to adopt the \$10.00 rate;
- adopt site-specific legislation in areas where the increase is necessary (New York City area);
- postpone action until town budgets can reflect such an increase.

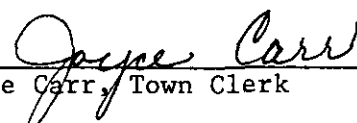
BE IT FURTHER RESOLVED, that certified copies of this resolution be sent to:

Governor Mario Cuomo
Assemblyman Melvin Miller
Senator Warren Anderson
Senator William Stachowski
Assemblyman L. William Paxon
All Town Clerks in Western New York

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

Supervisor Kennedy	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Wohlhueter	Voting	aye
Councilman Lisowski	Voting	aye

AYES:	4	NOES:	0	ABSENT:	1
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Joyce Carr, 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 13th day of July, 1988 at 7:30 P. M. Eastern Daylight Saving Time, there were present:

Richard L. Kennedy	Supervisor
Milton I. Wittmeyer	Councilman
Don A. Wohlhueter	Councilman
Frank H. Lisowski, Jr.	Councilman

Absent:

David G. Zimmerman	Councilman
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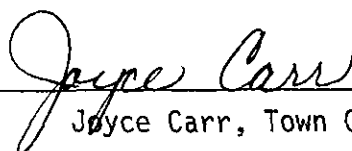
The following resolution was offered by Supervisor Kennedy, who moved its adoption:

BE IT RESOLVED, that the Town Board of the Town of Boston, Erie County, New York, requests the Erie County Board of Elections to permit the consolidation of Boston's seven (7) Election Districts into one district at the Boston Town Hall, 8500 Boston State Road, Boston, New York for the purpose of registering voters on October 13, 1988, October 14, 1988 and October 15, 1988.

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

Supervisor Kennedy	Voting	<u>aye</u>
Councilman Wittmeyer	Voting	<u>aye</u>
Councilman Wohlhueter	Voting	<u>aye</u>
Councilman Lisowski	Voting	<u>aye</u>

AYES: 4 NOES: 0 ABSENT: 1


Joyce Carr, 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 13th day of July, 1988 at 7:30 P.M. Eastern Daylight Saving Time, there were present:

Richard L. Kennedy	Supervisor
Milton I. Wittmeyer	Councilman
Don A. Wohlhueter	Councilman
Frank H. Lisowski, Jr.	Councilman

Absent: David G. Zimmerman Councilman

The following resolution was offered by Supervisor Kennedy, who moved its adoption, seconded by Councilman Wittmeyer and unanimously carried:

WHEREAS, the Supervisor of the Town of Boston, pursuant to Section 29 of the Town Law of the State of New York, is designated the Superintendent of Fires in said town, and is charged with the duty preventing and extinguishing forest fires; and,

WHEREAS, the Supervisor is also conferred with the power, pursuant to Environmental Conservation Law, Section 9-1103, to make appropriate rules and regulations for the prevention of fires; and,

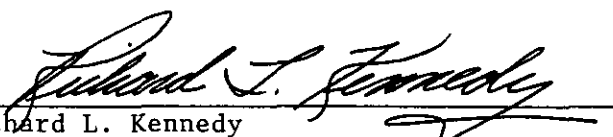
WHEREAS, there has been a marked absence of rainfall in the Town of Boston for a period exceeding six weeks; and,

WHEREAS, the aforesaid lack of rainfall has resulted in extremely dry conditions within the Town of Boston, which increases the likelihood of a generalized brush, field, or forest fire within said town; and,

WHEREAS, THE North Boston, Boston and Patchin Volunteer Fire Companies have requested that a ban be placed upon the burning of open brush fires within the Town of Boston, until the aforesaid conditions have been alleviated.

NOW, THEREFORE, BE IT ORDERED, that no burning of brush, debris or other refuse shall be permitted within the territorial limits of the Town of Boston in an open, unenclosed, or unrestrained fire from the date hereof until there has been rainfall measured by the United States Weather Bureau at the Buffalo Airport in an amount equal to or exceeding 1.5 inches, or until this Order is otherwise rescinded or countermanded; and be it further

ORDERED, that this Order shall not restrict the use within the Town of Boston of any charcoal grill or other contained device used for the purpose of outdoor cooking, provided that same adequately provides for the containment of coals or embers.


Richard L. Kennedy
Supervisor, Town of Boston

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 13th day of July, 1988 at 7:30 P.M. Eastern Daylight Saving Time, there were:

PRESENT:	Richard L. Kennedy	Supervisor
	Milton I. Wittmeyer	Councilman
	Don A. Wohlhueter	Councilman
	Frank H. Lisowski, Jr.	Councilman
ABSENT:	David G. Zimmerman	Councilman

The following resolution was offered by Councilman Wohlhueter, who moved its adoption:

WHEREAS, Governor Cuomo and the New York State Legislature have determined that finding a solution to the solid waste crisis in New York State is the responsibility of local governments, and

WHEREAS, the new Part 219-E regulations released by the New York State Department of Environmental Conservation contain highly advanced technological requirements for the construction of the "perfect" resource recovery plant, and

WHEREAS, by the DEC's own admission, no such "perfect" plant currently exists in the State of New York, the United States of America, or, indeed, on the entire planet, now, therefore, be it

RESOLVED, that the New York State Supervisors' and County Legislators' Association (NYSSCLA), comprised of town and county supervisors and county legislators from 57 counties and 600 towns in the State of New York hereby request the NYSDEC to construct the "perfect" prototype plant to demonstrate to New York's local governments how such a "perfect" plant should be built and exactly what the construction and operating costs would be, and

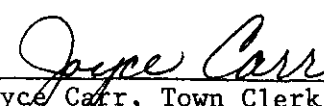
RESOLVED, that NYSSCLA challenges the NYSDEC to meet its own standards for building such a "perfect" plant, and be it further

RESOLVED, that copies of this resolution have been sent to the Governor, the New York State Legislature, the Commissioner of the Department of Environmental Conservation, and the NYSSCLA.

Seconded by Supervisor Kennedy and duly put to a vote, which resulted as follows:

Supervisor Kennedy	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Wohlhueter	Voting	aye
Councilman Lisowski	Voting	aye

AYES: 4 NOES: 0 ABSENT: 1


Joyce Carr, 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 13th day of July, 1988 at 7:30 P.M. Eastern Daylight Saving Time, there were:

PRESENT:	Richard L. Kennedy	Supervisor
	Milton I. Wittmeyer	Councilman
	Don A. Wohlhueter	Councilman
	Frank H. Lisowski, Jr.	Councilman
ABSENT:	David G. Zimmerman	Councilman

The following resolution was offered by Councilman Wohlhueter, who moved its adoption:

WHEREAS, Primary Election hours in Erie County, six other counties and the burroughs surrounding New York City are from 6:00 A.M. to 9:00 P.M., and

WHEREAS, Primary election hours elsewhere in New York State are from 12:00 Noon to 9:00 P.M., and

WHEREAS, election expenses are a charge against the towns in the County of Erie, and

WHEREAS, the expenses incurred by the town for the additional six hours are increasing annually, NOW, THEREFORE, BE IT

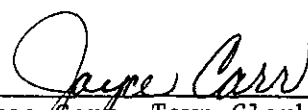
RESOLVED, that this Town Board memorializes the New York State Legislature and Governor Cuomo to change the Primary Election hours in Erie County to 12:00 Noon to 9:00 P.M., and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Assemblyman L. William Paxon, Senator William Stachowski, Governor Mario Cuomo and the Speakers of the State Assembly and Senate.

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

Supervisor Kennedy	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Wohlhueter	Voting	aye
Councilman Lisowski	Voting	aye

AYES: 4 NOES: 0 ABSENT: 1


Joyce Carr, Town Clerk

Special Meeting
August 1, 1988

Town Hall
9:15 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Don Wohlhueter, Councilman Frank Lisowski, Supervisor Richard Kennedy, Town Attorney Michael Perley and Highway Superintendent Clarence Kreitzbender.

Certification of Referendum held this date on the authorization of the construction of a new highway garage is hereby attached to and made a part of these Minutes.

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to award the bid for General Contractor of the highway garage to KIRST Construction, Inc., 7170 Boston State Road, North Boston, New York 14110 in the amount of \$365,459.00.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Supervisor Kennedy to award the bid for Mechanical Contractor of the highway garage to Duffett Plumbing & Heating, Inc., 4181 Legion Drive, Hamburg, New York 14075 in the amount of \$52,411.00.

five (5) ayes

Carried

A motion was made by Councilman Lisowski and seconded by Councilman Wohlhueter to award the bid for Electrical Contractor of the highway garage to Wittburn Enterprises, Inc., 36 Cypress Street, Buffalo, New York 14204 in the amount of \$27,400.00.

five (5) ayes

Carried

Councilman Wittmeyer, as Chairman of the Capital Improvements Committee, said he wished to thank the members of the committee for their many hours of dedicated planning that led to the referendum on the construction of a new highway building. He added that he was grateful the results of the referendum resulted in a decision to construct the new building.

Supervisor Kennedy stated that he appreciated the people in the community who voted in this referendum which culminated in a decision to construct the new garage. He added that this new building will be a decided improvement over the existing highway garage, with no additional tax monies imposed. He said that site layout will go forward immediately on this project.

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to adjourn at 9:20 P.M.



Joyce Carr
Town Clerk

Regular Meeting
August 10, 1988

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Don Wohlhueter, Councilman Frank Lisowski, Supervisor Richard Kennedy, Town Attorney Michael Perley and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the Minutes of the July 13, 1988 Regular Meeting and August 1, 1988 Special Meeting be approved.

five (5) ayes

Carried

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

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer that the General Fund and Special District Bills on Abstract #8, August 10, 1988, in the amount of \$26,068.85 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the Highway Bills on Abstract #8, August 10, 1988, in the amount of \$14,941.14 be paid.

five (5) ayes

Carried

Received and filed letter from Federal Emergency Management Agency acknowledging receipt of Local Law #2 - 1988, Flood Damage Prevention.

Received a revised residential assessment ratio of 95.76 from the New York State Division of Equalization and Assessment. This revision was made after a request by Assessor William H. Kleis, Jr. for a recalculation with the use of correct figures. Supervisor Kennedy said this new ratio is more equitable and realistic than the previous ratio that was established.

Received from the Boston Emergency Squad a letter of appreciation to the men in the Parks Department that installed their new flag pole.

Received a resolution adopted by the Town of Grand Island memorializing the New York State Legislature and Governor Cuomo to change the primary election hours in Erie County to 12:00 Noon to 9:00 P.M. Also received a letter from Senator William T. Stachowski stating he is in receipt of the Town of Boston resolution on this matter. Supervisor Kennedy said he appreciates Senator Stachowski stating he will look into this request, however, the Senate should have reviewed this matter with the towns prior to passing the legislation. As the enactment will be a considerable cost to the towns, it is an arbitrary action by the state without consulting them first.

Received from Senator Stachowski an acknowledgement of the Town of Boston resolution in opposition to the proposed \$10.00 per hour rate for election inspectors. He stated that this legislation passed due to the fact there was very little opposition to it. Supervisor Kennedy said that the reason for no opposition was that the towns were not aware of the proposed legislation until it was passed by the Senate, as they would have objected due to the considerable costs to the town this will entail. Also received were copies of resolutions in opposition from the Towns of Orchard Park and Clarence and from the New York State Town Clerks Association. Governor Cuomo and Assemblyman Paxon acknowledged receipt of the Town of Boston resolution on this matter also.

Received a resolution from the Town of Tonawanda relative to radioactive waste disposal sites.

Received from Adelphia Cable an updated list of the levels of programming as of July 1, 1988. This information is on file in the Town Clerk's office for anyone wishing to review it.

Received an invitation to attend the opening ceremonies for the Vietnam Portable Moving Wall on August 26, 1988 at the Dunkirk Lighthouse, which is the only site it will appear in New York State.

At 7:45 P.M. a Public Hearing was held to consider changing the name of Pfarner Road located on the west side of the 219 Expressway to Old Pfarner Road. The Legal Notice was read by Town Clerk Carr, who also noted that the six property owners on this portion of Pfarner Road were notified of the proposed change and all six replied that they were in favor of it.

Supervisor Kennedy opened the hearing for comments. No one commented for or against the proposed road name change. Supervisor Kennedy and Councilman Wittmeyer both stated they are aware that property owners have encountered delays by repair persons and deliveries as they can not locate this section of the road.

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to close the hearing at 7:47 P.M.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to change the name of that portion of Pfarner Road located on the west side of the Route 219 Expressway to Old Pfarner Road.

five (5) ayes

Carried

Town Clerk Carr will notify the various emergency services, the Boston Post Office and the property owners on Old Pfarner Road of this change.

Robert Fagan, Powerline Road, asked if a decision had been made if the town planned to prepare a road surface on a 30 foot easement east of the Niagara Mohawk right-of-way so that access can be obtained to a house he owns on the property without using the right-of-way. He stated that his tenant will have to vacate the premises before winter if this work is not done, due to the fact that Niagara Mohawk said no work, including snow removal, can be done on the right-of-way. Supervisor Kennedy advised Mr. Fagan to bring in a copy of his deed relative to the easement and also stated he would schedule a meeting with a representative of Niagara Mohawk, Councilman Wittmeyer, Mr. Fagan and himself in order to work out some guidelines in the use of the right-of-way. Mr. Fagan said he would only be satisfied if Niagara Mohawk was willing to put it in writing that he had the authority to plow the roadway, as he does not want to have any legal problems with them. Supervisor Kennedy told Mr. Fagan that a written dispensation of this request will be made to him prior to the next Town Board meeting.

At 8:00 P.M. a Public Hearing was held for the purpose of considering the application of Joseph Simmeth, 8010

Boston State Road, for a Special Use Permit for the purpose of dumping material generated outside of the Town of Boston, namely dirt and tree stumps, at 8010 Boston State Road. Town Clerk Carr read the Legal Notice. Mrs. Carr noted that property owners in the vicinity were notified of this hearing, as was the New York State Department of Environmental Conservation. A letter was read from the DEC, relative to their on-site inspection which was made July 26, 1988. They outlined the steps necessary to correct the violations and asked that a written description of the restorative work plan be submitted by Mr. Simmeth before August 31, 1988. Supervisor Kennedy opened the hearing.

Allen Smolinski, who trucked in the dirt and stumps, said he was unaware that this dumping was not permitted and he stopped the dumping immediately when he was informed of the law. Supervisor Kennedy said that the dumping is in conflict with Article IX of the Boston Zoning Ordinance and the DEC regulations relative to protected streams, which includes Eighteen Mile Creek. Councilman Lisowski said it was very important to do the remedial work requested by the DEC as soon as possible. Mr. Smolinski asked if he could sell the excess topsoil once the

TOWN OF BOSTON

NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN that the Town Board of the Town of Boston, Erie County, New York, will hold a Public Hearing at the Boston Town Hall, 8500 Boston State Road, Boston, New York on Wednesday, August 10, 1988 at 7:45 P.M. Eastern Daylight Saving Time, to consider changing the name of Pfarner Road located on the west side of the 219 Expressway to Old Pfarner Road.

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

By order of the Town Board of the Town of Boston, New York.
Dated: July 15, 1988

Joyce Carr
Town Clerk

LEGAL NOTICE TOWN OF BOSTON

NOTICE IS HEREBY GIVEN, that a public hearing will be held by the Town Board of the Town of Boston, Erie County, New York, at the Boston Town Hall, 8500 Boston State Road, Boston, New York on the 10th day of August, 1988 at 8:00 P.M. Eastern Daylight Saving Time for the purpose of considering the application of Joseph Simmeth, 8010 Boston State Road, for a Special Use Permit for the purpose of dumping material generat-

ed outside of the Town of Boston, namely dirt and tree stumps, at 8010 Boston State Road. This notice is being given pursuant to the provisions of Article IX of said Zoning Ordinance of the Town of Boston.

At the time and place above noted, all persons interested in the matter will be heard for or against the above application.
Dated: July 15, 1988

Joyce Carr
Town Clerk

7-21

remedial work is complete. There were no further questions or comments.

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to close the public hearing at 8:20 P.M.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to grant a Special Use Permit for the purpose of dumping material generated outside of the Town of Boston, namely dirt and stumps, to Joseph Simmeth, 8010 Boston State Road. Said motion stated that permit be granted, if in fact the person who applied for the permit complies with the directives that are outlined in the letter from the Department of Environmental Conservation requiring the removal of tree stumps that had fallen into the floodway and those that are now at the top of the bank in a position that they could be washed into the floodway be moved 50 feet, as described in this letter, from the top of the bank and that those stumps be covered with the dirt that is part of the debris that was hauled into the Town of Boston. The remaining dirt is to be sold or disposed of by the property owner, but does not include any additional excavation on the property without a permit and does not apply to any additional fill being brought in.

five (5) ayes

Carried

Councilman Wittmeyer and Councilman Lisowski will meet with Mr. Smolinski at the site of the dumped materials in order to show him the location of the materials the DEC requested be removed.

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to authorize the Supervisor to sign a contract with the Southtowns Solid Waste Committee which would create a Southtowns Solid Waste Management Board.

five (5) ayes

Carried

A motion was made by Councilman Lisowski and seconded by Councilman Zimmerman to authorize the Supervisor to sign a 1988 - STOP DWI Contract with Erie County.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to appoint Town Clerk Joyce Carr as Records Management Officer of the Town of Boston.

five (5) ayes

Carried

RESOLUTION - OUT-OF-DISTRICT WATER SERVICE

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer to make the following Corrections of Abstract #7 - July 13, 1988:

Voucher #504 Service Office Supply	
From: A1220.4 Supervisor, Cont.	\$215.61
To: A1220.4 Supervisor, Cont.	\$136.01
A1670.4 Cent. Pr. & Mail	63.24
A7310.4 Youth Prog., Cont.	16.36
Voucher #505 Boston Postmaster (Cap. Projects Fund)	
From: H5132.4 Highway Garage, Cont.	
To: H5132.2 Highway Garage, Equip.	
Voucher #537 Sewah Studios	
From: A7520.4 Historical Property, Contractural	
To: A7510.4 Historian, Contractural	

five (5) ayes

Carried

A letter was read from Diane Helmbrecht, 9752 Lango Road and Albert Coakley, 9751 Lango Road, requesting extension of the existing main waterline, which presently terminates at 9707 Lango Road. Supervisor Kennedy outlined the procedures for application to extend the water line and told Mrs. Helmbrecht

that all costs, including engineering fees, are the responsibility of the applicants. Mrs. Helmbrecht asked if, due to the fact they own property on a dead end street, the water line must extend across the front of the entire property. Mr. Kennedy said it is possible that the Erie County Water Authority would make an exception, due to the fact the road is a dead end and that the town would work with them in this aspect. Supervisor Kennedy said that Charles Pettit, Town Engineer, would be contacted upon his return from vacation on August 15 to prepare a cost estimate on this project and that Mrs. Helmbrecht and Mr. Coakley would be contacted when this estimate is complete.

Referred to the Planning Board for review and recommendation a site plan for apartment buildings proposed for property on the west side of Boston State Road owned by Boston Land Corp.

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski to make the following Transfers of Appropriations:

FROM:	A1990.4	Contingent	\$12,000.00	
	1355.2	Assessor, Equipment	500.00	
	1930.4	Judgment & Claims	980.00	
	1950.4	Taxes & Assess-Town Prop.	810.00	
	3120.1	Police & Const. Per Serv.	1,800.00	
	4520.2	Ambulance, Equip.	10,000.00	
	7510.2	Historian, Equip.	350.00	
				\$26,440.00
TO:	A1355.4	Assessor, Pers. Serv.	\$ 500.00	
	1640.4	Gen. Garage, Cont.	500.00	
	4540.4	Ambulance, Cont.	12,790.00	
	6410.4	Publicity, Cont.	100.00	
	7110.2	Parks, Equip.	1,700.00	
	7510.4	Historian, Cont.	350.00	
	9030.8	Social Security, Dogs	500.00	
	9950.9	Tras/Cap Proj. Fund	10,000.00	
				\$26,440.00

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to make the following Appropriation of Excess Revenue:

Estimated Revenue

FROM: A3005 Mortgage Tax \$12,610.00

Appropriation

FOR: A4540.4 Ambulance, Cont. \$12,610.00

five (5) ayes

Carried

Received an offer from John Less, Jr. to purchase property owned by the Town of Boston west of Pinecrest Terrace. Enclosed with the option agreement was a check in the amount of \$100.00 which represents the option payment. Town Attorney Perley will review this agreement and report at the next Town Board meeting on his findings.

Supervisor's Monthly Financial Report was received.

Supervisor Kennedy said plans for the Commuter Parking Lot in North Boston have been finalized and work is expected to begin shortly by the New York State Department of Transportation, with a projected completion date at the end of October.

Supervisor Kennedy said that the section of Abbott Road between Herman Hill Road and Bunting Road is in deplorable condition, with narrow, broken pavement. There has been no response to the letter sent by the Town Clerk on December 17, 1987 relative to the resolution adopted by the Town Board requesting a lower speed limit on Abbott Road from the Orchard Park town line to Boston State Road. The Supervisor directed that pictures be taken of this section of Abbott Road and sent to the county with notification of the unsafe conditions.

Supervisor Kennedy said he has had an inquiry from Larry Steward to purchase town-owned property to the rear of Valley Circle Lane, which is becoming an area for the congregation of youth. He added that the purchase offer will not be considered until after an appraisal of the property is complete.

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to grant permission for Tax Collector Joyce Carr to use the Town Hall for the collection of 1988-89 School Taxes with payment of \$500.00 to be made to the town.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to grant permission for the Boston Chamber of Commerce to use the Lions Shelter on Sunday, August 28, 1988 from 2:00 P.M. to 5:00 P.M. for a Concert in the Park.

five (5) ayes

Carried

Town Justice Monthly Report was received.

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski to schedule a public hearing for September 7, 1988 at 7:50 P.M. on proposed Local Law #2 of 1988, Providing for a Four-Year Term for the Office of Town Supervisor of the Town of Boston Commencing With the Biannual Election to be Held in the Calendar Year 1989.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to schedule a public hearing for September 7, 1988 at 7:55 P.M. on proposed Local Law #3 of 1988, Amending Local Law #2 for the Year 1983 Known as a Local Law Regulating the Use of Town Property.

five (5) ayes

Carried

Town Attorney Perley said he is meeting on August 11 with Hamburg School Superintendent Lewis Grell and David Nathan of the Creative Playground Committee in order to work out an agreement for the use of surplus funds for maintenance of the playground area.

Town Attorney Perley said he also has a meeting scheduled with a bond counsel in order to work out the terms of bond anticipation notes for the construction of the highway garage.

Mr. Perley said he was contacted by Allan Wittmeyer, who has a Special Use Permit for 7631 Zimmerman Road for the purpose of storage and maintenance of five tandem dump trucks. Mr. Wittmeyer said he would like to make some capital improvements to the property, however, due to the fact that his Special Use Permit expires on November 17, 1988, he would like some indication that it will be renewed prior to determining if he would make these expenditures. This matter will be on the agenda for a September meeting and if all the conditions of the permit have been met, consideration will be given to renewing it in advance of the expiration date.

Councilman Wohlhueter said that he met with Recreation Director Remy Orffeo relative to the petition signed by residents of the east hill for bus service for the Summer Recreation Program and they determined that, due to budget and time constraints, the request will be considered in April, 1989 for next summer's program. He added that he talked with the circulator of the petition and this was satisfactory to him.

Councilman Wohlhueter stated that the high grass has been cut at the North Boston Stadium, but more work with the York rake remains. He thanked Highway Superintendent Kreitzbender for this work and said he hopes that next year the work is done before this late in the season. He also said the entrance to the park from Herman Hill Road will be blocked off and access will be only from Meadow Drive.

Councilman Wittmeyer said the "No Parking" sign on Back Creek Road where the temporary North Boston Fire Hall was located during reconstruction of the Zimmerman Road bridge is still in place and Highway Superintendent Kreitzbender said he will remove it.

Councilman Wittmeyer also said he had a report of vehicles traveling at high

speeds on Eckhardt Road and that Trooper William Hubert will monitor the situation and report on his findings.

Councilman Zimmerman reported that he had a request for a ditch cleanout off Herman Hill Road, near Hickory. Highway Superintendent Kreitzbender said this area is on private property, therefore, could not be done by his department.

Code Enforcement Officer and Deputy Code Enforcement Officer Monthly Reports were received.

Dog Control Officer Monthly Report was received.

Town Engineer Monthly Report was received.

Upon the recommendation of the Planning Board, a motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to grant a permit to erect a 320 square foot freezer-cooler to Henry Andrzejewski, Jr., owner of the Boston Hotel, 9378 Boston State Road.

five (5) ayes

Carried

Received a recommendation from the Planning Board on the application of Carol J. Holben and Jeffrey S. Holben for a car wash business on vacant land between 7288 and 7292 Boston State Road and a motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to schedule a public hearing for September 7, 1988 at 8:00 P.M. on this application.

five (5) ayes

Carried

Received a recommendation from the Planning Board on the application of Raymond W. Miller for a car wash business at the intersection of Boston State Road and Abbott Road and a motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski to schedule a public hearing for September 7, 1988 at 8:30 P.M. to consider this application.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to adjourn at 9:25 P.M.



Joyce Carr
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 10th day of August, 1988 at 7:30 P. M., Eastern Daylight Saving Time there were present:

Richard Kennedy	Supervisor
David Zimmerman	Councilman
Milton Wittmeyer	Councilman
Don A. Wohlhueter	Councilman
Frank Lisowski, Jr.	Councilman

The following resolution was offered by Councilman Lisowski, 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 Town of Boston, 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 Town of Boston with jurisdiction to hear and determine cases involving alleged violations of Section 1192 and 511 (2) of the Vehicle and Traffic Law, and

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 Richard L. Kennedy to execute the agreement on behalf of the Town of Boston.

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

Supervisor Kennedy	Voting <u>aye</u>
Councilman Zimmerman	Voting <u>aye</u>
Councilman Wittmeyer	Voting <u>aye</u>
Councilman Wohlhueter	Voting <u>aye</u>
Councilman Lisowski	Voting <u>aye</u>

AYES:

5

NOES:

0

ABSENT:

0

Joyce Carr

Joyce Carr, 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 10th day of August, 1988 at 7:30 P.M. Eastern Daylight Saving Time, there were:

PRESENT:	Richard L. Kennedy	Supervisor
	Milton I. Wittmeyer	Councilman
	David G. Zimmerman	Councilman
	Don A. Wohlhueter	Councilman
	Frank H. Lisowski	Councilman

Councilman Wittmeyer presented the following resolution and moved its adoption.

RESOLVED, that the Town Board of the Town of Boston, Erie County, New York, hereby consents and approves that public water service be furnished to the following property owner, at the address as set opposite his name, as follows:

<u>SBL ACCOUNT NUMBER</u>	<u>NAME</u>	<u>ADDRESS</u>
212.00-1-11.11	SOLOMON, JOHN & DOROTHY	6551 WARD ROAD

By Water District #17 of the Town of Orchard Park as an out-of-district customer, and that the Town Board further consents and approves that in the event of a default in payment with respect to said water service should result in said sum or sums as may be unpaid may be placed on the tax rolls in the Town of Boston for collection thereof, and be it further

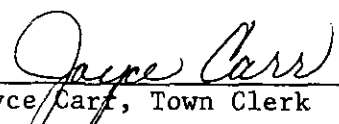
RESOLVED, that when and if the Town of Boston forms a Water District to service the area in which this petitioner resides, that this petitioner be and is hereby obligated to join the Town of Boston Water District, and be it further

RESOLVED, that if the Town of Orchard Park Water District involved is under Lease Management with the Erie County Water Authority that the permission granted above be and hereby is subject to the approval of the Erie County Water Authority's Engineering and Tariff requirements.

Seconded by Councilman Zimmerman and duly put to a vote, and upon roll call the vote was as follows:

Supervisor Kennedy	Voting <u>aye</u>
Councilman Wittmeyer	Voting <u>aye</u>
Councilman Zimmerman	Voting <u>aye</u>
Councilman Wohlhueter	Voting <u>aye</u>
Councilman Lisowski	Voting <u>aye</u>

AYES:	5	NOES:	0	ABSENT:	0
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Joyce Carr, Town Clerk

I HAVE REVIEWED THE EVENTS SURROUNDING THE HENALDING OF A SHOOTING CALL IN THE TOWN OF BOSTON ON THE NIGHT OF AUGUST 30, 1988.

I HAVE EXAMINED WHETHER OR NOT MY PERSONNEL ASSIGNED TO THE 911 COMMUNICATIONS CENTER ACTED PROPERLY.

I HAVE EXAMINED WHETHER OR NOT MY POLICY FOR THE NOTIFICATION OF THE NEW YORK STATE POLICE AND THE DISPATCHING OF THE NEAREST AVAILABLE UNIT IN CASES REQUIRING AN IMMEDIATE POLICE PRESENCE *was passed out* AND I HAVE EXAMINED THE CONDUCT OF THE AGENCIES INVOLVED SINCE THAT INCIDENT.

FIRST, LET ME SAY THAT I BELIEVE THE ENHANCED 911 SYSTEM, AS IT WAS DESIGNED AND IMPLEMENTED REPRESENTS THE VERY BEST SYSTEM POSSIBLE FOR ERIE COUNTY. BEARING IN MIND THAT THE SYSTEM IS NEW AND THAT THERE WILL BE, FROM TIME TO TIME, AS THERE IS IN ANY UNDERTAKING OF THIS MAGNITUDE, SOME TECHNICAL PROBLEMS TO WORK OUT.

THE ERIE COUNTY SHERIFF'S OFFICE HAS MADE A COMMITMENT TO THE CITIZENS OF ERIE COUNTY TO PROVIDE THE VERY BEST LAW ENFORCEMENT SERVICES POSSIBLE. I BELIEVE THAT OUR RECORD OF OUTSTANDING SERVICE TO THE COUNTY SINCE 1821 SPEAKS FOR ITSELF.

LET ME TURN MY ATTENTION TO THE HANDLING OF THE CALL IN THE TOWN OF BOSTON IN THE EARLY MORNING HOURS OF AUGUST 30, 1988 - CONCERN HAS BEEN EXPRESSED, AND IN MY VIEW PROPERLY SO, THAT THIS CALL WAS NOT HANDLED IN THE BEST POSSIBLE MANNER BY MY PERSONNEL. THE COMPLAINT WRITER WHO TOOK THE CALL WAS A RELATIVELY IN-EXPERIENCED OFFICER AND ALTHOUGH HE CONTACTED THE HAMBURG FIRE

CONTROL SOME 11 SECONDS AFTER RECEIVING THE CALL FOR HELP AND REQUESTED THE FIRE CONTROL TO DISPATCH AN AMBULANCE, HE WAS NOT, FRANKLY, FIRM ENOUGH~~✓~~ IN INSISTING THAT AN AMBULANCE BE DISPATCHED AT THAT POINT IN TIME - INSTEAD HE VACILLATED AND YIELDED TO THE QUESTIONING OF THE FIRE CONTROL OFFICER FOR A VERIFICATION OF THE CALL. THIS EMPLOYEE HAS BEEN REPRIMANDED FOR HIS CONDUCT AND I MIGHT SAY, IF IT WERE NOT FOR THE FACT THAT HE WAS ~~ONLY~~ A RELATIVELY NEW EMPLOYEE, MUCH MORE SEVERE DISCIPLINARY ACTION WOULD HAVE BEEN TAKEN. IN ANY EVENT, THE FACT THAT THE CALLER HUNG UP AND THE ACTION OF THE COMPLAINT WRITER REQUIRED HIM TO HAVE TO RE-ESTABLISH CONTACT WITH THE CALLER, INVARIABLY COST ADDITIONAL TIME. A UNIT OF THE ERIE COUNTY SHERIFF'S OFFICE WAS DISPATCHED TWO MINUTES AND SIX SECONDS AFTER THE FIRST CALL.

