

**REGULAR BOARD MEETING
MARCH 4, 2015**

**TOWN HALL
7:30 P.M.**

Present: Supervisor Martin A. Ballowe, Councilmen Jay P. Boardway, Jeffrey A. Genzel, Lawrence A. Murtha and Gary E. Vara.

Also Present: Town Attorney Kobiolka.

A motion was made by Supervisor Ballowe and was seconded by Councilman Murtha to open the public hearing.

five (5) Ayes

Carried

At 7:52 p.m. a Public Hearing was held to hear consider the application from Kevin L. Monaco for a Special Use Permit for a temporary greenhouse located at 7040 South Abbott Road.

Councilman Genzel read the legal notice.

There were no public comments.

A motion was made by Councilman Genzel and seconded by Councilman Murtha to close the public hearing at 7:55 p.m.

five (5) Ayes

Carried

A motion was made by Councilman Genzel and was seconded by Supervisor Ballowe to approve the request for a special use permit for a temporary greenhouse from Kevin L. Monaco at 7040 South Abbott Road. This permit will be valid for one year ending March 3, 2016.

five (5) Ayes

Carried

RESOLUTION 2015-04

**Resolution Supporting Town Participation in
Countywide Government Efficiency Plan**

Councilman Boardway presented the following Resolution and moved its adoption:

WHEREAS, Governor Andrew Cuomo and the New York State Legislature enacted the Property Tax Freeze Credit to provide property tax refunds to homeowners as part of the 2014-2015 State Budget; and

**LEGAL NOTICE
TOWN OF BOSTON
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Boston Town Board, Erie County, New York, will hold a Public Hearing at the Boston Town Hall, 8500 Boston State Road, Boston, New York, Wednesday, March 4, 2015 at 7:40 PM, Eastern Prevailing Time, to consider the application from Kevin L. Monaco for a Special Use Permit for a temporary greenhouse located at 7040 South Abbott Road.

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

DATED: February 13, 2015
PUBLISHED: February 19, 2015

BY ORDER
OF THE TOWN BOARD
J E N N I F E R
A. MULÉ, TOWN CLERK

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WHEREAS, the new law encourages local governments to generate long-term tax relief for taxpayers by sharing services, consolidating or merging, and demonstrating and implementing operational efficiencies; and

WHEREAS, in year one of the program, which is 2015 for local governments, homeowners will receive the Freeze Credit if their local government stays within the property tax cap; and

WHEREAS, in year two of the program, which is 2016 for local governments, homeowners will receive the Freeze Credit for property taxes from any taxing jurisdiction in which the homeowner resides that stays within the property tax cap and puts forward a State-approved Government Efficiency Plan demonstrating savings equivalent to one percent of their property tax levies in each of the following three years; and

WHEREAS, while local governments may take a variety of approaches to develop their Government Efficiency Plans, the State has strongly encouraged they convene and facilitate a process to develop and submit county-wide Government Efficiency Plans; and

WHEREAS, as exemplified in the recent establishment of the Buffalo Erie Niagara Land Improvement Corporation in 2012, this community has a history of receiving recognition by the State for demonstrating successful regional collaborations involving many municipalities; and

WHEREAS, Erie County has offered to coordinate the development of such Government Efficiency Plans as the 'lead agency' on behalf of all other interested municipalities; and

WHEREAS, the Town of Boston is interested in intergovernmental cooperation with Erie County and other municipalities in submitting a county-wide Government Efficiency Plan and desires to memorialize its intention to participate in a coordinated Plan to allow its homeowners to receive the Freeze Credit.

NOW, THEREFORE, BE IT RESOLVED that the Town of Boston seeks to ensure that Town homeowners will receive the Freeze Credit as part of this new State law; and

BE IT FURTHER RESOLVED that the Town of Boston did not exceed its designated property tax cap for fiscal year 2015 and memorializes that it has no intention of exceeding the cap for fiscal year 2016, which if exceeded would disqualify the town from participation in the Property Tax Cap Freeze Credit Program; and

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BE IT FURTHER RESOLVED that the Boston Town Board does hereby express its support for, and participation in an Erie County-wide Government Efficiency Plan; and

BE IT FURTHER RESOLVED that the Town Board urges the New York State Division of the Budget to approve Erie County's coordinated Government Efficiency Plan with local governments with the understanding that the town has played an active role in the identification of preexisting and implementation of new shared services, consolidations or merges, and operational efficiencies within the Town of Boston for inclusion in the county-wide plan; and

BE IT FURTHER RESOLVED that certified copies of this resolution shall be forwarded to the Erie County Executive; the Commissioner of the Department of Environment and Planning; the County Comptroller; the County Attorney; the Director of the Division of Budget and Management; and the Association of Erie County Governments.