THE QUESTION HAS BEEN RAISED AS TO WHY THE STATE POLICE IN BOSTON WERE NOT NOTIFIED UNTIL SOME FIVE MINUTES AFTER THE CALL WAS RECEIVED. THIS IS A VERY APPROPRIATE QUESTION. I HAVE MET WITH THREE DIFFERENT INDIVIDUALS WHO ~~OVERLOOKED THE PRESENT~~ ^{SERVED AS} TROOP A, ~~A~~ MAJOR IN THE NYS POLICE OVER THE PAST SEVERAL YEARS AND I HAVE ALSO HAD DIRECT DIALOGUE WITH BOTH FORMER NYS SUPINTENDENT DONALD CHESWORTH AND WITH THE CURRENT SUPERINTENDENT OF THE NYS POLICE TOM CONSTANTINE IN ORDER TO FORMULATE WHAT WE CONSIDER TO BE THE BEST OPERATING POLICY~~✓~~ FOR THE CITIZENS OF ERIE COUNTY.

ESSENTIALLY, THE AGREEMENTS ARE AS FOLLOWS: THE STATE POLICE HAD ADVISED ME THAT THEY WOULD BE EQUIPPING THEIR PATROLS WITH POLICE MONITORS IN ORDER TO LISTEN TO OUR RADIO TRANSMISSIONS SO THAT

THEY MIGHT RESPOND TO CRIMES IN PROGRESS AND OTHER CALLS REQUIRING AN IMMEDIATE POLICE PRESENCE. WHEN I WAS ASKED IF I HAD ANY OBJECTIONS TO THIS PROCEDURE, I INDICATED ABSOLUTELY NOT. AS A MATTER OF FACT, THIS PROCEDURE HAS BEEN GOING ON FOR QUITE SOME TIME, I ALSO INDICATED THAT ANY 911 CALL WHICH WAS RECEIVED AT OUR PSAP WHICH REQUESTED THE NYS POLICE, WOULD BE IMMEDIATELY ONE-BUTTON TRANSFERRED TO THE NYS POLICE. FURTHER, IT WAS AGREED THAT IN ALL CASES REQUIRING AN IMMEDIATE POLICE RESPONSE THAT WE WOULD MAKE EVERY EFFORT TO DISPATCH THE NEAREST AVAILABLE POLICE UNIT WHETHER OR NOT THAT UNIT WAS A SHERIFF'S PATROL OR A STATE POLICE PATROL.

I BELIEVE TWO THINGS - 1 - THAT THE 911 SYSTEM AS DESIGNED AND IMPLEMENTED IS AN OUTSTANDING SYSTEM AND SHOULD NOT BE TAMPERED WITH - IT REPRESENTS THE ABSOLUTE CONSENSUS OF THE E-911 COORDINATING TASK FORCE WHICH DESIGNED IT WITH THE UNANIMOUS SUPPORT OF THE COUNTY EXECUTIVE AND THE COUNTY LEGISLATURE, WHO APPROVED IT AND I THINK IT WOULD BE ILL ADVISED AND IRRATIONAL TO ATTEMPT TO TAMPER WITH THE SYSTEM AT THIS POINT IN TIME.

2 - I BELIEVE THAT THE POLICY OF ALLOWING STATE POLICE PATROLS TO MONITOR OUR TRANSMISSIONS MAKES SENSE. I HAVE AUTHORIZED THAT AND SUPPORT IT. ~~THIS~~ ^{YOU} MIGHT ALSO BE INTERESTING TO KNOW THAT AS CHAIRMAN OF THE CPS BOARD OF TRUSTEES, I PERSONALLY MOVED THE AUTHORIZATION FOR THE STATE POLICE TO EQUIP THEIR PATROLS WITH THE CPS COUNTY-WIDE COMMON POLICE FREQUENCIES. THIS WILL

ENABLE THE STATE POLICE TO TALK FROM THEIR PATROLS TO OUR PATROLS AND TO OTHER POLICE PATROLS IN THE COUNTY AS WELL AS TO OUR COMMUNICATIONS CENTER AND THE COMMUNICATION CENTERS OF THE VARIOUS LAW ENFORCEMENT AGENCIES IN THE COUNTY

IT ALSO MY POLICY THAT ANY 911 CALL ~~THAT~~ WE RECEIVE IN WHICH THE COMPLAINANT REQUESTS A STATE POLICE RESPONSE, THAT THAT CALL WILL BE AUTOMATICALLY TRANSFERRED TO THE NYS POLICE FOR HANDLING.

FURTHER, IT IS ALSO MY POLICY THAT WHEN AN EVENT OCCURS THAT REQUIRES AN IMMEDIATE POLICE RESPONSE, THAT THE NEAREST AVAILABLE POLICE UNIT RESPOND.

THE EVENTS OF AUGUST 30, DO NOT REPRESENT IN ANY WAY A FAILURE OF THE 911 SYSTEM, NOR DO THEY REPRESENT A FAILURE OF MY POLICIES. WHAT THEY CLEARLY REPRESENT IS A FAILURE ~~OF~~^{CP} HAVING MY POLICIES CARRIED OUT.

IN THIS REGARD, I HAVE TAKEN THE ~~F~~^FOLLOWING ACTION TO INSURE THAT MY POLICIES WILL BE CARRIED OUT: I HAVE ASSIGNED CAPTAIN LAWRENCE COUSINS TO ASSUME COMMAND OF THE COMMUNICATIONS AND RECORDS DIVISION. I HAVE ALSO ASSIGNED LT. THOMAS GRAZIANI AND SGT. BARBARA BLAIR TO SUPERVISORY DUTIES IN THIS DIVISION. I HAVE ORDERED A LINE SUPERVISOR BE PREVENT^S ON DUTY^{AND} IN THE COMMUNICATIONS SECTION 24 HOURS A DAY WITHOUT FAIL. I HAVE ALSO ASSIGNED, ON A TEMPORARY BASIS, FORMER CPS COMMISSIONER SANTO COSTANTINO TO WORK WITH CAPT. COUSINS TO INSURE THE VERY HIGHEST QUALITY 911 OPERATION POSSIBLE. I MUST TELL YOU, QUITE CANDIDLY, THAT I AM DEEPLY CONCERNED AT THE MANNER IN WHICH THE NYS POLICE HAVE SOUGHT TO

MANIPULATE AND POLITICIZE THE EVENTS OF AUGUST 30. IN EVERY MEETING, INCLUDING ONE WHICH OCCURRED THE WEEK BEFORE THE 911 SYSTEM WENT INTO EFFECT, BOTH THE STATE POLICE AND MY OFFICE AGREED THAT ~~THERE COULD BE~~ A PROBLEM OF POLICY OR PROCEDURE COULD ARISE FROM TIME TO TIME. IT WAS OUR AGREEMENT AND UNDERSTANDING THAT WHEN SUCH INCIDENTS OCCURRED, THAT WE WOULD IMMEDIATELY CONTACT ONE ANOTHER TO IRON OUT THE PROBLEM. SADLY, THIS WAS NOT THE CASE. THE STATE POLICE, FOR PURPOSES BEST KNOWN TO THEM, WENT TO THE LOCAL MEDIA AND ATTACKED THIS AGENCY WITHOUT HAVING THE PROFESSIONAL COURTESY TO CONTACT ~~WHETHER~~^{EITHER} MYSELF OR MY STAFF FIRST. THEY HAVE, BY BOTH WORD AND DEED, OVER THE PAST SEVERAL YEARS, DONE ALL IN THEIR POWER TO UNDERMINE THE 911 SYSTEM IN ERIE COUNTY. THEY CONTINUE, ON A DAILY BASIS, TO LOBBY FOR CHANGES IN THE 911 SYSTEM WHICH ARE UNCALLED FOR, UNJUSTIFIED AND UNWARRANTED AND, IF ACTED UPON, COUNTER-PRODUCTIVE. I HAVE LEARNED, SINCE THE 30TH, THAT THE FIRST NYS POLICE UNIT TO RESPOND TO THE CALL ON THE NIGHT OF THE ~~30th~~^{30th}, WAS EQUIPPED WITH A POLICE MONITOR TUNED TO OUR DISPATCH FREQUENCIES AND WAS OPERATING, WHICH LEADS TO THE INESCAPABLE CONCLUSION THAT THE NYS POLICE WERE RESPONDING TO THE CALL AT THE VERY SAME TIME THAT OUR FIRST PATROL WAS NOTIFIED OF THE EMERGENCY - THIS WOULD BE AN ADDITIONAL ~~SOME~~ THREE MINUTES SOONER THAN THEY HAVE PUBLICLY PRONOUNCED THAT WERE ENROUTE TO THE CALL. I THINK THIS IS AN ABSOLUTELY OUTRAGEOUS SITUATION. THEIR WITHHOLDING OF SUCH INFORMATION, CLEARLY INDICATES A WILLFUL INTENT TO MANIPULATE THE SITUATION

FOR THEIR OWN PURPOSES.

YOU ARE ASKED TONIGHT TO CONSIDER A RESOLUTION WHICH WOULD ALTER THE PRESENT CONFIGURATION OF THE 911 SYSTEM. I TELL YOU THAT WOULD BE ILL ADVISED, UNWARRANTED AND NOT IN THE BEST INTEREST OF THE CITIZENS OF THE TOWN OF BOSTON. THE PRESENT SYSTEM PROVIDES FOR THE CITIZENS OF BOSTON TO GET THE FULLEST UTILIZATION OF THE ERIE COUNTY SHERIFF'S OFFICE AND THE NYS POLICE.

~~WHEN YOU HAVE A FAILURE, YOU EVALUATE A GOOD POLICY TO CORRECT THAT PROBLEM; YOU DO NOT LOOK AT THE POLICY AS A FAILURE.~~

I HAVE TAKEN THE NECESSARY ACTION TO INSURE THAT A GOOD, SOUND POLICY WILL BE CARRIED OUT. DESPITE MY GREIVIOUS MISGIVINGS FOR THE WAY THAT THE INCIDENT WAS HANDLED BY BOTH MY DEPARTMENT THE NYS POLICE, I AM ABSOLUTELY PLEDGED TO RISE ABOVE THE EMOTION OF THE MOMENT AND ADHERE TO ALL THE POLICY ARRANGEMENTS THAT WE HAVE AGREED TO BECAUSE I AM ~~ABSOLUTELY~~ ^{INTEREST OF} CONFIDENT THEY REPRESENT THE BEST ~~JUDGMENT~~ ^{JUDGMENT} FOR BOTH THE 911 SYSTEM AND THE CITIZENS OF ERIE COUNTY.

Number of calls received for
for town of Boston 911
13 officers of police
2 we assisted
16 went to assist
11 handled in

I respectfully request that this resolution
be kept out of this program.

Regular Meeting
September 7, 1988

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Don Wohlhueter, Councilman Frank Lisowski, Supervisor Richard Kennedy and Town Attorney Michael Perley. Highway Superintendent Clarence Kreitzbender was absent.

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the Minutes of the August 10, 1988 Regular Meeting be approved, after the following correction on Page 144: Transfer of Appropriations, Second Group - Change Personal Services to Contractual.

five (5) ayes

Carried

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

five (5) ayes

Carried

A motion was made by Councilman Lisowski and seconded by Councilman Zimmerman that the General Fund and Special District Bills on Abstract #9, September 7, 1988, in the amount of \$25,602.67 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the Highway Bills on Abstract #9, September 7, 1988, in the amount of \$13,985.83 be paid.

five (5) ayes

Carried

Received Notice of Petition from New York Telephone Company for a review of their 1988-89 Tax Assessment.

A motion was made by Supervisor Kennedy and seconded by Councilman Lisowski to accept the Boston Historical Society's Treasurer's Report from August 1, 1987 to July 31, 1988.

five (5) ayes

Carried

Received a reply from Mel Miller, Assembly Speaker, relative to Town of Boston resolution concerning a change in primary election hours in Erie County, which states that Mr. Miller will consider this resolution should pertinent legislation come before the Assembly. Mr. Miller also replied to the Town of Boston resolution opposing a minimum payment of \$10 per hour for election inspectors, and noted that Governor Cuomo vetoed this bill on August 11. Supervisor Kennedy directed Town Clerk Carr to draft a letter to the Governor in appreciation of his veto of this bill.

Received Notice of Petition from National Fuel Gas Distribution Corporation and National Fuel Gas Supply Corporation for review of their tax assessment for 1988.

Received and filed letter from National Fuel which advised that they have filed with the New York State Public Service Commission its annual request for an increase in base rates.

Paul Duffett, 4861 Eckhardt Road, asked the Town Board if it is true that, under the new 9-1-1 system, the State Police are called only if the Erie County Sheriff's Department decides to call them during an emergency situation. He referred to a shooting that occurred in town on August 30, 1988 and the lapse in time from the initial call to 9-1-1 and the response by the New York State Police, who were not notified for several minutes by the Sheriff's Department of the call.

Supervisor Kennedy said that he feels the State Police are not being fully utilized under the new 9-1-1 system and cited the time lapse in the shooting as an example. He said that he has met with representatives from the State Police and the Sheriff's Department for discussions of his concerns that the townspeople would be better served with a primary PSAP installation in the Boston State Police substation. Supervisor Kennedy then read a resolution he drafted on this matter.

Sheriff Thomas Higgins was in attendance at the meeting and he asked to make a statement on this matter. This statement is heretofore made a part of these Minutes.

Councilman Lisowski said he wished to make a statement, which was that he would like to see the New York State Police and the Sheriff's Department work together as a team and that this problem in the 9-1-1 system should be resolved so this can be done.

RESOLUTION - NEW YORK STATE POLICE - PSAP

A public hearing was held on proposed Local Law #2 of 1988 entitled A Local Law Providing for a Four-Year Term for the Office of Town Supervisor of the Town of Boston Commencing With the Biannual Election To Be Held in the Calendar Year 1989. Town Clerk Carr read the Legal Notice. Supervisor Kennedy said that four year terms for the Supervisor are the norm for almost all of the surrounding towns and he feels it is important to establish this term for supervisor, as it establishes continuity in planning, not only for capital projects, but also for service on the Erie County Sewer District Board of Managers, as much more influence can be commanded with a longer opportunity to serve on the board. It also would be an advantage in the formulation of the budget and the implementation of long-range fiscal planning. Councilman Zimmerman stated that he concurs with Mr. Kennedy that a supervisor's term is more effective if he has a longer time to implement his plans and also noted that surrounding towns have adopted a four year term for supervisor. There were no comments from the floor.

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to close the public hearing at 8:21 P.M.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski that Local Law Number 2 of the year 1988, entitled A Local Law Providing For A Four Year Term For The Office Of Town Supervisor of the Town of Boston Commencing with the Biannual Election to be Held in the Calendar Year 1989 be adopted and put on the ballot for the elections to be held on November 8, 1988.

five (5) ayes

Carried

A public hearing was held on proposed Local Law #3 of 1988 entitled A Local Law Amending Local Law Number 2 for the Year 1983 Known as a Local Law Regulating the Use of Town Property. Town Attorney Perley summarized the proposed law by stating this will enable the same regulations that pertain to the town parks to be used for the creative playground located at the Boston Valley Elementary School on Back Creek Road, as the Town of Boston has a five year easement on this property. There were no comments or questions from the floor.

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to close the public hearing at 8:26 P.M.

five (5) ayes

Carried

Supervisor Kennedy said no action will be taken at this time by the Town Board on proposed Local Law #3 in order to have an opportunity to coordinate this proposal with Hamburg School officials.

A public hearing was held on the application of Carol Holben and Jeffrey S. Holben for a Special Use Permit to construct a car wash business on vacant land between 7288 and 7292 Boston State Road. Town Clerk Carr read the Legal Notice. She noted that a Zoning Referral was sent to the county and they replied with no recommendation. A petition, containing 43 signatures, in opposition to the

**PUBLIC NOTICE
LEGAL NOTICE
TOWN OF BOSTON**

NOTICE IS HEREBY GIVEN that there has been presented to the Town Board, Town of Boston, Erie County, New York, on August 1, 1988, a copy of Local Law Number 2 of the year 1988, entitled A Local Law Providing For A Four-Year Term For The Office Of Town Supervisor Of The Town of Boston Commencing With the Biannual Election To Be Held In the Calendar Year 1989.

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Boston will conduct a Public Hearing on the aforesaid proposed Local Law at the Boston Town Hall, 8500 Boston State Road, Boston, New York on Wednesday, September 7, 1988 at 7:50 P.M. Eastern Daylight Saving Time, at which time all persons interested will be heard.

Dated: August 12, 1988

Joyce Carr
Town Clerk
Town of Boston

8-18

**PUBLIC NOTICE
LEGAL NOTICE
TOWN OF BOSTON**

NOTICE IS HEREBY GIVEN that there has been presented to the Town Board, Town of Boston, Erie County, New York, on August 10, 1988, a copy of Local Law Number 3, of the year 1988, entitled A Local Law Amending Local Law Number 2 For The Year 1983 Known As A Local Law Regulating The Use Of Town Property.

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Boston will conduct a Public Hearing on the aforesaid proposed Amendment to the Local Law at the Boston Town Hall, 8500 Boston State Road, Boston, New York on Wednesday, September 7, 1988 at 7:55 P.M. Eastern Daylight Saving Time, at which time all persons interested will be heard.

Dated: August 12, 1988

Joyce Carr
Town Clerk
Town of Boston

8-18

car wash was noted. A letter was read from the Planning Board which recommended the application be approved, contingent on several conditions. Town Clerk Carr said that a letter was sent to Erie County Division of Highways, however, no reply was received. She also read a letter from Lanny and Sharon Simmons, 7300 Boston State Road, stating their opposition to this business. Supervisor Kennedy opened the public hearing for comments from the floor.

Mary Genzel, 7272 Boston State Road, said she concurs with the recommendations made by the Planning Board on this proposal, however, she requested that the six foot fence recommended be changed to an eight foot fence on the line adjacent to her property. Carol Holben asked why she wanted this high a fence and Mrs. Genzel said she wanted it for privacy in the months when the foliage is not on the trees. Supervisor Kennedy asked the Holbens if they were agreeable to the recommendations from the Planning Board and they said they have no problems with any of them. Mr. Holben said that being open 24 hours is preferable security-wise, as the parking lot and building is always lit, as it deters loitering, which was a concern voiced by property owners in the vicinity. Councilman Zimmerman asked if this facility is similar to the one on South Park Avenue in Hamburg and Mr. Holben said it was. Councilman Lisowski asked if Mr. Holben was prepared to bring in the large amount of fill that was necessary and asked if the proposed fences were to be at the property lines and Mr. Holben answered yes to both questions. There were no further questions.

A motion was made by Supervisor Kennedy and seconded by Councilman Lisowski to close the public hearing at 8:40 P.M.

five (5) ayes

Carried

Supervisor Kennedy stated that the Town Board will take into consideration all data presented at this hearing and review the Planning Board recommendations on this application and reserve their decision until the next regular meeting on September 21, 1988.

A public hearing was held on the application of Raymond W. Miller for a Special Use Permit to construct a car wash business at the intersection of Boston State Road and Abbott Road. Town Clerk Carr read the Legal Notice. She noted that the Zoning Referral to Erie County was returned with no recommendation. She also noted that a petition, signed by 33 residents, was received in opposition to this proposed business. Mrs. Carr read a letter from the Planning Board recommending the application be approved, contingent on several conditions and also a letter from the Zoning Board of Appeals which stated they approved a variance of the front lot line setback from Abbott Road for this construction, with two stipulations that they have recommended if the application is approved. Supervisor Kennedy opened the hearing.

Jack Penrod, 7370 Boston State Road, said that he has several concerns relating to the traffic this business will generate, mainly due to the accident record in this area already. Ellen Beckwith, 7360 Boston State Road, asked that the letter she wrote to the Supervisor in August be read into the record and the Town Clerk did so. Mrs. Beckwith's concerns are also of the potential traffic hazards and the serenity of the area after 9:00 P.M. She also suggested that the car wash be located near the Mobil Station in North Boston. Councilman Zimmerman asked that a letter be sent to both County Executive Gorski and the County Highway Department, asking if there are any plans to change the intersection of Abbott and Boston State Road and to include a photograph of the area. Town Attorney Perley asked if surface water will create a problem on the street and Mrs. Miller said that the wash areas will be drained and heated. There were no further questions.

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

TOWN OF BOSTON
NOTICE OF PUBLIC HEARING
 NOTICE IS HEREBY GIVEN that the Town Board of the Town of Boston, Erie County, New York, will hold a Public Hearing at the Boston Town Hall, 8500 Boston State Road, Boston, New York on Wednesday, September 7, 1988 at 8:00 P.M. Eastern Daylight Saving Time, to consider the application of Carol Holben and Jeffrey S. Holben for a Special Use Permit to construct a car wash business on vacant land between 7288 and 7292 Boston State Road.
 At this hearing, at the time and place above noted, all interested persons will be heard for or against said change.
 By order of the Town Board of the Town of Boston, New York.
 Dated: August 12, 1988

8-18

Joyce Carr
 Town Clerk

TOWN OF BOSTON
NOTICE OF PUBLIC HEARING
 NOTICE IS HEREBY GIVEN that the Town Board of the Town of Boston, Erie County, New York, will hold a Public Hearing at the Boston Town Hall, 8500 Boston State Road, Boston, New York on Wednesday, September 7, 1988 at 8:30 P.M. Eastern Daylight Saving Time, to consider the application of Raymond W. Miller for a Special Use Permit to construct a car wash business at the intersection of Boston State Road and Abbott Road.
 At this hearing, at the time and place above noted, all interested persons will be heard for or against said change.
 By order of the Town Board of the Town of Boston, New York.
 Dated: August 12, 1988

8-18

Joyce Carr
 Town Clerk

to close the public hearing at 8:58 P.M.

five (5) ayes

Carried

Supervisor Kennedy said the Town Board will defer action on the Special Use Permit request of Raymond W. Miller for a car wash business at the intersection of Abbott Road and Boston State Road until the next Town Board Meeting on September 21, 1988.

Referred to the Planning Board for review and recommendation the request of Rev. Andras C. Springer and Mrs. Ilona C. Springer to rezone their property on Cole Road from Agricultural A-1 to Residence R-2 for the purpose of construction of a family home with more than a five bed adult care facility. Also received with the rezoning request was a copy of the survey, completed Short Environmental Assessment Form, copy of deed to the property, and the \$75.00 required fee.

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to make the following Corrections of Abstract #8 - August 10, 1988:

Voucher #629	North Boston Garage
	From: A7620.4 Adult Recreation
	To: A6772.4 Programs for the Aging
Voucher #636	Lions Club
	From: H5132.4 Contractual
	To: H5132.2 Equipment (Highway Bldg. Proj.)
Voucher #640	Paul Riefler, Inc.
	From: H5132.2 Highway Bldg. Project
	To: H8540.2 Meadow Drive Drainage Project

five (5) ayes

Carried

Referred to the Traffic Safety Committee for review the request of Margaret L. Alexander, 7471 Lower East Hill Road, for a lower speed limit and the placement of a "blind driveway" sign.

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to authorize the Supervisor to apply for State Aid for Recreation, Youth Service, and Youth Initiative Programs for the Town of Boston for 1989.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski to authorize the Supervisor to expend \$50,000 appropriated in the 1988 Budget for a Highway Building Reserve Fund to be used for engineering costs, appraisals, referendum voting costs and preliminary test borings not included in the actual construction costs as set forth in the bond resolution to construct a new highway garage in and for the Town of Boston.

five (5) ayes

Carried

Received a Petition, signed by 18 residents of Mill Road, requesting a lower speed limit. Councilman Wittmeyer said he investigated this matter when the request was received and noted that Erie County, in 1983, gave the town permission to lower the speed limit to 35 mph on some roads in the hamlet of Boston, which included Mill Road. Highway Superintendent Kreitzbender will be requested to post Mill Road at 35 mph per this authorization.

A motion was made by Councilman Zimmerman and seconded by Councilman Lisowski to grant the renewal of a Special Use Permit to H. G. Wittmeyer & Son, Inc. for the storage and maintenance of five tandem dump trucks at 7631 Zimmerman Road for a three year period, from September 7, 1988 to September 6, 1991, with the same conditions and restrictions made a part of the original Special Use Permit that was granted on November 18, 1987.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Lisowski that a Public Hearing be scheduled for October 5, 1988 at 7:45 P.M. on the request of Gregory Gerwitz for a Special Use Permit for dumping of fill on his property at 7456 Boston State Road, contingent that the application for this permit is received by the end of this week.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Lisowski to grant permission to Assessor William H. Kleis, Jr. to attend the Institute of Assessing Officers of the New York State Assessor's Association, Inc. in Monticello, New York from October 2-7, 1988, with all appropriate expenses to be paid by the town. New York State will reimburse the registration fee and travel expense.

five (5) ayes

Carried

A letter was read from the Zoning Board of Appeals which expressed their deep concern with the curve at the intersection of Boston State Road and Abbott Road. Supervisor Kennedy said a copy of this letter will be sent to the County Division of Highways along with the letter from Councilman Wittmeyer on this subject.

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to schedule a public hearing for October 5, 1988 at 8:00 P.M. on a proposed local law to adopt the Code of the Town of Boston.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Lisowski to refer to the Planning Board for review and recommendation the request of Southtowns Rural Preservation Co. for a continuation of the Residence Restricted Business RRB zoning for 222 feet more, or a total of 522 feet, for the purpose of converting their present structure at 9441 Boston State Road into three apartment units and office space.

five (5) ayes

Carried

Received a letter from John Falkides requesting copies of all ordinances, regulations, resolutions, and rules governing erection of storage sheds, awnings, decks, porches, etc. in the town. He also made a letter of application for a storage shed and carport at Lot #68 of the Boston Hills Mobile Home Park. Supervisor Kennedy said a recommendation will be made to the Building Inspector that Mr. Falkides implement the barn shed as part of the carport, instead of a separate structure, because of the setbacks from the other trailers. Mr. Falkides will also be sent copies of the regulations he requested.

Supervisor Kennedy said the easements submitted by Robert Fagan, Powerline Road, have been reviewed per his request for the Town of Boston to construct a road on this land, and due to their irregular configuration, were found not suitable for the road requirements and it would not be fair to the taxpayers in the town unless the road construction costs were assumed by the residents of the Powerline Road. Mr. Kennedy added that the Town Board members have determined that a good working relationship with and between all the property owners in the area and Niagara Mohawk is the best alternative, in order to continue using the right-of-way as the access to their homes.

A motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski to approve the Application for Permit of Boston Fire Company, Inc. for alterations of their foyer roof.

five (5) ayes

Carried

A letter was received from Boston Emergency Squad, requesting improved drainage at the Squad Hall. Supervisor Kennedy said he spoke with Robert Keel, President of the Squad, and told him he has instructed Ken Mooney to construct a drainage ditch across the front of the building, tying in both the downspouts, which will then be incorporated into the drainage plan for the new highway building. The Highway Superintendent will be asked to check the drainage culvert on Charles Drive, as requested by Mr. Henry.

Supervisor's Monthly Financial Report was received.

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski to authorize Town Clerk Carr to advertise and receive bids on a parcel of land owned by the Town of Boston on Valley Circle Lane.

five (5) ayes

Carried

Supervisor Kennedy said he has received numerous complaints relative to a truck repair business on Herman Hill Road, mainly due to the nighttime and weekend hours that the business is in operation. Town Attorney Perley and Supervisor Kennedy said a letter will be drafted to the owner after first determining if any ordinances or regulations of the town are being violated.

Supervisor Kennedy said he has received a complaint about a blind grade on Keller Road, going toward Eden, and he has been requested to check if a "Blind Grade" sign can be installed, and also that tree limbs in the area need to be trimmed. This matter will be referred to Highway Superintendent Kreitzbender for review.

A motion was made by Councilman Lisowski and seconded by Councilman Wohlhueter to grant permission to the Girl Scouts in Boston to use the community room, courtyard and flagpole for a Girl Scout Rally on Saturday, September 17, 1988.

five (5) ayes

Carried

Town Clerk Carr announced that the next surplus food distribution will be held at the Town Hall on Tuesday, September 20, 1988.

Town Justice Monthly Financial Report was received.

Town Attorney Perley advised that under the continuing review of junk violations, he has commenced a lawsuit against Kenneth Both on Feddick Road for alleged violations. He also said he has made a motion for summary judgement against Glenn McKillen at Zimmerman and Rice Road which will be argued at the end of September.

Mr. Perley said he has reviewed the option agreement made by John Less, as referred by the Town Board, for the purchase of the town-owned sewer ponds in Sewer District #3 and #4 and subject to Section 64 of the Town Law which would provide for a permissive referendum in the event that the option agreement was accepted and exercised. Supervisor Kennedy asked Town Attorney Perley to defer taking action on the option agreement until some remedial work is done by the town on this property.

Code Enforcement Officer and Deputy Code Enforcement Officer Monthly Reports were received.

Dog Control Officer Monthly Report was received.

Town Engineer Monthly Report was received.

A letter was received from Charles G. Decker tendering his resignation as a member of the Planning Board, due to health considerations. Supervisor Kennedy directed Town Clerk Carr to write to Mr. Decker and express the Town Board's appreciation of his many years of service to the Planning Board and the expertise and background knowledge that will be sorely missed, and to wish him all the best in the future.

A letter was received from the Planning Board relative to the application of Boston Land Corp. for a four unit-32 apartment complex that is proposed for a tract of land on Boston State Road. The application was referred to the Town Engineer for review and in the interim period, the Supervisor asked that a duly convened Planning Board meeting, with a quorum present, make a recommendation on this plan.

A motion was made by Councilman Zimmerman and seconded by Councilman Lisowski to adjourn at 9:41 P.M.



Joyce Carr
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 7th day of September, 1988 at 7:30 P.M. Eastern Daylight Saving Time there present:

Richard L. Kennedy	Supervisor
Milton I. Wittmeyer	Councilman
David G. Zimmerman	Councilman
Don A. Wohlhueter	Councilman
Frank H. Lisowski, Jr.	Councilman

The following resolution was offered by Supervisor Kennedy, who moved its adoption:

WHEREAS, the Town Board of the Town of Boston in 1977 appointed a Police Study Committee for the expressed purpose of determining the best course of action in providing for law enforcement in our community, and

WHEREAS, this same Police Study Committee, after lengthy interviews and meetings with representatives of the local constabulary, the Erie County Sheriff's Department and the New York State Police, decided that the State Police offered the town the best alternative, and

WHEREAS, the town later proceeded through special legislation to construct a building so that a proper facility would be available for lease to the New York State Police for a substation in the southern tier of Erie County, and

WHEREAS, there are now ten civilian employees and 30 members of the State Police assigned to this substation, and

WHEREAS, for the past eleven years the State Police have provided our community and the surrounding area with excellent police protection, and

WHEREAS, there is now a vital concern by the governing body of the Town of Boston that the New York State Police are not being properly utilized since the implementation of the 9-1-1 system of dispatching went into effect in Erie County, and

WHEREAS, by their own admission the Erie County Sheriff's Department are understaffed to assume additional duties and expanded patrol areas,

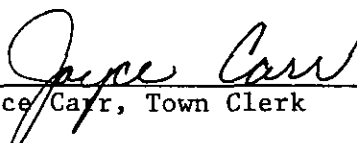
BE IT THEREFORE RESOLVED, that the Town Board of the Town of Boston be recorded in support of the establishment of a primary PSAP installation in the State Police substation located in Boston, and

BE IT FURTHER RESOLVED, that in the event of an emergency when the New York State Police do not have available personnel or patrol cars in the immediate area, that they be provided with the equipment to immediately transfer the call to the Erie County Sheriff's Department so that effective and efficient law enforcement can be maintained.