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

AYES: 5 NOES:0 ABSENT: 0

A Motion was made by Councilman Boardway and seconded by Councilman Murtha to adopt the minutes of the February 18, 2015 regular meeting.

Supervisor Ballowe	Aye	Councilman Murtha	Aye
Councilman Genzel	Nay	Councilman Boardway	Aye
Councilman Vara	Aye		

four (4) Ayes (1) one Nay Carried

A motion was made by Councilman Murtha and seconded by Supervisor Ballowe, upon review by the Town Board, that fund bills on the Abstract dated February 26, 2015 in the amount of \$62,812.74 be paid.

Supervisor Ballowe	Aye	Councilman Murtha	Aye
Councilman Genzel	Nay	Councilman Boardway	Aye
Councilman Vara	Aye		

four (4) Ayes (1) one Nay Carried

Received and filed Resolution from the Town of Concord concerning the onerous and antiquated system of Community College Chargeback rates.

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The following persons were heard:

Tom Flynn, Boston Resident and Vice President of the Hamburg Central School District Board of Education informed the Town of Boston of the budget issues that Hamburg Board of Education faces and the heavy anvil Governor Cuomo has placed upon the school districts. He asked that the town let state officials know that schools are funded unfairly.

Councilman Vara inquired as to whether or not they have looked into merging with smaller districts?

Tom Flynn stated a formal study has not been done. Usually districts under 1,000 students that benefit the most from that.

Supervisor Ballowe noted that if the town can look at and/or if the councilmen are willing to put their name on something, it can be presented to them.

A motion was made by Councilman Vara and was seconded by Councilman Murtha to approve the Application for Use of Facility from Barbara Moore for a Democratic town meeting on Saturday, March 28, 2015 ^{from} 12 pm to 3 pm.

five (5) Ayes

Carried

A motion was made by Councilman Vara and was seconded by Councilman Murtha to approve the Application for Use of Facility from Barbara Moore for the annual Easter Egg Hunt on April 4, 2015 from 10 am to 3 pm.

five (5) Ayes

Carried

A motion was made by Councilman Genzel and was seconded by Supervisor Ballowe to approve the Application for Use of Facility from Jill Howard, Parent Coordinator for Hamburg Pre-Kindergarten for June 19, 2015 ^{from} 8 am to 2:30 pm.

five (5) Ayes

Carried

A motion was made by Councilman Vara and was seconded by Councilman Boardway to approve the annual refuse licenses for Allied Waste Services of North America, LLC, Modern Disposal Services, Inc., Waste Management of NY, LLC.

five (5) Ayes

Carried

Town Clerk Mulé reported on the following:

- Gave a report on her experience at the Association of Town's Conference in New York City.

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Councilman Murtha reported on the following:

- Historical Society will have their Potluck dinner on April 21st at 6 p.m.

Councilman Genzel had no report.

Councilman Boardway reported on the following:

- Thanked Bookkeeper Kathy Selby for her hard work.
- Attended a meeting with Bookkeeper Selby that dealt with Town Participation in Countywide Government Efficiency.
- Commented on Town Clerk Mulés report and also commented on the Status of her residency.

Councilman Vara reported on the following:

- Commented on Town Clerk Mulés report.
- Waiting for prices on having the basketball courts worked on.
- Will attend a NEST meeting.
- Will attend Conservation Advisory Council meeting next week.

Supervisor Ballowe reported on the following:

- Received monthly reports from the Town Clerk, Code Enforcement Officer and Dog Control officer.
- Met with Football representatives who are requesting to put up lighting on the fields. They will speak with area neighbors that it will affect.
- The town board will look into whether there is enough power to operate what they are requesting.
- The Town Board is discussing the continued collection of school taxes. Supervisor Ballowe will work on getting the answers for questions asked.
- Supervisor Ballowe will attend a Supervisor's roundtable in East Aurora with other area supervisors and Senator Patrick Gallivan.
- Working on Shared municipal services.

A motion was made by Supervisor Ballowe and seconded by Councilman Murtha to adjourn the meeting at 8:29 p.m.

five (5) Ayes

Carried

JENNIFER A. MULÉ, TOWN CLERK