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

Supervisor Kennedy	Voting <u>aye</u>
Councilman Wittmeyer	Voting <u>aye</u>
Councilman Zimmerman	Voting <u>aye</u>
Councilman Wohlhueter	Voting <u>aye</u>
Councilman Lisowski	Voting <u>aye</u>

AYES:	5	NOES:	0	ABSENT:	0
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Joyce Carr, Town Clerk

Regular Meeting
September 21, 1988

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Don Wohlhueter, Councilman Frank Lisowski, Supervisor Richard Kennedy, Town Attorney Michael Perley and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Lisowski and seconded by Councilman Wohlhueter that the Minutes of the September 7, 1988 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 on Abstract #9A, September 21, 1988, in the amount of \$13,801.67 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Highway Bills on Abstract #9A, September 21, 1988, in the amount of \$22,664.00 be paid.

five (5) ayes

Carried

Received a letter from Erie County Division of Highways stating that the load limit posting of the bridge on Patchin Road had been lowered from 20 tons to 10 tons. Supervisor Kennedy said that this bridge was closed without advance notice to the town, which poses problems with emergency fire equipment and the plowing of the roadway in the winter. Councilman Wittmeyer directed the Town Clerk to forward a copy of this letter to the fire companies and added that it may be a possibility that the county will lend a small fire truck, if it can be housed, in the event the Hillcroft Road bridge is also closed to heavy traffic. In the meantime, both North Boston and Boston Fire Companies will provide mutual aid to Patchin Fire Company if an emergency arises which would necessitate crossing the Patchin Road bridge.

In a related matter, Supervisor Kennedy said that he has contacted Mr. Gugino of the County Highway Department relative to the deep ditches and fall-off on Pfarner Road and the narrow road surface on Abbott Road and asked him to make on-site inspections of these areas and he will also discuss with him the load limit posting of the bridges.

Received notification from the Erie County Department of Senior Services of planned forums in October. Supervisor Kennedy said that members of the Town Board are invited to attend, and he has experienced good input from previous forums.

Received notification from Adelphia Cable that the monthly rate for basic service will be increased to \$13.50 effective November 1, 1988 and that they are expanding their basic coverage to include the Turner Network Television and Buffalo Sabres home games.

James Carr, 7231 Boston State Road, said it is his understanding that a safety factor is built into the posted load limits of bridges so that it is possible that an emergency vehicle could cross at three times the posted limit. Supervisor Kennedy directed Town Clerk Carr to draft a letter to the design engineer of Erie County to see what safety factor is built into the bridges in Boston.

RESOLUTION - POLISH-AMERICAN HERITAGE MONTH

RESOLUTION - OUT-OF-DISTRICT WATER SERVICE

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to make the following Change Order in the new Highway Garage, as recommended by KAI/Russell Associates, Inc.:

Use Standard Red Primer on the girts and purlins in lieu of
galvanizing.
Credit: \$2,805.00

five (5) ayes

Carried

The application of Carol A. Holben and Jeffrey S. Holben for a car wash business

on Boston State Road, tabled at the September 7, 1988 meeting, was discussed. A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to grant the application of Carol A. Holben and Jeffey S. Holben for a Special Use Permit to construct a car wash business on vacant land between 7272 and 7288 Boston State Road, contingent on the conditions recommended by the Planning Board, as follows, and after review and recommendation by the Planning Board and final approval by the Town Board of the site plan:

1. A six foot (this was amended to eight foot and agreed to by the applicants at the public hearing held by the Town Board on September 7, 1988) solid-type fence be erected on both the north and south boundaries of the property, with the fence on the north side to run from the property owner's garage to the front of the house and the fence on the south side to be positioned so that the car wash can not be viewed from the Meyer house.
2. The business be allowed to remain open 24 hours a day with the stipulation that, after a trial period of one year, the 24 hours be changed to more appropriate hours if there are disturbances after midnight.
3. The design of the building will include a gable roof extending toward the front at the center of the building.
4. The grade from the exit of the building be not more than one foot to Boston State Road and that at least 50 feet of the paved area to the road be level with the road elevation.
5. Security lights be provided.
6. Vacuums are to include a device to minimize their sound.
7. All areas inside the property line from side to side and from the front to the berm at the back of the property are to be either paved or seeded and that pine trees be planted along the side boundaries.

five (5) ayes

Carried

The application of Raymond W. Miller for a car wash business on Boston State Road, tabled at the September 7, 1988 meeting, was discussed. A motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski to grant the application of Raymond W. Miller for a Special Use Permit to construct a car wash business at the intersection of Boston State Road and Abbott Road, contingent on the conditions recommended by the Planning Board, as follows, and after review and recommendation by the Planning Board and final approval by the Town Board of the site plan:

1. Security lights be provided.
2. Landscaping to include deciduous and/or pine trees on the strip of land between Miller's and B-Kwik. The front area of the property is to be seeded and landscaped with shrubbery and flowers.
3. The Traffic Safety Board review the plan with consideration being given for the reduction of speed, beginning south of the Gerwitz property north to the next speed zone and/or the establishment of a "No Parking" zone along the shoulders of the highway from the North Boston Garage north to the ravine at the B-Kwik property line.
4. The business be allowed to remain open 24 hours a day, with the stipulation that, after a trial period of one year, the 24 hours be changed to more appropriate hours if there are disturbances after midnight.

five (5) ayes

Carried

Councilman Wittmeyer, Chairman of the Traffic Safety Committee, said a review will be made of both proposed car wash sites and Erie County Division of Highways will be asked to consider signage and/or a traffic caution signal in the area.

Local Law Number 2 of 1988 - Amendment to Town Property, which was tabled after a public hearing on September 7, 1988 was discussed. A motion was made by Councilman Zimmerman and seconded by Councilman Lisowski to adopt Local Law Number 2 for the Year 1988 - A Local Law Amending Local Law No. 2 for the Year 1983 Known as a Local Law Regulating the Use of Town Property.

five (5) ayes

Carried

Supervisor Kennedy directed Town Clerk Carr to prepare a notice to be placed in area Pennysavers with the information that the town will not be holding a large trash pickup this fall, due to the initiation of the contract with BFI Industries/ Joe Ball Sanitation, Inc. on January 1, 1989, and the fact that these items will be picked up on a weekly basis. Mr. Kennedy added that a schedule of pickup days will be soon discussed with BFI, after which time a letter will be sent to all property owners in town, informing them of the provisions of the contract. The schedule will also be published in the Pennysavers when it is completed. Councilman Wohlhueter asked the Town Clerk to include in the notice the fact that there are two brush pickups scheduled for October. Mr. Wohlhueter said a meeting will be held soon to draft the letter to the property owners.

Supervisor Kennedy gave an update on the 9-1-1 controversy and stated he fully supports the concept of 9-1-1, but feels very strongly that each community should be free to choose their own Primary PSAP, as was recently done by the Town of Grand Island. He said that future meetings will be scheduled on this matter.

Councilman Wohlhueter stated he received a call regarding the fumigation of a barn in the town and was asked to inquire what chemicals were used and the possible toxicity of the chemicals. He also brought up the possibility of the town requiring a permit for fumigations.

Councilman Wohlhueter also said a resident near the town line of Hamburg reported to him that there was a sewage spill from District 4 recently and that a manhole was removed. The Sewer Authority has taken care of the problem, however, Mr. Wohlhueter will contact Andrew Petre at the Orchard Park District Office to ask what their plans are as far as cleaning up the spill.

Councilman Wittmeyer said he had a request from Norman Pfeffer, 7681 Boston State Road, to try to determine when the restoration work will be completed by the telephone company that is putting in new underground lines in the area. Mr. Pfeffer, who was present at the meeting, said he also is concerned that the equipment and trucks drive at a very slow speed on the pavement, rather than the shoulders, of Boston State Road and tie up traffic that can not pass. Sgt. Bud Meyer of the Sheriff's Department was present at the meeting and said that the slow-moving vehicles can be ticketed when they do not move to the shoulders of the road and allow vehicles to pass. Supervisor Kennedy said he will get information on when the restoration work is expected to be completed.

A motion was made by Councilman Lisowski and seconded by Councilman Wohlhueter to adjourn at 8:18 P.M.



Joyce Carr
Town Clerk

TOWN OF BOSTON



At a regular meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York, on the 21st day of September, 1988 at 7:30 Eastern Daylight Saving Time, there were:

PRESENT:	Richard L. Kennedy	Supervisor
	Milton I. Wittmeyer	Councilman
	David G. Zimmerman	Councilman
	Don A. Wohlhueter	Councilman
	Frank H. Lisowski	Councilman

Councilman Zimmerman presented the following resolution and moved its adoption.

RESOLVED, that the Town Board of the Town of Boston, Erie County, New York, hereby consents and approves that public water service be furnished to the following property owner, at the address as set opposite his name, as follows:

<u>SBL ACCOUNT NUMBER</u>	<u>NAME</u>	<u>ADDRESS</u>
212.00-1-23	POOLE, WILLIAM R.	7173 WARD ROAD

By Water District #17 of the Town of Orchard Park as an out-of-district customer, and that the Town Board further consents and approves that in the event of a default in payment with respect to said water service should result in said sum or sums as may be unpaid may be placed on the tax rolls in the Town of Boston for collection thereof, and be it further

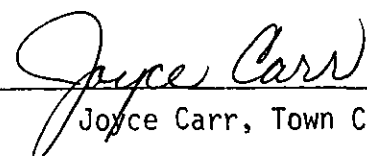
RESOLVED, that when and if the Town of Boston forms a Water District to service the area in which this petitioner resides, that this petitioner be and is hereby obligated to join the Town of Boston Water District, and be it further

RESOLVED, that if the Town of Orchard Park Water District involved is under Lease Management with the Erie County Water Authority that the permission granted above be and hereby is subject to the approval of the Erie County Water Authority's Engineering and Tariff requirements.

Seconded by Councilman Lisowski and duly put to a vote, and upon roll call the vote was as follows:

Supervisor Kennedy	Voting <u>aye</u>
Councilman Wittmeyer	Voting <u>aye</u>
Councilman Zimmerman	Voting <u>aye</u>
Councilman Wohlhueter	Voting <u>aye</u>
Councilman Lisowski	Voting <u>aye</u>

AYES: 5 NOES: 0 ABSENT: 0


Joyce Carr, Town Clerk

TOWN OF BOSTON



At a regular meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York, on the 21st day of September, 1988 at 7:30 Eastern Daylight Saving Time, there were:

PRESENT:	Richard L. Kennedy	Supervisor
	Milton I. Wittmeyer	Councilman
	David G. Zimmerman	Councilman
	Don A. Wohlhueter	Councilman
	Frank H. Lisowski	Councilman

Councilman Lisowski presented the following resolution and moved its adoption.

ON BEHALF OF THE TOWN OF BOSTON, it gives me great pleasure to join with elected officials throughout the United States of America to proclaim October as National Polish-American Heritage Month. I am especially pleased to recognize the Polish residents of our community, both past and present, for the hard work and dedication of its people on behalf of our town.

Polish Americans have contributed mightily to the well-being of our town, our state, and our country. For over two hundred years, Polish-Americans have shared with us their customs, culture, and their strong devotion to American democracy.

From the time of the Jamestown settlement when Polish glassblowers and craftsmen were called to save the colony, from Revolutionary War heroes such as Kosciuszko and Pulaski to international men of good will, such as His Holiness, Pope John Paul II, we have come to know and respect the culture, customs, and spirit of the Polish-American people.

Let the Polish-American community know that the Town of Boston extends every best wish to them during National Polish American Heritage Month and that they enjoy the respect and appreciation of all Americans during their month of recognition and honor.

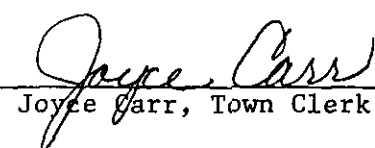
Seconded by Supervisor Kennedy and duly put to a vote, and upon roll call the vote was as follows:

Supervisor Kennedy	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Zimmerman	Voting	aye
Councilman Wohlhueter	Voting	aye
Councilman Lisowski	Voting	aye

AYES: 5

NOES: 0

ABSENT: 0


Joyce Carr, Town Clerk

Regular Meeting
October 5, 1988

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Don Wohlhueter, Supervisor Richard Kennedy, Town Attorney Michael Perley and Highway Superintendent Clarence Kreitzbender. Councilman Frank Lisowski was absent.

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Minutes of the Regular Meeting of September 21, 1988 be approved.

four (4) ayes

Carried

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

four (4) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that the General Fund and Special District Bills on Abstract #10, October 5, 1988, in the amount of \$10,941.87 be paid.

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the Highway Bills on Abstract #10, October 5, 1988, in the amount of \$5580.44 be paid.

four (4) ayes

Carried

A letter was received from five property owners in the vicinity of Herman Hill and Abbott Road citing numerous complaints about an alleged dog breeding kennel operated by Mr. and Mrs. Robert Dillsworth at 5829 Herman Hill Road. The Town Clerk was directed to forward a copy of this letter to the Deputy Code Enforcement Officer for his inspection and if there are violations, the Town Attorney will take the necessary action and report on the dispensation of this complaint at the next Town Board Meeting.

Received notification from State Senator Howard C. Nolan of a public hearing in Buffalo on October 13 on radon gas. Supervisor Kennedy said that anyone wishing to attend this hearing should let him know and he will provide the details of the hearing.

Supervisor Kennedy said that Legislator Karl Henry has withdrawn a proposed resolution on the E-911 System from consideration at the Erie County Legislature, due to the recent agreement reached between the New York State Police and the Erie County Sheriff's Department on procedures to be used when receiving a call through the E-911 System. Mr. Kennedy said he has not been informed as to the specifics of the agreement, however, he hopes to have a joint meeting with the parties concerned to discuss this agreement.

Received notification from Erie County Department of Environment and Planning of a public hearing to discuss an amendment of the Erie County Environmental Quality Code and fee schedule.

James Carr, 7231 Boston State Road, said he has received a complaint relative to the condition of the pavement at North Boston Road at Feddick Road and North Boston Road at Heinrich Road. He said the pavement has "rolled up", probably due to the summer heat and truck traffic, which necessitates vehicles having to drive in the opposite lane at these locations. Councilman Wittmeyer will make an inspection of these areas and will then draft a letter to the County Division of Highways, at which time he will also request a reply to the town's previous letter which detailed problems on Abbott Road and Pfarner Road.

Norman Pfeffer, 7681 Boston State Road, said the restoration work has been completed on his property by the telephone company, and even though it is not 100% satisfactory, he will accept it. Supervisor Kennedy told him to contact the Board again in the spring if he has any problems with the grass and restoration of his property.

At 7:45 P.M. a Public Hearing was held on the request of Gregory and Ann Gerwitz

for a Special Use Permit for the purpose of dumping material generated outside the Town of Boston at 7456 Boston State Road. Town Clerk Carr read the Legal Notice, which was published in the Hamburg Sun. She stated that the Erie County Division of Highways and property owners in the vicinity were notified of this hearing, and she has not received any replies to her notifications. Supervisor Kennedy opened the hearing for comments or questions, but no one was present to speak for or against the application.

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to close the public hearing at 7:49 P.M.

four (4) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to grant a Special Use Permit to Gregory and Ann Gerwitz, 7440 Boston State Road, for a Special Use Permit for the purpose of dumping material generated outside of the Town of Boston, namely dirt, at 7456 Boston State Road, pursuant to the provisions of Article IX of the Zoning Ordinance of the Town of Boston. This permit to be granted with the provision that it be monitored for any violations of the ordinance.

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to complete the TE 9 form requested by the Division of Highways with reference to the request for a lower speed limit on Lower East Hill Road. Additionally, the placement of a driveway warning sign, as requested by Margaret L. Alexander at 7471 Lower East Hill Road, will be evaluated by the Erie County Traffic Engineer.

four (4) ayes

Carried

In a related matter, Councilman Wittmeyer said he had a complaint from Ronald Murray, 5173 Mayer Road, relative to the high speed of traffic on Mayer Road. A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to ask the Division of Highways to review the speed on Mayer Road from Feddick Road to Zimmerman Road, with the request to lower the speed limit to 45 mph in this area.

four (4) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to grant permission to Assessor William H. Kleis, Jr. to attend a seminar on Assessment Administration in Hamburg on November 4, 1988, with the registration fee and travel expenses to be reimbursed by New York State.

four (4) ayes

Carried

RESOLUTION - REVENUE ANTICIPATION NOTE

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to authorize Tom Greenauer Development, Inc. to install 36 six-foot bumpers at a total cost of \$930 at the Commuter Parking Lot. Councilman Zimmerman added that he feels the lot was poorly designed by the NYS Department of Transportation and that the bumpers should have been included in their original bid price.

four (4) ayes

Carried

At 8:00 P.M. a Public Hearing was held on proposed Local Law No. 3 of 1988 - Codification of Certain Local Laws, Ordinances and Certain Resolutions of the Town of Boston. Town Clerk Carr read the Legal Notice, which was published in the Hamburg Sun. Supervisor Kennedy opened the hearing for comments or questions.

Town Attorney Perley summarized the proposed Local Law by stating that the passage of this law will enable all the individual ordinances to be compiled into one book, with the added convenience of using an indexed numbering system to easily research an already existing ordinance. He added that the adoption of this local law will not include any of the present Zoning Ordinance, which is currently being revised.

LEGAL NOTICE
TOWN OF BOSTON
NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Boston, Erie County, New York, at the Boston Town Hall, 8500 Boston State Road, Boston, New York, on the 5th day of October, 1988 at 7:45 P.M. Eastern Daylight Saving Time for the purpose of considering the application of Gregory and Ann Gerwitz, 7440 Boston State Road, for a Special Use Permit for the purpose of dumping material generated outside of the Town of Boston, namely dirt, at 7456 Boston State Road. This notice is being given pursuant to the provisions of Article IX of said Zoning Ordinance of the Town of Boston.

At the time and place above noted, all persons interested in the matter will be heard for or against the above application.

Dated: September 16, 1988

9-29

Joyce Carr
Town Clerk

TOWN OF BOSTON
RESOLUTION TO HOLD
PUBLIC HEARING
ON PROPOSED LOCAL LAW
WHEREAS the Town Board of the Town of Boston has entered into a project for the codification of local laws, ordinances and certain resolutions of the Town of Boston for the purposes of increasing the effectiveness of town governmental administration, providing for greater public awareness of access to town legislation and protecting the health, safety and welfare of town inhabitants; and
WHEREAS the proposed codification has been published in loose-leaf form and the Town Board now desires to formally effect the adoption of said codification by enactment of a local law;

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to close the public hearing at 8:05 P.M.

four (4) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to adopt Local Law No. 3 of 1988 of the Town of Boston, A Local Law to Provide for the Codification of Certain Local Laws, Ordinances and Certain Resolutions of the Town of Boston Into a Municipal Code to be Designated the "Code of the Town of Boston."

four (4) ayes

Carried

A letter was received from Erie County Deputy Commissioner of Finance Robert Kowalewski relative to the County's request for an additional \$.50 per parcel from each town in the consortium. Supervisor Kennedy said that a resolution passed on June 6, 1984 stated the charge would be \$1.00 per parcel until 1990. A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to authorize the Supervisor to voice displeasure with the rate changes in midstream and to also state in his letter to the consortium that revisions in the rates can be discussed after the present contract expires in 1990.

four (4) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to authorize the Supervisor to sign documents from Malcolm Pirnie, Inc., Engineers, relative to installation and operation of an antenna system for use by the Erie County Water Authority on sites in Boston which they use on a lease/management basis.

four (4) ayes

Carried

The 1989 Preliminary Budget and Summary of 1989 Preliminary Budget was read by Supervisor Kennedy.

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter that the 1989 General Fund Preliminary Budget, as read by Supervisor Kennedy, be approved as follows:

Appropriations	\$688,005.00
Less Estimated Revenues	482,970.00
Less Unexpended Balance	135,000.00
Amount to be Raised by Tax	70,035.00

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the 1989 Highway Fund Preliminary Budget, as read by Supervisor Kennedy, be approved as follows:

Appropriations	\$530,055.00
Less Estimated Revenues	212,000.00
Less Unexpended Balance	20,000.00
Amount to be Raised by Tax	298,055.00

four (4) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman that the 1989 Water District #1 Preliminary Budget, as read by Supervisor Kennedy, be approved as follows:

Appropriations	\$ 30,000.00
Amount to be Raised by Tax	30,000.00

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the 1989 Water District #2 Preliminary Budget, as read by Supervisor

HEREFORE, BE IT RESOLVED, that a public hearing be held by the Town Board with respect to enactment of the following local law, such public hearing to be held on the 5th day of October 1988, at 8:00 p.m. in the Town Hall, 8500 Boston State Road, Boston, New York. The proposed local law to be considered is as follows:

LOCAL LAW NO. 4

A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF CERTAIN LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE TOWN OF BOSTON INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE TOWN OF BOSTON"

Copies of the text of the above-named local law shall be filed in the office of the Town Clerk.

AND BE IT FURTHER RESOLVED that the Town Clerk is hereby directed and authorized to cause public notice of said hearing to be given in accordance with the Municipal Home Rule Law and Open Meetings Law of the State of New York.

VOTE OF TOWN BOARD

AYE: 5

NO: 0

DATE: September 7, 1988

Joyce Carr
Town Clerk

9-22

Town of Boston

Kennedy, be approved as follows:

Appropriations	\$ 39,992.00
Amount to be Raised by Tax	39,992.00

four (4) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter that the 1989 Sewer District #1 Preliminary Budget, as read by Supervisor Kennedy, be approved as follows:

Appropriations	\$ 2,300.00
Less Unexpended Balance	2,300.00
Amount to be Raised by Tax	- 0 -

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the 1989 Sewer District #2 Preliminary Budget, as read by Supervisor Kennedy, be approved as follows:

Appropriations	\$ 1,198.50
Amount to be Raised by Tax	1,198.50

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the 1989 Refuse & Garbage Preliminary Budget, as read by Supervisor Kennedy, be approved as follows:

Appropriations	\$282,321.00
Amount to be Raised by Tax	282,321.00

four (4) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that the 1989 Lighting District Preliminary Budget, as read by Supervisor Kennedy, be approved as follows:

Appropriations	\$ 19,800.00
Amount to be Raised by Tax	19,800.00

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the 1989 Fire Protection Preliminary Budget, as read by Supervisor Kennedy, be approved as follows:

Appropriations	\$197,100.00
Less Unexpended Balance	2,100.00
Amount to be Raised by Tax	195,000.00

four (4) ayes

Carried

Councilman Zimmerman commended Supervisor Kennedy for holding the line in the preparation of the 1989 Preliminary Budget. Councilman Wittmeyer thanked the Supervisor for the hard work and many hours spent in the preparation of a fair budget. He added that few towns in the county will submit budgets that are not higher this year. Councilman Wohlhueter said he concurs with the other board members in his appreciation for the preliminary budget preparation.

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to schedule a public hearing for November 2, 1988 at 7:45 P.M. on the request of Carol A. Holben for a Special Use Permit for the dumping of material generated outside the Town of Boston on vacant property between 7272 and 7288 Boston State Road.

four (4) ayes

Carried

Supervisor's Monthly Report was received.

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer to authorize the Supervisor to contact John Mowatt at Community Development to request that the remaining monies after the engineering study in Water District #3 be earmarked for the completion of the downstairs library renovation project, with the work to be completed before the end of the year.

four (4) ayes

Carried

Supervisor Kennedy said he received a letter relative to a solid waste meeting at the Hamburg Town Hall on October 27 and he will confer with Councilman Wohlhueter about representation at this meeting, at which time CID Landfill will give an update on their recycling program.

Town Justice Monthly Report was received.

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to authorize Highway Superintendent Kreitzbender to prepare bid specifications for a roller, with bids to be opened in the Supervisor's office on November 1, 1988 at 10:00 A.M., with the present roller to be offered for trade or sale.

four (4) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Supervisor Kennedy to direct Town Attorney Perley to inform John Less, who has proposed an option to purchase town-owned vacant property in Sewer #3 and #4 that his bid has been rejected, due to the fact that the value of the property has been increased and additional expense has been incurred by the town in making recent improvements to the property.

four (4) ayes

Carried

Town Attorney Perley reported there is some ambiguity in the wording of the contract between Hamburg School and the town relative to the easement on the property at the Back Creek Road School. Mr. Perley will work out the wording of the contract with Dr. Grell and have a firm resolution in place for the next Town Board Meeting.

Attorney Perley also said the minimum lot size in the Business B-1 zoning and Residence-Restricted Business RRB zoning modifications in lot sizes are being reviewed and he will inform the board if any changes are recommended.

Councilman Wohlhueter said that the sewer spill at Sewer District #3 and #4, which he reported at the last meeting, has been satisfactorily cleaned up, with lime spread, and a report sent to the state. He also reported he contacted the owner of the barn that was fumigated was was told the work was done by a firm who regularly do this, and that it was done in a professional manner, sealed so as to guarantee no leakage and only authorized chemicals were used.

Code Enforcement Officer and Deputy Code Enforcement Officer Monthly Reports were received.

Dog Control Officer Monthly Report was received.

Town Engineer's Monthly Report was received.

Upon the recommendation of the Planning Board, a motion was made by Councilman Zimmerman and seconded by Supervisor Kennedy that conceptual approval of a site plan presented by Boston Land Corp. for a four unit, 32 apartment, complex on vacant land adjacent to 7350 Boston State Road be granted, with the condition that the final drainage plan be approved by the Town Engineer. The Planning Board also requests the opportunity to review the final site and construction plans of the units.

four (4) ayes

Carried

Upon recommendation of the Planning Board, a motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to approve the application for a car wash business of Raymond W. Miller, to be constructed at the intersection of Abbott Road and Boston State Road, subject to approval by the Code Enforcement Officer and also approval of all necessary permits from county and/or state agencies.

four (4) ayes

Carried

Upon recommendation of the Planning Board, a motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to approve the application of Carol A. Holben and Jeffrey S. Holben for a car wash business to be located on vacant land between 7272 and 7288 Boston State Road, with the addition to the engineer's site plan showing the placement of the required fences and grass area, and also the correct elevation figures that will ascertain

that the grade from the exit of the building is not more than one foot to Boston State Road and that at least fifty feet of the paved area to the road is level with the road elevation. This recommendation is also subject to the approval of the Code Enforcement Officer and all necessary permits from county and/or state agencies.

four (4) ayes

Carried

Supervisor Kennedy said he, as well as other members of the Town Board, have been asked why they approved two car wash businesses at the September 21, 1988 meeting. Mr. Kennedy explained that the Town Board does not have the authority to tell one applicant that it may not be cost effective for the town to support two separate businesses of this type, or the right to determine which one to approve, as long as both are in compliance with the existing laws and zoning regulations.

A motion was made by Councilman Zimmerman and seconded by Supervisor Kennedy to adjourn at 9:09 P.M. in memory of Mildred Seufert, who passed away recently at the age of 86.

JOYCE CARR
TOWN CLERK

Joyce Carr

Joyce Carr
Town Clerk

A RESOLUTION AUTHORIZING ISSUANCE OF REVENUE ANTICIPATION NOTE
DATED OCTOBER 5, 1988.

At a regular meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Town Hall in said Town of Boston, on the 5th day of October, 1988 at 7:30 P.M., Eastern Daylight Saving Time, there were:

Present:	Richard L. Kennedy	Supervisor
	Milton Wittmeyer	Councilman
	David Zimmerman	Councilman
	Don A Wohlhueter	Councilman
Absent:	Frank H. Lisowski, Jr.	Councilman

Councilman Zimmerman presented the following resolution and moved its adoption:

WHEREAS, the Town of Boston has previously submitted to its qualified voters and the voters have approved the erection of a highway facility within the Town of Boston at a public referendum held on the 1st day of August, 1988; and,

WHEREAS, the proposition submitted to the voters for their approval recited, as a partial method of financing the said highway facility, the sale of the existing highway facility at an allocation of \$100,000.00 proceeds from said sale to the construction of the new highway facility; and,

WHEREAS, the Town Board has received an appraisal from William M. Ganey, Inc., based upon which it is expected that \$100,000.00 will be derived from the sale of said existing highway facility; and,

WHEREAS, the existing highway facility cannot be sold until the construction of the new highway facility is completed and said facility is occupied; and,

WHEREAS, the Town of Boston has awarded bids for the construction of the new highway facility;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Supervisor of the Town of Boston be and he is hereby authorized to issue a Revenue Anticipation Note in the amount of \$100,000.00 in anticipation of the receipt of proceeds from the sale of the existing highway facility.

2. The specific object or purpose for which the Obligation herein is to be issued pursuant to this resolution, is to finance the cost of the construction of the new highway facility at a maximum total cost of \$540,000.00 as set forth in the proposition approved by the voters of the Town of Boston at a referendum.

3. That the following determinations are hereby made:

- A. The period of probable usefulness of the new highway facility is thirty (30) years.
- B. The proposed maturity of the obligation authorized by this resolution will not be in excess of thirty (30) years.

C. That the provision of the Local Finance Law which is applicable in these circumstances is Section 11.00.a.11.(a)(1).

4. That the Town of Boston, Erie County, New York, issue a Revenue Anticipation Note in the amount of \$100,000.00 to partially finance the cost of the construction of the new highway facility in accordance with the financial plan previously approved by the voters. Said Revenue Anticipation Note shall mature one year from the date of issuance.

5. That the Supervisor is hereby delegated power to prepare such note and to sell such note at a private sale of not less than par and interest and at such sale to fix the interest to be borne by such note within the limitations set forth in this resolution. The Supervisor shall deliver such note to the purchaser thereof only against cash or a certified check. The proceeds of said note sale shall be deposited in a special bank account, as required by Section 165.00 of the Local Finance Law and the powers delegated to the Supervisor by this resolution shall be exercised in the conformity with the provisions of the Local Finance Law.

6. The Supervisor shall be required to pay into a special account proceeds of sale of the existing highway garage for the purpose of redeeming said Note upon its maturity.

7. That the maximum rate of interest at which the Revenue Anticipation Note shall be issued shall not exceed eight percent (8%) per annum.

8. That in the event the Revenue Anticipation Note shall be renewed, it shall not be renewed in an amount in excess of the difference between the amount of the uncollected or unreceived revenue and the amount of any other outstanding revenue anticipation notes issued in anticipation of the collection or receipt of such revenue.

9. That this resolution shall take effect immediately.

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

Supervisor Kennedy Voting aye

Richard J. Kennedy
Signature

Councilman Wittmeyer Voting aye

Robert A. Wittmeyer
Signature

Councilman Zimmerman Voting aye

Dan H. Zimmerman
Signature

Councilman Wohlhueter Voting aye

Dora Wohlhueter
Signature

AYES: Four NOES: None ABSENT: One

Joyce Carr
Joyce Carr, Town Clerk
Town of Boston

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 5th day of October, 1988 at 7:30 P. M. Eastern Daylight Saving Time, there were present:

Richard L. Kennedy
Milton I. Wittmeyer
David G. Zimmerman
Don A. Wohlhueter

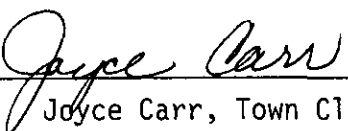
Supervisor
Councilman
Councilman
Councilman

Absent:
Frank Lisowski, Jr.

Councilman

The following resolution was offered by Councilman Wittmeyer who moved its adoption, seconded by Councilman Wohlhueter and unanimously carried:

BE IT RESOLVED, that the Town Board of the Town of Boston requests that the New York State Department of Transportation establish a lower speed zone of 40 MPH on Lower East Hill Road, a County road, between Burr Road and Colden Town line.


Joyce Carr, 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 5th day of October, 1988 at 7:30 P. M. Eastern Daylight Saving Time, there were present:

Richard L. Kennedy
Milton I. Wittmeyer
David G. Zimmerman
Don A. Wohlhueter

Supervisor
Councilman
Councilman
Councilman

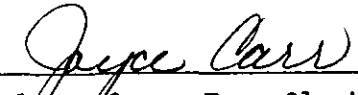
Absent:

Frank Lisowski, Jr.

Councilman

The following resolution was offered by Councilman Wittmeyer who moved its adoption; seconded by Councilman Wohlhueter and unanimously carried:

BE IT RESOLVED, that the Town Board of the Town of Boston requests that the New York State Department of Transportation establish a lower speed zone of 40 MPH on Mayer Road, a County road, between Zimmerman Road and Feddick Road.


Joyce Carr, 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 5th day of October, 1988 at 7:30 P.M. Eastern Daylight Savings Time, there were present:

Richard L. Kennedy	Supervisor
Milton I. Wittmeyer	Councilman
David G. Zimmerman	Councilman
Don A. Wohlhueter	Councilman

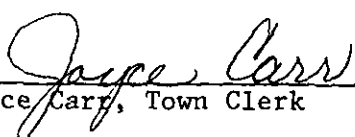
The following resolution was offered by Councilman Wohlhueter, who moved its adoption:

BE IT RESOLVED, that the Supervisor be authorized to contact John Mowatt at Community Development to request that the remaining monies from the engineering study for proposed Water District #3 be earmarked for the completion of the downstairs library renovation project, with the work to be completed before the end of the Year 1988.

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

Supervisor Kennedy	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Zimmerman	Voting	aye
Councilman Wohlhueter	Voting	aye

AYES: 4 NOES: 0 ABSENT: 1


Joyce Carr, Town Clerk

TOWN OF BOSTON



At a Regular Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York in said town on the 2nd day of October, 1988 at 7:30 P.M. Eastern Time, there were present:

Richard L. Kennedy	Supervisor
Milton I. Wittmeyer	Councilman
David G. Zimmerman	Councilman
Don A. Wohlhueter	Councilman
Frank H. Lisowski	Councilman

The following resolution was offered by Councilman Wohlhueter, who moved its adoption:

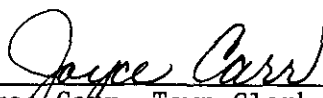
BE IT RESOLVED, that pursuant to Section 198 of the Town Law of the State of New York, that upon the issuance of a Certificate of Occupancy for any single-family, two-family or three-family dwelling, the owner thereof shall deposit with the Town of Boston a sum of money equal to the pro rata share of the yearly unit charge for the collection of refuse and garbage from said residences. Said charge shall be computed by dividing the annual unit charge by twelve (12) months and multiplying the monthly charge by the number of months remaining in the calendar year. For the purpose of computing said charge, any part of a month shall be considered as a whole month.

BE IT FURTHER RESOLVED, that the sum tendered shall be deposited in the appropriate account for payment of refuse collection charges by the town.

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

Supervisor Kennedy	Voting	aye
Councilman Wittmeyer	Voting	aye
Councilman Zimmerman	Voting	aye
Councilman Wohlhueter	Voting	aye
Councilman Lisowski	Voting	aye

AYES: 5 NOES: 0 ABSENT: 0


Joyce Carr, Town Clerk

Regular Meeting
October 19, 1988

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman Don Wohlhueter, Councilman Frank Lisowski, Supervisor Richard Kennedy, Town Attorney Michael Perley and Highway Superintendent Clarence Kreitzbender. Councilman David Zimmerman was absent.

A motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski that the Minutes of the Regular Meeting of October 5, 1988 be approved.

four (4) ayes

Carried

A motion was made by Councilman Lisowski and seconded by Councilman Wohlhueter that the General Fund and Special District Bills on Abstract #10A, October 19, 1988, in the amount of \$16,040.96 be paid.

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Supervisor Kennedy that the Highway Bills on Abstract #10A, October 19, 1988, in the amount of \$4,165.24 be paid.

four (4) ayes

Carried

Received 1988-89 Snow Removal Contract from Erie County Division of Highways. Highway Superintendent Kreitzbender said he has reviewed the contract and all stated roads and lane miles are correct. Supervisor Kennedy directed Town Clerk Carr to forward the Erie County insurance certificate to Pierce & Cash, Inc. for their submission to the county.

Received notification from New York State Electric & Gas Corporation of replacement of defective MV Fixtures with HPS, as follows:

Boston Colden Road

Install 1-8500 lumen HPS lamp @	\$106.24 ea.	=	\$106.24
Remove 1-9400 lumen MV lamp @	\$146.17 ea.	=	\$146.17
(Pole 29, Line 1605)	Annual Decrease	=	\$ 39.93

Old Chestnut Ridge Road

Install 1-5200 lumen HPS lamp @	\$ 93.33 ea.	=	\$ 93.33
Remove 1-7000 lumen MV lamp @	\$113.64 ea.	=	\$113.64
(Pole 425-1, Line 1859)	Annual Decrease	=	\$ 20.31

A letter was read from the Boston Creative Playground Fund Raising Committee, thanking the Town Board for the \$500.00 donation for the materials fund and adding that the Town Board members names will appear on a gold insert on a permanent plaque at the Town Hall.

Recreation Director Remy Orffeo said it was a pleasure to honor a group of persons and businesses who donated, time, money, effort and support to the creation and construction of a creative playground in Boston, located at the Boston Valley Elementary School. Richard Michaels, Chairman of the Boston Youth Board, said that each year a "Service to Youth" award is presented to a person or persons who deserve commendation for their aid to young people of the town and he named the recipients since the award began in 1983. Mr. Orffeo, Mr. Michaels and Barbara Wagner of the volunteer committee then named the persons who served as a core group of the playground committee and presented certificates to each of them. Supervisor Kennedy said the construction of the playground was a result of cooperative effort from the community and he expressed his appreciation on behalf of the town for the culmination of an idea that began about a year ago when David and Diana Nathan made a slide presentation to the Town Board on this type of playground. Mr. Orffeo said that approximately 315 certificates denoting the 1988 Service to Youth Award will be given to the playground workers, donators and committee who supported the "Building a Dream."

Received a Notice of Claim in the matter of Andrew S. Palmer, said notice to be forwarded to Pierce & Cash, Inc., insurance carrier for the town. Supervisor Kennedy directed Town Clerk Carr to inform the Recreation Department they are to immediately notify her when any mishaps occur, so that the insurance carrier can be made aware of a possible claim.

Received and filed notification from the North Boston Volunteer Fire Co., Inc. of changes in their membership since June 10, 1988.

Received original deed between James A. Smolinski and Katherine M. Smolinski and the Town of Boston, conveying a parcel of land for a turnaround at the end of Cloverfield Drive; said deed was filed in the Erie County Clerk's Office on September 7, 1988 in Liber 9914, Page 192.

Received an amended notice of public hearing from Erie County Department of Environment and Planning, rescheduling for November 1 the public hearing on the Amendment of Article IV, Section 6 of the Erie County Environmental Code, which was originally to be held on October 27, 1988.

Received notification from BFI Industries on an increase in disposal costs, which will be effective November 1, 1988.

Supervisor Kennedy said that the committee on the town-wide trash pickup, with Councilman Wohlhueter as Chairman, is drafting a letter to be sent to all town property owners at the end of November. This letter will outline the regulations and the day of collection, which begins on a town-wide basis on January 1, 1989.

Received and filed a Petition for review of the Special Franchise Assessment for the 1988 Tax Roll from New York Telephone.

Received a notice of a conference on November 16, 1988 from New York State Office of Rural Affairs, to be held in Albany.

Received a notice from Erie County Department of Emergency Services of a seminar to be held November 3, 1988 at 7:00 P.M. at the Sheraton Airport Hotel. Councilman Wittmeyer said he will make arrangements to attend.

Received a letter relative to load limit postings on Erie County-owned bridges in the Town of Boston from the County Division of Highways. A special permit application can be made to the county for a specific fire truck or snow plow, if certain information is forwarded to the county. Highway Superintendent Kreitzbender will provide this information for snow removal equipment and Councilman Wittmeyer will contact the three fire companies relative to obtaining this information, which will then be forwarded to the county for their review.

Received a letter from Robert E. Schaeffer, 7155 Taylor Road, relating to problems with the road shoulders on Taylor Road.

Supervisor Kennedy said he has received a complaint from Robert Hofheins, relative to the placement of guardrails on Abbott Road near Boston State Road and the effect this has had on the backing-up of drainage water on his property. He stated that a problem with deep ditches on Boston Cross Road, above the powerline, as been reported and that a very serious problem exists with three foot drop offs on Pfarner Road. He added that Abbott Road continues to be in deplorable condition, with its narrow roadway and broken shoulders. He directed Town Clerk Carr to forward these complaints to County Legislator Karl Henry and ask him for his assistance in interceding on the town's behalf, as numerous letters from the town to the Division of Highways have not received a reply. Councilman Wittmeyer added that the county has been put on notice by the town of these potentially serious problems, and that a reply from them is deserved.

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to schedule a public hearing on the Preliminary Budget for 1989 for November 2, 1988 at 8:00 P.M.

four (4) ayes

Carried

Upon the receipt of terms of sale drawn by Attorney Perley on two parcels of town-owned property on Valley Circle Lane, and anticipated receipt of legal description of town property on Pinecrest Terrace, a motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to schedule a public sale of these properties on Saturday, November 12, 1988 at 10:00 A.M., with the Town Clerk authorized to publish deed descriptions and terms of sale of the three properties.

four (4) ayes

Carried

Supervisor Kennedy said October 31 is designated as Halloween night in the Town of Boston. He added that one political party in town sponsors an Easter Egg Hunt and another sponsors the Halloween party, which this year will be held at the Patchin Fire Hall on October 31 from 7:00 - 9:00 P.M., with games and prizes to be awarded.

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to make the following General Fund Transfers of Appropriations:

FROM:

1010.4	Town Board, Contractural	\$1,020.00
3120.1	Police & Constables, Pers. Serv.	1,200.00
3120.4	Police & Constables, Contractural	1,200.00
3310.4	Traffic Control, Contractural	2,033.00
7310.1	Youth Program, Pers. Serv.	5,500.00
		\$10,953.00

TO:

1910.4	Unallocated Insurance	\$1,410.00
1950.4	Taxes & Assmt. on Town Prop.	52.00
7110.1	Parks, Pers. Serv.	1,020.00
7110.4	Parks, Contractural	600.00
7310.4	Youth Program, Contractural	7,500.00
7510.4	Historian, Contractural	150.00
9040.8	Compensation Insurance	221.00
		\$10,953.00

four (4) ayes

Carried

Supervisor Kennedy said he has received a request from a resident on Allen Drive to purchase a small section of land from the town that was used as a turnaround prior to the extension of the street. Mr. Kennedy said it has been determined that one of the four property owners this affects previously was deeded the portion of the turnaround that was originally on his property and at this time he would like to give that option to the other three owners. Town Attorney Perley said he would research this matter and report at the next meeting.

Supervisor's Monthly Financial Report was received.

A motion was made by Councilman Lisowski and seconded by Supervisor Kennedy to appoint Joseph Wierzbic as a provisional employee, working six months for the Parks Department and six months for the Highway Department, until December 31, 1988 at \$6.00 per hour, with full time status beginning January 1, 1989.

four (4) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to adopt a resolution amending the easement between the Town of Boston and the Hamburg Central School District empowering the Town of Boston to enact regulations governing the use of this property and its reasonable means of ingress and egress, subject to the approval of the school district.

four (4) ayes

Carried

Councilman Wohlhueter said that he and Conservation Advisory Council Chairman Reed Garver attended a recycling update meeting at the C.I.D. Landfill in Chaffee, New York on October 18 and reported that it was a very informative and enlightening meeting, which detailed Governor Cuomo's plan to have mandatory recycling programs in effect by 1992. Mr. Garver added that a biodegradable plastic bag is being manufactured now that is most appropriate for a large share of refuse that is lawn trash, such as leaves, as they will biodegrade along with the plastic bag.

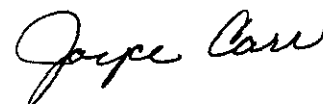
A letter was received from the Planning Board which recommends amendments to Section 4-A of Article V of the Zoning Ordinance with respect to lot area for dwellings in an RRB zone. Supervisor Kennedy said the Town Board will review these recommendations and schedule a public hearing at the next meeting.

A motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski to reappoint Sam W. Ware, Jr. to the Assessment Board of Review, term to expire September 30, 1993.

four (4) ayes

Carried

A motion was made by Councilman Lisowski and seconded by Councilman Wohlhueter to adjourn at 8:15 P.M.



Joyce Carr
Town Clerk

Regular Meeting
November 2, 1988

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Don Wohlhueter, Councilman Frank Lisowski, Supervisor Richard Kennedy, Town Attorney Michael Perley and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski that the Minutes of the Regular Meeting of October 19, 1988 be approved.

five (5) ayes

Carried

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

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman that the General Fund and Special Districts Bills on Abstract #11, November 2, 1988, in the amount of \$18,945.33 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the Highway Bills on Abstract #11, November 2, 1988, in the amount of \$6,302.03 be paid.

five (5) ayes

Carried

Received and filed from New York State Department of State acknowledgement of receipt of Local Law #2 of 1988 - Amendment to Town Property Law.

Received letter from R. J. Russell, Regional Director of the Department of Transportation, with an invitation to attend a dedication ceremony at 10:00 A.M. on Thursday, November 3, 1988 which will mark the completion of construction and opening of the Commuter Parking Lot in North Boston. Supervisor Kennedy said he will speak at the dedication and urged everyone to attend the ceremony. He also noted that the Conservation Advisory Council was instrumental in initiating this project several years ago.

Received information from Erie County Department of Senior Services relative to a series of meetings to provide information about the Home Energy Assistance Program for community leaders and public officials. The meeting most conveniently located to Boston will be held at the Hamburg Town Hall on Wednesday, November 9, 1988 from 1:30 - 4:00 P.M.

Received notification from the South Towns Coalition of Community Services that a meeting relative to the issue of inadequate transportation will be held at the Boston Town Hall on November 7, 1988 at 7:00 P.M. This meeting will share information on a joint study being undertaken with four agencies in Western New York.

Received notification from the State Board of Equalization and Assessment that the tentative equalization rate for the 1988 Assessment Roll of the Town of Boston has been established at 108.96.

Received notification from Karen's Family Restaurant that they are intending to renew their beer and wine license for the premises at 8965 Boston State Road.

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to allow the North Boston Fire Company to use the assigned frequency of the Boston Emergency Squad and Boston Highway Department, so as to communicate directly with them during an emergency situation, contingent that appropriate notification and permission is given by the FCC.

five (5) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to appoint Code Enforcement Officer Dennis Kramer to the Capital Improvements Committee.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to schedule the date of December 21, 1988 at 7:45 P.M. for a public hearing on the 1989 contracts for the fire companies.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to renew the Special Use Permit of Mr. and Mrs. Donald Hoxsie, 8539 Boston State Road for the purpose of operating an antique shop; said permit to expire on November 1, 1991.

five (5) ayes

Carried

At 7:45 P.M. a public hearing was held on the request of Carol A. Holben for a Special Use Permit for the purpose of dumping material generated outside of the Town of Boston on vacant property between 7272 and 7288 Boston State Road. Town Clerk Carr read the Legal Notice, which was published in the Hamburg Sun and Supervisor Kennedy convened the hearing. Mr. Kennedy said this permit is necessary so that the town is able to monitor the type of fill that is brought in. He added that Mrs. Holben needs the fill to raise the level of the property in conformance with the specifications when her application for a permit for a car wash business was granted by the Town Board. There were no questions or comments from the floor.

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to close the public hearing at 7:47 P.M.

five (5) ayes

Carried 10-20

Joyce Carr
Town Clerk

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to grant the request of Carol A. Holben for a Special Use Permit for the purpose of dumping material generated outside of the Town of Boston, on vacant property between 7272 and 7288 Boston State Road, pursuant to the provisions of Article IX of the Zoning Ordinance of the Town of Boston.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Lisowski to authorize the Supervisor to sign an Agreement with Joe Ball Sanitation Service, Inc. for the collection and disposal of residential refuse and garbage in the Town of Boston for a term of two years, commencing January 1, 1989 and terminating December 31, 1990.

five (5) ayes

Carried

RESOLUTION - ADDITION OF NEW CUSTOMERS TO REFUSE AND GARBAGE DISTRICT

Referred to the Drainage Committee the letter of Ruth Ann and William Harris, 8712 Park Drive which advised of drainage problems on Thornwood Drive. Mr. Harris, who was present, stated he would attend the Drainage Committee meeting on November 8, 1988 in order to further explain the problems in the area of his property.

In a related matter, Councilman Wittmeyer said he received a complaint about a potential drainage problem at Willow and Park Drive, where a culvert has not been placed under a driveway of a home under construction. This matter will also be reviewed by the Drainage Committee.

Received a letter from the Department of Transportation stating they have initiated traffic engineering studies on the requests for lower speed limits on Lower East Hill Road and Mayer Road. Councilman Wittmeyer will contact the resident on Mayer Road that requested this review and Town Clerk Carr will send a copy of this letter to the Lower East Hill Road resident, in order to keep them informed of the progress of their requests.

Supervisor Kennedy said that as of this date, a reply from Erie County has not been received relative to several complaints of the conditions of Abbott, Pfarner and Boston Cross Road.

Supervisor's Monthly Financial Report was received.

Town Clerk Carr read a copy of a letter received this date from Legislator Karl A. Henry to Erie County Executive Dennis Gorski relative to the conditions of many

LEGAL NOTICE
TOWN OF BOSTON
NOTICE IS HEREBY GIVEN that a public hearing will be held on the Town Board of the Town of Boston, Erie County, New York at the Boston Town Hall, 8500 Boston State Road, Boston, New York on the 21st day of November, 1988 at 7:45 P.M. Eastern Standard Time for the purpose of considering the application of Carol A. Holben, for a Special Use Permit for the purpose of dumping material generated outside of the Town of Boston, on vacant property between 7272 and 7288 Boston State Road. This notice is being given pursuant to the provisions of Article IX of said Zoning Ordinance of the Town of Boston.

At the time and place above noted, all persons interested in the matter will be heard for or against the above application.

Dated: October 14, 1988

of the town roads and requesting a response to the letters written by the town to the county. Supervisor Kennedy said he will also write a letter to Executive Gorski on the lack of response on the complaints entered to the county by the town.

At 8:00 P.M. a public hearing was held on the 1989 preliminary budget. The Legal Notice, which was published in the Hamburg Sun, was read by Town Clerk Carr and Supervisor Kennedy opened the hearing for comment. Mr. Kennedy said that some changes and adjustments have been made in estimated revenues and appropriations, due to updated information since the preliminary budget was approved at the October 5, 1988 Town Board meeting, however, the total amounts remain the same. There were no questions from the floor on the preliminary budget.

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to close the public hearing at 8:08 P.M.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that the 1989 General Fund Budget be approved as follows:

Appropriations	\$688,005.00
Less Estimated Revenues	482,970.00
Less Unexpended Balance	135,000.00
Amount to be Raised by Tax	70,035.00

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski that the 1989 Highway Fund Budget be approved as follows:

Appropriations	\$530,055.00
Less Estimated Revenues	212,000.00
Less Unexpended Balance	20,000.00
Amount to be Raised by Tax	298,055.00

five (5) ayes

Carried

A motion was made by Councilman Lisowski and seconded by Councilman Zimmerman that the 1989 Water District #1 Budget be approved as follows:

Appropriations	\$ 30,000.00
Amount to be Raised by Tax	30,000.00

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Supervisor Kennedy that the 1989 Water District #2 Budget be approved as follows:

Appropriations	\$ 39,992.00
Amount to be Raised by Tax	39,992.00

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that the 1989 Sewer District #1 Budget be approved as follows:

Appropriations	\$ 2,300.00
Less Unexpended Balance	2,300.00
Amount to be Raised by Tax	- 0 -

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski that the 1989 Sewer District #2 Budget be approved as follows:

Appropriations	\$ 1,198.50
Amount to be Raised by Tax	1,198.50

five (5) ayes

Carried

PUBLIC NOTICE
NOTICE OF HEARING
UPON PRELIMINARY BUDGET
NOTICE IS HEREBY GIVEN that the preliminary budget of the Town of Boston for the fiscal year beginning January 1, 1989 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 a public hearing thereon at the Boston Town Hall, 8500 Boston State Road, at 8:00 P.M. Eastern Standard Time, on the 2nd day of November, 1988 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 103 of the Town Law, the proposed salaries of the following town officers are hereby as follows:

Supervisor	\$18,300.00
Councilman	5,000.00
Councilman	5,000.00
Councilman	5,000.00
Councilman	5,000.00
Town Clerk	24,700.00
Superintendent of Highways	29,225.00

By Order of the Town Board

Dated: October 14, 1988

Joyce Carr
Town Clerk

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman that the 1989 Refuse & Garbage Budget be approved as follows:

Appropriations	\$282,321.00
Amount to be Raised by Tax	282,321.00

five (5) ayes

Carried

A motion was made by Councilman Lisowski and seconded by Supervisor Kennedy that the 1989 Lighting District Budget be approved as follows:

Appropriations	\$ 19,800.00
Amount to be Raised by Tax	19,800.00

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the 1989 Fire Protection Budget be approved as follows:

Appropriations	\$197,100.00
Less Unexpended Balance	2,100.00
Amount to be Raised by Tax	195,000.00

five (5) ayes

Carried

Town Justice Monthly Report was received.

Town Clerk Carr reported that bids were opened at 10:00 A.M. on November 1, 1988 for One (1) New and Unused 1988 or Newer 4-6 Ton Steel Wheel Roller with Tow Package for the Highway Department, as follows:

Nuttall Equipment Co., Inc.	Primary Bid	\$25,449.00
525 Bullis Road	Alternate Bid	
West Seneca, New York 14224	With Trade	\$25,399.00
L. B. Smith, Inc.	Primary Bid	\$35,878.00
2260 Sheridan Drive	Alternate Bid	
Buffalo, New York 14223	With Trade	\$35,368.00

Highway Superintendent Kreitzbender said he has reviewed the bids and specifications that were submitted by both bidders and recommends that the primary bid of Nuttall Equipment Co., Inc. be approved by the Town Board. He added that the roller now in use could be sold at another time for a higher price than was offered by either of the bidders.

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to accept the primary bid of Nuttall Equipment Co., Inc. in the amount of \$25,449.00 for a new and unused 1988 or newer 4-6 ton steel wheel roller with tow package.

five (5) ayes

Carried

Town Attorney Perley said he has notified Erie County that the town has no plans to take over the defense for the county of the Notice of Claim filed on behalf of Andrew S. Palmer, as requested by the county.

Councilman Wohlhueter said a meeting of the Townwide Refuse Committee will be held on Tuesday, November 15, 1988 at 7:30 P.M. in order to draft a letter to property owners relative to the collection on a townwide basis that begins January 1, 1989.

Councilman Wittmeyer reported that Melvin Schmidt, 7730 Wohlhueter Road, has made a complaint that the ditches on Wohlhueter Road are very deep and also that striping is needed on the pavement, as it is of utmost importance when the weather is stormy. Highway Superintendent Kreitzbender added that the sign department in the county is also making a new sign for Wohlhueter Road, which will correct the spelling.

Code Enforcement Officer and Deputy Code Enforcement Officer Monthly Reports were received.

Dog Control Officer Monthly Report was received.

Town Engineer's Monthly Report was received.

Upon the recommendation of the Planning Board, a motion was made by Supervisor Kennedy and seconded by Councilman Lisowski to forward the request of Rev. and

Mrs. Andras Springer to build their family home with a "More than 5 bed adult care facility" to the Zoning Board of Appeals, as the Zoning Ordinance allows this type of facility in an Agriculture A-1 zoning with special approval of the Board of Appeals. The \$75.00 filing fee to the Zoning Board is to be waived, as this fee was paid already by the Springers for their rezoning request.

five (5) ayes

Carried

Received a copy of proposed new Fee Schedule which was drafted by the Planning Board. Supervisor Kennedy said the Town Board will review this submittal and make a determination at a later date if they concur with the recommendations offered.

Received notification that the Planning Board has rescheduled their next meeting, which will be held on Tuesday, November 29, 1988 at 7:30 P.M.

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski to adjourn at 8:22 P.M.



Joyce Carr
Town Clerk

A G R E E M E N T

THIS AGREEMENT made the *2nd* day of *November*, Nineteen hundred and eighty-eight, by and between JOE BALL SANITATION SERVICE, INC., with a mailing address of 4053 Milestrip Road, Blasdell, New York 14219, hereinafter called the "Operator", party of the First Part, and the TOWN OF BOSTON, a municipal corporation of the State of New York, with its principal office at 8500 Boston State Road, Boston, New York 14025, hereinafter called the "Town", party of the Second Part.

WHEREAS, heretofore the Town of Boston published information and specifications for bidders for the collection and disposal of residential refuse and garbage in the Refuse and Garbage District which comprises the entire Town of Boston, New York, and

WHEREAS, a bid opening was duly held in the Town of Boston pursuant to said notice, and after a review thereof, a bid was awarded to the "Operator" based upon a two-year bid of \$538,366.00, and

WHEREAS, since notification to the "Operator" awarding the bid was duly sent by the Town of Boston, and thereafter meetings were held between representatives of the "Operator" and the "Town" to facilitate the administration of the contracts, and

WHEREAS, the parties hereto desire to consolidate the information and specifications for bidders and their various conferences into written agreement.

WITNESSETH, that the parties hereto hereby agree as follows:

Section 1. TERM AND SCOPE OF AGREEMENT - This Agreement shall be for a term of two (2) years, commencing January 1, 1989 and terminating on December 31, 1990. This Agreement shall provide for the collection and disposal of garbage and refuse, as hereinafter defined, from residential dwelling units (currently 2,318) as set forth in Schedule "A" annexed hereto.

Section 2. SERVICE OF ADDITIONAL CONSTRUCTION DURING TERM OF CONTRACT -

The "Town" will make available to the "Operator" during regular business hours on a monthly basis, all information indicating any stops to be added during any contract year or any stops to be eliminated during that time, except for seasonal residences as shown on Schedule "A". Additional stops shall be added to the bid or contract price at the rate of \$9.7024 per unit per month.

The "Town" will provide the "Operator" the list of units in December 1988 which the "Operator" will service at the inception of the agreement on January 1, 1989. The "Town" will thereafter provide the "Operator" with notification of additional stops upon the issuance of a Certificate of Occupancy by the Code Enforcement Officer.

Section 3. DEFINITION OF REFUSE AND WASTE MATERIAL - For the purpose of this Agreement, "Refuse and Waste Material" shall include, but not be limited to, garbage, burnable and nonburnable rubbish, refuse, glass, bottles, waste paper, rags, bulk items as hereinafter defined, tin cans, ashes, plaster, stones, bricks and building materials (except such building materials as may have been left by a contractor working in premises.) Refuse and Waste Material shall not include dead animals, carcasses, hides, skins or parts of animals, fecal matter, explosives, volatile or flammable liquids, tires, batteries, waste oil, and hazardous materials.

Section 4. LOCATION OF REFUSE - The "Operator" agrees to collect and remove from the "Town" all Refuse and Waste Material placed within five (5) feet of the street edge or curb of the street adjoining premises. Collection of such Refuse and Waste Material shall take place once each week during the term of this Agreement, according to a schedule to be established by the parties hereto, all of which said collections to be accomplished on work days between the hours of 6:30 A.M. and 6:00 P.M., which hours may be altered in case of emergency, only upon permission granted by the Supervisor of the Town of Boston.

Section 5. CONTAINERS AND LOOSE MATERIAL - "Town" will require that all Refuse and Waste Material for removal shall be placed in water-tight garbage cans of 30-gallon capacity, equipped with bales or handles and fitted with a cover, or shall be placed in water-tight 1 mil minimum plastic bags, except as follows:

- (a) Leaves, shrubs and plant trimmings, grass and weeds may be placed in plastic bags, 1 mil minimum, or bushel baskets of adequate strength with solid bottoms and two handles.
- (b) Ashes, plaster, stone and brick must be placed in metal containers equipped with bales or handles, in a covered container.
- (c) Securely tied bundles of newspapers and magazines, and paper cartons collapsed into flat pieces may be placed for collection.

"Operator" acknowledges that the refuse, waste material or garbage containers are the property of the Town's residents and will be treated as such. Containers will be replaced off the public highways when emptied, and will be handled at all times so as to prevent damage to the container and to reduce noise of handling and collection. "Operator" shall be required to collect eight (8) contained items of Refuse and Waste Material, including the two (2) bulk items referred to in Section 9 hereof, per family unit.

Section 6. WEIGHT - Seventy (70) pounds is the maximum weight of the container, including contents, and of paper bundles, and of items too large for container handling, which "Operator" will be required to handle.

Section 7. ENTRY INTO BUILDING - "Operator" is in no case required to enter any building for the collection of Refuse and Waste Material.

Section 8. SCHEDULE OF STREETS - "Operator" shall provide the "Town" with a schedule for collection of all streets on or before October 15, 1988, thereby allowing the "Town" ample time for publication thereof. "Operator" agrees that the streets scheduled for collection on a certain day shall be serviced and collected on said day. No Refuse and Waste Material collections will be commenced before 6:30 A.M. and all scheduled collections will be completed by 6:00 P.M. All stops shall be serviced at least once weekly. No Refuse and Waste Material collections will be made on Sunday. It is the intention of the parties to strictly adhere to the above, in order to reduce the number of days refuse and waste material will be adjacent to the streets, and thusly, to eliminate littering, and to promote the general safety, health and welfare of the Town.

If, due to unsuitable weather, or any other unforeseen circumstances, "Operator" fails to provide the collection on the days specified in the Schedule hereinafter established under the Agreement, "Operator" will proceed with the next day's route and, in addition to that, must complete what was left over from the preceding day. "Operator" will exercise due diligence to prevent collection of any route from being more than 24 hours overdue from the Schedule.

Section 9. BULK PICKUP - "Operator" agrees to pick up two (2) bulk items, such as furniture items and household appliances, on a weekly basis,

-3-

of compliance shall be required as a condition of this Agreement.

Section 13. COMPLAINTS - "Operator" acknowledges that this is a service-type contract with the Town of Boston, and that the Town's residents are not a party to this Agreement. "Operator" agrees, however, to receive requests for service, suggestions and complaints directly from residents and to use all facilities of "Operator" to meet, satisfy and comply with residents' complaints in accordance with the terms of this Agreement. Any impasse in regulations between "Operator" and a resident will be reported promptly to the Town Clerk of the Town of Boston.

Section 14. INDEMNIFICATION - "Operator" agrees to defend, indemnify and hold harmless the Town of Boston from any and all claims or causes of action, of any nature whatsoever, in law or in equity, arising out of or in connection with the performance of this Agreement. "Operator" shall maintain

-4-

and furnish to the Town, an insurance policy issued by an insurance company authorized to do business in the State of New York, covering automobile and broad-form comprehensive liability coverage, including contractual liability coverage, reciting this Agreement, in the principal amount of Two Million Dollars (\$2,000,000.00). The "Town" shall be an additional-named insured under said insurance policies. A Certificate of Insurance shall be furnished to the "Town" verifying the above insurance coverages, including contractual liability coverage for this Agreement, and also providing proof of Workers' Compensation insurance and New York State Disability benefits.

Section 15. PAYMENT - The "Operator" shall submit vouchers to the "Town" at the end of each service month for payment. The monthly payment thereof shall be computed based upon the equal monthly installment of the bid price, plus the unit price for each additional unit, as set forth in this Agreement.

Section 16. TERMINATION - If, at any time, the Town Board shall find that the work is unnecessarily delayed, or the "Operator" is willfully violating any of the conditions of this Agreement, or if the work be not completed within the time established, and if any such violation of the terms of this Agreement is not corrected within two days after Notice to the "Operator", the the "Town" shall have the power to notify the "Operator" to discontinue all work, or any part thereof, by a written Notice to be served upon the "Operator", either personally, or by leaving said Notice at "Operator's" principal place of business, or with its agent in charge of the work, and thereupon the "Operator" shall discontinue all work, or such part thereof, and the "Town" shall have the power to employ such and so many persons and equipment as it may deem reasonably advisable, by contract or otherwise, to complete the work and then charge the expense thereof to the "Operator". In the event that the "Operator" is unable to comply with the terms of this Agreement solely because of a strike, work stoppage or work slowdown by employees of "Operator", then this Agreement shall be suspended (but not terminated) during the period of said act. During the time of this

suspension, the "Operator" may provide substituted refuse and waste material collection services, or the "Town" may contract with any other party for the collection of its refuse and waste material and garbage. Should said act continue for a period of over four months, however, than the "Town" may terminate this Agreement pursuant to the terms of this Paragraph.

Section 17. PERFORMANCE BOND - "Operator" will furnish the "Town" a Performance Bond in an amount equal to two-thirds (2/3) of the yearly contract price to guarantee the terms of this Agreement. If such terms are violated, the Town of Boston will notify the bonding company of the violation.

Section 18. HOLIDAYS - In the event that a scheduled collection day falls on the following holidays, then service and collection will be moved to the following workday for the remainder of the week.

New Year's Day	-	January 1
Memorial Day	-	As established by national precedent
Independence Day	-	July 4
Labor Day	-	First Monday in September
Thanksgiving Day	-	As established by national precedent
Christmas Day	-	December 25

Section 19. MODIFICATION OF THE AGREEMENT - In the event that circumstances beyond the control of the parties herein, or either of them, render strict adherence to the terms of this Agreement impossible or create a severe and undue hardship to either party, a party hereto may petition the other, upon good cause shown, for modification to this Agreement to correct such difficulty. Any Modification of this Agreement shall be in writing and signed by both parties.

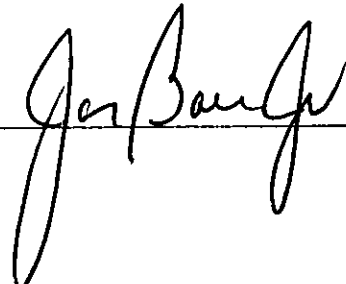
Section 20. SEVERABILITY - If any provision of this Agreement shall be determined to be unconstitutional, illegal or unenforceable by any court, same shall not render the entire Agreement void and unenforceable, but only the specific provision thereof so held, and the remainder of this Agreement shall continue in full force and effect.

This Agreement contains the entire Agreement of the parties and may be modified herein only as set forth above and shall be binding upon each party's successor and/or assigns.

IN WITNESS WHEREOF, the parties hereto have set their hands and
seals the *2nd* day of *November*, 1988.

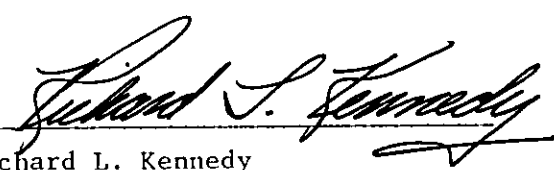
JOE BALL SANITATION SERVICE, INC.

S E A L

By: 

TOWN OF BOSTON

S E A L

By: 

Richard L. Kennedy
Supervisor

SCHEDULE "A"

TOWN OF BOSTON
SUMMARY OF PROPERTIES - RESIDENTIAL

<u>Assessor's Classification</u>	<u>Description</u>	<u>#Bldgs.</u>	<u>#Units</u>
112	Dairy Farm, w/house	14	15
116	Other Livestock, w/house	4	4
120	Field Crops, w/house	51	52
170	Nursery Stock, w/house	2	2
210	Single Family Homes	1915	1915
220	Two Family Homes	59	118
230	Three Family Homes	3	9
240	Single Family Homes w/over 10 acres of land	119	119
280	Multiple Residences (more than one residence on a parcel of land)	35	84
	Total:		2318

Regular Meeting
November 16, 1988

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Don Wohlhueter, Councilman Frank Lisowski, Supervisor Richard Kennedy, Town Attorney Michael Perley and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Lisowski and seconded by Councilman Wohlhueter that the Minutes of the November 2, 1988 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 on Abstract #11A, November 16, 1988, in the amount of \$17,829.06 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Highway Bills on Abstract #11A, November 16, 1988, in the amount of \$9,267.57 be paid.

five (5) ayes

Carried

Received and filed letter from C.I.D. Landfill, Inc. relative to new regulations and increased fees for disposal of solid waste.

Received an Executive Summary of Urban Parks and Recreation Recovery Program for Erie County Parks, Recreation and Forestry, which outlines a 20 year park system improvement program. The plan includes nature trails and parking at the Boston Forest Park at a cost of \$100,000, to be improved in the years from 2002-2005. The plan will be on file in the Town Clerk's Office.

Received acknowledgement from the Erie County Stop DWI Program of receipt of Town of Boston executed contract for the calendar year 1988.

A letter was received from Kent J. and Carol A. Clulow relative to parked vehicles at the intersection of Route 277 and Abbott Road at a used car dealer, which obstruct the vision of motorists. Traffic Safety Chairman Wittmeyer stated that the town has a clear site ordinance relative to vision at intersections and that it is enforceable for both licensed and unlicensed vehicles. The owner of the business also has an obligation to provide parking for customers that will not obstruct the intersection. Town Clerk Carr was directed to draft a letter to the owner in conjunction with the Supervisor and Councilman Wittmeyer and to contact Deputy Code Enforcement Officer Clayton Schunk so that he can also monitor the situation.

A motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski to refer to the Planning Board for their review and recommendation the request of Steve and Charlotte Ranney, 9742 Trevett Road, to rezone their property from Agricultural A-1 to Business B-1, in order to open a laundry and repair service for horse blankets, barn clothes, etc.

five (5) ayes

Carried

Received a copy of a letter from County Executive Dennis Gorski to Legislator Karl Henry relative to complaints about county road conditions in the town. The letter outlined the county's plans for Abbott Road, Pfarner Road and Boston Cross Road. Supervisor Kennedy said he was pleased to get a response to the many letters and snapshots that have been forwarded to the county by the town relative to road conditions. Supervisor Kennedy directed Town Clerk Carr to send a copy of this letter to Charles R. Pettit, 6198 Tillen Road, and Lyle Zahler, 6925 Boston Cross Road, as they have requested information on plans to correct the road conditions.

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski to schedule a public hearing for December 21, 1988 at 7:50 P.M. on the 1989 contract with the Boston Historical Society.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer to schedule a public hearing for December 21, 1988 at 7:55 P.M. on the 1989

contract with the Boston Emergency Squad.

five (5) ayes

Carried

Supervisor Kennedy said he has had some inquiries relative to the possible curtailment of bus service by the Niagara Frontier Transportation Authority in the Boston area. He said he spoke with Raymond Gallagher, Chairman of the NFTA and was told that there are no plans at the present time for this curtailment and he would notify him if any changes are anticipated after a list is compiled of number of riders, as they are considering various ways to reduce their budget deficits. It is hoped the new Commuter Parking Lot will increase ridership.

Supervisor Kennedy said the masonry work was begun this date on the new highway building and he read a revised schedule for the remainder of the construction.

Supervisor Kennedy said he has received complaints relative to the dirt, debris and stones on the roadway at Thornwood and Boston State Road and he asked the Highway Superintendent to contact the construction crew at this location and ask them to remedy this situation. If this is not done, he directed the Highway Superintendent to have his department clean it up with their equipment in order to prevent a potential problem.

Town Clerk Carr read a letter received from the Concord/Boston Satellite of the Variety Club, requesting cash contributions to the telethon before January 15, 1989.

Town Clerk Carr said she will open her office on Saturday, November 19, 1988 from 9:00 A.M. to Noon for the sale of hunting licenses.

RESOLUTION - VALLEY CIRCLE LANE LAND SALE - THOMAS A KRENCIK and JEAN M. KRENCIK

RESOLUTION - VALLEY CIRCLE LANE LAND SALE - LARRY A. STEWARD

RESOLUTION - MORNINGSIDE SUBDIVISION LAND SALE - ROBERT M. WELLER

RESOLUTION - PINECREST SUBDIVISION LAND SALE - JOHN F. LESS, JR.

Town Attorney Perley read a letter he received from Lewis A. Grell, Superintendent of the Hamburg Central School District, stating they approve of the regulations proposed by the Town of Boston in the easement agreement concerning the creative playground at the Boston Valley Elementary School.

Attorney Perley said that the trial of DeLuca vs. the Town of Boston has been adjourned in anticipation of settlement, relative to an accident on Rice Road, and he will keep the Town Board informed of the disposition of this case.

Councilman Wohlhueter said the committee for the townwide trash study has drafted a letter to property owners in the town relative to regulations and pick up days, commencing January 1, 1989, and that this letter will be mailed the end of November.

Supervisor Kennedy expressed his appreciation to Councilman Wohlhueter and Councilman Lisowski for their attendance at the Erie County Department of Emergency Services seminar held recently in Buffalo.

A letter was received from Garry E. Tank, 8683 Maplelawn Drive, requesting consideration for an appointment to the Planning Board. Supervisor Kennedy said the Town Board will review this request and tabled action until a future date.

A letter was received from the Drainage Committee relative to their review of drainage concerns of William and Ruth Ann Harris, 8712 Park Drive, and stating they will monitor the situation but do not see any potential problem with runoff in the area at this time, as the grade level was not altered for the new construction in the area.

Supervisor Kennedy said Mr. Harris' concern is not for the fact there was any change in grade levels, but in the impact of additional water that might be generated by increased runoff due to the paved and additional roof area of the construction of three homes on the corner of Thornwood and Boston State Road. If lots are developed between the parsonage and Park Drive and the water is channeled, it will increase the velocity of flow and the volume, which would then erode the area of the deep ditch bisecting the Harris property line and swimming pool.

contract with the Boston Emergency Squad.

five (5) ayes

Carried

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Supervisor Kennedy said Mr. Harris' concern is not for the fact there was any change in grade levels, but in the impact of additional water that might be generated by increased runoff due to the paved and additional roof area of the construction of three homes on the corner of Thornwood and Boston State Road. If lots are developed between the parsonage and Park Drive and the water is channeled, it will increase the velocity of flow and the volume, which would then erode the area of the deep ditch bisecting the Harris property line and swimming pool.

PUBLIC NOTICE

Councilman Wohlhueter offered the following Resolution and moved its adoption, seconded by Councilman Lisowski.

RESOLVED, that the Town Board be and is hereby authorized to direct the Town Attorney to prepare the necessary documents and/or Deed for execution by the Town Supervisor to convey the within-described property to JOHN F. LESS, JR., and be it further

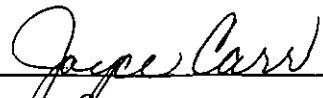
RESOLVED, and determined, that pursuant to Section 64 Subdivision 2 of the Town Law of the State of New York, this conveyance is subject to a permissive referendum, said premises being described as follows: (see copy of description attached).

This conveyance is subject to Terms of Sale agreed upon between the Town of Boston and JOHN F. LESS, JR.

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

Supervisor Richard L. Kennedy voting aye
Councilman Milton I. Wittmeyer voting aye
Councilman David G. Zimmerman voting aye
Councilman Don A. Wohlhueter voting aye
Councilman Frank H. Lisowski, Jr. voting aye

Dated: November 16, 1988
Boston, New York


Joyce Carr
Town Clerk

SCHEDULE A

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Boston, County of Erie and State of New York and being part of Lot No. forty-six (46), Township eight (8) and Range seven (7) of the Holland Land Company's survey and being more particularly bounded and described as follows:

BEGINNING at a point in a line drawn parallel with and 100.0 feet westerly as measured at right angles from the westerly line of Subdivision Lot No. 22 as shown on a map of Pinecrest Subdivision filed in the Erie County Clerk's Office in Map Cover 2244, distant 60.0 feet northerly from the northwesterly lands of Pinecrest Terrace; thence northerly along said parallel line, a distance of 64.0 feet to a point; thence westerly at right angles, a distance of 172.70 feet to a point; thence northerly parallel with the first described line, a distance of 231.43 feet to a point in the northerly line of Lot No. 46; thence westerly, along the northerly line of Lot No. 46, a distance of 453.71 feet to the northwest corner of Lot No. 46; thence southerly along the westerly line of Lot No. 46, a distance of 294.36 feet to the southwest corner of lands previously conveyed to J. J. Rataczak and recorded in the Erie County Clerk's Office in Liber 1467 of Deeds at page 592; thence easterly along the southerly line of said Rataczak, a distance of 625.94 feet to the point or place of beginning.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Boston, County of Erie and State of New York and being part of Lot No. forty-six (46), Township eight (8) and Range seven (7) of the Holland Land Company's survey and being more particularly bounded and described as follows:

BEGINNING at a point in a line drawn parallel with and 100.0 feet westerly as measured at right angles from the westerly line of Subdivision Lot No. 22 as shown on a map of Pinecrest Subdivision filed in the Erie County Clerk's Office in Map Cover 2244, distant 124.0 feet northerly from the northwesterly bounds of Pinecrest Terrace, thence northerly along said parallel line, a distance of 231.43 feet to a point in the northerly line of Lot No. 46; thence westerly along said northerly line of Lot No. 46, a distance of 172.70 feet to a point; thence southerly parallel with the first described line, a distance of 231.43 feet to a point; thence easterly parallel with the north line of Lot No. 46, a distance of 172.70 feet to the point or place of beginning.

PUBLIC NOTICE

Councilman Wohlhueter offered the following Resolution and moved its adoption, seconded by Councilman Zimmerman.

RESOLVED, that the Town Board be and is hereby authorized to direct the Town Attorney to prepare the necessary documents and/or Deed for execution by the Town Supervisor to convey the within-described property to ROBERT M. WELLER, and be it further

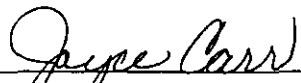
RESOLVED, and determined, that pursuant to Section 64 Subdivision 2 of the Town Law of the State of New York, this conveyance is subject to a permissive referendum, said premises being described as follows: (see copy of description attached).

This conveyance is subject to Terms of Sale agreed upon between the Town of Boston and ROBERT M. WELLER.

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

Supervisor Richard L. Kennedy voting aye
Councilman Milton I. Wittmeyer voting aye
Councilman David G. Zimmerman voting aye
Councilman Don A. Wohlhueter voting aye
Councilman Frank H. Lisowski, Jr. voting aye

Dated: November 16, 1988
Boston, New York



Joyce Carr
Town Clerk

SCHEDULE A

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 Forty-six (46), Township Eight (8), Range Seven (7) of the Holland Land Company's survey and more particularly described as follows:

BEGINNING at a point in the east line of Subdivision Lot 5 as shown on map of Morningside Drive Subdivision filed in the Erie County Clerk's Office under Cover No. 2144, 50 feet north of southeast corner thereof; thence northerly along the east line of Subdivision Lot 5 and extension northerly thereof a distance of 128 feet; thence northwesterly deflecting to the left at an angle of $36^{\circ} 15'$ a distance of 145 feet; thence continuing northwesterly at an exterior angle of $154^{\circ} 34'$ a distance of 135 feet; thence northerly at an exterior angle of $167^{\circ} 30'$ a distance of 110 feet; thence northeasterly at an exterior angle of $108^{\circ} 50'$ a distance of 120 feet; thence northerly along a line intersecting the north line of premises conveyed to Robert M. Weller and Marilyn R. Weller, his wife, by deed recorded in the Erie County Clerk's Office in Liber 5672 of Deeds at page 555 on December 31, 1954 at right angles a distance of 60 feet to the north line of premises conveyed to Weller, as aforesaid; thence westerly along the north line of premises conveyed to Weller, as aforesaid, a distance of 240 feet to the northwest corner of premises conveyed to Weller, as aforesaid; thence southerly along the west line of land conveyed to Weller, as aforesaid, a distance of 230 feet; thence easterly at right angles a distance of 115 feet more or less to a point in a line drawn parallel to the above third course and distant 20 feet therefrom as measured at right angles; thence southeasterly parallel to the above third course and distant 20 feet therefrom as measured at right angles a distance of 145 feet; thence southeasterly and parallel with the above second course and 20 feet therefrom as measured at right angles a distance of 110 feet; thence southwesterly at an exterior angle of $69^{\circ} 30'$ a distance of 90 feet; thence southeasterly at right angles a distance of 18 feet; thence southeasterly at right angles a distance of 93 feet; thence southeasterly at right angles a distance of 77 feet, more or less, to a line parallel to and 50 feet north as measured at right angles from the south line of Subdivision Lot 5; thence easterly along said parallel line a distance of 10.44 feet; thence deflecting to the right at an angle of $73^{\circ} 15'$ a distance of 16.56 feet; thence northeasterly at right angles a distance of 55.34 feet to said parallel line; thence easterly along said parallel line a distance of 120.47 feet to the point of beginning, together with a permanent and perpetual easement and right-of-way for the purpose of ingress and egress to and from Parcel A of the following described premises:

BEGINNING at a point in the east line of Subdivision Lot 5 40 feet north of the southeast corner thereof; thence westerly and parallel with the south line of Parcel A 119.0 feet; thence southwesterly at an exterior angle of $163^{\circ} 15'$ and parallel with the south line of Parcel A 63.87 feet; thence northwesterly at right angles 29.66 feet; thence easterly, southeasterly, northeasterly and easterly along the various courses of the south line of Parcel A to a point in the east line of Subdivision Lot 5; thence south along the east

line of Subdivision Lot 5, 10 feet to the point of beginning. The grantee shall restore said premises as nearly as possible to the same condition as existing before its use for such ingress and egress.

Parcel B - ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Boston, County of Erie and State of New York being part of Lot Forty-six (46), Township Eight (8), Range Seven (7) of the Holland Land Company's survey and shown on a map entitled "Morningside Drive" filed in the Erie County Clerk's Office under Cover No. 2144 as a northerly extension of West Lane 60 feet in width and 138 feet in depth between Subdivision Lot No. 5 and Subdivision Lot No. 6 designated as "R.O.W. for sewer and roadway to treatment plant", except as same shall have been dedicated and accepted for highway purposes.

PUBLIC NOTICE

Councilman Zimmerman offered the following Resolution and moved its adoption, seconded by Councilman Wittmeyer.

RESOLVED, that the Town Board be and is hereby authorized to direct the Town Attorney to prepare the necessary documents and/or Deed for execution by the Town Supervisor to convey the within-described property to LARRY A. STEWARD, and be it further

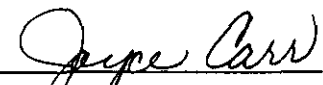
RESOLVED, and determined, that pursuant to Section 64 Subdivision 2 of the Town Law of the State of New York, this conveyance is subject to a permissive referendum, said premises being described as follows: (see copy of description attached).

This conveyance is subject to Terms of Sale agreed upon between the Town of Boston and LARRY A. STEWARD.

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

Supervisor Richard L. Kennedy voting aye
Councilman Milton I. Wittmeyer voting aye
Councilman David G. Zimmerman voting aye
Councilman Don A. Wohlhueter voting aye
Councilman Frank H. Lisowski, Jr. voting aye

Dated: November 16, 1988
Boston, New York



Joyce Carr
Town Clerk

SCHEDULE A

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Boston, County of Erie and State of New York, being part of Farm Lot 29, Township 8, Range 7 of the Holland Land Company's Survey and that part of Subdivision Lot No. 50, as shown in Map Cover 1818 filed in the Erie County Clerk's Office, described as follows:

BEGINNING at the point of intersection of the northerly line of Map Cover 1818 as filed in the Erie County Clerk's Office at its point of intersection with the northwesterly corner of Subdivision Lot No. 50 as shown in said Map Cover 1818, 123.01 feet to a point; thence southeasterly along the northeasterly line of said Subdivision Lot No. 50, Map Cover 1818, 77.02 feet to the northeasterly corner of the southeasterly line of Subdivision Lot 50, Map Cover 1818, 161.40 feet to a point; thence northwesterly 134.71 feet to the northwesterly line of Subdivision Lot No. 50, Map Cover 1818, thence running northeasterly and along the northwesterly line of said Subdivision Lot No. 50, Map Cover 1818, 55.86 feet to the point or place of beginning.

PUBLIC NOTICE

Councilman Lisowski offered the following Resolution and moved its adoption, seconded by Councilman Wohlhueter.

RESOLVED, that the Town Board be and is hereby authorized to direct the Town Attorney to prepare the necessary documents and/or Deed for execution by the Town Supervisor to convey the within-described property to THOMAS A. KRENCIK and JEAN M. KRENCIK, H/W, and be it further

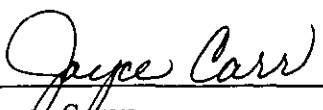
RESOLVED, and determined, that pursuant to Section 64 Subdivision 2 of the Town Law of the State of New York, this conveyance is subject to a permissive referendum, said premises being described as follows: (see copy of description attached).

This conveyance is subject to Terms of Sale agreed upon between the Town of Boston and THOMAS A. KRENCIK and JEAN M. KRENCIK.

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

Supervisor Richard L. Kennedy voting aye
Councilman Milton I. Wittmeyer voting aye
Councilman David G. Zimmerman voting aye
Councilman Don A. Wohlhueter voting aye
Councilman Frank H. Lisowski, Jr. voting aye

Dated: November 16, 1988
Boston, New York



Joyce Carr
Town Clerk

SCHEDULE A

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Boston, County of Erie and State of New York, being part of Lot 29, Township 8 and Range 7 of the Holland Land Company's survey, and further distinguished as subdivision Lot No. 25 in "Boston Valley Acres", as shown on a map filed in the Erie County Clerk's Office under Cover No. 1796.

This conveyance is made and accepted subject to any and all restrictions, easements and rights-of-way of record.

AND ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Boston, County of Erie and State of New York, being part of Farm Lot 29, Township 8, Range 7 of the Holland Land Company's Survey and being that part of Subdivision Lot No. 49 as shown in Map Cover 1818 filed in the Erie County Clerk's Office described as follows:

BEGINNING at the northwesterly corner of Subdivision Lot No. 49, as shown in Map Cover 1818 as filed in the Erie County Clerk's Office; thence running southeasterly along the northeasterly line of said Map Cover 1818, 127.52 feet to a point in said Map Cover's northeasterly line; thence continuing southeasterly along the northeasterly line of said Map Cover 1818, 224.08 feet to a point which is the southeasterly corner of said Subdivision Lot No. 49, Map Cover 1818; thence running westerly and along the southerly line of said Subdivision Lot 49 shown on Map Cover 1818, 234.25 feet to a point; thence northwesterly 143.88 feet to the northwesterly line of said Subdivision Lot No. 49, Map Cover 1818; thence running northeasterly along the northwesterly line of said Subdivision Lot 49, Map Cover 1818, 161.40 feet to the point or place of beginning.

Regular Meeting
December 7, 1988

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Don Wohlhueter, Councilman Frank Lisowski, Supervisor Richard Kennedy, Town Attorney Michael Perley and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski that the Minutes of the November 16, 1988 Regular Meeting be approved.

five (5) ayes

Carried

A motion was made by Councilman Lisowski 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 Lisowski that the General Fund and Special District Bills on Abstract #12, December 7, 1988, in the amount of \$17,968.09 be paid.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman that the Highway Bills on Abstract #12, December 7, 1988, in the amount of \$5,840.78 be paid.

five (5) ayes

Carried

Received a Notice of Claim - Janet Tatar, Michael Cousins, Estate of Charles Gray vs. County of Erie, Erie County Sheriff, Town of Boston and Richard Keuck. Town Attorney Perley said he wrote a letter in response, stating the town has no involvement whatsoever in this matter and requesting that the Town of Boston be withdrawn as a defendant in this action.

Supervisor Kennedy reported he was contacted by the office of Community Development as to the status of the library renovation project and was informed by Town Attorney Perley that the project is underway and is in compliance with the requirements set forth by Community Development for funding.

Mrs. Alois Kopczynski, 6415 Omphalius Road, asked what procedures were necessary to receive out-of-district water service to her property, due to their continuing problems with water supply. Supervisor Kennedy told her that she could arrange to have the engineering study made and lines installed from Water District #1 if the necessary approvals are received from Erie County Water Authority, however, all costs incurred in this project would have to be borne by her. Mrs. Kopczynski said they are willing to undertake this project and asked the Supervisor to provide a list of engineers from which she could choose to get the project started.

A motion was made by Councilman Lisowski and seconded by Councilman Zimmerman to authorize the Supervisor to sign an easement with New York State Electric & Gas Corporation to set power poles to the highway building under construction.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to authorize the Supervisor to sign an agreement with New York State Electric & Gas Corporation to construct a distribution line to the highway building, at a cost of \$4681.55.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Zimmerman to make the following Appropriation of Fund Balances & Excess Revenue:

Sewer District #3:

From SS3 Estimated Revenue (Interest)	\$ 17.65
SS3 Appropriated Fund Balance	97.72

To SS3 Treatment & Disposal	\$115.37
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Sewer District #4:

From SS4 Estimated Revenue (Interest)	\$ 50.37
SS4 Appropriated Fund Balance	529.10

To SS4 Treatment & Disposal \$ 579.47

Transfer of Appropriations - Water District #2:

From SW2 8340.4 Transmission & Distribution \$1932.56

To SW2 1989.4 Unclassified (Interest on
Interfund Loan) \$1932.56

Transfer of Appropriations - Sewer District #2:

From SS2 Estimated Revenue (Interest) \$ 7.62

To SS2 Treatment & Disposal \$ 7.62

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to officially accept and close the Meadow Drive Drainage Project and the Meadow Drive Drainage Project, Phase 2.

five (5) ayes Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to make the following Transfers of Appropriations and Appropriate the Fund Balance, as follows:

Highway Department:

From DA 5112.2 Capital Outlay	\$ 5,962.61	
5140.1 Misc., Personal Services	6,660.00	
5130.4 Machinery, Contractual	7,055.15	
9040.8 Compensation	457.71	
9730.6 BAN, Principal	12,000.00	
9730.7 BAN, Interest	1,308.26	

Appropriated Fund Balance	10,000.00	\$43,443.73
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To DA 5110.1 General Repairs, Personal Services	\$ 9,957.63	
5110.4 General Repairs, Contractual	25,811.50	
5130.2 Machinery, Equipment	6,198.00	
5140.4 Misc., Contractual	926.60	
9060.8 Hospital & Medical Insurance	550.00	\$43,443.73

five (5) ayes Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to schedule an End of the Year Meeting for December 30, 1988 at 8:00 A.M.

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski to authorize the Town Clerk to publish for an amendment to the Zoning Ordinance, with a public hearing to be scheduled for January 4, 1989 at 8:00 P.M.

five (5) ayes Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer to authorize the Town Clerk to publish for an Amendment to the Zoning Ordinance - Fee Schedule, with a public hearing to be scheduled for January 4, 1989 at 8:15 P.M.

five (5) ayes Carried

Supervisor's Monthly Financial Report was received.

A motion was made by Supervisor Kennedy and seconded by Councilman Lisowski to go on record in support of the alternate plan, as presented by the Niagara Frontier Transportation Authority, to continue the bus route from Hamburg to Boston. He will work with the Town Clerk in the formulation of a letter to the NFTA on this matter.

five (5) ayes Carried

Supervisor Kennedy directed Highway Superintendent Kreitzbender to have load limit signs for the Commuter Parking Lot made up, in order to prohibit heavy trucks from parking in the lot.

A motion was made by Supervisor Kennedy and seconded by Councilman Lisowski to increase the Umbrella insurance coverage to \$2 million, with a premium of \$15,000, for the Year 1989.

five (5) ayes

Carried

Tax Collector's Final Report of the collection of 1988 Town and County taxes was received.

Town Justice Monthly Financial Report was received.

Deputy Code Enforcement Officer's Monthly Report was received.

Town Clerk Carr reported that she received a telephone call from Mrs. Holl, the owner of the used car dealership at Herman Hill Road and Abbott Road. Deputy Code Officer Clayton Schunk inspected the premises, as stated in his report, on November 19 and directed that the vehicles be parked off the right-of-way and in such a manner that they do not obstruct the intersection. Mrs. Holl stated they would cooperate in this matter.

Supervisor Kennedy said he received a telephone complaint relative to the vehicles parked on the property of Al Clauss on Boston Colden Road, however, Mr. Schunk's report also stated he has spoken with Mr. Clauss relative to this problem.

Dog Control Officer Monthly Report was received.

Town Engineer Monthly Report was received.

A letter was received from the Planning Board, recommending denial of the application of the League for the Handicapped, Inc. to rezone 222 additional feet of their property at 9441 Boston State Road from Residence R-2 to Residence Restricted Business RRB. A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to schedule a public hearing for January 18, 1989 at 8:00 P.M. on this rezoning request.

five (5) ayes

Carried

A letter was received from the Planning Board relative to their review of plans presented by Gregory Gerwitz for a retail store and apartment complex to be built at 7456 Boston State Road. The Planning Board recommended granting of the permit, contingent on stipulations as to drainage and parking concerns. Supervisor Kennedy and Town Board members questioned Mr. Gerwitz relative to various aspects of his plans and also expressed concern that Mr. Gerwitz has continued work on the building's foundation, despite the lack of a building permit and the issuance of Stop Work Orders. Code Enforcement Officer Dennis Kramer said that Mr. Gerwitz has revised his plans several times and should have had them drawn by a professional, as they have not met the New York State Building Code. Supervisor Kennedy told Mr. Gerwitz that Mr. Kramer acts in the capacity of approving or denying building plans, and not in the capacity of designing the plans. Councilman Lisowski requested Mr. Gerwitz to have a professional survey made, with the building plotted, as required before a permit is issued. Supervisor Kennedy said the Town Board is not prepared to act on this permit request this evening, however, if all requested data is received prior to the next Town Board meeting, they will act on it at that time.

A letter was received from the Planning Board relative to their review of the application by Steve and Charlotte Ranney to rezone their property at 9742 Trevett Road from Agricultural A-1 to Business B-1 in order to operate a laundry and repair service for horse-related items. The Planning Board recommended denial of the application on the basis it would constitute spot zoning. Town Clerk Carr reported that Mrs. Ranney called and stated they would withdraw their rezoning request at this time and that at a later date they may request a use variance of the property. A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to return the \$75.00 fee submitted by the Ranneys for the rezoning request.

five (5) ayes

Carried

A letter was received from the Planning Board stating they have cancelled their December meeting due to the Christmas holidays and that their next meeting will be held January 24, 1989.

A letter was received from Harold Dodge, 7428 Back Creek Road, requesting appoint-

ment to a vacancy on the Planning Board. This request was tabled for a future meeting.

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to adjourn at 8:39 P.M. in memory of Henry Seufert, a life-long resident of the town, who passed away recently.



Joyce Carr
Town Clerk

Regular Meeting
December 21, 1988

Town Hall
7:30 P.M.

Present were Councilman Milton Wittmeyer, Councilman David Zimmerman, Councilman Don Wohlhueter, Councilman Frank Lisowski, Supervisor Richard Kennedy, Town Attorney Michael Perley and Highway Superintendent Clarence Kreitzbender.

A motion was made by Councilman Zimmerman and seconded by Councilman Wittmeyer that the Minutes of the Regular Meeting of December 7, 1988 be approved.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski that the General Fund and Special District Bills on Abstract #12A, December 21, 1988, in the amount of \$61,138.77 be paid.

five (5) ayes

Carried

A motion was made by Councilman Lisowski and seconded by Councilman Zimmerman that the Highway Bills on Abstract #12A, December 21, 1988, in the amount of \$9,772.32 be paid.

five (5) ayes

Carried

Received and filed amended Schedule of Fees for Sanitary Sewer Plan approval from Erie County Department of Environment and Planning. A copy of the Schedule of Fees will be on file in the Town Clerk's Office.

A letter was received from Erie County Department of Central Police Services requesting notification as soon as new streets and house ranges are approved, extended or changed, so they can put the information into the 9-1-1 computer as soon as possible.

Received a copy of a letter the North Boston Volunteer Fire Company sent to the Erie County Water Authority relative to malfunctioning hydrants, which were first reported to the Authority in December, 1987. Supervisor Kennedy said he is meeting with representatives of the Water Authority on another matter soon and he will also bring to their attention this letter from North Boston Fire Co.

Notification was received from Robert and Patricia McDonald, advising that they are making an application for an On Premises Liquor License for 9368 Boston State Road.

RESOLUTION - CLOVERFIELD DRIVE WATERLINE EXTENSION

RESOLUTION - MOBILE COMMAND POST RADIO FREQUENCY

A letter was received from David J. Cluck and Rita M. Kurzdorfer, 7468 Heinrich Road, requesting a lower speed limit on Heinrich Road. A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to request the state make a traffic study of the section of Heinrich Road from the Expressway* to the dead end, and also to include the complete area of Valley Circle Lane in the request. The Town Clerk was directed to complete the necessary TE-9 form and send this to the state, along with a map of the area to be studied.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski to authorize the Supervisor, after consultation with the Town Attorney, to review and make a decision whether to purchase an additional insurance policy for specific malpractice for Emergency Medical Technicians.

five (5) ayes

Carried

At 7:45 P.M. a Public Hearing was held to consider and enter into separate Fire Protection Contracts with the North Boston Volunteer Fire Company, Inc., Patchin Fire and Community Association, Inc. and Boston Fire Company, Inc. for the furnishing of fire protection in 1989, 1990 and 1991. The Legal Notice was read by the Town Clerk and Supervisor Kennedy opened the hearing. There were no comments or questions on the contracts.

A motion was made by Supervisor Kennedy and seconded by Councilman Lisowski to close the public hearing at 7:47 P.M.

five (5) ayes

Carried

*from the Expressway to
Zimmerman Road. (Corrected at 12/30/88
Town Board Meeting)

A motion was made by Councilman Wittmeyer and seconded by Councilman Zimmerman to enter into the Fire Protection Contracts for the three separate fire companies, each in the amount of \$58,351.35 in 1989, \$61,998.31 in 1990 and \$65,873.20 in 1991.

five (5) ayes

Carried

A 7:50 P.M. a Public Hearing was held to consider and enter into a contract with the Boston Historical Society for the preservation of historical places and objects. Supervisor Kennedy opened the public hearing, and there were no questions relative to the contract.

A motion was made by Supervisor Kennedy and seconded by Councilman Wittmeyer to close the public hearing at 7:54 P.M.

five (5) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski to enter into a contract with the Boston Historical Society, Inc. for the preservation of historical places and objects, in the amount of \$3,200.00 for the year 1989.

five (5) ayes

Carried

At 7:55 P.M. a Public Hearing was held for the purpose of entering into a contract with the Boston Emergency Squad, Inc. for the furnishing of ambulance service for the year 1989. Supervisor Kennedy opened the hearing. There were no comments or questions. A motion was made by Supervisor Kennedy and seconded by Councilman Zimmerman to close the public hearing at 8:02 P.M.

five (5) ayes

Carried

A motion was made by Councilman Zimmerman and seconded by Councilman Wohlhueter to approve the contract with the Boston Emergency Squad, Inc. for the furnishing of ambulance service in the amount of \$4,600.00 for the year 1989.

five (5) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to authorize the Supervisor to enter into negotiations with insurance agent Wilbur H. Lehning to renew the Public Officials Liability coverage, if it is in the best interests of the town.

five (5) ayes

Carried

Supervisor Kennedy reported on the status of the construction of the highway garage. He said the concrete work is completed and the outside structure should be erected by the end of the year. He added that he is waiting for National Fuel Gas to contact him relative to when the line will be installed to the building.

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski to authorize the Supervisor to proceed with negotiations with the Erie County Water Authority that will enable the contractor of three duplex units on the corner of Thornwood Drive and Boston State Road to tie into the water line of Thornwood Drive for two of the buildings and into the line on Boston State Road for one building. Mr. Kennedy said the town has an obligation to service all properties included in Water District #1 and the extension of this line for the tie-ins would satisfy this obligation. Mr. Kennedy also said he received information relative to the request of Alois Kopczynski, 6415 Omphalius Road, for extension of Water District #1 to their property, with all costs being borne by the property owner. Erie County Water Authority has requested that the line be extended the full distance of the Kopczynski property line, however, Mr. Kennedy said that, due to the fact this would be the terminus of Water District #1, he will negotiate with the Authority to require the line only be extended as far as needed to service the two homes on the Kopczynski property.

Town Attorney Perley said the properties auctioned and sold by the town will be recorded at the Erie County Clerk's Office prior to the end of the year.

Public Hearing was held at the Town Board of the Town of Boston, the Boston Town Hall, 800 State Road, Boston, New York, December 21, 1988 at 7:45 P.M. Eastern Standard Time for the purpose of considering and entering into separate Fire Protection Contracts with the NORTH BOSTON VOLUNTEER FIRE COMPANY, INC., CHIN FIRE AND COMMUNITY ASSOCIATION, INC., and BOSTON FIRE COMPANY, INC. for the furnishing of Fire Protection each in the amount of \$58,351.35 in 1989, \$61,998.31 in the calendar year 1990, and \$65,873.20 in the calendar year 1991, and a further Public Hearing by said Town Board at 7:50 P.M., Eastern Standard Time on the same date and place 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 \$3,200.00 per annum for the year 1989 and a further Public Hearing by said Town Board at 7:55 P.M. Eastern Standard Time on the same date and place as listed above for the purpose of considering and entering into a contract with the BOSTON EMERGENCY SQUAD, INC. for the furnishing of Ambulance Service in the amount of \$4,600.00 per annum for the year 1989. All persons interested in the matter shall be heard at such time and place. Dated: November 25, 1988

Town Board
Town of Boston
Joyce Carr
Town Clerk

12-1

Town Clerk Carr reported she sent letters to members of the Drainage Committee, asking if they wished to be reappointed when their terms expire on December 31, 1988. Supervisor Kennedy said he will contact the members of both the Drainage Committee and the Conservation Advisory Council to ask if the committees could be restructured and instead of monthly meetings, be convened only if a particular action is required of them and these appointments will be tabled until he has had an opportunity to contact them.

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter to adjourn at 8:19 P.M.



Joyce Carr
Town Clerk

TOWN OF BOSTON



At a Regular Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York on the 21st day of December, 1988 at 7:30 P.M. Eastern Standard Time, there were present:

Richard L. Kennedy	Supervisor
Milton I. Wittmeyer	Councilman
David G. Zimmerman	Councilman
Don A. Wohlhueter	Councilman
Frank H. Lisowski, Jr.	Councilman

Councilman Lisowski presented the following resolution and moved its adoption:

RESOLVED, that the Town Board of the Town of Boston does hereby accept the waterline extension on Cloverfield Drive, Town of Boston, and

FURTHER RESOLVED, that Mr. Greene, 5750 Cloverfield Drive, be notified by said town that lawn areas will have to be graded and seeded in the Spring of 1989, to complete the reconstruction of this extension.

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

Supervisor Kennedy	Voting <u>aye</u>
Councilman Wittmeyer	Voting <u>aye</u>
Councilman Zimmerman	Voting <u>aye</u>
Councilman Wohlhueter	Voting <u>aye</u>
Councilman Lisowski	Voting <u>aye</u>

AYES: 5 NOES: 0 ABSENT: 0


Joyce Carr, Town Clerk

TOWN OF BOSTON



At a Regular Meeting of the Town Board of the Town of Boston, Erie County, New York, held at the Boston Town Hall, 8500 Boston State Road, Boston, New York, on the 21st day of December, 1988 at 7:30 P. M., Eastern Standard Time, there were present:

Richard L. Kennedy
Milton Wittmeyer
David Zimmerman
Don Wohlhueter
Frank Lisowski, Jr.

Supervisor
Councilman
Councilman
Councilman
Councilman

Supervisor Kennedy presented the following resolution and moved its adoption:

WHEREAS, The Town of Hamburg has made available to their neighboring communities as well as the Southtowns Haz-Mat Team, the use of their 30 foot Mobile Command Post, for use in any call to which they respond, and

WHEREAS, the Town of Hamburg management team has received a New York State Grant to update radio communications in their command post.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Boston Town Board does hereby authorize the Town of Hamburg to install the communications with the Town of Boston radio frequency.

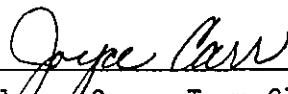
Seconded by Councilman Wittmeyer and put to a vote which resulted as follows:

Supervisor Kennedy	Voting <u>aye</u>
Councilman Wittmeyer	Voting <u>aye</u>
Councilman Zimmerman	Voting <u>aye</u>
Councilman Wohlhueter	Voting <u>aye</u>
Councilman Lisowski	Voting <u>aye</u>

5 AYES

0 NOES

0 ABSENT


Joyce Carr, Town Clerk

TOWN OF BOSTON



CONTRACT WITH BOSTON HISTORICAL SOCIETY, INC.

THIS AGREEMENT, made the 21st day of December, 1988, 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

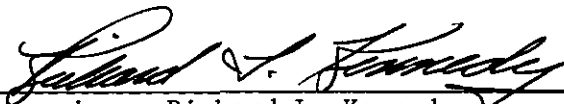
WHEREAS, the Town Board of the Town of Boston, pursuant to the authority granted to it by statute, Section 64, Subdivision 17A of the Town Law, has heretofore appropriated a sum of money to carry out the purposes of this agreement, and to enable the party of the second part to carry out its activities and to render such service and aid for the year 1989;

NOW, THEREFORE, the Town of Boston, party of the first part, does hereby engage the party of the second part for the year 1989 from January 1, 1989 to December 31, 1989 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 \$3,200.00, payable on or before April 1 each year during the term of this agreement.

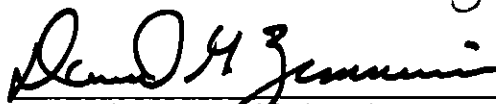
The party of the second part further agrees to furnish the Town Board of the Town of Boston a written itemized statement of its disbursements and expenses not later than August 20, 1989.

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 August, 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 Town of Boston.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day here above first written.

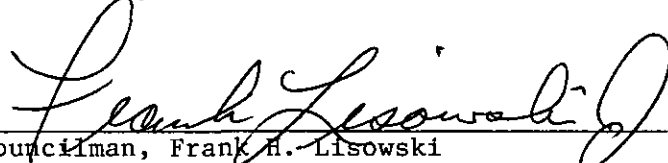

Supervisor, Richard L. Kennedy


Councilman, Milton I. Wittmeyer


Councilman, David G. Zimmerman

S E A L

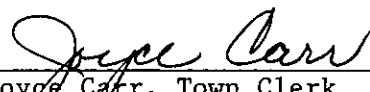

Councilman, Don A. Wohlhueter


Councilman, Frank H. Lisowski

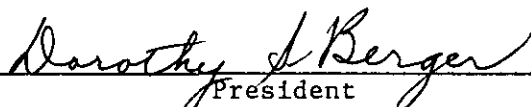
Attest:


Joyce Carr, Town Clerk

Attest:


Joyce Carr, Town Clerk

BOSTON HISTORICAL SOCIETY, INC.

By 
President

TOWN OF BOSTON



TOWN OF BOSTON
GENERAL AMBULANCE SERVICE CONTRACT
FOR
AMBULANCE SERVICE WITH BOSTON EMERGENCY SQUAD, INC.

AN AGREEMENT made this 21st day of December, 1988 between the Town of Boston, Erie County, New York, hereinafter designated as the "Town" and the Boston Emergency Squad, Inc., a New York membership corporation of Boston, New York, hereinafter designated as the "Squad."

WITNESSETH:

WHEREAS, prior hereto, private ambulance service 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 its Town Board, duly authorized a contract with the party of the second part for furnishing general ambulance service and first aid to persons within the boundaries of the Town of Boston, upon certain terms and provisions; and,

NOW, THEREFORE, the Town does hereby engage the Squad for the year 1989 from January 1, 1989 to December 31, 1989, to furnish general ambulance service and first aid to the 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 the manner following, to wit:

1. The Boston Emergency Squad, Inc. shall at all times during the period of this Agreement, be subject to the call for providing and furnishing general ambulance service and first aid assistance for the purpose of transporting sick and injured persons found within the boundaries of the Town of Boston, Erie County, to a hospital, sanitarium, or other place for the treatment of such illness or injury as this person may require.
2. The Squad 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 and every way reasonably calculated to assist and transport said sick or injured person found within the boundaries of the municipality, to a hospital, sanitarium, or other place for treatment of such illness or injury.
3. The Squad 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 of furnishing of general ambulance service and first aid assistance, as herein specified, the Town shall pay the Squad, and the Squad shall receive, the sum of \$4,600.00 for the calendar year 1989, 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 the determination of the annual payment for the furnishing of ambulance service, the Town shall consider as proper expense any reimbursement paid to a member of the 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 Squad, and any reasonable charges for outside legal advice in connection therewith, upon prior approval of the Town Board.

7. The Town further agrees to furnish the Squad, without charge, a proper and adequate ambulance motor vehicle or vehicles, adequately equipped, for the exclusive operation and use of the Squad in carrying out the terms and conditions of this Agreement. The Town further agrees to furnish, without charge, an adequate structure or garage for the storage of said vehicle and equipment while same is in the custody of the Squad and, further, the Town assumes the cost of utilities of said structure. The Town further agrees, without charge, to furnish dispatching service for the Squad, through Hamburg Fire Control, and further agrees to furnish and maintain a Radio Repeater system for dispatching purposes, which shall be limited specifically to the Regency Radio Repeater, including cables and antennae, and shall not include any other radio equipment used by the Squad.

8. The Town of Boston further agrees to defray the expense of, and to pay the cost of, insurance indemnifying against liability for the operation of said ambulance service, and any premium or premiums for compensation of members and personnel of the Squad for medical expenses, loss of wages, compensation benefits, or other claims arising by reason of injury to, or death of, a member of the said Squad, 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 Squad, shall be compelled or required to pay any such claim, the Town shall reimburse the Squad the amount paid within thirty (30) days of making such payment.

The Town of Boston further agrees to effect and pay the expense of the following insurance for the benefit of the Squad and its members, as follows:

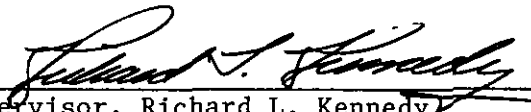
- (a) Automobile non-ownership coverage to the extent of \$500,000.00.
- (b) Comprehensive General Liability Insurance, including incidental malpractice coverage to the extent of \$500,000.00.
- (c) Fidelity Bond coverage of President and Treasurer of the squad to the extent of \$5,000.00.
- (d) Medical Equipment Floater in the amount of \$5,000.00, subject to \$100.00 deductible.

9. The Squad agrees to furnish the Town Board of the Town of Boston a written itemized statement of its disbursements and expenses, no later than September of each year during the term of this Agreement. It is further agreed by the squad that no monies paid hereunder to the Squad shall be used for the purchase of radio equipment, except upon prior approval of the Town Board of the Town of Boston.

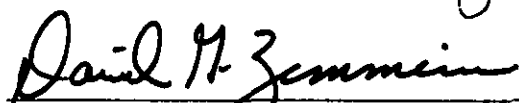
10. This Agreement shall continue for a period of one (1) year from January 1, 1989 and from year to year thereafter unless either party shall determine to terminate this agreement by notifying the other party, in writing, before the 20th day of September that it elects to terminate the contract on December 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 exercised and delivered this agreement the day and year above first written.

THE TOWN BOARD OF THE TOWN OF
BOSTON, ERIE COUNTY, NEW YORK


Supervisor, Richard L. Kennedy


Councilman, Milton I. Wittmeyer

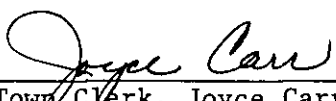

Councilman, David G. Zimmerman

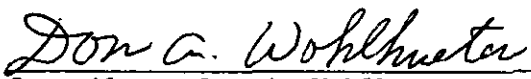
S E A L

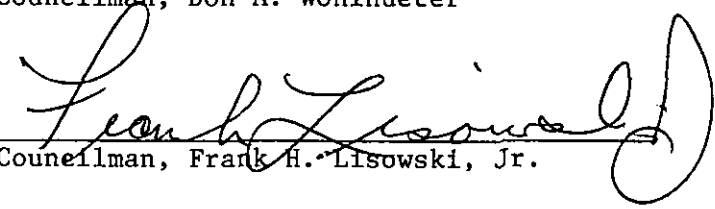
Attest:


Town Clerk, Joyce Carr

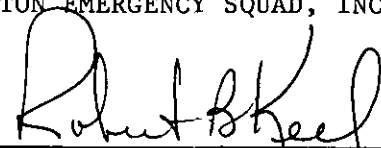
Attest:


Town Clerk, Joyce Carr


Councilman, Don A. Wohlhueter


Councilman, Frank H. Lisowski, Jr.

BOSTON EMERGENCY SQUAD, INC.


President, Robert B. Keel

TOWN OF BOSTON



TOWN OF BOSTON
FIRE PROTECTION DISTRICT
CONTRACT FOR FIRE PROTECTION
WITH BOSTON FIRE COMPANY, INC.

THIS AGREEMENT, made this 21st day of December, 1988, between the Town Board of the Town of Boston, Erie County, New York, hereinafter designated as the party of the first part, and Boston Fire Company, Inc., hereinafter designated as the party of the second part.

W I T N E S S E T H :

WHEREAS, there has been duly established in the said Town of Boston a fire protection district known as the "Town of Boston Fire Protection District" embracing the entire geographical limits of said Town, and

WHEREAS, the previous contract between the parties will expire effective December 31, 1988.

NOW, THEREFORE, the party of the first part does engage the party of the second part to furnish fire protection to said district and party of the second part agrees to furnish such protection in manner following, to wit:

1. The party of the second part shall at all times during the period of this Agreement be subject to call for attendance upon any fire occurring in such district, and when notified by alarm or telephone call from any person within the district of a fire within the district, such company shall respond and attend upon the fire without delay with one or more companies and with suitable ladder, pumping and hose apparatus of the party of the second part. Upon arriving at the scene of the fire, the firemen of the party of the second part attending shall proceed diligently and in every way reasonable calculated to the extinguishment of the fire, and the saving of life and property in connection therewith.

2. The term of this Agreement shall be for a period of three (3) years commencing on January 1, 1989, and terminating on December 31, 1991, payable in one installment per year, on or before the 1st day of April of each year, for and in consideration of the furnishing of aid and equipment by the party of the second part, as aforesaid, the party of the first part shall pay to the party of the second part the amount of \$58,351.35 in 1989, \$61,998.31 in the calendar year 1990, and \$65,873.20 in the calendar year 1991.

3. The party of the first part shall also pay Workmen's Compensation premiums and any and all claims authorized by law for medical expenses, loss of wages, compensation, benefits or other claims arising by reason of injury to or death of a fireman, or of a member of the fire department emergency relief squad, a fire police squad, a fire patrol, sustained while answering, attending upon, or returning from any such call, or while engaged in any other firematic duty, and in case the party of the second part shall be compelled or required to pay any such claims, the party of the first part shall reimburse the party of the second part the amount paid within thirty (30) days after making such payment.

4. It is hereby mutually understood and agreed that in further consideration of the Agreement herein, the party of the second part shall not sponsor or conduct a voluntary fund solicitation within the fire district during the terms of this Agreement, without prior approval of the Town Board.

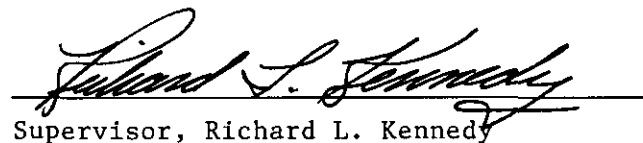
5. All monies to be paid under any provision of this Agreement shall be a charge upon the said Fire Protection District to be assessed and levied upon the taxable property in said District and collected with the town taxes.

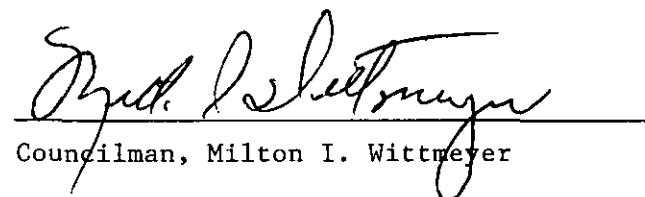
6. This Agreement has been adopted, after Public Hearing, pursuant to the provisions of Section 184 of the Town Law.

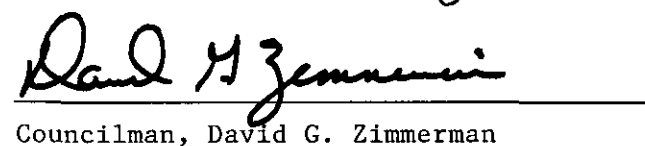
7. This Agreement shall continue from January 1, 1989 to December 31, 1991, unless either party shall determine to terminate this Agreement by notifying the other party, in writing, before the 20th day of August, that it elects to terminate the contract on December 31st of that year; thereafter, the 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 above mentioned.

TOWN BOARD OF THE TOWN OF BOSTON, NEW YORK

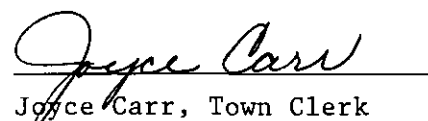

Supervisor, Richard L. Kennedy

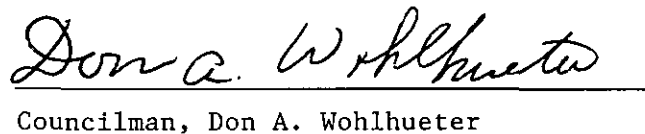

Councilman, Milton I. Wittmeyer

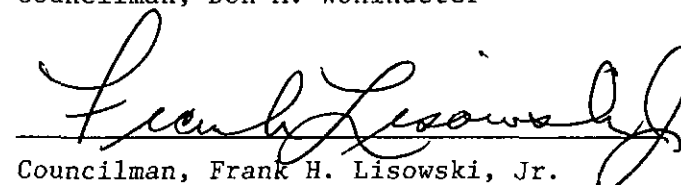

Councilman, David G. Zimmerman

S E A L

Attest:

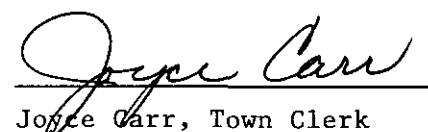

Joyce Carr, Town Clerk

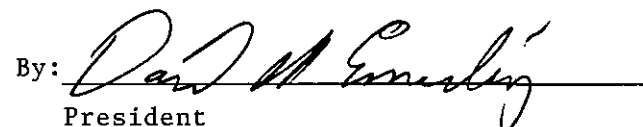

Councilman, Don A. Wohlhueter


Councilman, Frank H. Lisowski, Jr.

BOSTON FIRE COMPANY, INC.

Attest:


Joyce Carr, Town Clerk

By: 
President

TOWN OF BOSTON



TOWN OF BOSTON
FIRE PROTECTION DISTRICT
CONTRACT FOR FIRE PROTECTION
WITH THE PATCHIN FIRE AND COMMUNITY ASSOCIATION, INC.

THIS AGREEMENT, made this 21st day of December, 1988, between the Town Board of the Town of Boston, Erie County, New York, hereinafter designated as the party of the first part, and Patchin Fire and Community Association, Inc., hereinafter designated as party of the second part.

W I T N E S S E T H :

WHEREAS, there has been duly established in the said Town of Boston a fire protection district known as the "Town of Boston Fire Protection District" embracing the entire geographical limits of said Town, and

WHEREAS, the previous contract between the parties will expire effective December 31, 1988.

NOW, THEREFORE, the party of the first part does engage the party of the second part to furnish fire protection to said district and party of the second part agrees to furnish such protection in manner following, to wit:

1. The party of the second part shall at all times during the period of this Agreement be subject to call for attendance upon any fire occurring in such district, and when notified by alarm or telephone call from any person within the district of a fire within the district, such company shall respond and attend upon the fire without delay with one or more companies and with suitable ladder, pumping and hose apparatus of the party of the second part. Upon arriving at the scene of the fire, the firemen of the party of the second part attending shall proceed diligently and in every way reasonable calculated to the extinguishment of the fire, and the saving of life and property in connection therewith.

2. The term of this Agreement shall be for a period of three (3) years commencing on January 1, 1989, and terminating on December 31, 1991, payable in one installment per year, on or before the 1st day of April of each year, for and in consideration of the furnishing of aid and equipment by the party of the second part, as aforesaid, the party of the first part shall pay to the party of the second part the amount of \$58,351.35 in 1989, \$61,998.31 in the calendar year 1990, and \$65,873.20 in the calendar year 1991.

3. The party of the first part shall also pay Workmen's Compensation premiums and any and all claims authorized by law for medical expenses, loss of wages, compensation, benefits or other claims arising by reason of injury to or death of a fireman, or of a member of the fire department emergency relief squad, a fire police squad, a fire patrol, sustained while answering, attending upon, or returning from any such call, or while engaged in any other firematic duty, and in case the party of the second part shall be compelled or required to pay any such claims, the party of the first part shall reimburse the party of the second part the amount paid within thirty (30) days after making such payment.

4. It is hereby mutually understood and agreed that in further consideration of the Agreement herein, the party of the second part shall not sponsor or conduct a voluntary fund solicitation within the fire district during the terms of this Agreement, without prior approval of the Town Board.

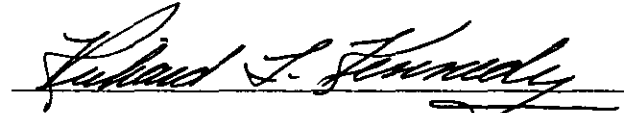
5. All monies to be paid under any provision of this Agreement shall be a charge upon the said Fire Protection District to be assessed and levied upon the taxable property in said District and collected with the town taxes.

6. This Agreement has been adopted, after Public Hearing, pursuant to the provisions of Section 184 of the Town Law.

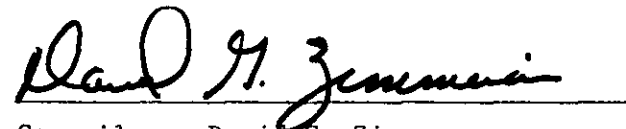
7. This Agreement shall continue from January 1, 1989 to December 31, 1991, unless either party shall determine to terminate this Agreement by notifying the other party, in writing, before the 20th day of August, that it elects to terminate the contract on December 31st of that year; thereafter, the 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 above mentioned.

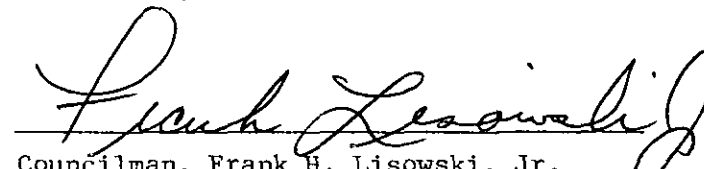
TOWN BOARD OF THE TOWN OF BOSTON, NEW YORK


Supervisor, Richard L. Kennedy


Councilman, Milton I. Wittmeyer


Councilman, David G. Zimmerman


Councilman, Don A. Wohlhueter


Councilman, Frank H. Lisowski, Jr.

PATCHIN FIRE AND COMMUNITY ASSOCIATION, INC.

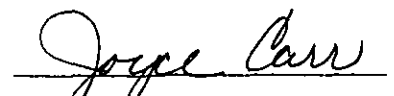
By: 
President

S E A L

Attest:


Joyce Carr, Town Clerk

Attest:


Joyce Carr, Town Clerk

TOWN OF BOSTON



TOWN OF BOSTON
FIRE PROTECTION DISTRICT
CONTRACT FOR FIRE PROTECTION
WITH NORTH BOSTON FIRE COMPANY, INC.

THIS AGREEMENT, made this 21st day of December, 1988, between the Town Board of the Town of Boston, Erie County, New York, hereinafter designated as the party of the first part, and North Boston Fire Company, Inc., hereinafter designated as party of the second part.

W I T N E S S E T H :

WHEREAS, there has been duly established in the said Town of Boston a fire protection district known as the "Town of Boston Fire Protection District" embracing the entire geographical limits of said Town, and

WHEREAS, the previous contract between the parties will expire effective December 31, 1988.

NOW, THEREFORE, the party of the first part does engage the party of the second part to furnish fire protection to said district and party of the second part agrees to furnish such protection in manner following, to wit:

1. The party of the second part shall at all times during the period of this Agreement be subject to call for attendance upon any fire occurring in such district, and when notified by alarm or telephone call from any person within the district of a fire within the district, such company shall respond and attend upon the fire without delay with one or more companies and with suitable ladder, pumping and hose apparatus of the party of the second part. Upon arriving at the scene of the fire, the firemen of the party of the second part attending shall proceed diligently and in every way reasonable calculated to the extinguishment of the fire, and the saving of life and property in connection therewith.

2. The term of this Agreement shall be for a period of three (3) years commencing on January 1, 1989, and terminating on December 31, 1991, payable in one installment per year, on or before the 1st day of April of each year, for and in consideration of the furnishing of aid and equipment by the party of the second part, as aforesaid, the party of the first part shall pay to the party of the second part the amount of \$58,351.35 in 1989, \$61,998.31 in the calendar year 1990, and \$65,873.20 in the calendar year 1991.

3. The party of the first part shall also pay Workmen's Compensation premiums and any and all claims authorized by law for medical expenses, loss of wages, compensation, benefits or other claims arising by reason of injury to or death of a fireman, or of a member of the fire department emergency relief squad, a fire police squad, a fire patrol, sustained while answering, attending upon, or returning from any such call, or while engaged in any other firematic duty, and in case the party of the second part shall be compelled or required to pay any such claims, the party of the first part shall reimburse the party of the second part the amount paid within thirty (30) days after making such payment.

4. It is hereby mutually understood and agreed that in further consideration of the Agreement herein, the party of the second part shall not sponsor or conduct a voluntary fund solicitation within the fire district during the terms of this Agreement, without prior approval of the Town Board.

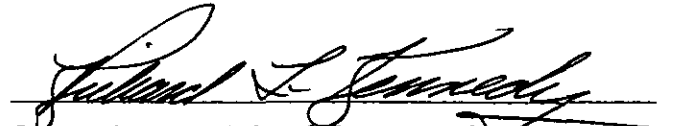
5. All monies to be paid under any provision of this Agreement shall be a charge upon the said Fire Protection District to be assessed and levied upon the taxable property in said District and collected with the town taxes.

6. This Agreement has been adopted, after Public Hearing, pursuant to the provisions of Section 184 of the Town Law.

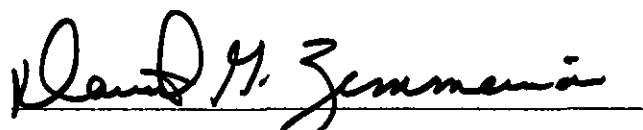
7. This Agreement shall continue from January 1, 1989 to December 31, 1991, unless either party shall determine to terminate this Agreement by notifying the other party, in writing, before the 20th day of August, that it elects to terminate the contract on December 31st of that year; thereafter, the 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 above mentioned.

TOWN BOARD OF THE TOWN OF BOSTON, NEW YORK


Supervisor, Richard L. Kennedy

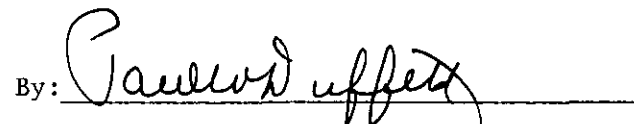

Councilman, Milton I. Wittmeyer


Councilman, David G. Zimmerman


Councilman, Don A. Wohlhueter


Councilman, Frank H. Lisowski, Jr.

NORTH BOSTON FIRE COMPANY, INC.

By: 
President

S E A L

Attest:


Joyce Carr, Town Clerk

Attest:


Joyce Carr, Town Clerk

Special Meeting
December 30, 1988

Town Hall
8:00 A.M.

Present were Councilman Milton Wittmeyer, Councilman Don Wohlhueter, Councilman Frank Lisowski, Supervisor Richard Kennedy, Town Attorney Michael Perley and Highway Superintendent Clarence Kreitzbender. Councilman David Zimmerman was absent.

A motion was made by Councilman Wohlhueter and seconded by Councilman Lisowski that the Minutes of the Regular Meeting of December 21, 1988 be approved, with a correction at Page 177, Paragraph 11, to show the traffic study of a section of Heinrich Road should be from the Expressway to Zimmerman Road.

four (4) ayes

Carried

A motion was made by Councilman Lisowski and seconded by Councilman Wittmeyer that the General Fund and Special District Bills on Abstract #12B, December 30, 1988, in the amount of \$5,125.03 be paid.

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Wohlhueter that the Highway Bills on Abstract #12B, December 30, 1988, in the amount of \$5,424.27 be paid.

four (4) ayes

Carried

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to appoint Gregory Stromecki as Constable (Court Officer), term to expire December 31, 1989.

four (4) ayes

Carried

A motion was made by Councilman Lisowski and seconded by Councilman Wittmeyer to make the following Transfers of Appropriations for the Highway Fund:

HIGHWAY FUND

From:	DA 9030.8 Social Security	500.00	
	4142.1 Snow Removal, Per Serv	3,000.00	
	4148.1 Snow Removal, Ot Govt, Per Ser	3,000.00	6,500.00
To:	DA 5110.4 General Repairs, Cont.	320.00	
	5130.4 Machinery, Cont	3,180.00	
	5142.4 Snow Removal, Cont.	3,000.00	6,500.00

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski to make the following Transfers of Appropriations for the General Fund:

GENERAL FUND

From:	A 1410.4 Town Clerk, Cont	1,500.00	
	1620.2 Buildings, Equip	495.00	
	3310.4 Traffic Cont, Cont	1,300.00	
	3510.1 Dog Control, Per Serv	500.00	
	3510.2 Dog Control, Equip	400.00	
	3510.4 Dog Control, Cont	2,000.00	
	3620.4 Safety Inspec, Cont.	1,000.00	
	5132.4 Garage, Cont	3,300.00	
	5182.4 Street Lights, Cont	2,000.00	
	7310.1 Youth Prog, Per Serv	700.00	
	8710.1 Conservation, Cont	675.00	
	9060.8 Hosp. & Med, Cont	830.00	14,700.00

To:	A	1110.4 Town Justice, Cont	500.00	
		1220.1 Supervisor, Per Serv	460.00	
		1355.4 Assessor, Cont	400.00	
		1410.2 Town Clerk, Equip.	200.00	
		1450.4 Elections, Cont	2,575.00	
		1620.1 Buildings, Per Serv	305.00	
		1620.4 Buildings, Cont.	3,500.00	
		1910.4 Unallocated Insurance	470.00	
		3620.1 Safety Inspec, Per Serv	100.00	
		4540.4 Ambulance, Cont.	400.00	
		6772.4 Prog. for Aging, Cont	60.00	
		7110.4 Parks, Cont.	2,500.00	
		7310.4 Youth Prog, Cont.	700.00	
		7620.4 Adult Rec, Cont	1,000.00	
		8030.1 Planning, Per Serv	30.00	
		9030.8 Social Security	1,500.00	14,700.00

four (4) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Supervisor Kennedy that the Umbrella Liability Insurance for 1989 in the amount of \$2,000,000.00 be approved with the Hartford Insurance Company, with United Insurance Agency, Inc. as agent.

four (4) ayes

Carried

A motion was made by Councilman Lisowski and seconded by Supervisor Kennedy to approve the Commercial Package, Automobile, Boiler and Crime Insurance with the United Insurance Agency, Inc. for 1989.

four (4) ayes

Carried

A motion was made by Councilman Wittmeyer and seconded by Councilman Lisowski that Health Insurance be provided for fulltime highway employees, fulltime clerical employees and the Highway Superintendent with Blue Cross of Western New York and Blue Shield of Western New York for 1989.

four (4) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer that Workman's Compensation Insurance for 1989 be provided for town employees, volunteer firemen and the Boston Emergency Squad.

four (4) ayes

Carried

A motion was made by Councilman Wohlhueter and seconded by Councilman Wittmeyer that Accident Insurance for 1989 for the Boston Emergency Squad be provided, with Wilbur Lehning as Agent.

four (4) ayes

Carried

Supervisor Kennedy that Town Attorney Perley reviewed the Public Officers Liability Coverage Policy and concurs with him that this policy not be renewed at this time, but rather forwarded to the Insurance Committee for further review and recommendation. Mr. Kennedy has replied to Agent Wilbur Lehning at Niagara National, Inc. with this information and also told him he will advise of the Insurance Committee's decision on this coverage.

Supervisor Kennedy said Town Attorney Perley also reviewed the Medical Malpractice Policy for Emergency Medical Technician coverage and advised it is his opinion that additional insurance would not provide additional coverage, as they would be prorated against each other in the event of a loss, therefore the additional premium expense of \$2,279.00 is unwarranted.

Mr. Kennedy said he received information from Nussbaumer & Clarke, Inc. on the extension of Water District #1 to include the request for water service to the three new duplexes being constructed on Boston State Road and Thornwood Drive.

They quoted a fee of \$3,950.00 for the engineering of this extension. Supervisor Kennedy said he will obtain additional quotes and keep the Town Board informed in this matter.

Town Attorney Perley reported that all monies from the sale of town-owned properties have been received, with the exception of the property purchased by John Less.

A motion was made by Supervisor Kennedy and seconded by Councilman Wohlhueter to adjourn at 8:19 A.M.



Joyce Carr
Town Clerk

TOWN BUDGET

For 198 9

Town of BOSTON
in
County of ERIE

Villages Within or Partly Within Town

Village of _____

Village of _____

CERTIFICATION OF TOWN CLERK

I, Joyce Carr, Town Clerk, certify
that the following is a true and correct of the 1989 budget of the Town of
BOSTON as adopted by the Town Board on the
_____ day of November, 19 89.

Signed

Joyce Carr
Town Clerk

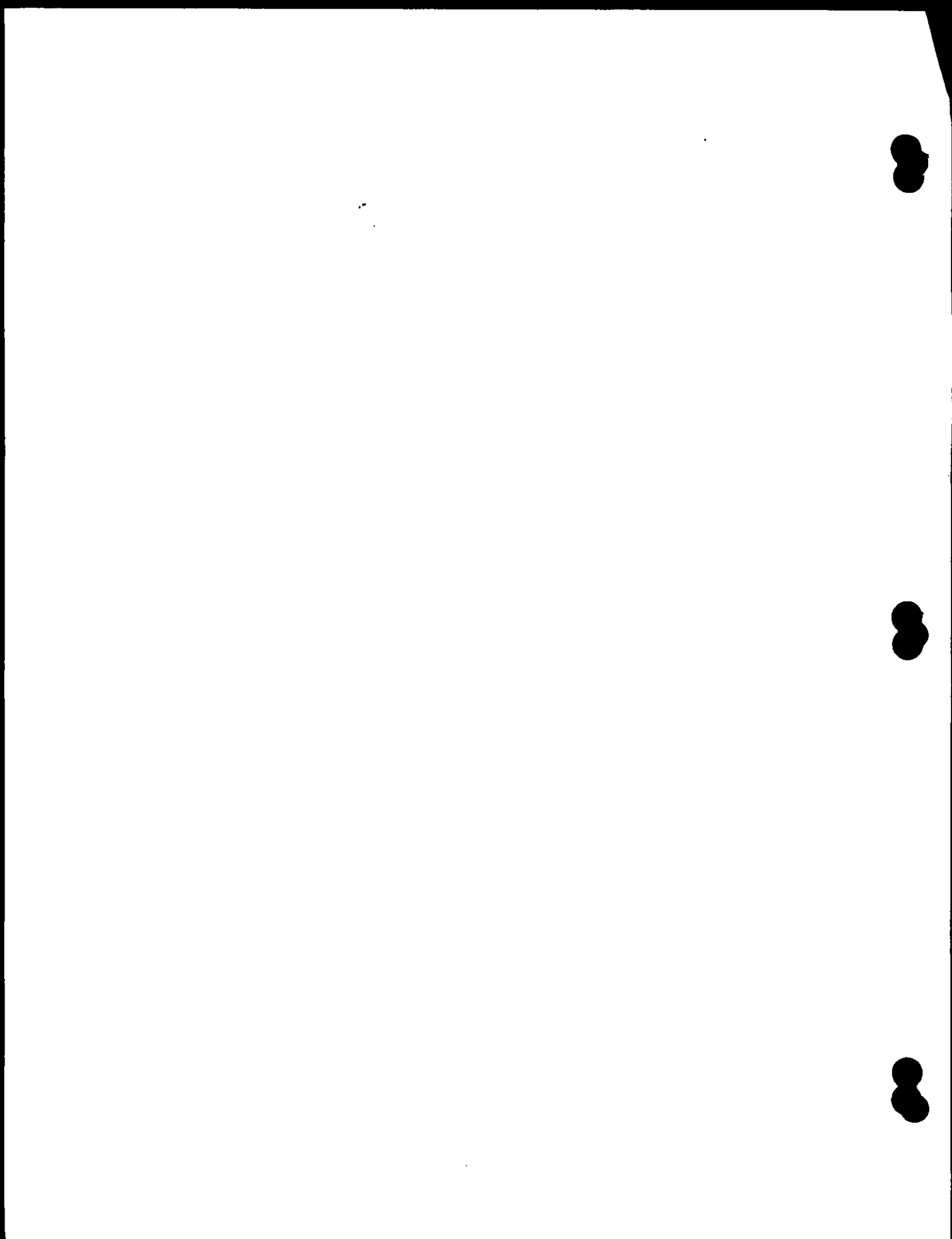
Dated

November 7, 1988

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

<u>CODE</u>	<u>FUND</u>	<u>APPROPRIATIONS AND PROVISIONS FOR OTHER USES</u>	<u>LESS ESTIMATED REVENUES</u>	<u>LESS UNEXPENDED BALANCE</u>	<u>AMOUNT TO BE RAISED BY TAX</u>
A	GENERAL	\$688,005	\$482,970	\$135,000	\$ 70,035
B	GENERAL OUTSIDE VILLAGE				
DA	HIGHWAY-TOWNWIDE	530,055	212,000	20,000	298,055
DB	HIGHWAY -OUTSIDE VILLAGE				
CD	COMMUNITY DEVELOPMENT				
CF	FEDERAL REVENUE SHARING				
L	PUBLIC LIBRARY FUND				
V	DEBT SERVICE FUND				
S	SPECIAL DISTRICTS: (LIST EACH SEPARATELY)				
SF	Fire Protection	197,100		2,100	195,000
SL	Lighting District	19,800			19,800
SR	Refuse & Garbage District	282,321			282,321
SS	Sewer District #1	2,300		2,300	0
SS	Sewer District #2	1,198.50			1,198.50
SW	Water District #1	30,000			30,000
SW	Water District #2	39,992			39,992
	TOTALS	\$ 1,790,771.50	\$ 694,970	\$ 159,400	\$ 936,401.50

GENERAL FUND APPROPRIATIONS
General Government Support

ACCOUNTS	CODE	ACTUAL LAST YEAR 1987	BUDGET THIS YEAR AS AMENDED 1988	BUDGET OFFICERS TENTATIVE BUDGET 19 89	PRELIMINARY BUDGET 19 89	ADOPTED 1989
TOWN BOARD						
Personal Services	A1010.1	17,718	18,800	20,000	20,000	20,000
Equipment	A1010.2					
Contractual Exp.	A1010.4	1,364	2,500	2,800	2,800	2,800
TOTAL	A1010.0	19,082	21,300	22,800	22,800	22,800
JUSTICES						
Personal Services	A1110.1	24,468	27,500	29,500	29,500	29,500
Equipment	A1110.2					
Contractual Exp.	A1110.4	3,393	4,000	4,650	4,650	4,650
TOTAL	A1110.0	27,861	31,500	34,150	34,150	34,150
TRAFFIC VIOLATIONS BUREAU						
Personal Services	A1130.1					
Equipment	A1130.2					
Contractual Exp.	A1130.4					
TOTAL	A1130.0					
SUPERVISOR						
Personal Services	A1220.1	26,952	28,700	31,280	31,280	31,280
Equipment	A1220.2			1,220	1,220	1,220
Contractual Exp.	A1220.4	2,042	2,300	2,500	2,500	2,500
TOTAL	A1220.0	28,994	31,000	35,000	35,000	35,000
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 <u>87</u>	BUDGET THIS YEAR AS AMENDED 19 <u>88</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>89</u>	PRELIMINARY BUDGET 19 <u>89</u>	ADOPTED 19 <u>89</u>
PURCHASING						
Personal Services	A1345.1					
Equipment	A1345.2					
Contractual Exp.	A1345.4					
TOTAL	A1345.0					
ASSESSORS						
Personal Services	A1355.1	20,091	21,850	23,770	23,770	23,770
Equipment	A1355.2	470	500	500	500	500
Contractual Exp.	A1355.4	5,838	5,500	8,000	8,000	8,000
TOTAL	A1355.0	26,399	27,850	32,270	32,270	32,270
DISCOUNT ON TAXES						
Contractual Exp.	A1370.4					
TOWN CLERK						
Personal Services	A1410.1	33,938	36,820	39,150	39,150	39,150
Equipment	A1410.2			1,800	1,800	1,800
Contractual Exp.	A1410.4	4,672	5,530	6,000	6,000	6,000
TOTAL	A1410.0	38,610	42,350	46,950	46,950	46,950
ATTORNEY						
Personal Services	A1420.1	18,000	20,000	24,100	24,100	24,100
Equipment	A1420.2					
Contractual Exp.	A1420.4	735	1,500	1,800	1,800	1,800
TOTAL	A1420.0	18,735	21,500	25,900	25,900	25,900
PERSONNEL						
Personal Services	A1430.1					
Equipment	A1430.2					
Contractual Exp.	A1430.4					
TOTAL	A1430.0					
ENGINEER						
Personal Services	A1440.1					
Equipment	A1440.2					
Contractual Exp.	A1440.4	1,525	2,000	2,000	2,000	2,000
TOTAL	A1440.0	1,525	2,000	2,000	2,000	2,000
ELECTIONS						
Personal Services	A1450.1					
Equipment	A1450.2					
Contractual Exp.	A1450.4	4,660	5,450	5,650	5,650	5,650
TOTAL	A1450.0	4,660	5,450	5,650	5,650	5,650
BOARD OF ETHICS						
Personal Services	A1470.1					
Equipment	A1470.2					
Contractual Exp.	A1470.4					
TOTAL	A1470.0					

GENERAL FUND APPROPRIATIONS
General Government Support

ACCOUNT'S	CODE	ACTUAL LAST YEAR 19 <u>87</u>	BUDGET THIS YEAR AS AMENDED 19 <u>88</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>89</u>	PRELIMINARY BUDGET 19 <u>89</u>	ADOPTED 19 <u>89</u>
PUBLIC WORKS						
ADMINISTRATION						
Personal Services	A1490.1					
Equipment	A1490.2					
Contractual Exp.	A1490.4					
TOTAL	A1490.0					
BUILDINGS						
Personal Services	A1620.1	2,640	3,800	4,000	4,000	4,000
Equipment	A1620.2	150	2,000	2,000	2,000	2,000
Contractual Exp.	A1620.4	15,495	22,000	30,000	30,000	30,000
TOTAL	A1620.0	18,285	27,800	36,000	36,000	36,000
CENTRAL GARAGE						
Personal Services	A1640.1					
Equipment	A1640.2					
Contractual Exp.	A1640.4					
TOTAL	A1640.0					
CENTRAL COMMUNICATIONS SYSTEM						
Personal Services	A1650.1					
Equipment	A1650.2	419				
Contractual Exp.	A1650.4		300			
TOTAL	A1650.0	419	300			
CENTRAL STOREROOM						
Personal Services	A1660.1					
Equipment	A1660.2					
Contractual Exp.	A1660.4					
TOTAL	A1660.0					
CENTRAL PRINTING AND MAILING						
Personal Services	A1670.1					
Equipment	A1670.2					
Contractual Exp.	A1670.4	2,177	3,500	3,500	3,500	3,500
TOTAL	A1670.0	2,177	3,500	3,500	3,500	3,500
CENTRAL DATA PROCESSING						
Personal Services	A1680.1					
Equipment	A1680.2					
Contractual Exp.	A1680.4					
TOTAL	A1680.0					
Taxes & Assess/Tn Prop	A1950.4	2,547	3,500	3,500	3,500	3,500
SPECIAL ITEMS						
Unallocated Ins.	A1910.4	73,046	85,000	83,000	83,000	83,000
Municipal Assn. Dues	A1920.4	705	800	1,000	1,000	1,000
Judgments and Claims	A1930.4	5,563	1,000	175	175	175
Contingent Account	A1990.4		12,000	15,000	14,540	14,540
Unclassified	A1989.4	7,540	0	0	0	0
TOTAL		89,401	102,300	102,675	102,215	102,215
TOTAL GENERAL Govt. Support	A1999.0	276,148	316,850	346,895	346,435	346,435

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 87	BUDGET THIS YEAR AS AMENDED 19 88	BUDGET OFFICERS TENTATIVE BUDGET 19 89	PRELIMINARY BUDGET 19 89	ADOPTED 19 89
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	2,858	5,000	2,125	2,125	2,125
Equipment	A3120.2					
Contractual Exp.	A3120.4	1,585	1,500	500	500	500
TOTAL	A3120.0	4,443	6,500	2,625	2,625	2,625
JAIL						
Personal Services	A3150.1					
Equipment	A3150.2					
Contractual Exp.	A3150.4					
TOTAL	A3150.0					
TRAFFIC CONTROL						
Personal Services	A3310.1					
Equipment	A3310.2					
Contractual Exp.	A3310.4	3,129	5,500	5,500	5,500	5,500
TOTAL	A3310.0	3,129	5,500	5,500	5,500	5,500
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					
TOTAL	A3410.0					
CONTROL OF DOGS						
Personal Services	A3510.1	6,298	7,200	7,100	7,100	7,100
Equipment	A3510.2		500	500	500	500
Contractual Exp.	A3510.4	3,328	6,000	6,925	6,925	6,925
TOTAL	A3510.0	9,626	13,700	14,525	14,525	14,525
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 87	BUDGET THIS YEAR AS AMENDED 19 88	BUDGET OFFICERS TENTATIVE BUDGET 19 89	PRELIMINARY BUDGET 19 89	ADOPTED 19 89
PUBLIC SAFETY (CONTD.)						
**SAFETY INSPECTION						
Personal Services	A3620.1	9,546	10,025	10,550	10,550	10,550
Equipment	A3620.2					
Contractual Exp.	A3620.4	364	1,225	1,000	1,000	1,000
TOTAL	A3620.0	9,910	11,250	11,550	11,550	11,550
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	27,108	36,950	34,200	34,200	34,200
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	9	25	25	25	25
TOTAL	A4020.0	9	25	25	25	25
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 87	BUDGET THIS YEAR AS AMENDED 19 88	BUDGET OFFICERS TENTATIVE BUDGET 19 89	PRELIMINARY BUDGET 19 89	ADOPTED 19 89
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					
Equipment	A4540.2		10,000			
Contractual Exp.	A4540.4	30,934	29,675	18,600	18,600	18,600
TOTAL	A4540.0	30,934	39,675	18,600	18,600	18,600
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	30,943	39,700	18,625	18,625	18,625
TRANSPORTATION						
SUPT. OF HIGHWAYS						
Personal Services	A5010.1	26,250	27,825	29,225	29,225	29,225
Equipment	A5010.2					
Contractual Exp.	A5010.4	472	500	500	500	500
TOTAL	A5010.0	26,722	28,325	29,725	29,725	29,725
GARAGE						
Personal Services	A5132.1					
Equipment	A5132.2					
Contractual Exp.	A5132.4	9,935	8,400	10,000	10,000	10,000
TOTAL	A5132.0	9,935	8,400	10,000	10,000	10,000

GENERAL FUND APPROPRIATIONS

ACCOUNTS	CODE	ACTUAL LAST YEAR 1987	BUDGET THIS YEAR AS AMENDED 1988	BUDGET OFFICERS TENTATIVE BUDGET 1989	PRELIMINARY BUDGET 19 89	ADOPTED 1989
TRANSPORTATION (CONTD.)						
STREET LIGHTING Contractual Exp.	A5182.4	23,946	25,500	25,500	25,500	25,500
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	60,603	62,225	65,225	65,225	65,225
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 <u>87</u>	BUDGET THIS YEAR AS AMENDED 19 <u>88</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>89</u>	PRELIMINARY BUDGET 19 <u>89</u>	ADOPTED 19 <u>89</u>
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	568	600	700	700	700
TOTAL	A6410.0	568	600	700	700	700

GENERAL FUND APPROPRIATIONS

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 87	BUDGET THIS YEAR AS AMENDED 19 88	BUDGET OFFICERS TENATIVE BUDGET 19 89	PRELIMINARY BUDGET 19 89	ADOPTED 19 89
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	936	1,000	2,400	2,400	2,400
TOTAL	A6772.0	936	1,000	2,400	2,400	2,400
TOTAL ECONOMIC ASSISTANCE AND OPPORTUNITY	A6999.0	1,504	1,600	3,100	3,100	3,100
CULTURE - RECREATION						
RECREATION ADM.						
Personal Services	A7020.1					
Equipment	A7020.2					
Contractual Exp.	A7020.4					
TOTAL	A7020.0					
*PARKS						
Personal Services	A7110.1	19,474	18,350	19,300	19,300	19,300
Equipment	A7110.2	550	2,000	2,000	2,000	2,000
Contractual Exp.	A7110.4	5,971	6,650	6,700	6,700	6,700
TOTAL	A7110.0	25,995	27,000	28,000	28,000	28,000
*PLAYGROUNDS AND REC- REATION CENTERS						
Personal Services	A7140.1			5,000	5,000	5,000
Equipment	A7140.2					
Contractual Exp.	A7140.4			5,000	5,000	5,000
TOTAL	A7140.0			10,000	10,000	10,000
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 1987	BUDGET THIS YEAR AS AMENDED 1988	BUDGET OFFICERS TENTATIVE BUDGET 1989	PRELIMINARY BUDGET 1989	ADOPTED 1989
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	28,860	36,920	31,920	31,920	31,920
Equipment	A7310.2					
Contractual Exp.	A7310.4	38,625	31,680	29,430	29,430	29,430
TOTAL	A7310.0	67,485	68,600	61,350	61,350	61,350
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					
Equipment	A7510.2		350	1,000	1,000	1,000
Contractual Exp.	A7510.4	390	775	725	725	725
TOTAL	A7510.0	390	1,125	1,725	1,725	1,725
HISTORICAL PROPERTY						
Personal Services	A7520.1					
Equipment	A7520.2					
Contractual Exp.	A7520.4	3,000	3,100	3,200	3,200	3,200
TOTAL	A7520.0	3,000	3,100	3,200	3,200	3,200
CELEBRATIONS						
Personal Services	A7550.1					
Equipment	A7550.2					
Contractual Exp.	A7550.4	669	800	1,000	1,000	1,000
TOTAL	A7550.0	669	800	1,000	1,000	1,000

*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 1987	BUDGET THIS YEAR AS AMENDED 1988	BUDGET OFFICERS TENTATIVE BUDGET 1989	PRELIMINARY BUDGET 1989	ADOPTED 1989
CULTURE - RECREATION (CONTD.)						
ADULT RECREATION						
Personal Services	A7620.1					
Equipment	A7620.2					
Contractual Exp.	A7620.4	4,338	4,850	5,035	5,035	5,035
TOTAL	A7620.0	4,338	4,850	5,035	5,035	5,035
TOTAL CULTURE- RECREATION	A7999.0	101,877	105,475	110,310	110,310	110,310
HOME AND COMMUNITY SERVICES						
*ZONING						
Personal Services	A8010.1	69	150	250	250	250
Equipment	A8010.2					
Contractual Exp.	A8010.4	146	250	250	250	250
TOTAL	A8010.0	215	400	500	500	500
*PLANNING						
Personal Services	A8020.1	360	650	650	650	650
Equipment	A8020.2					
Contractual Exp.	A8020.4	1,900	5,500	5,550	5,550	5,550
TOTAL	A8020.0	2,260	6,150	6,200	6,200	6,200
HUMAN RIGHTS						
Personal Services	A8040.1					
Equipment	A8040.2					
Contractual Exp.	A8040.4					
TOTAL	A8040.0					
CONSERVATION						
Personal Services	A8710.1	57	150	200	200	200
Equipment	A8710.2					
Contractual Exp.	A8710.4	61	700	350	350	350
TOTAL	A8710.0	118	850	550	550	550
**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 19 87	BUDGET THIS YEAR AS AMENDED 19 88	BUDGET OFFICERS TENTATIVE BUDGET 19 89	PRELIMINARY BUDGET 19 89	ADOPTED 19 89
HOME AND COMMUNITY SERVICES (CONTD.)						
DRAINAGE						
Personal Services	A8540.1	27	200	200	200	200
Equipment	A8540.2					
Contractual Exp.	A8540.4		200	350	350	350
TOTAL	A8540.0	27	400	550	550	550
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	2,620	7,800	7,800	7,800	7,800
UNDISTRIBUTED						
EMPLOYEE BENEFITS						
State Retirement	A9010.8	9,238	18,105	21,150	21,150	21,150
Fire and Police Retirement	A9015.8					
Social Security	A9030.8	17,043	17,500	19,000	19,000	19,000
Workmens Comp.	A9040.8	1,134	2,000	2,000	2,000	2,000
Life Insurance	A9045.8					
Unemployment Ins.	A9050.8					
Disability Ins.	A9055.8	274	295	300	300	300
Hospital and Medical Insurance	A9060.8	5,817	9,000	9,500	9,500	9,500
Total Employee Benefits	A9199.0	33,506	46,900	51,950	51,950	51,950

GENERAL FUND APPROPRIATIONS

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 87	BUDGET THIS YEAR AS AMENDED 19 88	BUDGET OFFICERS TENTATIVE BUDGET 19 89	PRE- LIMINARY BUDGET 19 89	ADOPTED 19 89
UNDISTRIBUTED (CONTD.)						
DEBT SERVICE PRINCIPAL						
Serial Bonds	A9710.6					
Statutory Bonds	A9720.6					
Bond Anticipation	A9730.6	65,000		10,000	10,000	10,000
Capital Notes	A9740.6					
Budget Notes	A9750.6					
Tax Anticipation	A9760.6					
Revenue Anticipation	A9770.6					
Debt Payments to						
Public Authorities	A9780.6					
Installment Purchase	A9785.6					
TOTAL		65,000		10,000	10,000	10,000
INTEREST						
Serial Bonds	A9710.7					
Statutory Bonds	A9720.7					
Bond Anticipation	A9730.7	3,273		20,900	21,910	21,910
Capital Notes	A9740.7					
Budget Notes	A9750.7					
Tax Anticipation	A9760.7					
Revenue Anticipation	A9770.7			6,000	6,450	6,450
Debt Payments to						
Public Authorities	A9780.7					
Installment Purchase	A9785.7					
TOTAL		3,273		26,900	28,360	28,360
INTERFUND TRANSFERS						
TRANSFER TO: INSURANCE	A9902.9		20,000	13,000	12,000	12,000
Other Funds RESERVE	A9901.9					
Capital Project Fund	A9950.9					
Contributions to						
Other Funds	A9961.9					
TOTAL			20,000	13,000	12,000	12,000
TOTAL APPROPRIATIONS		602,582	637,500	688,005	688,005	688,005 ::
BUDGETARY PROVISIONS FOR OTHER USES	A962	25,000	50,000	0	0	0
TOTAL APPROPRIATIONS AND OTHER USES		672,402	687,500	688,005	688,005	688,005
*Transfer to Page TB-1						

GENERAL FUND ESTIMATED REVENUES

ACCOUNTS	CODE	ACTUAL LAST YEAR 19_87	BUDGET THIS YEAR AS AMENDED 19_88	BUDGET OFFICERS TENTATIVE BUDGET 19_89	PRELIMINARY BUDGET 19_89	ADOPTED 19_89
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	7,264	6,500	6,000	6,000	6,000
* Non-Property Tax						
Distribution by						
County	A1120	259,060	170,000	201,870	201,870	201,870
DEPARTMENTAL INCOME						
FRANCHISES----						
Tax Collection Fees	A1170	11,329	10,000	12,000	12,000	12,000
(Not Interest on Taxes)	A1232					
Clerk Fees	A1255	1,231	800	500	500	500
* Police Fees	A1520					
Public Pound Charges-						
Dog Control Fees	A1550	685	350	300	300	300
* 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	16,300	10,000	12,000	12,000	12,000
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	825	300	200	200	200
* Planning Board Fees	A2115					

*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 1987	BUDGET THIS YEAR AS AMENDED 1988	BUDGET OFFICERS TENTATIVE BUDGET 1989	PRELIMINARY BUDGET 19 89	ADOPTED 1989
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	16,585	14,000	10,000	10,000	10,000
Rental of Real Property	A2410	772				
Rental of Real Property, Other Governments	A2412	24,600	24,600	24,600	24,600	24,600
Rental of Equipment, Other Governments	A2416					
Commissions	A2450	12				
LICENSES AND PERMITS						
Bus. & Occup. Lic.	A2501					
Games of Chance Lic.	A2530	40				
Bingo Lic.	A2540	1,395	1,500	1,400	1,400	1,400
Dog Licenses	A2544	5,705	6,000	5,600	5,600	5,600
Permits, Other	A2590	385				
Permits, Other Licences	A2545	1,725	1,650			
FINE AND FORFEITURES						
Fines & Forfeited Bail	A2610	41,769	19,000	28,000	28,000	28,000
Fines & Pen. Dog Cases	A2611					
Forfeiture of Deposits	A2620					
SALES OF PROPERTY AND COMPENSATION FOR LOSS	A2555	4,890	3,000	3,000	3,000	3,000
Sales of Scrap and Excess Materials	A2650					
Minor Sales, Other	A2655					
Sales of Real Property	A2660					
Sales of Equipment	A2665					
Insurance Recoveries	A2680					
Other Comp for Loss	A2690	100				

GENERAL FUND ESTIMATED REVENUES

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>87</u>	BUDGET THIS YEAR AS AMENDED 19 <u>88</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>89</u>	PRELIMINARY BUDGET 19 <u>89</u>	ADOPTED 19 <u>89</u>
MISCELLANEOUS		LOCAL SOURCES (CONTD.)				
Refunds of Prior	A2701	497				
Years Expenses	A2705	25				
Gifts and Donations						
Endowment and Trust	A2755					
Fund Income	A2762					
CETA - TITLE 2	A2763					
CETA - TITLE 3	A2764					
CETA - TITLE 4	A2766					
CETA - TITLE 6	A2767					
CETA - TITLE 7	A2768					
CETA - TITLE 8						
Other Unclassified						
Revenues (specify)						
Misc.	A2770	239				
	A2770					
INTERFUND REVENUES						
Interfund Revenues	A2801					
TOTAL ESTIMATED						
Revenues From						
Local Sources	A2999	395,433	267,700	305,470	305.470	305,470

GENERAL FUND ESTIMATED REVENUES

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 87	BUDGET THIS YEAR AS AMENDED 19 88	BUDGET OFFICERS TENTATIVE BUDGET 19 89	PRELIMINARY BUDGET 19 89	ADOPTED 19 89
STATE AID						
Per Capita	A3001	128,629	115,000	120,000	120,000	120,000
Mortgage Tax	A3005	74,449	25,000	40,000	40,000	40,000
Loss of Railroad Tax Revenue	A3007					
Loss of Public Utility Valuations	A3017					
Navigation Law Enforcement	A3315					
Snowmobile Law Enforcement	A3317					
Insect Control	A3468					
Narcotics Guidance Council	A3484					
Social Services	A3660					
Recreation for Aging	A3801	2,000	2,000	2,000	2,000	2,000
Youth Programs	A3820	9,532	9,500	9,500	9,500	9,500
TOTAL ESTIMATED CODE ENF OTHER	A3995	7,685	5,000	6,000	6,000	6,000
REVENUES FROM	A3089	2,600				
STATE AID	A3999	224,895	156,500	177,500	177,500	177,500
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					
TOTAL ESTIMATED Revenues-General Fund (Transfer to page 1)	A5000	620,328	424,200	482,970	482,970	482,970
ESTIMATED UNEXPENDED BALANCE						
ESTIMATED GENERAL Fund Unexpended Balance (Transfer Total "ADOPTED" To Page 1)		194,000	194,000	135,000	135,000	135,000

HIGHWAY APPROPRIATIONS - TOWNWIDE

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 87	BUDGET THIS YEAR AS AMENDED 19 88	BUDGET OFFICERS TENTATIVE BUDGET 19 89	PRELIMINARY BUDGET 19 89	ADOPTED 19 89
GENERAL REPAIRS						
Personal Services	DA5110.1	63,031	64,575	68,000	68,000	68,000
Contractual Exp.	DA5110.4	75,532	71,000	71,000	71,000	71,000
TOTAL		138,563	135,575	139,000	139,000	139,000
IMPROVEMENTS						
Capital Outlay	DA5112.2	30,000	32,000	32,000	32,000	32,000
BRIDGES						
Personal Services	DA5120.1					
Capital Outlay	DA5120.2					
Contractual Exp.	DA5120.4					
TOTAL						
MACHINERY						
Personal Services	DA5130.1					
Equipment	DA5130.2	49,333	20,000	21,500	21,500	21,500
Contractual Exp.	DA5130.4	7,605	65,000	68,000	68,000	68,000
TOTAL		56,938	85,000	89,500	89,500	89,500
MISCELLANEOUS (BRUSH & WEEDS)						
Personal Services	DA5140.1	4,262	10,000	12,000	12,000	12,000
Contractual Exp.	DA5140.4	1,177	1,000	2,000	2,000	2,000
TOTAL		5,439	11,000	14,000	14,000	14,000
SNOW REMOVAL (TOWN HIGHWAYS)						
Personal Services	DA5142.1	44,592	55,600	58,400	58,400	58,400
Contractual Exp.	DA5142.4	27,215	34,000	35,000	35,000	35,000
TOTAL		71,807	89,600	93,400	93,400	93,400
SERVICES FOR OTHER GOVERNMENTS						
Personal Services	DA5148.1	44,641	55,600	58,400	58,400	58,400
Contractual Exp.	DA5148.4	21,653	32,000	35,000	35,000	35,000
TOTAL		66,294	87,600	93,400	93,400	93,400

HIGHWAY APPROPRIATIONS - TOWNWIDE

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>87</u>	BUDGET THIS YEAR AS AMENDED 19 <u>88</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>89</u>	PRE- LIMINARY BUDGET 19 <u>89</u>	ADOPTED 19 <u>89</u>
EMPLOYEE BENEFITS						
State Retirement	DA9010.8	17,090	16,495	17,250	17,250	17,250
Social Security	DA9030.8	11,040	14,000	14,750	14,750	14,750
Worker's Comp.	DA9040.8	4,417	6,500	6,500	6,500	6,500
Life Insurance	DA9045.8					
Unemployment Ins.	DA9050.8	825				
Disability Ins.	DA9055.8	278	355	355	355	355
Hospital & Medical Ins.	DA9060.8	10,154	15,000	17,000	17,000	17,000
TOTAL		43,804	52,350	55,855	55,855	55,855
DEBT SERVICE PRINCIPAL						
Serial Bonds	DA9710.6					
Statutory Bonds	DA9720.6					
Bond Anticipation	DA9730.6	30,000	22,000	10,000	10,000	10,000
Capital Notes	DA9740.6					
Budget Notes	DA9750.6					
Tax Anticipation	DA9760.6					
Revenue Anticipation	DA9770.6					
Debt Payments to Public Authorities	DA9780.6					
TOTAL		30,000	22,000	10,000	10,000	10,000
INTEREST						
Serial Bonds	DA9710.7					
Statutory Bonds	DA9720.7					
Bond Anticipation	DA9730.7	1,493	4,200	2,900	2,900	2,900
Capital Notes	DA9740.7					
Budget Notes	DA9750.7					
Tax Anticipation	DA9760.7					
Revenue Anticipation	DA9770.7					
Debt Payments to Public Authorities	DA9780.7					
TOTAL		1,493	4,200	2,900	2,900	2,900
INTERFUND TRANSFERS						
TRANSFER TO:						
Capital Project Fund	DA9950.9	44,990				
TOTAL INTERFUND TRANSFERS		44,990				
BUDGETARY PROVISIONS FOR OTHER USES	DA962					
TOTAL APPROPRIATIONS AND OTHER USES		489,328	519,325	530,055	530,055	530,055*
* Transfer to Page TB-1						

HIGHWAY REVENUES - TOWNWIDE

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>87</u>	BUDGET THIS YEAR AS AMENDED 19 <u>88</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>89</u>	PRE- LIMINARY BUDGET 19 <u>89</u>	ADOPTED 19 <u>89</u>
LOCAL SOURCES						
Non-Property Tax						
Distribution by County	DA1120	138,000	150,000	140,000	140,000	140,000
Services for Other						
Govt's.	DA2300	43,100	40,000	40,000	40,000	40,000
Interest & Earnings	DA2401	9,722	7,000	8,000	8,000	8,000
Rental of Equipment						
Other Govt's.	DA2416					
Interfund Revenues	DA2801	139				
Miscellaneous (Specify)						
STATE AID						
Consolidated Highway	DA3501	29,863	21,000	24,000	24,000	24,000
FEDERAL AID (Specify)						
	DA45					
	DA45					
Interfund Transfers	DA5031					
TOTAL ESTIMATED REVENUES		220,824	218,000	212,000	212,000	212,000 ::
UNEXPENDED BALANCE			5,000	20,000	20,000	20,000 ::
*Transfer to Page TB-1						

HIGHWAY APPROPRIATIONS - OUTSIDE VILLAGE

ACCOUNTS	CODE	ACTUAL LAST YEAR 19__	BUDGET THIS YEAR AS AMENDED 19__	BUDGET OFFICERS TENTATIVE BUDGET 19__	PRE- LIMINARY BUDGET 19__	ADOPTED 19__
GENERAL REPAIRS						
Personal Services	DB5110.1					
Contractual Expense	DB5110.4					
TOTAL						
IMPROVEMENTS						
Capital Outlay	DB5112.2					
MACHINERY						
Personal Services	DB5130.1					
Equipment	DB5130.2					
Contractual Expense	DB5130.4					
TOTAL						
MISCELLANEOUS (BRUSH & WEEDS)						
Personal Services	DB5140.1					
Contractual Expense	DB5140.4					
TOTAL						
SNOW REMOVAL (TOWN HIGHWAYS)						
Personal Services	DB5142.1					
Contractual Expense	DB5142.4					
TOTAL						
SERVICES FOR OTHER GOVERNMENTS						
Personal Services	DB5148.1					
Contractual Expense	DB5148.4					
TOTAL						
EMPLOYEE BENEFITS						
State Retirement	DB9010.8					
Social Security	DB9030.8					
Worker's Comp.	DB9040.8					
Life Insurance	DB9045.8					
Unemployment Ins.	DB9050.8					
Disability Insurance	DB9055.8					
Hospital & Medical Ins.	DB9060.8					
TOTAL						

DEBT SERVICE FUND
APPROPRIATIONS

ACCOUNT	CODE	ACTUAL LAST YEAR 19__	BUDGET THIS YEAR AS AMENDED 19__	BUDGET OFFICERS TENTATIVE BUDGET 19__	PRELIMINARY BUDGET 19__	ADOPTED 19__
FISCAL AGENTS FEE	V1380.4					
DEBT SERVICE PRINCIPAL						
Serial Bonds	V9710.6					
Statutory Bonds	V9720.6					
CAPITAL NOTES	V9740.6					
Debt Payments to						
Public Authorities	V9780.6					
TOTAL	V9899.6					
INTEREST						
Serial Bonds	V9710.7					
Statutory Bonds	V9720.7					
Capital Notes	V9740.7					
Debt Payments to						
Public Authorities	V9780.7					
TOTAL	V9899.7					
TOTAL APPROPRIATIONS						
(TRANSFER TOTAL						
"ADOPTED" TO PAGE 1)	V9900.0					
ESTIMATED REVENUES AND ESTIMATED UNEXPENDED BALANCE						
Interest and Earnings	V2401					
Interfund Transfers	V5031					
TOTAL ESTIMATED						
Revenues	V5000					
ESTIMATED UNEXPENDED						
Balance						

LIGHTING DISTRICT

ACCOUNT	CODE	ACTUAL LAST YEAR 1987	BUDGET LAST YEAR AS AMENDED 19 88	BUDGET OFFICERS TENTATIVE BUDGET 19 89	PRELIMINARY BUDGET 19 89	ADOPTED 1989
LIGHTING DIST. Street Lighting Contractual Exp.	SL-1- 5182.4	APPROPRIATIONS				
		16,311	19,800	19,800	19,800	19,800
		16,311	19,800	19,800	19,800	19,800
	SL2401	ESTIMATED REVENUES				
		313		0	0	0
		313		0	0	0
		UNEXPENDED BALANCE				
ESTIMATED LIGHTING District Unexpended Balance						

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LIGHTING DISTRICT

LIGHTING DIST. Street Lighting Contractual Exp.	SL-2- 5182.4	APPROPRIATIONS				
		ESTIMATED REVENUES				
		UNEXPENDED BALANCE				
ESTIMATED LIGHTING District Unexpended Balance						

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*Transfer Total "Adopted" To Page 1

WATER DISTRICT APPROPRIATIONS
#1 WATER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>87</u>	BUDGET THIS YEAR AS AMENDED 19 <u>88</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>89</u>	PRELIMINARY BUDGET 19 <u>89</u>	ADOPTED 19 <u>89</u>
ADMINISTRATION						
Personal Services	SW8310.1					
Equipment	SW8310.2					
Contractual Exp.	SW8310.4					
TOTAL	SW8310.0					
SOURCE OF SUPPLY						
POWER AND PUMPING						
Personal Services	SW8320.1					
Equipment	SW8320.2					
Contractual Exp.	SW8320.4					
TOTAL	SW8320.0					
PURIFICATION						
Personal Services	SW8330.1					
Equipment	SW8330.2					
Contractual Exp.	SW8330.4					
TOTAL	SW8330.0					
TRANSMISSION AND DISTRIBUTION						
Personal Services	SW8340.1					
Equipment	SW8340.2	1,746				
Contractual Exp.	SW8340.4	6,681	17,630	30,000	30,000	30,000
TOTAL	SW8340.0	8,427	17,630	30,000	30,000	30,000
		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					
Capital Project Fund	SW9950.9					
TOTAL INTERFUND Transfer	SW9699.0					

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>87</u>	BUDGET THIS YEAR AS AMENDED 19 <u>88</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>89</u>	PRELIMINARY BUDGET 19 <u>89</u>	ADOPTED 19 <u>89</u>
		UNDISTRIBUTED				
DEBT SERVICE PRINCIPAL						
Bond Anticipation Notes	SW9730.6					
Budget Notes BONDS	SW9710.6	20,000	20,000			
Revenue Anticipation						
Notes	SW9770.6					
TOTAL	SW9899.6	20,000	20,000			
INTEREST						
Bond Anticipation Notes	SW9730.7					
Budget Notes BONDS	SW9710.7	1,110	370			
Revenue Anticipation						
Notes	SW9770.7	1,110	370			
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	29,537	38,000	30,000	30,000	30,000

WATER DISTRICT ESTIMATED REVENUES
#1 WATER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19_87	BUDGET THIS YEAR AS AMENDED 19_88	BUDGET OFFICERS TENTATIVE BUDGET 19_89	PRELIMINARY BUDGET 19_89	ADOPTED 19_89
METERED SALES	SW2140					
Unmetered Sales	SW2142					
Water Connection Charge	SW2144					
Interest and Penalties On Water Rents	SW2148					
INTEREST AND EARNINGS	SW2401	2,572	1,000			
Sales Of Scrap And Excess Materials	SW2650					
Minor Sales, Other	SW2655					
INSURANCE Recoveries	SW2680					
Other Compensation For Loss	SW2690					
Other (Specify) Out of Dist Tax	SW 2770	66				
TOTAL WATER DISTRICT Estimated Revenues (Transfer Total "ADOPTED" To Page 1		2,638	1,000	0	0	0
UNEXPENDED BALANCE						
ESTIMATED WATER DISTRICT Unexpended Balance (Transfer Total "ADOPTED" To Page 1)						



WATER DISTRICT APPROPRIATIONS
#2 WATER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>87</u>	BUDGET THIS YEAR AS AMENDED 19 <u>88</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>89</u>	PRELIMINARY BUDGET 19 <u>89</u>	ADOPTED 19 <u>89</u>
ADMINISTRATION						
Personal Services	SW8310.1					
Equipment	SW8310.2					
Contractual Exp.	SW8310.4					
TOTAL	SW8310.0					
SOURCE OF SUPPLY						
POWER AND PUMPING						
Personal Services	SW8320.1					
Equipment	SW8320.2					
Contractual Exp.	SW8320.4					
TOTAL	SW8320.0					
PURIFICATION						
Personal Services	SW8330.1					
Equipment	SW8330.2					
Contractual Exp.	SW8330.4					
TOTAL	SW8330.0					
TRANSMISSION AND DISTRIBUTION						
Personal Services	SW8340.1					
Equipment	SW8340.2	646				
Contractual Exp.	SW8340.4	1,952	39,599	39,992	39,992	39,992
TOTAL	SW8340.0	2,598	39,599	39,992	39,992	39,992
		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					
Capital Project Fund	SW9950.9					
TOTAL INTERFUND Transfer	SW9699.0					

ACCOUNTS	CODE	ACTUAL LAST YEAR 19_87	BUDGET THIS YEAR AS AMENDED 1988	BUDGET OFFICERS TENTATIVE BUDGET 19_89	PRELIMINARY BUDGET 19_89	ADOPTED 19_89
		UNDISTRIBUTED				
DEBT SERVICE PRINCIPAL						
Bond Anticipation Notes	SW9730.6					
Budget Notes BONDS	SW9740.6	157,336				
Revenue Anticipation						
Notes	SW9770.6					
TOTAL	SW9899.6	157,336				
INTEREST						
Bond Anticipation Notes	SW9730.7					
Budget Notes BONDS	SW9740.7	5,531				
Revenue Anticipation						
Notes	SW9770.7					
TOTAL	SW9899.7	5,531				
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	165,336	39,599	39,992	39,992	39,992

WATER DISTRICT ESTIMATED REVENUES
#2 WATER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>87</u>	BUDGET THIS YEAR AS AMENDED 19 <u>88</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>89</u>	PRELIMINARY BUDGET 19 <u>89</u>	ADOPTED 19 <u>89</u>
METERED SALES	SW2140					
Unmetered Sales	SW2142					
Water Connection Charge	SW2144					
Interest and Penalties						
On Water Rents	SW2148					
INTEREST AND EARNINGS	SW2401	3,154	200			
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		3,154	200	0	0	0
UNEXPENDED BALANCE						
ESTIMATED WATER DISTRICT						
Unexpended Balance						
(Transfer Total						
"ADOPTED" To Page 1)						

FIRE PROTECTION DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>87</u>	BUDGET THIS YEAR AS AMENDED 19 <u>88</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>89</u>	PRELIMINARY BUDGET 19 <u>89</u>	ADOPTED 19 <u>89</u>
APPROPRIATIONS						
FIRE PROTECTION DIST. Payments On Fire JUDGE Contracts & CLAIMS	SF1930.4	1,297		30	30	30
Contractual Exp.	SF-1-3410.4	159,352	171,509	183,070	183,070	183,070
Comp Insurance	SF9040.8	5,267	20,000	14,000	14,000	14,000
TOTAL		165,916	191,509	197,100	197,100	197,100
ESTIMATED REVENUES						
Int & Earn	SF2401	881	0			
Refund Pr Yr Exp	SF2701	119	0			
TOTAL		1,000	0	0	0	0
UNEXPENDED BALANCE						
ESTIMATED FIRE Protection Dist. Unexpended Balance				2,100	2,100	2,100
FIRE PROTECTION DISTRICT						
APPROPRIATIONS						
FIRE PROTECTION DIST. 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 87	BUDGET THIS YEAR AS AMENDED 19 88	BUDGET OFFICERS TENTATIVE BUDGET 19 89	PRELIMINARY BUDGET 19 89	ADOPTED 19 89
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					
Equipment	SS8130.2					
Contractual Exp.	SS8130.4		1,000	2,300	2,300	2,300
TOTAL	SS8130.0		1,000	2,300	2,300	2,300
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					
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>87</u>	BUDGET THIS YEAR AS AMENDED 19 <u>88</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>89</u>	PRELIMINARY BUDGET 19 <u>89</u>	ADOPTED 19 <u>89</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)		0	1,000	2,300	2,300	2,300

SEWER DISTRICT ESTIMATED REVENUES

#1 SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>87</u>	BUDGET THIS YEAR AS AMENDED 19 <u>88</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>89</u>	PRELIMINARY BUDGET 19 <u>89</u>	ADOPTED 19 <u>89</u>
Sewer Rents	SS2120					
Sewer Charges	SS2122					
Interest And Penalties On Sewer Rents	SS2128					
Interest And Earnings	SS2401	108				
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)		108				
UNEXPENDED BALANCE						
ESTIMATED SEWER DIST. Unexpended Balance (Transfer Total "ADOPTED" To Page 1)			1,000	2,300	2,300	2,300



SEWER DISTRICT APPROPRIATIONS
#2 SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>87</u>	BUDGET THIS YEAR AS AMENDED 19 <u>88</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>89</u>	PRELIMINARY BUDGET 19 <u>89</u>	ADOPTED 19 <u>89</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	1,953	1,199	1,198.50	1,198.50	1,198.50
TOTAL	SS8120.0	1,953	1,199	1,198.50	1,198.50	1,198.50
SEWAGE TREATMENT AND DISPOSAL						
Personal Services	SS8130.1					
Equipment	SS8130.2					
Contractual Exp.	SS8130.4					
TOTAL	SS8130.0					
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					
TOTAL	SS9199.0					
INTERFUND TRANSFERS						
Transfer To:						
Other Funds	SS9901.9					
Capital Project Fund	SS9950.9					
Total Interfund	SS9699.0					
Transfer						

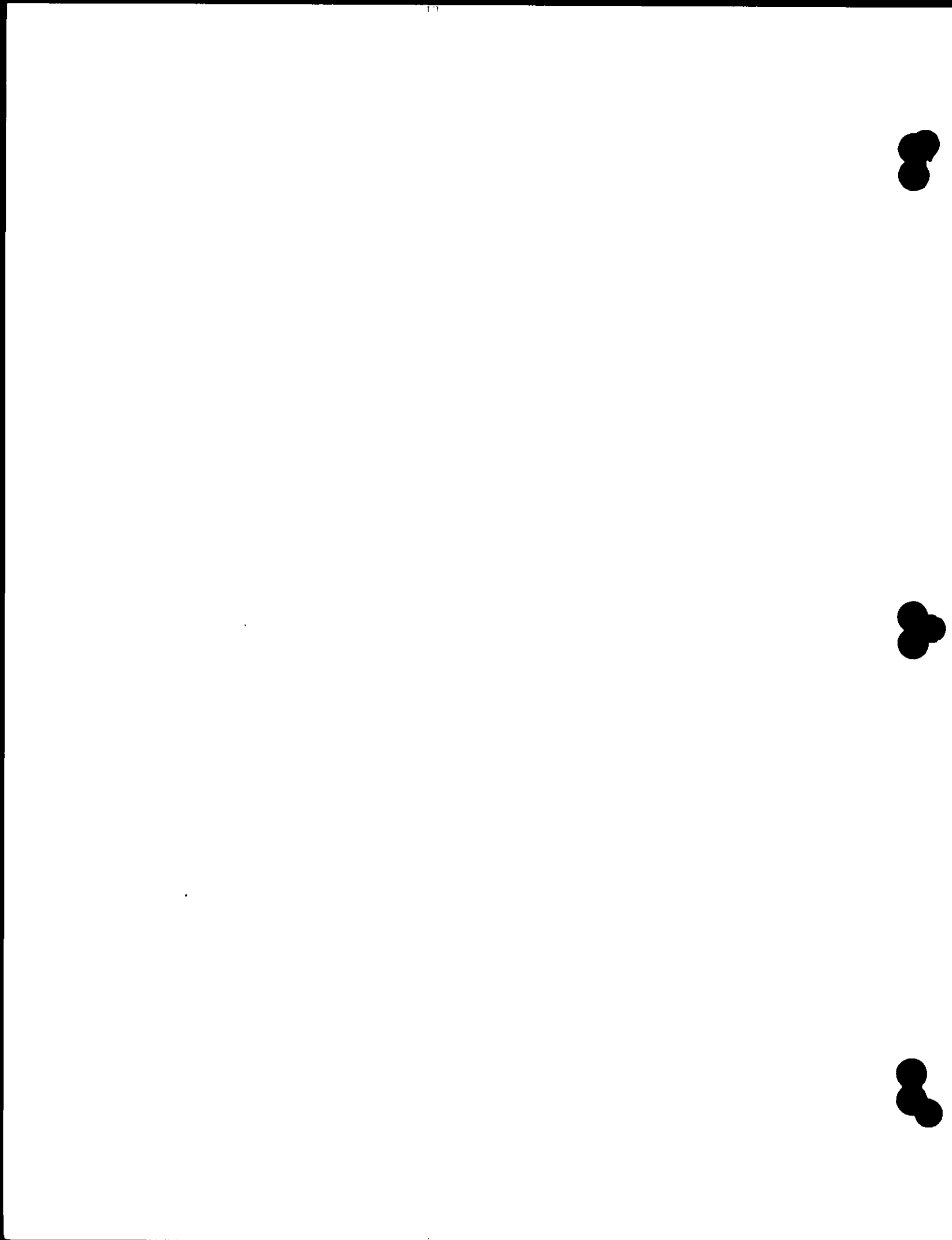
ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>87</u>	BUDGET THIS YEAR AS AMENDED 19 <u>88</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>89</u>	PRELIMINARY BUDGET 19 <u>89</u>	ADOPTED 19 <u>89</u>
		UNDISTRIBUTED				
DEBT SERVICE PRINCIPAL						
Bond Anticipation Notes	SS9730.6					
Budget Notes	SS9750.6					
Revenue 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)		1,953	1,199	1,198.50	1,198.50	1,198.50

SEWER DISTRICT ESTIMATED REVENUES

#2

SEWER DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>87</u>	BUDGET THIS YEAR AS AMENDED 19 <u>88</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>89</u>	PRELIMINARY BUDGET 19 <u>89</u>	ADOPTED 19 <u>89</u>
Sewer Rents	SS2120					
Sewer Charges	SS2122					
Interest And Penalties On Sewer Rents	SS2128					
Interest And Earnings	SS2401	142				
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)		142	0	0	0	0
ESTIMATED SEWER DIST. Unexpended Balance (Transfer Total "ADOPTED" To Page 1)		UNEXPENDED BALANCE				



DRAINAGE DISTRICT ESTIMATED REVENUES
DRAINAGE DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19__	BUDGET THIS YEAR AS AMENDED 19__	BUDGET OFFICERS TENTATIVE BUDGET 19__	PRELIMINARY BUDGET 19__	ADOPTED 19__
	SD					
	SD					
TOTAL DRAINAGE DIST. Estimated Revenues (Transfer Total "ADOPTED" To Page 1)						
ESTIMATED DRAINAGE DIST. Unexpended Balance (Transfer Total "ADOPTED" To Page 1)						

REFUSE AND GARBAGE DISTRICT APPROPRIATIONS
REFUSE AND GARBAGE DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 1987	BUDGET THIS YEAR AS AMENDED 1988	BUDGET OFFICERS TENTATIVE BUDGET 1989	PRELIMINARY BUDGET 1989	ADOPTED 1989
REFUSE AND GARBAGE						
Personal Services	SR8160.1					
Equipment	SR8160.2					
Contractual Exp.	SR8160.4	16,032	22,500	282,321	282,321	282,321
TOTAL	SR8160.0	16,032	22,500	282,321	282,321	282,321
EMPLOYEE BENEFITS						
State Retirement	SR9010.8					
Social Security	SR9030.8					
Compensation Ins.	SR9040.8					
Life Insurance	SR9045.8					
Unemployment Ins.	SR9050.8					
Disability Ins.	SR9055.8					
Hospital and Medical Insurance	SR9060.8					
TOTAL	SR9199.0					
INTERFUND TRANSFERS						
Transfer To:						
Other Funds	SR9901.9					
Capital Project Fund	SR9950.9					
TOTAL	SR9699.0					
DEBT SERVICE PRINCIPAL						
Bond Anticipation Notes	SR9730.6					
Budget Notes	SR9750.6					
Revenue Anticipation Notes	SR9770.6					
TOTAL	SR9899.6					
INTEREST						
Bond Anticipation Notes	SR9730.7					
Budget Notes	SR9750.7					
Revenue Anticipation Notes	SR9770.7					
TOTAL	SR9899.7					
BUDGETARY PROVISIONS						
For Other Uses	SR962					
TOTAL REFUSE AND Garbage District Appropriations And Budgetary Provisions For Other Uses (Transfer Total "ADOPTED" To Page 1)		16,032	22,500	282,321	282,321	282,321

REFUSE AND GARBAGE DISTRICT ESTIMATED REVENUES

REFUSE AND GARBAGE DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19 <u>87</u>	BUDGET THIS YEAR AS AMENDED 19 <u>88</u>	BUDGET OFFICERS TENTATIVE BUDGET 19 <u>89</u>	PRELIMINARY BUDGET 19 <u>89</u>	ADOPTED 19 <u>89</u>
REFUSE AND GARBAGE Removal and Dis- posal Charges <u>Interest & Earn</u>	SR2401 SR2130	618	0	0	0	0
TOTAL REFUSE AND Garbage District Estimated Revenues (Transfer Total "ADOPTED" To Page 1)		618	0	0	0	0
ESTIMATED REFUSE And Garbage Dist. Unexpended Balance (Transfer Total "ADOPTED" To Page 1)		UNEXPENDED BALANCE				

PARK DISTRICT APPROPRIATIONS
PARK DISTRICT

ACCOUNTS	CODE	ACTUAL LAST YEAR 19__	BUDGET THIS YEAR AS AMENDED 19__	BUDGET OFFICERS TENTATIVE BUDGET 19__	PRELIMINARY BUDGET 19__	ADOPTED 19__
PARKS						
Personal Services	SP7110.1					
Equipment	SP7110.2					
Contractual Exp.	SP7110.4					
TOTAL	SP7110.0					
PLAYGROUND AND RECREATION CENTERS						
Personal Services	SP7140.1					
Equipment	SP7140.2					
Contractual Exp.	SP7140.4					
TOTAL	SP7140.0					
BEACH AND POOL						
Personal Services	SP7180.1					
Equipment	SP7180.2					
Contractual Exp.	SP7180.4					
TOTAL	SP7180.0					
MARINA AND DOCKS						
Personal Service	SP7230.1					
Equipment	SP7230.2					
Contractual Exp.	SP7230.4					
TOTAL	SP7230.0					
GOLF						
Personal Services	SP7250.1					
Equipment	SP7250.2					
Contractual Exp.	SP7250.4					
TOTAL	SP7250.0					
SKI FACILITY						
Personal Services	SP7260.1					
Equipment	SP7260.2					
Contractual Exp.	SP7260.4					
TOTAL	SP7260.0					

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.